
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 225

**The Social Security Commissioners (Procedure)
Regulations (Northern Ireland) 1999**

PART V

APPLICATIONS FOR LEAVE TO APPEAL TO THE APPELLATE COURT

Application to a Commissioner for leave to appeal to the Appellate Court

33.—(1) Subject to paragraph (2), an application to a Commissioner under section 22 of the Administration Act⁽¹⁾ for leave to appeal against a decision of a Commissioner shall be made in writing, stating the grounds of the application, within three months from the date on which the applicant was sent written notice of the decision.

(2) Subject to a direction by a Commissioner, in calculating any time for applying for leave to appeal under paragraph (1), there shall be disregarded any day before the day—

- (a) on which notice was sent of a correction of a decision or the record of it under regulation 30; or
- (b) on which notice was sent of a determination that a decision shall not be set aside under regulation 31.

(3) Regulation 33 of the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987⁽²⁾ (persons unable to act) shall apply to the right of appeal conferred by section 22 of the Administration Act (appeal from Commissioner on point of law) as it applies to rights arising under the Social Security Acts or Orders generally.

(4) A person in respect of whom a forfeiture rule question arises and the Department, shall be authorised to apply for leave to appeal from a Commissioner's decision on a forfeiture rule question.

(5) Paragraphs (1) and (3) of regulation 26 shall apply to an application to a Commissioner for leave to appeal from a Commissioner's decision as they apply to the proceedings in that regulation.

(1) 1992 c. 8
(2) S.R. 1987 No. 465