

*Status: Point in time view as at 30/09/2021.*

*Changes to legislation: Welfare Reform Act (Northern Ireland) 2007, Section 23 is up to date with all changes known to be in force on or before 17 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*



## 2007 CHAPTER 2

### **PART 1**

#### **EMPLOYMENT AND SUPPORT ALLOWANCE**

##### *Miscellaneous*

##### **Recovery of sums in respect of maintenance**

**23.**—<sup>[F1]</sup>(1) Regulations may make provision for the court to have power to make a recovery order against any person where an award of income-related allowance has been made to that person's spouse or civil partner.

(2) The reference in subsection (1) to a recovery order is to an order requiring the person against whom it is made to make payments to the Department or to such other person or persons as the court may determine.

(3) Regulations under subsection (1) may include—

- (a) provision as to the matters to which the court is, or is not, to have regard in determining any application under the regulations;
- (b) provision as to the enforcement of orders under the regulations;
- (c) provision for the transfer by the Department of the right to receive payments under, and to exercise rights in relation to, orders under the regulations.

(4) In this section, “the court” means a court of summary jurisdiction.]

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### Textual Amendments

- F1** S. 23 repealed (27.9.2017 for specified purposes, 15.11.2017 and 13.12.2017 for specified purposes, 17.1.2018 and further specified dates for specified purposes, 16.5.2018 and further specified dates for specified purposes, 5.9.2018 and further specified dates for specified purposes, 1.2.2019 for specified purposes) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), art. 2(2), [Sch. 12 Pt. 1](#); [S.R. 2017/190](#), art. 6, [Sch. 2](#) (with arts. 7, 8, 10-25, [Sch. 3](#)); [S.R. 2017/216](#), art. 4 (with art. 5); [S.R. 2018/1](#), art. 4 (with art. 5); [S.R. 2018/97](#), art. 4 (with art. 5); [S.R. 2018/138](#), art. 4 (with art. 5); [S.R. 2019/7](#), art. 2(5)-(7) (with art. 2(8)-(12))

### Commencement Information

- II** S. 23 wholly in operation at 27.10.2008; s. 23 not in operation at Royal Assent see s. 60(1); s. 23(1)(3) in operation for certain purposes at 1.7.2008 and wholly in operation at 27.10.2008 by [S.R. 2008/276](#), [art. 2\(2\)\(c\)](#), [Sch. Pt. 1](#); s. 23 in operation at 27.10.2008 in so far as not already in operation by [S.R. 2008/276](#), [art. 2\(2\)\(d\)](#), [Sch. Pt. 2](#)

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