

Treasury – Social Security Division

Application for leave to appeal and Notice of Appeal

Form A.21(C)

Please use black ink and complete form in CAPITALS. You should fill in sections A, B and C first and then follow the instructions. Use another sheet of paper if there is not enough space for you to say everything.

If you have any questions, please contact the Clerk to the Appeal Tribunal:

*About your
application
or appeal*

**The Office is open on Mondays
to Thursdays 9.15am to 5.00pm
Fridays 9.15am to 4.30pm**

**Clerk to the Appeal Tribunals
Tribunals and Probate Section
General Registry
Deemster's Walk, Bucks Road
DOUGLAS, Isle of Man
IM1 3AR
Telephone: (01624) 685023
Fax: (01624) 685573
Email: tribunals@gov.im
Website: www.gov.im/tribunals**

About appeals

*Your reasons for
appealing*

You can only appeal against a decision because you think it was wrong on a **point of law**.

Some examples of points of law are that the tribunal:

- did not apply the correct law to your case
- wrongly interpreted the law
- did not observe the rules of natural justice
- had no evidence, or not enough evidence, to support the full statement of its decision
- did not give adequate reasons in the full statement of its decision

These are only examples. There may be other points of law; you may wish to consult a Citizens Advice Bureau or another organisation.

You must give details to show how the point of law applies to your case.

You **cannot** appeal because you do not agree with **facts or opinion**.

How to appeal

Before you can appeal you must get permission to appeal. This is called getting leave to appeal.

*To get leave
to appeal*

You should fill in form A.21(C) and send or take it to the Office of the Clerk to the Tribunal.



You should do this **within one month** of the date on which the tribunal sent you the full statement of its decision.

You should send a copy of the full statement mentioned above with your application for leave to appeal.



If the Chairman does not give you leave (the Chairman's ruling) you can still apply to a **Commissioner** but you must do this **within one month** of the date when the Chairman's ruling was sent to you.

If more than one month has passed since the tribunal sent you the full statement of its decision you should apply to a **Commissioner** for leave to appeal. You should explain to the Commissioner why you are late. The Commissioner may decide not to consider your application.

If you do not send a copy of the full statement of the tribunal's decision, the Commissioner may not be able to consider your application.

Once you have leave to appeal you can **appeal**.

To appeal

If the Chairman has given you leave to appeal (the chairman's ruling) you should fill in the Notice of Appeal on A.21(C) and send the form to the Clerk to the Tribunal.



You must do this **within one month** of the date of the Chairman's ruling being sent to you.

*If you do not appeal within one month you will be **late**. You will have to tell the Commissioner why you are late and the Commissioner may not consider your appeal.*

You should send a copy of the full statement of the tribunal's decision with your appeal.

The hearing of your application

A Commissioner will usually consider your application for leave to appeal or your appeal without you being present. You may ask a Commissioner to allow you (or your representative) to appear at a **hearing of the application**. If a Commissioner agrees to your request, or orders a hearing, the Commissioner's Office will contact you with further information.

What will happen if a Commissioner allows your appeal

If you have appealed against a decision of a **Social Security Appeal Tribunal** and your appeal is successful, the Commissioner may:

send your case back to another tribunal for a fresh decision

or give the final decision in your case

A.21(C)

**Application for leave to appeal
and
Notice of Appeal**

Date received by Tribunal

Date received by the Commissioner's Office

Appeal number

Please



use black ink and complete this form in **CAPITALS**



You should fill in

A	B	C
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Use another sheet of paper if there is not enough room for you explain your case. Please put your name at the top of the sheet.

A	About you
---	-----------

Please tick appropriate box

Mr Mrs Miss Ms

Your date of birth

Your surname

Your other names

Your address
(including postcode)

Your daytime telephone number

Do you have a representative? Yes No

Name of representative

Address (including the post code)

Telephone number

D Application to a Chairman for leave to appeal

What to do Put your signature and the date in the boxes. Do not fill in any other part of the form.
*I apply for **leave to appeal** against the decision of the tribunal.*

Your Signature

Date



Send this form and a copy of the typed statement of material facts and reasons for the tribunal's decision to the Clerk to the Tribunal, Tribunals Office, Isle of Man Courts of Justice, Deemsters Walk, Bucks Road, Douglas, Isle of Man, IM1 3AR.

E Application to a Commissioner for leave to appeal

Fill in this part of the form to apply to the Commissioner for leave to appeal. **An application to the Commissioner for leave to appeal against the decision of an appeal tribunal may be made only where the applicant has sought to obtain leave from the Chairman and leave has been refused or the application has been rejected.**

Do you have a written statement of the tribunal's decision?

No Please say why not

Yes Please send a copy with this form

Has more than one month passed since the Chairman's ruling was sent to you?

No

Yes Please say why you are late applying for leave to appeal.

What to do

Put your signature and the date in the boxes. Do not fill in any other part of the form.
I apply for leave to appeal against the decision of the tribunal.

Your Signature

Date



Send this form and a copy of the typed statement of material facts and reasons for the tribunal's decision to the Clerk to the Tribunal. Tribunals Office, Isle of Man Courts of Justice, Deemsters Walk, Bucks Road, Douglas, Isle of Man, IM1 3AR.

F

Fill in this part of the form to appeal if the Chairman granted you leave to appeal

Has more than one month passed since the Chairman's ruling granting you leave was sent to you?

No

Yes Please say why you are late appealing

I appeal against the decision of the tribunal

Your signature

Date



Send this form and a copy of the typed statement of material facts and reasons for the tribunal's decision and the Chairman's ruling granting you leave to appeal to the Clerk to the Tribunal, Tribunals Office, Isle of Man Courts of Justice, Deemsters Walk, Bucks Road, Douglas, Isle of Man, IM1 3AR.

PLEASE ENSURE THAT THE DOCUMENTS LISTED ABOVE ARE ENCLOSED WITH THIS FORM. FAILURE TO DO SO MAY RESULT IN DELAYS IN PROCESSING YOUR CASE. IF YOU DO NOT SEND THE FULL STATEMENT OF THE TRIBUNAL'S DECISION THE COMMISSIONER MAY NOT BE ABLE TO CONSIDER YOUR APPLICATION.