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RAS/1/LM

Commissioner's File: CSB/291/1990

SUPPLEMENTARY BENEFITS ACT 1976

APPEAL FROM DECISION OF SOCIAL SECURITY APPEAL TRIBUNAL ON A QUESTION OF LAW

DECISION OF THE SOCIAL SECURITY COMMISSIONER

1. My decision is that, for the reasons given in the submissions on behalf of the adjudication officer in respect of this appeal, the decision of the social security appeal tribunal dated 7 September 1988 is erroneous in law and I set it aside. I further decide, in substitution for the tribunal's decision, that the sum of £445.72 paid to the claimant by way of supplementary allowance for the period 1 October 1984 to 19 May 1985 as calculated in accordance with the adjudication officer's schedule is not recoverable from him.

(Signed) R A Sanders
Commissioner

Date: 2 March 1992