

Citation: *P. W. v. Canada Employment Insurance Commission*, 2015 SSTAD 1472

Appeal No. AD-15-872

BETWEEN:

**P. W.**

Applicant

and

**Canada Employment Insurance Commission**

Respondent

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**SOCIAL SECURITY TRIBUNAL DECISION**  
**Appeal Division – Leave to Appeal**

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SOCIAL SECURITY TRIBUNAL MEMBER: Mark BORER

DATE OF DECISION: December 23, 2015

DECISION: Leave to appeal refused

## **DECISION**

[1] On January 16, 2013, a panel of the board of referees (the Board) dismissed the appeal of the Applicant from the previous determination of the Commission regarding availability. On July 2, 2015, the Applicant filed an application requesting leave to appeal to the Appeal Division.

[2] This application has been filed well beyond the 30-day limit set out in ss. 57(1) of the *Department of Employment and Social Development Act*.

[3] Subsection 57(2) of the *Act* states that:

The Appeal Division may allow further time within which an application for leave to appeal is to be made, but in no case may an application be made more than one year after the day on which the decision is communicated to the appellant.

[4] The Applicant does not state when the Board decision was communicated to him. Not having any reason to believe otherwise, I find that the decision was communicated to him in the normal course of business in January 2013. The Applicant therefore delayed almost two-and-a-half years before filing this application. As the delay was more than one year after the decision was communicated to the Applicant, I have no authority to grant an extension of time.

[5] This application is accordingly refused, as I have no jurisdiction to hear it.

*Mark Borer*

Member, Appeal Division