



Citation: *GP v Minister of Employment and Social Development*, 2026 SST 128

Social Security Tribunal of Canada Appeal Division

Leave to Appeal Decision

Applicant: G. P.

Respondent: Minister of Employment and Social Development

Decision under appeal: General Division decision dated January 12, 2026
(GP-25-1797)

Tribunal member: Glenn Betteridge

Decision date: February 24, 2026

File number: AD-26-66

Decision

[1] Leave (permission) to appeal the General Division decision is refused.

[2] This means the appeal won't go forward.

Overview

[3] G. P. is the Claimant. He has applied for permission to appeal a General Division decision.

[4] The General Division decided it could not hear his appeal. It followed the law that says a person can't appeal when more than one year has passed since they got the Minister's reconsideration decision.¹

[5] The Claimant's reasons for appeal show me he disagrees with the General Division decision. He's rearguing his General Division appeal and challenging the Minister's decision denying him a *Canada Pension Plan* (CPP) disability pension.²

[6] Unfortunately for the Claimant, I can't give him permission to appeal the General Division decision. He hasn't shown an arguable case the General Division made an error. And he didn't set out new evidence in his application to appeal (application).

Issue

[7] I have to decide one issue—whether there's an arguable case the General Division made an error.

¹ See section 52(2) of the *Department of Employment and Social Development Act* (DESD Act).

² See AD1-7 and AD1-10.

The Claimant hasn't met the legal test to get permission to appeal

The permission to appeal test

[8] I should give the Claimant permission to appeal if he raises an arguable case the General Division made one of these errors

- didn't respect natural justice
- made a jurisdictional error
- made a legal error, a factual error, or a mixed error of fact and law in making its decision³

[9] The Claimant didn't send new evidence with his application. So I don't need to consider the new evidence ground of appeal.⁴

The Claimant hasn't shown an arguable case the General Division made an error, and I didn't find an arguable case

[10] In his application, the Claimant is rearguing his General Division case. It's clear he disagrees with the General Division decision, and the ultimate outcome of not getting a CPP disability pension.

[11] But his reasons don't refer to the General Division decision. And they don't explain a General Division error or give an example. So he hasn't shown an arguable case the General Division made an error.⁵

[12] The Claimant's reasons for appeal explain why he waited more than a year to appeal the Minister's reconsideration decision. But those reasons don't change the law that says the General Division can't extend the time to appeal the Minister's

³ See sections 58.1(a) and (b) of the DESD Act.

⁴ See section 58.1(c) of the DESD Act. And see AD1-8, where the Claimant responds to the question about evidence the General Division didn't have: "All documents have been sent in."

⁵ See *Twardowski v Canada (Attorney General)*, 2024 FC 1326 at paragraph 59; *Griffin v Canada (Attorney General)*, 2016 FC 874 at paragraph 20.

reconsideration decision when one year has passed. In other words, even if the Claimant had a reasonable explanation for his delay, the General Division had no power to extend the appeal deadline.

[13] The General Division relied on that law to decide the Claimant's case (see Decision paragraph 7). The General Division reasons show me it correctly understood then used this law (paragraphs 12, 13, 14). So there's no arguable case the General Division made a legal error.

[14] Based on the Claimant's evidence about when he got the Minister's reconsideration decision, the General Division concluded that he waited over a year to appeal. There's no arguable case the General Division ignored or misunderstood the evidence about this (paragraphs 9 to 11). So there's no arguable case the General Division based its decision on an error about the relevant facts.

[15] In his application, the Claimant is also arguing he qualifies for a CPP disability pension. But that argument isn't relevant to the General Division decision and whether I can give him permission to appeal. The General Division didn't hear his appeal of the Minister's decision to deny him a disability pension. And there's no arguable case the General Division made an error when it refused to hear his disability pension appeal.

[16] This means I can't give the Claimant permission to appeal the General Division decision.

Conclusion

[17] Leave to appeal denied. The Claimant's appeal won't go forward.

Glenn Betteridge
Member, Appeal Division