

WELSH LANGUAGE (WALES) MEASURE 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 105 – Appeals from Tribunal

205. This section provides the Commissioner or P with a route of appeal to the High Court on a point of law arising out of the Tribunal's review of a decision made by the Commissioner which is a decision that falls within one of the five cases capable of review under section 103.
206. If the High Court finds that the Tribunal has made an error on a point of law, the High Court may set aside the decision of the Tribunal. If the case is set aside, the High Court must either remake the decision or remit the case to the Tribunal with directions for its reconsideration.
207. Subsections (4) and (5) make provision about the directions that the High Court may give to the Tribunal and the High Court's powers when remaking a decision made by the Tribunal.
208. An application for permission to appeal must be made to the Tribunal or High Court within a period of 28 days beginning on the day when the Tribunal notified the person making the application of its decision on the appeal under section 103. The Tribunal or High Court have the discretion to allow appeals to be made after that period if they are satisfied that there is a good reason for the failure to apply for permission before the end of the 28 day period and, if there has been a delay in applying for permission to appeal out of time, for that delay.