



**First-Tier Tribunal
(General Regulatory Chamber)
Information Rights**

Appeal reference: EA.2016-0302

Between

Serge Yakovlev

Appellant

and

Information Commissioner

Respondent

Decision

Refuse to accept appeal

Email received

1. By emails sent on 13 December 2016 at 14:32 and 15:50, Mr Yakovlev sought to appeal to this Tribunal over the Information Commissioner's Office conclusions contained in their email sent (I believe) on 13 December 2016 concerning their case reference RFA0654680, an investigation into how the Neaman Practice handled Mr Yakovlev's personal data.

Jurisdiction of Tribunal

2. The Tribunal is only able to do what Parliament has given it power to do. Issues concerning the way in which personal data is used/processed are, by *section 15* of the Data Protection Act 1998, dealt with in the County Court or the High Court, not in this Tribunal.

Decision and reasons

3. For a notice of appeal to be valid, it must include matters listed in *rule 22*. The list includes the address of the appellant, an address where documents for the appellant may be sent or delivered, and the grounds on which the appellant relies.
4. Mr Yakovlev has not provided those 3 items. Whilst the Tribunal could waive the requirement, there is no point in doing so in this appeal as the Tribunal would, inevitably, have to strike out Mr Yakovlev's appeal as being outside this Tribunal's jurisdiction.
5. Therefore, as the appeal does not comply with the requirement of *rule 22*, the appeal is not accepted; it will be marked as invalid by this Tribunal. Mr Yakovlev is not prevented, by this decision, from issuing proceedings in

Direction Notice Continued

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Appellant: Serge Yakovlev

Date of decision: 13 December 2016

the County Court or High Court under *section 15* of the *Data Protection Act 1998*.

This decision was made by the Tribunal's Registrar. A party is entitled to apply in writing within 14 days of the date of this document for this decision to be considered afresh by a Judge.

Mrs R Worth

Registrar, dated 13 December 2016