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SCHEDULES

SCHEDULE 1

ADMINISTRATION

PART II

AMENDMENTS OF THE 1998 ORDER

Introductory

4. Part II of the 1998 Order (decisions and appeals) is amended as follows.

Use of computers

5. In Article 4(2) (meaning of “relevant statutory provision”) at the end add “; or
(i) the State Pension Credit Act (Northern Ireland) 2002.”.

Decisions by the Department

6. In Article 9—
 - (a) in paragraph (3) (meaning of “relevant benefit” in Chapter II of Part II (social security decisions and appeals)) after sub-paragraph (b) insert—
“(bb) state pension credit;”;
 - (b) in paragraph (4) (meaning of “relevant statutory provision”) for “or the Jobseekers Order” substitute “, the Jobseekers Order or the State Pension Credit Act (Northern Ireland) 2002”.

Regulations with respect to decisions

7. In Article 12(3), in the definition of “the current legislation”, for “and the Recovery of Benefits Order” substitute “, the Recovery of Benefits Order and the State Pension Credit Act (Northern Ireland) 2002”.

Suspension of benefit for failure to furnish information, etc.

8. In Article 22, after paragraph (3) (which defines “information requirement”) add—

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“(4) Subsection (2A) of section 5 of the Administration Act shall apply in relation to paragraph (3) as it applies in relation to paragraph (hh) of subsection (1) of that section.”.

Restrictions on entitlement to benefit in certain cases of error

9. In Article 27(7), in the definition of “benefit”—
- (a) after paragraph (d) insert—
 - “(dd) state pension credit;”;
 - (b) in paragraph (e) for “paragraphs (a) to (d)” substitute “paragraphs (a) to (dd)”.

Correction of errors and setting aside of decisions

10. In Article 28(3) (meaning of “relevant statutory provision”) at the end add “; or
- (f) the State Pension Credit Act (Northern Ireland) 2002.”.

Decisions against which no appeal lies

11. In Schedule 2, in paragraph 6(b), at the end add “; or
- (iii) section 139B(1)(b) of that Act (state pension credit).”.

Decisions against which an appeal lies

12. In Schedule 3 after paragraph 8 insert—

“State pension credit

- 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.”.