

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.
- 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) section 19 of the Jobseekers Act (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 71 or 71A 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Status: This is the original version (as it was originally enacted).

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.

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 159A of the Contributions and Benefits Act.
 19 If so, a decision as to the amount that he is entitled to deduct.

Status: This is the original version (as it was originally enacted).

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 167 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 121D of the Administration Act, a decision as to the issue and content of a notice under section 121C(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) Act 1992.

Employment of long-term unemployed

24 A decision falling to be made under section 27 of the Jobseekers Act.

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 113(1)(a) or 114A(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 above, 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 113(2)(e) or 114A(3)(e) of the Administration Act.

Power to prescribe other decisions

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