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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.

Commencement Information

- I1** Sch. 3 para. 1 in force at 4.3.1999 for specified purposes by [S.I. 1999/528](#), [art. 2\(a\)](#), [Sch.](#)
- I2** Sch. 3 para. 1 in force at 5.7.1999 for specified purposes by [S.I. 1999/1958](#), [art. 2\(1\)\(b\)](#), [Sch. 1](#) (with [art. 5](#), [Sch. 12](#))
- I3** Sch. 3 para. 1 in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), [art. 2\(c\)](#), [Sch. 1](#) (with [art. 4](#), [Sch. 14](#))
- I4** Sch. 3 para. 1 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), [art. 2](#), [Sch. 1](#) (with [art. 3](#), [Sch. 2](#))
- I5** Sch. 3 para. 1 in force at 18.10.1999 for specified purposes by [S.I. 1999/2860](#), [art. 2\(c\)](#), [Sch. 1](#) (with [art. 4](#), [Schs. 16-18](#))
- I6** Sch. 3 para. 1 in force at 29.11.1999 for specified purposes by [S.I. 1999/3178](#), [art. 2\(1\)\(a\)\(2\)](#), [Sch. 1](#) (with [art. 4](#), [Schs. 21-23](#))

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

Commencement Information

- I7** Sch. 3 para. 2 in force at 5.7.1999 for specified purposes by [S.I. 1999/1958](#), [art. 2\(1\)\(b\)](#), [Sch. 1](#) (with [art. 5](#), [Sch. 12](#))
- I8** Sch. 3 para. 2 in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), [art. 2\(c\)](#), [Sch. 1](#) (with [art. 4](#), [Sch. 14](#))
- I9** Sch. 3 para. 2 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), [art. 2](#), [Sch. 1](#) (with [art. 3](#), [Sch. 2](#))
- I10** Sch. 3 para. 2 in force at 18.10.1999 for specified purposes by [S.I. 1999/2860](#), [art. 2\(c\)](#), [Sch. 1](#) (with [art. 4](#), [Schs. 16-18](#))
- I11** Sch. 3 para. 2 in force at 29.11.1999 for specified purposes by [S.I. 1999/3178](#), [art. 2\(1\)\(a\)\(2\)](#), [Sch. 1](#) (with [art. 4](#), [Schs. 21-23](#))

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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); or
 - (d) section 19 of the Jobseekers Act (jobseeker’s allowance)^{F1}; or
 - (e) section 62 or 63 of the Child Support, Pensions and Social Security Act 2000^{F2}; or
 - (f) section 7, 8 or 9 of the Social Security Fraud Act 2001].

Textual Amendments

- F1** Sch. 3 para. 3(e) and preceding word inserted (15.10.2001 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#), **ss. 66, 86(1)(c)(2)** (with s. 83(6)); S.I. 2001/2619, art. 2(1)(b)(v)(2)
- F2** Sch. 3 para. 3(f) and preceding word inserted (1.4.2002) by [Social Security Fraud Act 2001 \(c. 11\)](#), **ss. 12(2), 20(1)**; S.I. 2001/3689, art. 2(2)

Commencement Information

- I12** Sch. 3 para. 3(a)(c) in force at 5.7.1999 for specified purposes by [S.I. 1999/1958](#), art. 2(1)(b), **Sch. 1** (with art. 5, Sch. 12)
- I13** Sch. 3 para. 3(a)(c) in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), art. 2(c), **Sch. 1** (with art. 4, Sch. 14)
- I14** Sch. 3 para. 3(a)(c) in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), art. 2, **Sch. 1** (with art. 3, Sch. 2)
- I15** Sch. 3 para. 3 in force at 18.10.1999 for specified purposes by [S.I. 1999/2860](#), art. 2(c), **Sch. 1** (with art. 4, Schs. 16-18)
- I16** Sch. 3 para. 3 in force at 29.11.1999 for specified purposes by [S.I. 1999/3178](#), art. 2(1)(a)(2), **Sch. 1** (with art. 4, Schs. 21-23)

Payments to third parties

- 4 Except in such cases or circumstances as may be prescribed, a decision whether 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.

Commencement Information

- I17** Sch. 3 para. 4 in force at 4.3.1999 for specified purposes by [S.I. 1999/528](#), art. 2(a), **Sch. 1**
- I18** Sch. 3 para. 4 in force at 5.7.1999 for specified purposes by [S.I. 1999/1958](#), art. 2(1)(b), **Sch. 1** (with art. 5, Sch. 12)
- I19** Sch. 3 para. 4 in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), art. 2(c), **Sch. 1** (with art. 4, Sch. 14)
- I20** Sch. 3 para. 4 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), art. 2, **Sch. 1** (with art. 3, Sch. 2)

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- I21** Sch. 3 para. 4 in force at 18.10.1999 for specified purposes by S.I. 1999/2860, art. 2(c), **Sch. 1** (with art. 4, Schs. 16-18)
- I22** Sch. 3 para. 4 in force at 29.11.1999 for specified purposes by S.I. 1999/3178, art. 2(1)(a)(2), **Sch. 1** (with art. 4, Schs. 21-23)

Recovery of benefits

- 5 A decision whether payment is recoverable under section 71 or 71A of the Administration Act.

Commencement Information

- I23** Sch. 3 para. 5 in force at 5.7.1999 for specified purposes by S.I. 1999/1958, art. 2(1)(b), **Sch. 1** (with art. 5, Sch. 12)
- I24** Sch. 3 para. 5 in force at 6.9.1999 for specified purposes by S.I. 1999/2422, art. 2(c), **Sch. 1** (with art. 4, Sch. 14)
- I25** Sch. 3 para. 5 in force at 5.10.1999 for specified purposes by S.I. 1999/2739, art. 2, **Sch. 1** (with art. 3, Sch. 2)
- I26** Sch. 3 para. 5 in force at 18.10.1999 for specified purposes by S.I. 1999/2860, art. 2(c), **Sch. 1** (with art. 4, Schs. 16-18)
- I27** Sch. 3 para. 5 in force at 29.11.1999 for specified purposes by S.I. 1999/3178, art. 2(1)(a)(2), **Sch. 1** (with art. 4, Schs. 21-23)

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

Commencement Information

- I28** Sch. 3 para. 6 in force at 5.7.1999 for specified purposes by S.I. 1999/1958, art. 2(1)(b), **Sch. 1** (with art. 5, Sch. 12)
- I29** Sch. 3 para. 6 in force at 6.9.1999 for specified purposes by S.I. 1999/2422, art. 2(c), **Sch. 1** (with art. 4, Sch. 14)
- I30** Sch. 3 para. 6 in force at 5.10.1999 for specified purposes by S.I. 1999/2739, art. 2, **Sch. 1** (with art. 3, Sch. 2)
- I31** Sch. 3 para. 6 in force at 18.10.1999 for specified purposes by S.I. 1999/2860, art. 2(c), **Sch. 1** (with art. 4, Schs. 16-18)
- I32** Sch. 3 para. 6 in force at 29.11.1999 for specified purposes by S.I. 1999/3178, art. 2(1)(a)(2), **Sch. 1** (with art. 4, Schs. 21-23)

Industrial injuries benefit

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

Commencement Information

- I33** Sch. 3 para. 7 in force at 5.7.1999 for specified purposes by S.I. 1999/1958, art. 2(1)(b), **Sch. 1** (with art. 5, Sch. 12)
- I34** Sch. 3 para. 7 in force at 29.11.1999 for specified purposes by S.I. 1999/3178, art. 2(1)(a)(2), **Sch. 1** (with art. 4, Schs. 21-23)

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Jobseekers' agreements

- 8 A decision in relation to a jobseeker's agreement as proposed to be made under section 9 of the Jobseekers Act, or as proposed to be varied under section 10 of that Act.

Commencement Information

- I35** Sch. 3 para. 8 in force at 18.10.1999 for specified purposes by [S.I. 1999/2860](#), [art. 2\(c\)](#), **Sch. 1** (with [art. 4](#), [Schs. 16-18](#))
- I36** Sch. 3 para. 8 in force at 29.11.1999 for specified purposes by [S.I. 1999/3178](#), [art. 2\(1\)\(a\)\(2\)](#), **Sch. 1** (with [art. 4](#), [Schs. 21-23](#))

Power to prescribe other decisions

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

Commencement Information

- I37** Sch. 3 para. 9 in force at 4.3.1999 for specified purposes by [S.I. 1999/528](#), [art. 2\(a\)](#), **Sch. 1**
- I38** Sch. 3 para. 9 in force at 5.7.1999 for specified purposes by [S.I. 1999/1958](#), [art. 2\(1\)\(b\)](#), **Sch. 1** (with [art. 5](#), [Sch. 12](#))
- I39** Sch. 3 para. 6 in force at 6.9.1999 for specified purposes by [S.I. 1999/2422](#), [art. 2\(c\)](#), **Sch. 1** (with [art. 4](#), [Sch. 14](#))
- I40** Sch. 3 para. 9 in force at 5.10.1999 for specified purposes by [S.I. 1999/2739](#), [art. 2](#), **Sch. 1** (with [art. 3](#), [Sch. 2](#))
- I41** Sch. 3 para. 9 in force at 18.10.1999 for specified purposes by [S.I. 1999/2860](#), [art. 2\(c\)](#), **Sch. 1** (with [art. 4](#), [Schs. 16-18](#))
- I42** Sch. 3 para. 9 in force at 29.11.1999 for specified purposes by [S.I. 1999/3178](#), [art. 2\(1\)\(a\)\(2\)](#), **Sch. 1** (with [art. 4](#), [Schs. 21-23](#))

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