

WELSH LANGUAGE (WALES) MEASURE 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 59 – Appeals from Tribunal

98. Where the Tribunal has decided an appeal under section 58, the Commissioner or P may, with the permission of the Tribunal or High Court, appeal to the High Court on a question of law arising out of the Tribunal's decision.
99. If the High Court finds that the Tribunal has made an error on a point of law, it may set aside the decision of the Tribunal. If the case is set aside, the High Court must either send the case back to the Tribunal with directions for its reconsideration or re-make the decision.
100. This section makes provision about the directions that the High Court may give to the Tribunal and provides that when re-making a decision, the High Court may make any decision which the Tribunal could make, and may make findings of fact as the it thinks appropriate.
101. An application for permission to appeal must be made to the Tribunal or High Court within 28 days of the Tribunal notifying the applicant of its determination of the appeal. However the Tribunal or High Court has the discretion to allow appeals to be made after the 28 days if they are satisfied that there is a good reason for failing to apply for permission in time, or if there is a good reason for the delay in applying for permission.