

Citation: *G. M. v. Canada Employment Insurance Commission*, 2014 SSTAD 267

Appeal No. AD-13-375

BETWEEN:

G. M.

Applicant

and

Canada Employment Insurance Commission

Respondent

SOCIAL SECURITY TRIBUNAL DECISION
Appeal Division – Leave to Appeal

SOCIAL SECURITY TRIBUNAL MEMBER: Mark BORER

DATE OF DECISION: September 25, 2014

DECISION: Leave to appeal granted

DECISION

[1] On May 30, 2013, a panel of the board of referees (“the Board”) dismissed the appeal of the Applicant. In due course, the Applicant filed an application with the Appeal Division requesting leave to appeal.

[2] In its decision, the Board found that certain moneys were earnings and needed to be allocated. The Board also found that the Applicant had knowingly made false statements to the Commission and was correctly assessed a penalty and notice of violation. However, on the face of the record it appears that the Board may not have applied the legal test to determine whether or not the statements in question were made knowingly. As such, it is my view that this appeal has a reasonable chance of success and leave to appeal should be granted.

Mark Borer

Member, Appeal Division