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SCHEDULES

SCHEDULE 3

Section 12(1).

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. 1](#)
- 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}...
 - [^{F2}(e) section 62 or 63 of the Child Support, Pensions and Social Security Act 2000]; ^{F3}...
 - [^{F4}(f) section 7, 8 or 9 of the Social Security Fraud Act 2001][^{F5}; or
 - (g) section 18 of the Welfare Reform Act 2007].

Textual Amendments

- F1** Word in Sch. 3 para. 3 repealed (30.4.2002) by [Social Security Fraud Act 2001 \(c. 11\), s. 20\(1\), Sch.](#); [S.I. 2002/1222, art. 2\(i\)](#)
- F2** 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\(1\)\(b\)\(v\)\(2\)](#)
- F3** Word in Sch. 3 para. 3(e) repealed (27.10.2008) by [Welfare Reform Act 2007 \(c. 5\), s. 70\(1\), Sch. 8](#); [S.I. 2008/787, art. 2\(4\)\(g\)](#)
- F4** 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\(2\)](#)
- F5** Sch. 3 para. 3(g) and preceding word inserted (27.10.2008) by [Welfare Reform Act 2007 \(c. 5\), s. 70\(2\), Sch. 3 para. 17\(9\)](#); [S.I. 2008/787, art. 2\(4\)\(f\)](#)

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.](#)

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- 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)
- 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.

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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)

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)

^{F6}State pension credit

Textual Amendments

- F6** Sch. 3 paras. 8A-8D and cross-heading inserted (2.7.2002 for specified purposes, 7.4.2003 in so far as not already in force) by State Pension Credit Act 2002 (c. 16), s. 22(3), **Sch. 1 para. 12**; S.I. 2002/1691, art. 2(i); S.I. 2003/966, art. 2(a)

- 8A A decision whether to specify a period as an assessed income period under section 6 of the State Pension Credit Act 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.

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)

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- 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)

PART II

CONTRIBUTIONS DECISIONS

Categorisation of earners

F710

Textual Amendments

- F7** Sch. 3 paras. 10-15 repealed (1.4.1999) by Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6)

F711

Textual Amendments

- F7** Sch. 3 paras. 10-15 repealed (1.4.1999) by Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6)

Compulsory contributions

F712

Textual Amendments

- F7** Sch. 3 paras. 10-15 repealed (1.4.1999) by Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6)

F713

Textual Amendments

- F7** Sch. 3 paras. 10-15 repealed (1.4.1999) by Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6)

Voluntary contributions

F714

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Textual Amendments

F7 Sch. 3 paras. 10-15 repealed (1.4.1999) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. 1** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6)

^{F7}15

Textual Amendments

F7 Sch. 3 paras. 10-15 repealed (1.4.1999) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. 1** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6)

Responsibilities at home

16 A decision whether a person was (within the meaning of regulations) precluded from regular employment by responsibilities at home.

Commencement Information

I43 Sch. 3 para. 16 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)
I44 Sch. 3 para. 16 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)

Earnings and contributions credits

17 A decision whether a person is entitled to be credited with earnings or contributions in accordance with regulations made under section 22(5) of the Contributions and Benefits Act.

Commencement Information

I45 Sch. 3 para. 17 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)
I46 Sch. 3 para. 17 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)

Statutory sick pay

^{F8}18

Textual Amendments

F8 Sch. 3 paras. 18-29 repealed (1.4.1999 except in respect of the repeal of Sch. 3 para. 23, 5.7.1999 in so far as not already in force) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#),

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s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6); S.I. 1999/1662, art. 2(b), Sch. Pt. 2 (with art. 4)

F819

Textual Amendments

F8 Sch. 3 paras. 18-29 repealed (1.4.1999 except in respect of the repeal of Sch. 3 para. 23, 5.7.1999 in so far as not already in force) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6); S.I. 1999/1662, art. 2(b), Sch. Pt. 2 (with art. 4)

Statutory maternity pay

F820

Textual Amendments

F8 Sch. 3 paras. 18-29 repealed (1.4.1999 except in respect of the repeal of Sch. 3 para. 23, 5.7.1999 in so far as not already in force) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6); S.I. 1999/1662, art. 2(b), Sch. Pt. 2 (with art. 4)

F821

Textual Amendments

F8 Sch. 3 paras. 18-29 repealed (1.4.1999 except in respect of the repeal of Sch. 3 para. 23, 5.7.1999 in so far as not already in force) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6); S.I. 1999/1662, art. 2(b), Sch. Pt. 2 (with art. 4)

Liability of directors etc. for company's contributions

F822

Textual Amendments

F8 Sch. 3 paras. 18-29 repealed (1.4.1999 except in respect of the repeal of Sch. 3 para. 23, 5.7.1999 in so far as not already in force) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6); S.I. 1999/1662, art. 2(b), Sch. Pt. 2 (with art. 4)

Preserved rights to benefit etc.

F823

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Textual Amendments

F8 Sch. 3 paras. 18-29 repealed (1.4.1999 except in respect of the repeal of Sch. 3 para. 23, 5.7.1999 in so far as not already in force) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6); S.I. 1999/1662, art. 2(b), Sch. Pt. 2 (with art. 4)

Employment of long-term unemployed

F824

Textual Amendments

F8 Sch. 3 paras. 18-29 repealed (1.4.1999 except in respect of the repeal of Sch. 3 para. 23, 5.7.1999 in so far as not already in force) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6); S.I. 1999/1662, art. 2(b), Sch. Pt. 2 (with art. 4)

Interest and penalties

F825

Textual Amendments

F8 Sch. 3 paras. 18-29 repealed (1.4.1999 except in respect of the repeal of Sch. 3 para. 23, 5.7.1999 in so far as not already in force) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6); S.I. 1999/1662, art. 2(b), Sch. Pt. 2 (with art. 4)

F826

Textual Amendments

F8 Sch. 3 paras. 18-29 repealed (1.4.1999 except in respect of the repeal of Sch. 3 para. 23, 5.7.1999 in so far as not already in force) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6); S.I. 1999/1662, art. 2(b), Sch. Pt. 2 (with art. 4)

F827

Textual Amendments

F8 Sch. 3 paras. 18-29 repealed (1.4.1999 except in respect of the repeal of Sch. 3 para. 23, 5.7.1999 in so far as not already in force) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6); S.I. 1999/1662, art. 2(b), Sch. Pt. 2 (with art. 4)

F828

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Textual Amendments

- F8** Sch. 3 paras. 18-29 repealed (1.4.1999 except in respect of the repeal of Sch. 3 para. 23, 5.7.1999 in so far as not already in force) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6); S.I. 1999/1662, art. 2(b), Sch. Pt. 2 (with art. 4)

Power to prescribe other decisions

^{F8}29

Textual Amendments

- F8** Sch. 3 paras. 18-29 repealed (1.4.1999 except in respect of the repeal of Sch. 3 para. 23, 5.7.1999 in so far as not already in force) by [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#), s. 28(3), Sch. 7 para. 36, **Sch. 10 Pt. I** (with Sch. 8); S.I. 1999/527, art. 2(b), Sch. 2 (with arts. 3-6); S.I. 1999/1662, art. 2(b), Sch. Pt. 2 (with art. 4)

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