



Social Security
Tribunal of Canada

Tribunal de la sécurité
sociale du Canada

Citation: *A. R. v. Minister of Employment and Social Development*, 2016 SSTADIS 101

Date: March 3, 2016

File number: AD-16-119

APPEAL DIVISION

Between:

A. R.

Appellant

and

Minister of Employment and Social Development

Respondent

Decision by: Hazelyn Ross, Member, Appeal Division

DECISION

[1] The Appellant applied for a *Canada Pension Plan*, (CPP), disability pension. Her claim having been denied, both initially and upon reconsideration, she appealed to the Social Security Tribunal of Canada, (the Tribunal). On September 2, 2015 a Member of the General Division issued a decision dismissing her appeal. On January 21, 2016 the Appeal Division granted her application for leave to appeal.

[2] After leave to appeal was granted the parties entered into a Settlement Agreement in the following terms: -

Whereas the Social Security Tribunal - Appeal Division (SST-AD) decision dated January 21, 2016 granted leave to appeal to the Appellant;

The Respondent and the Appellant have come to an agreement. The parties hereby consent to the SST-AD issuing an order referring the matter back to the SST-General Division (SST-GD) for a hearing *de novo*.

Proceeding in this manner is the most cost effective and efficient for the Appellant and Respondent and is consistent with section 2 and paragraph 3(1)(a) of the *Social Security Tribunal Regulations* SOR/ 2013-60 which require, respectively, that the Tribunal interpret the *Regulations* so as to secure the just, most expeditious and least expensive determination of appeals, and to conduct hearings as informally and quickly as the circumstances and the considerations of fairness and natural justice permit.

[3] The parties reached agreement on March 1, 2016 and the Respondent forwarded a copy of the Agreement to the Appeal Division with the request that it render a decision in the matter, pursuant to s. 18 of the *Social Security Tribunal Regulations*, SOR/2013-60.

[4] Having considered the basis on which leave to appeal was granted as well as the terms of the Agreement, the Appeal is allowed in accordance with the provisions of the Settlement Agreement of March 1, 2016.

[5] The matter is remitted back to the General Division for determination by a different member.

Hazelyn Ross
Member, Appeal Division