



# Pensions Appeal Tribunals Act 1943

1943 CHAPTER 39 6 and 7 Geo 6

## [<sup>F1</sup>6B Redetermination etc of appeals by [<sup>F2</sup>appropriate tribunal]

- [<sup>F3</sup>(1) Subsections (2) and (3) apply where an application is made to—
- (a) a Pensions Appeal Tribunal for Scotland or Northern Ireland under section 6A(5A) of this Act, or
  - (b) a person under section 6A(6)(a) of this Act,
- for leave to appeal from a decision of the tribunal concerned.]
- (2) If [<sup>F4</sup>the tribunal or person to whom the application is made] considers that the decision was erroneous in point of law, [<sup>F5</sup>that tribunal or person] may set aside the decision and refer the case either for redetermination by [<sup>F6</sup>the tribunal concerned] or for determination by a differently [<sup>F7</sup>constituted Pensions Appeal Tribunal for Scotland or Northern Ireland].
- (3) If each of those who would be parties to the appeal if leave were granted expresses the view that the decision was erroneous in point of law, [<sup>F8</sup>the tribunal or person to whom the application is made] shall set aside the decision and refer the case for determination by a differently [<sup>F9</sup>constituted Pensions Appeal Tribunal for Scotland or Northern Ireland].
- [ Subsection (5) applies where an application is made to the First-tier Tribunal for
- <sup>F10</sup>(4) permission to appeal to the Upper Tribunal from any decision of the First-tier Tribunal under this Act.
- (5) If each of those who would be parties to the appeal if permission were granted expresses the view that the decision was erroneous in point of the law, the First-tier Tribunal shall set aside the decision and refer the case for determination by a differently constituted First-tier Tribunal.]]

### 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

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

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- F2** Words in s. 6B title substituted (3.11.2008) by The Transfer of Tribunal Functions Order 2008 (S.I. 2008/2833), art. 9(1), **Sch. 3 para. 14(a)**
- F3** S. 6B(1) substituted (3.11.2008) by The Transfer of Tribunal Functions Order 2008 (S.I. 2008/2833), art. 9(1), **Sch. 3 para. 14(b)**
- F4** Words in s. 6B(2) substituted (3.11.2008) by The Transfer of Tribunal Functions Order 2008 (S.I. 2008/2833), art. 9(1), **Sch. 3 para. 14(c)(i)**
- F5** Words in s. 6B(2) substituted (3.11.2008) by The Transfer of Tribunal Functions Order 2008 (S.I. 2008/2833), art. 9(1), **Sch. 3 para. 14(c)(ii)**
- F6** Words in s. 6B(2) substituted (3.11.2008) by The Transfer of Tribunal Functions Order 2008 (S.I. 2008/2833), art. 9(1), **Sch. 3 para. 14(c)(iii)**
- F7** Words in s. 6B(2) substituted (3.11.2008) by The Transfer of Tribunal Functions Order 2008 (S.I. 2008/2833), art. 9(1), **Sch. 3 para. 14(c)(iv)**
- F8** Words in s. 6B(3) substituted (3.11.2008) by The Transfer of Tribunal Functions Order 2008 (S.I. 2008/2833), art. 9(1), **Sch. 3 para. 14(d)(i)**
- F9** Words in s. 6B(3) substituted (3.11.2008) by The Transfer of Tribunal Functions Order 2008 (S.I. 2008/2833), art. 9(1), **Sch. 3 para. 14(d)(ii)**
- F10** S. 6B(4)(5) inserted (3.11.2008) by The Transfer of Tribunal Functions Order 2008 (S.I. 2008/2833), art. 9(1), **Sch. 3 para. 14(e)**

**Changes to legislation:**

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