

Changes to legislation: The Social Security (Northern Ireland) Order 1998, SCHEDULE 2 is up to date with all changes known to be in force on or before 11 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 2

Article 13(1).

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.

^{F1}Priority between persons entitled to invalid care allowance [^{F2}, carer support payment and the carer element of universal credit]

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| 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 |
| F2 | Words in Sch. 2 para. 3 cross-heading inserted (16.11.2023) by The Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023 (Consequential Modifications) Order 2023 (S.I. 2023/1214) , art. 1(2), reg. 9(2)(a) |

- [^{F3}3. A decision as to whether a person has a relevant entitlement under section 70(7ZA) or (7ZC) of the Contributions and Benefits Act.]

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| F3 | Sch. 2 para. 3 substituted (16.11.2023) by The Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023 (Consequential Modifications) Order 2023 (S.I. 2023/1214) , art. 1(2), reg. 9(2)(b) |
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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.

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[^{F4}Work-focused interviews

F4 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^[F5] or 2AA] of the Administration Act (work-focused interviews).]

F5 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);^{F6} . . .
 - (ii) section 139A(1)(b) of that Act (jobseeker's allowance)^[F7; F8 . . .]
 - ^[F7](iii) section 139B(1)(b) of that Act (state pension credit)^{[F9}, or
 - (iv) section 139C(1)(b) of that Act (employment and support allowance).]^[F10] or
 - (v) section 139D(1)(b) of that Act (universal credit).]

F6 2002 c. 14 (NI)

F7 2002 c. 14 (NI)

F8 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

F9 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

F10 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 [^{F11}direction] [^{F12}decision]

F11 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.**

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F12 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 [^{F13}direction] [^{F14}decision](within the meaning of Article 43 of the Child Support Order).

F13 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.](#)

F14 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.](#)

[^{F15}Reduction on application of benefit cap

F15 [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\(4\)\(a\)](#)

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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Changes and effects yet to be applied to :

- Sch. 2 para. 6(b)(i) repealed by [2010 c. 13 \(N.I.\) Sch. 4 Pt. 1](#)
- Sch. 2 para. 6(b)(i) repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- Sch. 2 para. 7 words repealed by [2010 c. 13 \(N.I.\) Sch. 4 Pt. 1](#)
- Sch. 2 para. 5A and cross-heading repealed by [2010 c. 13 \(N.I.\) Sch. 4 Pt. 3](#)
- Sch. 2 para. 7 and heading repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- Sch. 2 para. 1 and heading repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- Sch. 2 para. 5A and heading repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- power to am. (prosp.) by [1998 c. 47 s.87](#)

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

- Act amended by [1999 c. 10 s.1\(2\)Sch.1 paras.16\(r\)](#)

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

- Sch. 2 para. 7A and cross-heading inserted by [S.I. 2015/2006 \(N.I.\) Sch. 2 para. 41\(3\)](#)
- Sch. 3 para. 3A inserted by [S.I. 2015/2006 \(N.I.\) Sch. 2 para. 42](#)
- art. 38(1A) inserted by [2010 c. 13 \(N.I.\) s. 16\(2\)](#)