



## **WHAT EXACTLY IS THE SOCIAL SECURITY TRIBUNAL?**

On April 1, 2013, a new tribunal was created in Canada—the Social Security Tribunal—which falls under federal jurisdiction. It replaced the following four administrative tribunals: the Board of Referees, the employment insurance umpires, the Canada Pension Plan and Old Age Security review tribunals, and the Pension Appeals Board.

The new tribunal therefore handles reviews of decisions made by federal agencies about employment insurance, Old Age Security and the Canada Pension Plan.

There are two divisions within the Social Security Tribunal: the “General Division” and the “Appeal Division.” The General Division itself has two sections, an Employment Insurance Section and an Income Security Section (for the Canada Pension Plan and Old Age Security).

As an example, if a recipient wishes to contest a decision made by the Employment Insurance Commission, he will first have to file an application for administrative review with the Commission itself, within 30 days after the decision in question was sent to him.

Subsequently, if the recipient is dissatisfied with the decision rendered following the administrative review, he will be entitled to file an appeal with the General Division of the Social Security Tribunal. The appeal will have to be filed within 30 days after the decision on the review was sent to him. For a decision dealing with Old Age Security or the Canada Pension Plan, the time limit is 90 days.

In both cases, the General Division can summarily dismiss an appeal if it is convinced that there is no reasonable chance of success.

Lastly, a recipient who has been heard before the General Division and is still dissatisfied with the decision rendered will first have to obtain permission to appeal before being heard by the Appeal Division. The application for leave to appeal will have to be filed within 30 days after the recipient has received the decision rendered by the Employment Insurance Section. This time limit is 90 days when the decision is one rendered by the Income Security Section.

For more information about the Social Security Tribunal, do not hesitate to contact the legal aid office nearest you, where experienced lawyers will be able to answer all your questions.

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\* The information set out in this document is not a legal interpretation.

The masculine gender is used to designate persons solely in order to simplify the text.