

**Status:** Point in time view as at 27/09/2017.

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## SCHEDULES

### SCHEDULE 2 **N.I.**

#### DECISIONS AGAINST WHICH NO APPEAL LIES

##### *Jobseeker's allowance for persons under 18*

1. In relation to a person who has reached the age of 16 but not the age of 18, a decision—
  - (a) whether Article 18 of the Jobseekers Order is to apply to him; or
  - (b) whether to issue a certificate under Article 19(4) of that Order.

##### *Christmas bonus*

2. A decision whether a person is entitled to payment under section 144 of the Contributions and Benefits Act.

##### *Priority between persons entitled to <sup>F1</sup>invalid care allowance*

**F1** (Coming into operation on 21.10.02 for the purposes of exercising powers to make subordinate legislation to come into operation on or after 1.4.03 and 1.4.03 for all other purposes) subst. by SR 2002/321

3. A decision as to the exercise of the discretion under section 70(7) of the Contributions and Benefits Act.

##### *Priority between persons entitled to child benefit*

4. A decision as to the exercise of the discretion under paragraph 5 of Schedule 10 to the Contributions and Benefits Act.

##### *Persons treated as if present in Northern Ireland*

5. A decision whether to certify, in accordance with regulations made under section 64(1), 71(6), 113(1) or 119 of the Contributions and Benefits Act, that it is consistent with the proper administration of that Act to treat a person as though he were present in Northern Ireland.

##### *[<sup>F2</sup>Work-focused interviews*

**F2** 1999 NI 11

- 5A. A decision terminating or reducing the amount of a person's benefit made in consequence of any decision made under regulations under section 2A<sup>F3</sup> or 2AA] of the Administration Act (work-focused interviews).]

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**F3** 2002 c. 10 (NI)

*Alteration of rates of benefit*

6. A decision as to the amount of benefit to which a person is entitled, where it appears to the Department that the amount is determined by—

- (a) the rate of benefit provided for by law; or
- (b) an alteration of a kind referred to in—
  - (i) section 139(1)(b) of the Administration Act (income support);<sup>F4</sup> . . .
  - (ii) section 139A(1)(b) of that Act (jobseeker's allowance)[<sup>F5</sup>; <sup>F6</sup> . . . ]
  - <sup>F5</sup>(iii) section 139B(1)(b) of that Act (state pension credit)[<sup>F7</sup>, or
  - (iv) section 139C(1)(b) of that Act (employment and support allowance).]<sup>F8</sup> or
  - (v) section 139D(1)(b) of that Act (universal credit).]

**F4** 2002 c. 14 (NI)

**F5** 2002 c. 14 (NI)

**F6** Word in Sch. 2 para. 6(b)(ii) repealed (27.10.2008) by [Welfare Reform Act \(Northern Ireland\) 2007 \(c. 2\)](#), ss. 58, 60(1), [Sch. 8](#); S.R. 2008/276, [art. 2\(2\)\(d\)](#), Sch. Pt. 2

**F7** Sch. 2 para. 6(b)(iv) and preceding word added (27.10.2008) by [Welfare Reform Act \(Northern Ireland\) 2007 \(c. 2\)](#), ss. 28(1), 60(1), [Sch. 3 para. 10\(8\)](#); S.R. 2008/276, [art. 2\(2\)\(d\)](#), Sch. Pt. 2

**F8** Sch. 2 para. 6(b)(v) and word inserted (27.9.2017) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), [art. 2\(2\)](#), [Sch. 2 para. 41\(2\)](#); S.R. 2017/190, [art. 4\(1\)\(2\)\(g\)\(iii\)](#)

*Increases in income support or income-based jobseeker's allowance due to attainment of particular ages*

7. A decision as to the amount of benefit to which a person is entitled, where it appears to the Department that the amount is determined by the recipient's entitlement to an increased amount of income support or income-based jobseeker's allowance in the circumstances referred to in section 140(2) or 140A(2) of the Administration Act.

*Reduction in accordance with reduced benefit [<sup>F9</sup>direction] [<sup>F10</sup>decision]*

**F9** Word in Sch. 2 para. 8 heading substituted (3.3.2003 for certain purposes, otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\)](#), ss. 25, 68(2), [Sch. 3 para. 33](#); S.R. 2003/53, [art. 3\(1\)](#), [Sch.](#)

**F10** Word in Sch. 2 para. 8 heading substituted (3.3.2003 for certain purposes, otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\)](#), ss. 25, 68(2), [Sch. 3 para. 33](#); S.R. 2003/53, [art. 3\(1\)](#), [Sch.](#)

8. A decision to reduce the amount of a person's benefit in accordance with a reduced benefit [<sup>F11</sup>direction] [<sup>F12</sup>decision](within the meaning of Article 43 of the Child Support Order).

**F11** Word in Sch. 2 para. 8 substituted (3.3.2003 for certain purposes, otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\)](#), ss. 25, 68(2), [Sch. 3 para. 33](#); S.R. 2003/53, [art. 3\(1\)](#), [Sch.](#)

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**F12** Word in Sch. 2 para. 8 substituted (3.3.2003 for certain purposes, otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 25, 68\(2\), Sch. 3 para. 33](#); S.R. 2003/53, art. 3(1), [Sch.](#)

*[<sup>F13</sup>Reduction on application of benefit cap*

**F13** [Sch. 2 para. 8A](#) and cross-heading inserted (17.2.2016) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\), arts. 2\(2\), 102\(2\)](#); S.R. 2016/46, art. 3(4)(a)

**N.I.**

**8A.** A decision to apply the benefit cap in accordance with regulations under Article 101 of the Welfare Reform (Northern Ireland) Order 2015.]

*Power to prescribe other decisions*

**9.** Such other decisions as may be prescribed.

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