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## STATUTORY INSTRUMENTS

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# 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 [<sup>F1</sup>or civil partner] ("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 [<sup>F2</sup>made by the family court]<sup>F3</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.

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##### **Textual Amendments**

- F1** Words in [reg. 169\(1\)](#) inserted (5.12.2005) by [The Civil Partnership \(Pensions, Social Security and Child Support\) \(Consequential, etc. Provisions\) Order 2005 \(S.I. 2005/2877\)](#), art. 1, [Sch. 3 para. 26\(10\)](#) (with art. 3)
- F2** Words in [reg. 169\(3\)](#) substituted (22.4.2014) by [The Crime and Courts Act 2013 \(Family Court: Consequential Provision\) \(No.2\) Order 2014 \(S.I. 2014/879\)](#), arts. 1(1), [74](#)
- F3** [1980 c.43](#).

## Training Allowance

### Persons in receipt of a training allowance

**170.**—<sup>F4</sup>(1) A person who is not receiving training falling within paragraph (2) <sup>F5</sup>and is not a qualifying young person or child within the meaning of section 142 of the Benefits Act (child and qualifying young person)] may be entitled to an income-based jobseeker's allowance without—

- (a) being available for employment;
- (b) having entered into a jobseeker's agreement; or
- (c) actively seeking employment,

if he is in receipt of a training allowance <sup>F6</sup>....]

(2) Training falls within this paragraph if it is training for which persons aged under 18 are eligible and for which persons aged 18 to 24 may be eligible, <sup>F7</sup>secured by the <sup>F8</sup>[<sup>F9</sup>Secretary of State]<sup>F10</sup>...] or by the <sup>F11</sup>Welsh Ministers] and, in Scotland, provided], directly or indirectly by a Local Enterprise Company pursuant to its arrangement with, as the case may be, <sup>F12</sup>Skills Development Scotland,] Scottish Enterprise Highlands and Island Enterprise (whether that arrangements is known as am Operating Contract or by other name).

#### Textual Amendments

- F4** Reg. 170(1) substituted (15.10.2001) by The Social Security (Breach of Community Order) (Consequential Amendments) Regulations 2001 (S.I. 2001/1711), regs. 1, **2(4)(b)**
- F5** Words in reg. 170(1) inserted (10.4.2006) by The Social Security (Young Persons) Amendment Regulations 2006 (S.I. 2006/718), regs. 1(2)(a), **3(8)**
- F6** Words in reg. 170(1) omitted (for specified purposes and with effect in accordance with reg. 1(3) of the amending S.I.) by virtue of The Welfare Reform Act 2009 (Section 26) (Consequential Amendments) Regulations 2010 (S.I. 2010/424), **reg. 3(3)**
- F7** Words in reg. 170(2) substituted (26.3.2001) by The Social Security (Miscellaneous Amendments) (No. 2) Regulations 2001 (S.I. 2001/652), regs. 1(1)(a), **5(c)**
- F8** Words in reg. 170(2) substituted (1.9.2010) by The Apprenticeships, Skills, Children and Learning Act 2009 (Consequential Amendments to Subordinate Legislation) (England) Order 2010 (S.I. 2010/1941), arts. 1, **5(5)**
- F9** Words in reg. 170(2) substituted (E.) (1.5.2012) by The Young People's Learning Agency Abolition (Consequential Amendments to Subordinate Legislation) (England) Order 2012 (S.I. 2012/956), arts. 1, **5(7)**
- F10** Words in reg. 170(2) omitted (26.5.2015) by virtue of The Deregulation Act 2015 (Consequential Amendments) Order 2015 (S.I. 2015/971), art. 1(2)(a), **Sch. 3 para. 4(6)**
- F11** Words in reg. 170(2) substituted (5.1.2009) by The Social Security (Miscellaneous Amendments) (No. 7) Regulations 2008 (S.I. 2008/3157), regs. 1(1), **3(8)**
- F12** Words in reg. 170(2) inserted (6.4.2009) by The Social Security (Miscellaneous Amendments) Regulations 2009 (S.I. 2009/583), regs. 1(2), **4(3)(f)**

## Trade Disputes

### Trade disputes: exemptions from section 15 of the Act

**171.** Section 15(2) (trade disputes: effect on other claimants) shall not apply to a claimant during any period where—

- (a) a member of the claimant's family is, or would be, prevented by section 14 from being entitled to a jobseeker's allowance; and
- (b) that member is—
  - (i) a child or young person; <sup>F13</sup>...
  - (ii) [<sup>F14</sup>incapable of work] or within the maternity period, and for this purpose "the maternity period" means the period commencing at the beginning of the 6th week before the expected week of confinement and ending at the end of the 7th week after the week in which confinement takes place [<sup>F15</sup>or
  - (iii) has limited capability for work.]

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**Textual Amendments**

- F13** Word in reg. 171(b)(i) omitted (27.10.2008) by virtue of The Employment and Support Allowance (Consequential Provisions) (No. 2) Regulations 2008 (S.I. 2008/1554), regs. 1(2)(b), **3(22)(a)**
- F14** Words in reg. 171(b)(ii) substituted (7.10.1996) by The Jobseeker's Allowance (Amendment) Regulations 1996 (S.I. 1996/1516), reg. 1(1), **Sch. Pt. 2**
- F15** Reg. 171(b)(iii) and word added (27.10.2008) by The Employment and Support Allowance (Consequential Provisions) (No. 2) Regulations 2008 (S.I. 2008/1554), regs. 1(2)(b), **3(22)(b)**

**Trade disputes: prescribed sum**

- 172.** The prescribed sum for the purposes of section 15(2)(d) is [<sup>F16</sup>£41.00]

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**Textual Amendments**

- F16** Sum in Reg. 172 substituted (coming into force in accordance with art. 1(3)(j) of the amending S.I.) by The Social Security Benefits Up-rating Order 2020 (S.I. 2020/234), arts. 1(3)(j), **28**

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**Modifications etc. (not altering text)**

- C1** Reg. 172: sum confirmed (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by The Social Security Benefits Up-rating Order 2021 (revoked) 2021 (S.I. 2021/162), arts. 1(3)(k), **28**

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Jobseeker's Allowance Regulations 1996. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. A1 para. 3(a)(va) inserted by S.I. 2021/786 Sch. 3 para. 6(c)
- Sch. A1 para. 3(a)(via) inserted by S.I. 2022/177 art. 5(6)(d)
- Sch. 1 para. 15A(1ZA)(aa) inserted by S.I. 2021/786 Sch. 3 para. 7(3)
- Sch. 1 para. 16(1)(aza) inserted by S.I. 2021/786 Sch. 3 para. 7(4)(a)
- Sch. 1 para. 14(1)(caa) inserted by S.I. 2022/177 art. 5(7)(b)
- Sch. 1 para. 14(1)(fb) inserted by S.I. 2022/177 art. 5(7)(c)
- Sch. 1 para. 14(1)(g)(iv) and word inserted by S.I. 2022/177 art. 5(7)(e)
- Sch. 1 para. 15(5)(ab) inserted by S.I. 2022/177 art. 5(7)(j)
- Sch. 1 para. 15A(1ZA)(ba) inserted by S.I. 2022/177 art. 5(7)(k)
- Sch. 1 para. 16(1)(ac) inserted by S.I. 2022/177 art. 5(7)(l)
- Sch. 1 para. 20H(1)(caa) inserted by S.I. 2022/177 art. 5(7)(o)
- Sch. 1 para. 20H(1)(gb) inserted by S.I. 2022/177 art. 5(7)(p)
- Sch. 1 para. 20H(1)(h)(iv) and word inserted by S.I. 2022/177 art. 5(7)(r)
- Sch. 1 para. 20I(4)(d) and semi-colon inserted by S.I. 2022/177 art. 5(7)(v)
- Sch. 1 para. 8(1)(c) inserted by S.I. 2023/1218 art. 8(9)(a)(iii)
- Sch. 1 para. 20D(1)(c) inserted by S.I. 2023/1218 art. 8(9)(e)(iii)
- Sch. 1 para. 4(1)(a) sum substituted by S.I. 2014/516 art. 19(1)art. 19(4)(a)
- Sch. 1 para. 4(1)(b) sum substituted by S.I. 2014/516 art. 19(1)art. 19(4)(b)
- Sch. 1 para. 20(3) sum substituted by S.I. 2014/516 art. 19(1)(5)Sch. 10
- Sch. 1 para. 20(7) sum substituted by S.I. 2014/516 art. 19(1)(5)Sch. 10
- Sch. 1 para. 20(8) sum substituted by S.I. 2014/516 art. 19(1)(5)Sch. 10
- Sch. 1 para. 20M(2) sum substituted by S.I. 2014/516 art. 19(1)(6)Sch. 11
- Sch. 1 para. 20M(3) sum substituted by S.I. 2014/516 art. 19(1)(6)Sch. 11
- Sch. 1 para. 20M(5) sum substituted by S.I. 2014/516 art. 19(1)(6)Sch. 11
- Sch. 1 para. 20M(6) sum substituted by S.I. 2014/516 art. 19(1)(6)Sch. 11
- Sch. 1 para. 2(1)(a) sum substituted by S.I. 2022/292 art. 27(3)(b)
- Sch. 1 para. 2(1)(b) sum substituted by S.I. 2022/292 art. 27(3)(b)
- Sch. 1 para. 4(1)(a) sum substituted by S.I. 2022/292 art. 27(4)(a)
- Sch. 1 para. 4(1)(b) sum substituted by S.I. 2022/292 art. 27(4)(b)
- Sch. 1 para. 2(1)(a) sum substituted by S.I. 2023/316 art. 27(3)(b)
- Sch. 1 para. 2(1)(b) sum substituted by S.I. 2023/316 art. 27(3)(b)
- Sch. 1 para. 4(1)(a) sum substituted by S.I. 2023/316 art. 27(4)(a)
- Sch. 1 para. 4(1)(b) sum substituted by S.I. 2023/316 art. 27(4)(b)
- Sch. 1 para. 2(1)(a) sum substituted by S.I. 2024/242 art. 26(3)(b)
- Sch. 1 para. 2(1)(b) sum substituted by S.I. 2024/242 art. 26(3)(b)
- Sch. 1 para. 4(1)(a) sum substituted by S.I. 2024/242 art. 26(4)(a)
- Sch. 1 para. 4(1)(b) sum substituted by S.I. 2024/242 art. 26(4)(b)
- Sch. 1 para. 20(4) sums substituted by S.I. 2014/516 art. 19(1)(5)Sch. 10
- Sch. 1 para. 20(5) sums substituted by S.I. 2014/516 art. 19(1)(5)Sch. 10
- Sch. 1 para. 20(6) sums substituted by S.I. 2014/516 art. 19(1)(5)Sch. 10
- Sch. 1 para. 20(9) sums substituted by S.I. 2014/516 art. 19(1)(5)Sch. 10
- Sch. 1 para. 20M(4) sums substituted by S.I. 2014/516 art. 19(1)(6)Sch. 11
- Sch. 1 para. 20(6)(b)(i) words inserted by S.I. 2023/1218 art. 8(9)(d)(i)
- Sch. 1 para. 20(6)(b)(ii) words inserted by S.I. 2023/1218 art. 8(9)(d)(ii)
- Sch. 1 para. 20M(4)(i) words inserted by S.I. 2023/1218 art. 8(9)(h)(i)
- Sch. 1 para. 20M(4)(ii) words inserted by S.I. 2023/1218 art. 8(9)(h)(ii)
- Sch. 1 para. 20I(4)(d) words substituted by S.I. 2022/530 art. 3(2)(a)

- Sch. 1 Pt. 4B table substituted by S.I. 2022/292 art. 27(6)Sch. 10
- Sch. 1 Pt. 4B table substituted by S.I. 2023/316 art. 27(6)Sch. 10
- Sch. 1 Pt. 4B table substituted by S.I. 2024/242 art. 26(6)Sch. 10
- Sch. 2 para. 17(6)(b)(iia) and word inserted by S.I. 2021/786 Sch. 3 para. 9(a)
- Sch. 2 para. 17(6)(b)(iia) inserted by S.I. 2022/177 art. 5(8)(a)
- Sch. 2 para. 14(c)(iv) words omitted by S.I. 2008/698 reg. 4(15)
- Sch. 2 para. 1A(1)(a) words substituted by S.I. 2017/725 Sch. 5 para. 3(f)(iii)(aa)
- Sch. 2 para. 1A(1)(a) words substituted by S.I. 2017/725 Sch. 5 para. 3(f)(iii)(bb)
- Sch. 3 para. 1(2) words substituted by S.I. 2004/2825 reg. 2(5)
- Sch. 4 para. 10(1)(a) word substituted by S.I. 2001/1785 reg. 3(c)(i)
- Sch. 4 para. 10(1)(b) word substituted by S.I. 2001/1785 reg. 3(c)(ii)
- Sch. 7 para. 82 inserted by S.I. 2021/886 art. 12(2)
- Sch. 7 para. 83 inserted by S.I. 2023/1218 art. 8(12)
- Sch. 7 para. 41(1A)(d) inserted by S.I. 2023/640 reg. 3(7)(a)
- Sch. 8 para. 65(1) Sch. 8 para. 65 renumbered as Sch. 8 para. 65(1) by S.I. 2023/134 Sch. para. 3(b)(i)
- Sch. 8 para. 12A inserted by S.I. 2023/134 Sch. para. 3(a)
- Sch. 8 para. 65(2) inserted by S.I. 2023/134 Sch. para. 3(b)(ii)
- Sch. 8 para. 27(5A) inserted by S.I. 2023/894 reg. 2(1)(b)(2)
- Sch. 8 para. 27(1A) words inserted by S.I. 2023/640 reg. 3(8)(a)
- Sch. 8 para. 12(1)(a) words substituted by S.I. 2021/886 art. 12(3)
- reg. 51(3)(c)(iva) inserted by S.I. 2021/786 Sch. 3 para. 3(c)
- reg. 51(3)(c)(va) inserted by S.I. 2022/177 art. 5(3)(c)
- reg. 85A(4)(h)(iv) and word inserted by S.I. 2021/1034 reg. 2(3)(b)(4)
- reg. 85A(4)(zza)(zzb) inserted by S.I. 2021/1034 reg. 2(2)(4)
- reg. 85A(4)(zzb) word substituted by S.I. 2022/344 reg. 2(2)reg. 2(5)(b)
- reg. 85A(4)(zcc) inserted by S.I. 2022/344 reg. 2(3)reg. 2(5)(b)
- reg. 85A(4)(zcc)(i) word omitted by S.I. 2022/990 reg. 2(1)(a)reg. 2(2)(b)
- reg. 85A(4)(zcc)(iii) inserted by S.I. 2022/990 reg. 2(1)(c)reg. 2(2)(b)
- reg. 85A(4)(zcc)(ii) word inserted by S.I. 2022/990 reg. 2(1)(b)reg. 2(2)(b)
- reg. 85A(4)(zcd) inserted by S.I. 2023/532 reg. 2(1)reg. 2(2)(b)
- reg. 85A(4)(zce) inserted by S.I. 2023/1144 reg. 2(1)reg. 2(2)(b)
- reg. 105(10A)(ac)(ad) inserted by S.I. 2021/1405 reg. 3(3)
- reg. 105(10A)(ae) inserted by S.I. 2023/640 reg. 3(3)
- reg. 110(10)(ac)(ad) inserted by S.I. 2021/1405 reg. 3(4)(b)
- reg. 110(10)(ad) word omitted by S.I. 2023/640 reg. 3(4)(a)
- reg. 110(10)(ae) inserted by S.I. 2023/640 reg. 3(4)(b)
- reg. 113(3B)(d)(e) inserted by S.I. 2023/640 reg. 3(5)
- reg. 140(1)(h)(iia) inserted by S.I. 2021/786 Sch. 3 para. 4(c)
- reg. 140(1)(h)(iva) inserted by S.I. 2022/177 art. 5(4)(c)
- reg. 146A(1)(e)(iia) inserted by S.I. 2021/786 Sch. 3 para. 5(c)
- reg. 146A(1)(e)(iva) inserted by S.I. 2022/177 art. 5(5)(c)