

Date: 19990112

Docket: CA 146551

NOVA SCOTIA COURT OF APPEAL

Cite as: Nova Scotia (Workers' Compensation Board) v. Reashore, 1999 NSCA 23

Chipman, Freeman and Roscoe, JJ.A.

BETWEEN:

WORKERS' COMPENSATION BOARD
OF NOVA SCOTIA

Appellant

)
)
) John R. Ratchford
) for the Appellant
)
)

- and -

WORKERS' COMPENSATION APPEALS
TRIBUNAL OF NOVA SCOTIA and
CLAYTON REASHORE

Respondents

)
) Respondents not
) appearing
)
)
)

)
) Appeal Heard:
) January 12, 1999
)
)

)
) Judgment Delivered:
) January 12, 1999
)

THE COURT:

The appeal is dismissed without costs as per oral reasons for judgment of Chipman, J.A.; Freeman and Roscoe, JJ.A., concurring.

The reasons for judgment of the Court were delivered orally by:

CHIPMAN, J.A.:

This is an appeal by the Workers' Compensation Board from a decision of the Workers' Compensation Appeals Tribunal pursuant to s. 256 of the **Workers' Compensation Act**, 1994-95, c. 10.

The appellant must show that the point raised is a question as to the jurisdiction of the Tribunal. An appeal lies on no other question of law or fact.

The Tribunal allowed an appeal from a decision of the Board that the claimant was not unfit for work. The appeal was allowed on the basis that the Board failed to consider medical evidence.

The appellant has not shown that the Tribunal made any jurisdictional error that was material to the result reached. Accordingly, it is not necessary to review further the reasoning of the Tribunal.

The appeal is dismissed without costs.

Chipman, J.A.

Concurred in:

Freeman, J.A.

Roscoe, J.A.