Jobseekers Act 1995

1995 CHAPTER 18

PART III

MISCELLANEOUS AND SUPPLEMENTAL

32 Insolvency

(1) In section 71 of the Administration Act (overpayments), after subsection (10) insert—

"(10A) Where—

(a) a jobseeker's allowance is payable to a person from whom any amount is recoverable as mentioned in subsection (8) above; and

(b) that person is subject to a bankruptcy order,

a sum deducted from that benefit under that subsection shall not be treated as income of his for the purposes of the Insolvency Act 1986.

(10B) Where—

(a) a jobseeker's allowance is payable to a person from whom any amount is recoverable as mentioned in subsection (8) above; and

(b) the estate of that person is sequestrated,

a sum deducted from that benefit under that subsection shall not be treated as income of his for the purposes of the Bankruptcy (Scotland) Act 1985."

(2) In section 78 of the Administration Act (recovery of social fund awards), after subsection (3) insert—

"(3A) Where—

(a) a jobseeker's allowance is payable to a person from whom an award is recoverable under subsection (3) above; and

(b) that person is subject to a bankruptcy order,

a sum deducted from that benefit under subsection (2) above shall not be treated as income of his for the purposes of the Insolvency Act 1986.

(3B) Where—

(a) a jobseeker's allowance is payable to a person from whom an award is recoverable under subsection (3) above; and

(b) the estate of that person is sequestrated,

a sum deducted from that benefit under subsection (2) above shall not be treated as income of his for the purposes of the Bankruptcy (Scotland) Act 1985."