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JBM/SH/13

Commissioner's File: CU/013/1991

SOCIAL SECURITY ACTS 1975 TO 1990

CLAIM FOR UNEMPLOYMENT BENEFIT

DECISION OF THE SOCIAL SECURITY COMMISSIONER

1. My decision is that the decision of the Newcastle social security appeal tribunal dated 30 May 1990 is not erroneous in point of law.

2. This is an appeal by the claimant to the Commissioner with the leave of the Commissioner on remission by the Commissioner following the Commissioner's decision on file no. CU/112/1988 contained in the case papers.

3. The facts of the case are dealt with on the face of the decision of the appeal tribunal dated 30 May 1990. In respect of those matters and of the submission dated 14 August 1991 the claimant has had the opportunity to comment and I have his observations to me dated 26 August 1990. No useful purpose would be served by my setting out these matters afresh here.

4. The relevant statutory provision is the Social Security (Unemployment, Sickness and Invalidity Benefit) Regulations, regulation 7(1)(e) and 7(2).

5. In my judgment the decision of the appeal tribunal is not erroneous in point of law. I have considered very carefully the arguments put forward by the claimant together with the documentation contained in the case papers. I have also considered the careful submission of the adjudication officer dated 14 August 1991. I do not think that it is necessary for me to recite the careful arguments put forward by both sides. I have to bear in mind that I can allow an appeal only if I am satisfied that the decision of the appeal tribunal was erroneous in point of law. What is an error of law is helpfully dealt with by the Commissioner in Decision R(I) 14/75. On no other grounds can I set aside a decision of the appeal tribunal. In my

judgment the submission dated 14 August 1991 is rightly made.

I can detect no error of law on the face of the appeal tribunal decision.

6. In accordance with my jurisdiction

(Signed) J.B. Morcom  
Commissioner

(Date) 17 March 1992