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STATUTORY RULES OF NORTHERN IRELAND

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**1999 No. 162**

**The Social Security and Child Support (Decisions and Appeals) Regulations (Northern Ireland) 1999**

**PART V**

**APPEAL TRIBUNALS FOR SOCIAL SECURITY,  
CONTRACTING-OUT OF PENSIONS AND CHILD SUPPORT**

*CHAPTER V*

*Decisions of appeal tribunals and related matters*

**Application for leave to appeal to a Commissioner from an appeal tribunal**

**58.**—(1) An application for leave to appeal to a Commissioner from a decision of an appeal tribunal under Article 13 or 14 shall—

- (a) be made within the period of one month commencing on the date the applicant is sent a written statement of the reasons for the decision against which leave to appeal is sought; and
- (b) have annexed to it a copy of that written statement of the reasons for the decision.

(2) Where an application for leave to appeal to a Commissioner is made by the Department, the clerk to the appeal tribunal shall, as soon as may be practicable, send a copy of the application to every other party to the proceedings.

(3) Any party to the proceedings who is sent a copy of an application for leave to appeal in accordance with paragraph (2) may make representations in writing within one month of the date on which the application is sent.

(4) A person determining an application for leave to appeal to a Commissioner shall take into account any further representations received from the applicant before the determination is made, and shall record his decision in writing and send a copy to every party to the proceedings.

(5) Where there has been a failure to apply for leave to appeal within the period of time specified in paragraph (1)(a) but an application is made within one year of the last date for making an application within that period, a legally qualified panel member may, if for special reasons he thinks fit, accept and proceed to consider and determine the application.

(6) Where in any case it is impracticable, or it would be likely to cause undue delay for an application for leave to appeal against a decision of an appeal tribunal to be determined by the person who was the chairman or, in the case of an appeal tribunal which had only one member, that member, the application shall be determined by a legally qualified panel member.