



Citation: *GP v Minister of Employment and Social Development*, 2026 SST 129

**Social Security Tribunal of Canada
General Division – Income Security Section**

Decision

Appellant: G. P.
Respondent: Minister of Employment and Social Development

Decision under appeal: Minister of Employment and Social Development
reconsideration decision dated September 21, 2023
(issued by Service Canada)

Tribunal member: Michael Medeiros
Decision date: January 12, 2026
File number: GP-25-1797

Decision

[1] The appeal won't go ahead. This decision explains why.

Overview

[2] The Appellant applied for a Canada Pension Plan (CPP) disability pension on June 7, 2022. The Minister of Employment and Social Development (Minister) refused his application. He asked it to reconsider. On September 21, 2023, the Minister reconsidered its decision and refused the application again.

[3] The Appellant appealed the reconsideration decision to the Social Security Tribunal (Tribunal) on November 21, 2025.

What I have to decide

[4] I have to decide whether the Appellant appealed in time.

Reasons for my decision

[5] The appeal won't go ahead because the Appellant didn't appeal to the Tribunal in time. Here are the reasons for my decision.

What the law says

[6] If an appellant disagrees with the Minister's reconsideration decision, they have to appeal to the Tribunal within 90 days after the Minister told them about the decision.¹

[7] If the appellant appeals after the deadline, the Tribunal can give them more time (accept the late appeal). But **in no case** can the appellant appeal a reconsideration decision more than one year after the Minister told them about it.²

¹ See section 52(1) of the *Department of Employment and Social Development Act* (DESD Act).

² See section 52(2) of the DESD Act.

The Appellant's appeal was more than one year late

[8] I find that the Appellant's appeal was more than one year late.

– The Minister told the Appellant about its decision by October 1, 2023

[9] The Minister's reconsideration decision letter is dated September 21, 2023.³ The Appellant said that he first received the decision letter about a week after it was mailed.⁴ Canada Post usually delivers mail within 10 days in Canada. It is reasonable to believe that this is what happened here. So, I find that the Appellant would have been told about the decision by October 1, 2023.

– The Appellant had to appeal by October 1, 2024

[10] The Appellant had until October 1, 2024, to appeal to the Tribunal.

[11] The Appellant appealed on November 21, 2025.⁵ He wasn't aware of the appeal process until a phone call with Service Canada on November 7, 2025.⁶

[12] The Tribunal doesn't have equitable jurisdiction. This means I can't allow the appeal to go ahead because I think it would be fair, or because I want to help the Appellant in difficult circumstances. I have to follow the law.

Conclusion

[13] The Appellant appealed more than one year after the Minister told him about its decision.

[14] This means the appeal won't go ahead.

Michael Medeiros
Member, General Division – Income Security Section

³ See GD2-56 to 58.

⁴ See GD5-1.

⁵ See GD1.

⁶ See GD5-4.