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Beschwerdekammern | Boards of Appeal | Chambres de recours

Case Number: D 0007/03

D E C I S I O N
of the Technical Board of Appeal
of 21 August 2003

Appellant: N.N.

Decision under appeal: **Decision of the Examination Board for the European Qualifying Examination dated 18 September 2002.**

Composition of the Board:

Chairman: B. Schachenmann
Members: J.-P. Seitz
Ch. Onn

Summary of Facts and Submissions

I. The Appellant sat for the European Qualifying Examination held from 20 to 22 March 2002 and received the following marks for her papers:

Paper C: 42

Paper D: 53

II. On 17 October 2002 the Appellant filed an appeal against the decision dated 18 September 2002 of the Examination Board for the European Qualifying Examination that she had failed the examination. The appeal fee was paid on 29 October 2002. However, the notice of appeal was not signed and no statement setting out the grounds of appeal has been filed by the Appellant within the time limit set out in Article 27(2) REE.

III. In a communication dated 19 March 2003 and sent by registered letter with advice of delivery the Board informed the Appellant that the appeal would have to be rejected as inadmissible pursuant to Article 27(4) REE in connection with Article 22(2) RDR.

IV. In reply to a query from the Registry of the Board, the Appellant submitted that she had not received the above communication.

On 7 May 2003 the communication was notified again by registered letter with advice of delivery to the Appellant setting a new time limit of one month.

V. A reply to the communication has not been received and the appellant informed the Registry by telephone that she did not file a statement setting out the grounds of appeal.

Reasons for the Decision

As on the one hand notice of appeal bears no signature and since on the other hand no written statement setting out the grounds of appeal has been filed within the time limit under Article 27(2) REE, the appeal has to be rejected as inadmissible according to the provisions of Article 22(2)RDR in conjunction with Article 27(4) REE.

Order

For these reasons it is decided that:

The appeal is rejected as inadmissible.

The Registrar: The Chairman:

M. Beer B. Schachenmann