

Citation: *P. S. v. Canada Employment Insurance Commission*, 2014 SSTAD 358

Appeal No. AD-13-78

BETWEEN:

P. S.

Appellant

and

Canada Employment Insurance Commission

Respondent

SOCIAL SECURITY TRIBUNAL DECISION
Appeal Division – Appeal

SOCIAL SECURITY TRIBUNAL MEMBER: Mark BORER

DATE OF DECISION: December 11, 2014

DECISION: Leave to appeal granted

DECISION

[1] On April 25, 2013, a panel of the board of referees (“the Board”) determined that the appeal of the Applicant from the previous determination of the Commission should be denied. An application requesting leave to appeal to the Appeal Division was filed in due course.

[2] I have read and carefully considered the application of the Applicant. The Applicant has raised several arguments, each supported by extensive submissions and case law to the effect that the Board erred in its decision.

[3] The Applicant argues that the Board erred in its interpretation and application of subsection 30(3) of the *Employment Insurance Regulations* and the related jurisprudence, and also erred in law and fact by finding that the Applicant had knowingly made a false or misleading representation.

[4] In my view, these arguments raise an arguable case and if true could lead to the appeal being allowed. Therefore, these arguments have a reasonable chance of success and leave to appeal should be granted.

Mark Borer

Member, Appeal Division