



## Application to the Appeal Division – Income Security

*Également disponible en français*

Fill out, sign, and submit this application to the Appeal Division if you want to:

- apply for leave (permission) to appeal a General Division decision. We must receive your application within **90 days** from the date you received the General Division decision.

**OR**

- appeal a General Division summary dismissal decision.

You must provide all the information below. The Social Security Tribunal Regulations require this.

We will share any documents you give us with any other parties to your appeal.

We publish many Tribunal decisions online so that people can understand how the Tribunal works. If we publish the decision in your appeal, we will first remove any information that reveals your identity.

We understand that parties may have privacy concerns. We try to respect those concerns. At the same time, the law requires us to be open about the Tribunal’s work. Learn more about how we balance open justice and privacy by reading our open justice and privacy statement on our website at [www.sst-tss.gc.ca/en/decisions-laws-and-policies/open-justice-and-privacy](http://www.sst-tss.gc.ca/en/decisions-laws-and-policies/open-justice-and-privacy).

**If you have questions on how to fill out this form, call our toll-free line from Canada or the United States at 1-877-227-8577 (TTY: 1-866-873-8381) or call collect from outside Canada or the United States at 1-613-437-1640 (TTY: 1-613-948-8181), Monday–Friday between 7 a.m. and 7 p.m. Eastern Time.**

### 1 – The decision you want to appeal

Tribunal File Number at the General Division (begins with GP):

I received my General Division decision on (Year - Month - Day):

or I don’t remember.

### 2 – Applicant / contact person information

The applicant is (please select only one):

an individual (fill out Section 3)

the Minister of Employment and Social Development Canada (go to Section 4)

### 3 – Contact information

First name		Last name	
<b>Email address (if available) that the Tribunal can use to send me messages, documents, and personal information about my file:</b>  _____			
Providing this email address means I give the Tribunal permission to contact me by email and that I understand that the Tribunal isn't responsible for the privacy and security of email communication.			
Address (No., Street, R.R.)		Apt. / Unit	City / Town
Province / Territory	Postal code		Country
Phone number (with area code)	Other phone number (with area code)	Fax number (with area code)	
I don't have a phone.			

### 4 – Accessibility (alternate arrangements)

Please tell us if you need any alternate arrangements for your appeal. We want to ensure that everyone can participate in our proceedings on an equal basis.

To request accommodation for a particular need, please contact us by phone, email, fax, or mail. All our contact information is at the end of this form.

You can find more information on our accommodation and accessibility policy on our website at [www.sst-tss.gc.ca/en/decisions-laws-and-policies/social-security-tribunal-accommodation-and-accessibility-policy](http://www.sst-tss.gc.ca/en/decisions-laws-and-policies/social-security-tribunal-accommodation-and-accessibility-policy).

## 5 – Reason(s) for your appeal

An appeal to the Appeal Division is different from an appeal to the General Division. In most cases, you must first get permission to appeal to the Appeal Division. If you are allowed to proceed with your appeal, the Appeal Division will need to decide whether an error was made at the General Division and, if so, what should be done about it.

Parties (including you) generally can't submit new evidence to the Appeal Division. The Appeal Division considers the evidence that the General Division had when it made its decision. Evidence refers to oral testimony as well as documents (such as letters, medical reports, and written statements).

Explain in detail why you are appealing the decision of the General Division. Only the following reasons can be considered under the law:

**The General Division didn't follow procedural fairness.** For example, the General Division relied on a document, but you didn't have a chance to see or comment on that document.

**The General Division made an error of jurisdiction.** For example, the General Division didn't decide something it had to decide, or it decided something it didn't have the power to decide.

**The General Division made an error of law.** For example, the General Division relied on the wrong section of the applicable law.

**The General Division made an important error of fact.** For example, the General Division found that you had stopped working for personal reasons without considering the reports that said that you had stopped working because you were sick.

In the space below, give specific examples of how the General Division made at least one of these errors. Give as much detail as possible (attach extra pages if necessary).

## 6 – Hearing

If permission to appeal is granted, the Appeal Division member (decision-maker for your appeal) will decide if there will be a hearing and the kind of hearing. At the hearing, the Appeal Division member will listen to your arguments about the appeal. Appeal Division hearings generally don't include witnesses or testimony. Please indicate your preferred kind of hearing:

**No preference**

**By phone** (Call from a location convenient to you such as your home or your representative's office.)

**By videoconference at a Service Canada Centre** (You will travel to a Service Canada Centre near you and participate using their videoconference system. The Appeal Division member will join from a different location.)

**By videoconference from your personal computer or mobile device** (Connect to the videoconference from a location convenient to you such as your home or your representative's office. The Appeal Division member will join from a different location. This option requires a high-speed internet connection. We will contact you to ensure this option will work for you.)

**In-person** (Your hearing will take place at a Service Canada Centre near you. The Appeal Division member will be in the same room as you.)

Is there any reason for your preference?

## 7 – Language

I want the hearing to be in:

English  
French

Please write to me in:

English  
French

I am not comfortable speaking either English or French. At a hearing, I will need an interpreter. (The Tribunal will get an interpreter for you.)

The interpreter must speak this language:

My dialect or country of origin (if applicable):

## 8 – Late application for permission to appeal (if applicable)

We must receive this completed application within **90 days** from the date you received your General Division decision (other than a summary dismissal decision). If we receive your application after the 90 days, you **must** explain why it is late. The Appeal Division member will then decide whether your application can go forward. Note that we can't accept an application filed **more than one year** from the date you received your General Division decision.

Explain why your application is late. Attach extra pages if necessary.

The Appeal Division member will consider:

- Whether you have a reasonable explanation for why your application is late (you may include supporting documents)
- What steps you took that show that you always intended to apply (you may include supporting documents)
- Whether extending the time for filing your application would be unfair to the other party/parties
- Whether your appeal has a reasonable chance of success
- Any other reason why the Appeal Division should allow your application to be filed late

## 9 – Representative information

You don't need a representative. If you choose to have a representative, you are responsible for any costs.

I am represented by:

myself (go to Section 10)

the same representative I had at the General Division (go to Section 10)

a new representative

If you have a new representative, please indicate which category of representative and fill out their information below.

Lawyer / legal clinic

Paralegal / notary

Advocacy group

Union representative

Family member / friend

Other Please specify: \_\_\_\_\_

First name

Last name

Name of company, law firm, association, or organization (if applicable)

I have confirmed with my representative that they want the Tribunal to send them correspondence and documents by email.

Yes → **Email address:** \_\_\_\_\_

No

Address (No., Street, R.R.)

Apt. / Unit

City / Town

Province / Territory

Postal code

Country

Phone number (with area code)

Other phone number (with area code)

Fax number (with area code)

## 10 – Declaration and signature of applicant

I declare that, to the best of my knowledge, all the information I provided as part of my application is true.

### **If you have a representative:**

I authorize the Tribunal to share any information about my application with my representative. I understand that the Tribunal will normally communicate only with my representative and that I will personally receive information only about my hearing and the final decision.

Signature of applicant:

Year - Month - Day

## How to submit this application

Fill out, sign, and send us one copy of this form by email, fax, or mail. Keep all your original documents.

**Email:** [info.sst-tss@canada.gc.ca](mailto:info.sst-tss@canada.gc.ca)

**Fax:** 1-855-814-4117 (toll-free in Canada and the United States)  
1-613-941-5121 (long distance charges may apply)

**Mail:** Social Security Tribunal of Canada  
PO Box 9812  
Station T  
Ottawa ON K1G 6S3

## Questions?

Email us at [info.sst-tss@canada.gc.ca](mailto:info.sst-tss@canada.gc.ca) or call our toll-free line from Canada or the United States at 1-877-227-8577 (TTY: 1-866-873-8381).

You can also call collect from outside Canada or the United States at 1-613-437-1640 (TTY: 1-613-948-8181).

**Website:** [www.sst-tss.gc.ca/en](http://www.sst-tss.gc.ca/en)

## Tips

- ▶ Email is the fastest way to send us information.
- ▶ You must tell us if your contact information changes. If we can't reach you, we may proceed in your absence.
- ▶ Keep all letters and documents the Tribunal sends you. They are numbered for easy reference. If a hearing is held, you will need these documents at your hearing.
- ▶ If you change your representative, tell us right away.
- ▶ Everything you send us must be in either English or French. If you need information about translation, visit our website at [www.sst-tss.gc.ca/en/your-appeal/interpreters-and-translation](http://www.sst-tss.gc.ca/en/your-appeal/interpreters-and-translation).