SCHEDULES

SCHEDULE 3

DECISIONS AGAINST WHICH AN APPEAL LIES

PART I

BENEFIT DECISIONS

Entitlement to benefit without a claim

1. In such cases or circumstances as may be prescribed, a decision whether a person is entitled to a relevant benefit for which no claim is required.

2. If so, a decision as to the amount to which he is entitled.

Payability of benefit

3. A decision whether a relevant benefit (or a component of a relevant benefit) to which a person is entitled is not payable by reason of—

(a) any provision of the Contributions and Benefits Act by which the person is disqualified for receiving benefit;

(b) regulations made under section 72(8) of that Act (disability living allowance);

(c) regulations made under section 113(2) of that Act (suspension of payment);[F1] or

(d) Article 21 of the Jobseekers Order (jobseeker's allowance). [F2]

[[F3F4]; or**]**

[[F3](f) section 6, 7 or 8 of the Social Security Fraud Act (Northern Ireland) 2001.**]**

F1 Word in Sch. 3 para. 3(c) repealed (prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 67, 68(2), **Sch. 9 Pt. IV**

F2 Sch. 3 para. 3(d): words "; or" added (prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), **ss. 57**, 68(2) and word "or" subsequently repealed (1.5.2002) by Social Security Fraud Act (Northern Ireland) 2001 (c. 17), ss. 16, 17(1), **Sch.**; S.R. 2002/165, **art. 2(d)**

F3 2001 c. 17 (NI)

F4 Sch. 3 para. 3(e) added (prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), **ss. 57**, 68(2)

Payments to third parties

4. Except in such cases or circumstances as may be prescribed, a decisionwhether the whole or part of a benefit to which a person is entitled is, by virtue of regulations, to be paid to a person other than him.

Recovery of benefits

5. A decision whether payment is recoverable under section 69 or 69Aof the Administration Act.

6. If so, a decision as to the amount of payment recoverable.

Industrial injuries benefit

7. A decision whether an accident was an industrial accident for the purposes of industrial injuries benefit.

Jobseekers' agreements

8. A decision in relation to a jobseeker's agreement as proposed to be made under Article 11 of the Jobseekers Order, or as proposed to be varied under Article 12 of that Order.

[F5State pension credit

F5 2002 c. 14 (NI)

8A. A decision whether to specify a period as an assessed income period under section 6 of the State Pension Credit Act (Northern Ireland) 2002.

8B. If so, a decision as to the period to be so specified.

8C. A decision whether an assessed income period comes to an end by virtue of section 9(4) or (5) of that Act.

8D. If so, a decision as to when the assessed income period so ends.**]**

Power to prescribe other decisions

9. Such other decisions relating to a relevant benefit as may be prescribed.

Status:
Point in time view as at 01/01/2006.

Changes to legislation:
The Social Security (Northern Ireland) Order 1998, PART I is up to date with all changes known to be in force on or before 09 June 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.