



Jobseekers Act 1995

1995 CHAPTER 18

PART I

THE JOBSEEKER'S ALLOWANCE

Miscellaneous

23 Recovery of sums in respect of maintenance.

- [^{F1}(1) Regulations may make provision for the court to have power to make a recovery order against any person where an award of income-based jobseeker's allowance has been made to that person's spouse [^{F2}or civil partner].
- (2) In this section "recovery order" means an order requiring the person against whom it is made to make payments to the Secretary of State or to such other person or persons as the court may determine.
- (3) Regulations under this section may make provision for the transfer by the Secretary of State of the right to receive payments under, and to exercise rights in relation to, a recovery order.
- (4) Regulations made under this section may, in particular, include provision—
- (a) as to the matters to which the court is, or is not, to have regard in determining any application under the regulations; and
 - (b) as to the enforcement of recovery orders.
- (5) In this section, "the court" means—
- (a) in relation to England and Wales, [^{F3}the family court]; and
 - (b) in relation to Scotland, the sheriff.]

Textual Amendments

- F1** S. 23 repealed (29.4.2013 for specified purposes, 1.7.2013 and 29.7.2013 for specified purposes, 28.10.2013 for specified purposes, 25.11.2013 for specified purposes, 24.2.2014 and 7.4.2014 for

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specified purposes, 23.6.2014 and further specified dates for specified purposes, 15.9.2014 and further specified dates for specified purposes, 26.11.2014 for specified purposes, 28.1.2015 for specified purposes, 16.2.2015 and further specified dates for specified purposes, 18.3.2015 and further specified dates for specified purposes, 21.9.2015 and further specified dates for specified purposes) by [Welfare Reform Act 2012 \(c. 5\), s. 150\(3\), Sch. 14 Pt. 1](#); [S.I. 2013/983, arts. 4\(1\)\(c\), 5, Sch. 1](#) (with arts. 6, 9(1), 22, Sch. 4) (as amended: (1.7.2013) by [S.I. 2013/1511](#); (29.10.2013) by [S.I. 2013/2657](#); (16.6.2014) by [S.I. 2014/1452](#); (30.6.2014) by [S.I. 2014/1661](#); (28.7.2014) by [S.I. 2014/1923](#); (15.9.2014) by [S.I. 2014/2321](#); (17.11.2014) by [S.I. 2014/3067](#); (21.11.2014) by [S.I. 2014/3094](#); (19.1.2015) by [S.I. 2015/32](#) (as amended (10.2.2015) by [S.I. 2015/101](#)); (10.3.2015) by [S.I. 2015/634](#); and (20.7.2015) by [S.I. 2015/1537](#)); [S.I. 2013/1511, art. 4, Sch.](#) (as amended: (29.10.2013) by [S.I. 2013/2657](#); (16.6.2014) by [S.I. 2014/1452](#); (30.6.2014) by [S.I. 2014/1661](#); (28.7.2014) by [S.I. 2014/1923](#); (17.11.2014) by [S.I. 2014/3067](#); (19.1.2015) by [S.I. 2015/32](#); (10.3.2015) by [S.I. 2015/634](#); and (20.7.2015) by [S.I. 2015/1537](#)); [S.I. 2013/2657, art. 4, Sch.](#) (with art. 6) (as amended: (16.6.2014) by [S.I. 2014/1452](#); (30.6.2014) by [S.I. 2014/1661](#); (28.7.2014) by [S.I. 2014/1923](#); (17.11.2014) by [S.I. 2014/3067](#); (19.1.2015) by [S.I. 2015/32](#); (10.3.2015) by [S.I. 2015/634](#); and (20.7.2015) by [S.I. 2015/1537](#)); [S.I. 2013/2846, art. 4, Sch.](#) (with art. 5) (as amended: (16.6.2014) by [S.I. 2014/1452](#); (30.6.2014) by [S.I. 2014/1661](#); (28.7.2014) by [S.I. 2014/1923](#); (17.11.2014) by [S.I. 2014/3067](#); (19.1.2015) by [S.I. 2015/32](#); (10.3.2015) by [S.I. 2015/634](#); and (20.7.2015) by [S.I. 2015/1537](#)); [S.I. 2014/209, art. 4, Sch.](#) (as amended: (16.6.2014) by [S.I. 2014/1452](#); (30.6.2014) by [S.I. 2014/1661](#); (28.7.2014) by [S.I. 2014/1923](#); (17.11.2014) by [S.I. 2014/3067](#); (19.1.2015) by [S.I. 2015/32](#); (10.3.2015) by [S.I. 2015/634](#); and (20.7.2015) by [S.I. 2015/1537](#)); [S.I. 2014/1583, art. 4, Sch.](#) (as amended (30.6.2014) by [S.I. 2014/1661](#); (28.7.2014) by [S.I. 2014/1923](#); (17.11.2014) by [S.I. 2014/3067](#); (19.1.2015) by [S.I. 2015/32](#); (10.3.2015) by [S.I. 2015/634](#); and (20.7.2015) by [S.I. 2015/1537](#)); [S.I. 2014/2321, art. 4](#) (as amended: (17.11.2014) by [S.I. 2014/3057](#); (19.1.2015) by [S.I. 2015/32](#); (10.3.2015) by [S.I. 2015/634](#); and (20.7.2015) by [S.I. 2015/1537](#)); [S.I. 2014/3094, art. 4](#) (with art. 6); [S.I. 2015/33, art. 4](#) (with art. 6) (as amended (11.2.2015) by [S.I. 2015/101](#) and (10.3.2015) by [S.I. 2015/634](#)); [S.I. 2015/101, art. 4](#) (with art. 2(2)-(4)) (as amended: (10.3.2015) by [S.I. 2015/534](#); (17.3.2015) by [S.I. 2015/740](#); (20.7.2015) by [S.I. 2015/1537](#); (14.1.2016) by [S.I. 2016/33](#); and (21.3.2016) by [S.I. 2016/407](#)); [S.I. 2015/634, art. 4](#) (with art. 6) (as amended (17.3.2015) by [S.I. 2015/740](#) and (21.3.2016) by [S.I. 2016/407](#)); [S.I. 2015/1537, art. 4](#) (as modified: (23.11.2015) by [S.I. 2015/1930](#); (14.1.2016) by [S.I. 2016/33](#); and (21.3.2016) by [S.I. 2016/407](#))

F2 Words in s. 23(1) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\), ss. 254\(1\), 263\(8\)\(d\), Sch. 24 para. 122](#); [S.I. 2005/3175, art. 2\(1\), Sch. 1](#)

F3 Words in s. 23(5)(a) substituted (temp.) (22.4.2014) by [The Crime and Courts Act 2013 \(Family Court: Consequential Provision\) Order 2014 \(S.I. 2014/605\), arts. 1, 21\(1\)](#)

Commencement Information

I1 S. 23 wholly in force at 7.10.1996; s. 23 not in force at Royal Assent, see s. 41(2); s. 23 in force (12.12.1995) for the purpose of authorising the making of regulations by [S.I. 1995/3228, art. 2\(b\), Sch.](#); s. 23 in force (7.10.1996) in so far as not already in force by [S.I. 1996/2208, art. 2\(b\)](#)

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