

JBM/SH/12

Commissioner's File: CSB/319/1990

**SUPPLEMENTARY BENEFITS ACT 1976**

**APPEAL FROM DECISION OF SOCIAL SECURITY APPEAL TRIBUNAL ON A QUESTION OF LAW**

**DECISION OF THE SOCIAL SECURITY COMMISSIONER**

1. My decision is that the decision of the Hull social security appeal tribunal dated 22 February 1989 is not erroneous in point of law.
2. This is an appeal by the claimant to the Commissioner with the leave of the Commissioner against the unanimous decision of the appeal tribunal confirming the decision of the adjudication officer first involved in these appeals.
3. The facts of the case are dealt with in the written submission of the adjudication officer first involved in these appeals to the appeal tribunal. In respect of those matters and of the submission dated 3 April 1991 the claimant has had the opportunity to comment and I have his observations to me dated 9 April 1991. No useful purpose would be served by my setting out these matters afresh here.
4. The relevant statutory provisions are referred to in paragraph 2 of the submission dated 3 April 1991. Nothing is to be gained by my setting out those references afresh here save to state that this is yet another case of involving regulation 10A of the Supplementary Benefit (Single Payments) Regulations 1981.
5. In my judgment the decision of the appeal tribunal is not erroneous in point of law. The submission dated 3 April 1991 is rightly made. There is no merit in my setting out in other words what has there already been adequately dealt with. Suffice it for me to say that although the reasoning on the face of the appeal tribunal's decision is somewhat brief it is clear from their findings of fact why they reached their decision and concluded as they did that regulation 3(2)(a) of the Single Payments Regulations 1981 were not satisfied.

6. In accordance with my jurisdiction my decision is as set out in paragraph 1 of this decision. I would add that I have given careful consideration to the claimant's observations to me dated 9 April 1991 but for the reasons referred to in paragraph 5 above my decision must be as set out in paragraph 1 of this decision.

7. Accordingly the claimant's appeal is dismissed.

**(Signed)** J.B. Morcom  
**Commissioner**

**(Date)** 6 April 1992