

## SCHEDULES

### SCHEDULE 3

Article 13(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.
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); or
  - (d) Article 21 of the Jobseekers Order (jobseeker's allowance).

##### *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.

##### *Recovery of benefits*

5. A decision whether payment is recoverable under section 69 or 69A of 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.

**Status:** This is the original version (as it was originally made).

*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.

*Power to prescribe other decisions*

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

## PART II

### CONTRIBUTIONS DECISIONS

*Categorisation of earners*

10. A decision whether a person is an earner.

11. If so, a decision as to the category of earners in which the person is to be included.

*Compulsory contributions*

12. A decision whether a person is liable to pay contributions of any particular class.

13. If so, a decision as to the amount that the person is liable to pay.

*Voluntary contributions*

14. A decision whether a person is entitled to pay contributions of any particular class that he is not liable to pay.

15. If so, a decision as to the amount that the person is entitled to pay.

*Responsibilities at home*

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

*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.

*Statutory sick pay*

18. A decision whether an employer is entitled to make any deduction from his contributions payments in accordance with an order under section 155A of the Contributions and Benefits Act.

19. If so, a decision as to the amount that he is entitled to deduct.

*Statutory maternity pay*

20. A decision whether an employer is entitled to make any deduction from his contributions payments in accordance with regulations under section 163 of the Contributions and Benefits Act.

21. If so, a decision as to the amount that he is entitled to deduct.

*Liability of directors, etc. for company's contributions*

**22.** Subject to the provisions of section 115C of the Administration Act, a decision as to the issue and content of a notice under section 115B(2) of that Act.

*Preserved rights to benefit, etc.*

**23.** A decision falling to be made by virtue of regulations under paragraph 15 of Schedule 3 to the Social Security (Consequential Provisions) (Northern Ireland) Act 1992.

*Employment of long-term unemployed*

**24.** A decision falling to be made under Article 29 of the Jobseekers Order.

*Interest and penalties*

**25.** A decision whether a person is liable to pay interest under paragraph 7B(2)(e) or (i) of Schedule 1 to the Contributions and Benefits Act.

**26.** A decision whether a person is liable to a penalty under—

- (a) paragraph 7A(2) or 7B(2)(h) of Schedule 1 to the Contributions and Benefits Act; or
- (b) section 107(1)(a) or 108A(1) of the Administration Act.

**27.** A decision whether to charge any interest or penalty under paragraph 7C(1) of Schedule 1 to the Contributions and Benefits Act.

**28.** A decision as to the amount of interest or penalty payable under any of the provisions mentioned in paragraphs 25 to 27, except in so far as the decision relates to the exercise of the discretion under—

- (a) paragraph 7A(3)(e) or 7B(5)(e) of Schedule 1 to the Contributions and Benefits Act; or
- (b) section 107(2)(e) or 108A(3)(e) of the Administration Act.

*Power to prescribe other decisions*

**29.** Such other decisions relating to contributions as may be prescribed.