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SCHEDULES

SCHEDULE 3

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
 - ^{F1}(d)
 - ^{F1}(da)
 - ^{F2}(e)
 - ^{F3}(f) section [^{F4}6B,] 7, 8 or 9 of the Social Security Fraud Act 2001]; ^{F5}...
 - ^{F6}(g) section 18 of the Welfare Reform Act 2007];
 - ^{F7}(h) regulations made under section 85(1) or 86(1) of the Welfare Reform Act 2012;
 - (i) section 87 of that Act.]

Textual Amendments

- F1** Sch. 3 para. 3(d)(da) repealed (22.10.2012) by [Welfare Reform Act 2012 \(c. 5\)](#), **ss. 46(4)**, 150(3); S.I. 2012/2530, art. 2(2)(c)
- F2** Sch. 3 para. 3(e) repealed (22.3.2010) by [Welfare Reform Act 2009 \(c. 24\)](#), s. 61(3), **Sch. 7 Pt. 3**; S.I. 2010/293, art. 2(3)(b) (with art. 2(4))
- F3** 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)
- F4** Word in Sch. 3 para. 3(f) inserted (12.1.2010 for specified purposes, 1.4.2010 in so far as not already in force) by [Welfare Reform Act 2009 \(c. 24\)](#), s. 61(3), **Sch. 4 para. 10**; S.I. 2010/45, art. 2(1)(2)
- F5** Word in Sch. 3 para. 3 repealed (8.4.2013 for specified purposes, 10.6.2013 in so far as not already in force) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), **Sch. 9 para. 43(a)**; S.I. 2013/358, art. 7(1)(2)(k), Sch. 3; S.I. 2013/1250, art. 2
- F6** 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)
- F7** Sch. 3 para. 3(h)(i) inserted (8.4.2013 for specified purposes, 10.6.2013 in so far as not already in force) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), **Sch. 9 para. 43(b)**; S.I. 2013/358, art. 7(1)(2)(k), Sch. 3; S.I. 2013/1250, art. 2

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)

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[^{F8}3A A decision as to the amount of a relevant benefit that is payable to a person by virtue of regulations under section 6B, 7, 8 or 9 of the Social Security Fraud Act 2001.]

Textual Amendments

F8 Sch. 3 para. 3A inserted (1.4.2013) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 2 para. 51](#); [S.I. 2013/358](#), art. 6(4)(d)(i)

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. 1](#)
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.

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- 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](#))

- [^{F9}6A A decision as to whether payment of housing credit (within the meaning of the State Pension Credit Act 2002) is recoverable under section 71ZB of the Administration Act.]

Textual Amendments

- F9** Sch. 3 paras. 6A, 6B inserted (29.4.2013 for the insertion of Sch. 3 para. 6B) by [Welfare Reform Act 2012 \(c. 5\)](#), [ss. 105\(7\)](#), [150\(3\)](#); [S.I. 2013/358](#), [art. 5\(2\)\(3\)\(c\)](#)

- [^{F9}6B A decision as to the amount of payment recoverable under section 71ZB, 71ZG or 71ZH of the Administration Act.]

Textual Amendments

- F9** Sch. 3 paras. 6A, 6B inserted (29.4.2013 for the insertion of Sch. 3 para. 6B) by [Welfare Reform Act 2012 \(c. 5\)](#), [ss. 105\(7\)](#), [150\(3\)](#); [S.I. 2013/358](#), [art. 5\(2\)\(3\)\(c\)](#)

[^{F10}State pension: prisoners and overseas residents

Textual Amendments

- F10** Sch. 3 paras. 6C, 6D and cross-heading inserted (6.4.2016) by [Pensions Act 2014 \(c. 19\)](#), [s. 56\(4\)](#), [Sch. 12 para. 37](#)

- 6C A decision that a state pension under Part 1 of the Pensions Act 2014 is not payable by reason of regulations under section 19 of that Act (prisoners).
- 6D A decision that a person is not entitled to increases in the rate of a state pension under Part 1 of the Pensions Act 2014 by reason of regulations under section 20 of that Act (overseas residents).]

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](#))

[^{F11}Jobseekers' agreements

Textual Amendments

- F11** Sch. 3 para. 8 and cross-heading repealed (29.4.2013 for specified purposes and subsequently on the days on which and for the purposes for which "the amending provisions" are brought into force by secondary legislation) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 14 Pt. 4](#); [S.I. 2013/983](#), [art. 7\(1\)\(e\)](#) (with [art. 7\(2\)](#)) (as amended (1.7.2013) by [S.I. 2013/1511](#), [art. 6](#))

- 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](#))

[^{F12}State pension credit

Textual Amendments

- F12** 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.

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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.](#)
- 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](#))
- 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](#))

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Changes and effects yet to be applied to :

- [Sch. 3 para. 8 heading words substituted by 2012 c. 5 Sch. 7 para. 11](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2010/1907 reg. 16\(2\)\(c\)Sch. 2](#)
- Act applied (with modifications) by [S.I. 2010/875 reg. 16Sch. 2](#) (This amendment not applied to legislation.gov.uk. S.I. 2010/875 revoked (27.8.2010) before coming into force by S.I. 2010/1906, regs. 1(2), 2)
- Act modified by [S.S.I. 2024/62 art. 2](#)
- Act modified by [S.I. 2024/149 art. 2](#)
- Act power to apply (with modifications) conferred by [2004 c. 6 s. 24\(5\)-\(7\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 38(1A) inserted by [2009 c. 24 s. 20\(2\)](#) (This amendment not applied to legislation.gov.uk. Ss. 16-21 repealed (1.4.2013) by 2012 c. 5, s. 73; S.I. 2012/3090, art. 2(1)(b))
- Sch. 2 para. 7A and cross-head inserted by [2012 c. 5 Sch. 2 para. 50\(3\)](#)
- Sch. 18 functions modified by [S.I. 2000/2853 reg. 3\(1\)Sch. 2 para. 4](#)
- Sch. 24 functions modified by [S.I. 2000/2853 reg. 3\(1\)Sch. 2 para. 5](#)