

---

STATUTORY INSTRUMENTS

---

**1996 No. 207**

**The Jobseeker's Allowance Regulations 1996**

**PART XIII**

**MISCELLANEOUS**

*Recovery of Maintenance*

**Recovery orders**

**169.**—(1) Where an award of income-based jobseeker's allowance has been made to a person ("the claimant"), the Secretary of State may apply to the court for a recovery order against the claimant's spouse ("the liable person").

(2) On making a recovery order the court may order the liable person to pay such amount at such intervals as it considers appropriate, having regard to all the circumstances of the liable person and in particular his income.

(3) Except in Scotland, a recovery order shall be treated for all purposes as if it were a maintenance order within the meaning of section 150(1) of the Magistrates Courts Act 1980<sup>(1)</sup>.

(4) Where a recovery order requires the liable person to make payments to the Secretary of State, the Secretary of State may, by giving notice in writing to the court which made the order, the liable person, and the claimant, transfer to the claimant the right to receive payments under the order and to exercise the relevant rights in relation to the order.

(5) In this regulation—

the expressions "the court" and "recovery order" have the same meanings as in section 23 of the Act; and

"the relevant rights" means, in relation to a recovery order, the right to bring any proceedings, take any steps or do any other thing under or in relation to the order.