



Pensions Appeal Tribunals Act 1943

1943 CHAPTER 39 6 and 7 Geo 6

[^{F1}6C Appeals from Commissioner

- (1) Subject to subsection (2) below, a party to an appeal under section 6A of this Act may appeal on a question of law to the appropriate court from a decision of [^{F2}a Northern Ireland Social Security Commissioner] under that section.
- (2) No appeal under this section shall lie from a decision except—
 - (a) with the leave of the Commissioner who gave the decision or, in a case prescribed by regulations, [^{F2}a Northern Ireland Social Security Commissioner] selected in accordance with regulations; or
 - (b) if he refuses leave, with the leave of the appropriate court.
- (3) On an application to [^{F2}a Northern Ireland Social Security Commissioner] for leave under this section it shall be the duty of the Commissioner to specify as the appropriate court—
 - (a) the Court of Session if it appears to him that the person who appealed to [^{F3}the tribunal concerned] is ordinarily resident in Scotland;
 - (b) the Court of Appeal in Northern Ireland if it appears to him that that person is ordinarily resident in Northern Ireland;
 - (c) the Court of Appeal if it appears to him that that person is ordinarily resident elsewhere.

But if it appears to the Commissioner, having regard to the circumstances of the case and in particular to the convenience of the persons who may be parties to the proposed appeal, that he should specify a different court mentioned in paragraphs (a) to (c) above as the appropriate court, it shall be his duty to specify that court as the appropriate court.

- (4) Regulations may make provision as to—
 - (a) the manner in which, and the time within which, applications to [^{F2}a Northern Ireland Social Security Commissioner] for leave to appeal under this section must be made;
 - (b) the procedure for dealing with such applications.]

Changes to legislation: There are currently no known outstanding effects for the Pensions Appeal Tribunals Act 1943, Section 6C. (See end of Document for details)

Textual Amendments

- F1** Ss. 6A-6D inserted (22.2.2005 for certain purposes and otherwise 6.4.2005) by [Armed Forces \(Pensions and Compensation\) Act 2004 \(c. 32\)](#), ss. 5, 8, [Sch. 1 para. 4](#) (with transitional provisions in [S.I. 2005/660](#), [art. 2](#)); [S.I. 2005/356](#), [art. 2](#), Schs. 1, 2
- F2** Words in s. 6C(1)-(4) substituted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 9(1), [Sch. 3 para. 15\(a\)](#)
- F3** Words in s. 6C(3)(a) substituted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 9(1), [Sch. 3 para. 15\(b\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Pensions Appeal Tribunals Act 1943, Section 6C.