



Registration Appeal Committee

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| Approved December 2020 Revised | Authority Board of Directors Committee Support Administrative Coordinator | Status <ul style="list-style-type: none"> • Statutory • Occasional |
| Policy & Procedures R-05.0 R-05.1 | Supporting Legislation/Regulation/By-Laws <ul style="list-style-type: none"> • <i>CTA 19-22(3)</i> • <i>By-Laws 24(1)-(6)</i> | |

TERMS OF REFERENCE

Function

- To hear Applicant appeals of registration decisions
- To make any determination that it deems ought to have been made by the Registrar or Registration Committee
- In cooperation with the Policy and Procedures Committee, establish written Procedural Guidelines to outline in clear detail, the process of review and decision-making, including all requirements and rights of the Appellant
- To ensure that Appellants have easy access to the Procedures of the Committee

Process

Where an applicant

(a) has been refused registration; or

(b) has been refused a license, the Registrar shall give written reasons for such decision and the applicant may, by written notice, appeal that

decision to the Registration Appeal Committee within thirty days of receipt of such written notice.

The Registration Appeal Committee, upon receipt of an appeal shall

- set a date for a hearing of the appeal, which shall be not later than sixty days following receipt of the written notice of appeal;
- serve written notice of the date, time and place for the hearing of the appeal upon the appellant and the Registrar; and
- advise the appellant of the right to
 - be represented by legal counsel or another representative, at the expense of the appellant,
 - disclosure of any information to be provided to the Registration Appeal Committee, and
 - a reasonable opportunity to present a response and make submission.

Evidence is not admissible before the Registration Appeal Committee unless, at least ten days before the appeal, the opposing party has been given

- in the case of written or documentary evidence, an opportunity to examine the evidence;
 - in the case of evidence of an expert, a copy of the expert's written report or, where there is no written report, a written summary of the evidence; and
 - -in the case of evidence of any other witness, the identity of the witness.
- The Registration Appeal Committee may, in its discretion, allow the introduction of evidence that is otherwise inadmissible and may make directions it considers necessary to ensure that a party is not prejudiced.
 - In a proceeding before the Registration Appeal Committee, the parties have the right to
 - the opportunity to present evidence and make submissions, including the right to cross examine witnesses; and

- receive written reasons for a decision within a reasonable time.
- At a hearing before the Registration Appeal Committee, all material relied upon by the Registrar in making the decision that is the subject of the appeal must be provided to the Committee and to the appellant.
- In addition to the material provided to the Registration Appeal Committee, either party may present additional evidence to the Committee and call witnesses.
- The testimony of witnesses at a hearing before the Registration Appeal Committee must be taken under oath or affirmation.

The Registration Appeal Committee, in accordance with the evidence it receives when hearing an appeal, may make any determination that, in its opinion, ought to have been made by the Registrar or the Registration Committee.

- The Registration Appeal Committee shall give its decision in writing and shall send to the applicant a copy of the written decision by registered mail or personal service.
- The decision of the Registration Appeal Committee is final.

Membership [Terms are 2 years (with option for a 2nd term) with 50% staggered]

1. Chair, as appointed by the Board from among the membership
2. Licensed Registrant
3. Licensed Registrant
4. Public Representative

Note: Not open to members of the Registration Committee

Quorum

- A majority (50% + 1) of the voting membership will constitute a quorum.
- All members of the Committee are voting members unless otherwise indicated under “Membership.”
- The Chair shall vote only if the votes on a question are evenly divided

Meetings

The Chair will call a meeting of the Committee as soon as practicable upon receipt of an application to appeal a decision of the Registrar/Registration Committee. *Pro forma* meetings of the Committee will be held twice annually. Special meetings may be called by the Chair or at the request of the Board. *Roberts Rules of Order (Revised)* will provide procedural guidance as required.

Agenda and Minutes/Summary Note

The Administrative Coordinator will circulate a call for agenda items to Committee members two weeks prior to each scheduled meeting. The Administrative Coordinator must receive agenda items (along with any relevant documents) at least seven (7) days prior to the meeting.

The Administrative Coordinator, in consultation with the Chair, will prepare and distribute an agenda to Committee members three (3) days prior to a meeting. Each meeting package will include:

- The meeting agenda with attachments;
- The previous meeting minutes/notes to be approved.

Approved Committee minutes/notes (for one rolling year) will be posted on the Registrant Area of the College website within one week of approval by the Committee.

Note: The Committee may elect to exempt from publication or redact to any extent, minutes or summary notes which in their judgment risk breaching confidentiality.

Review and Revision

The Committee, under the guidance of the Policy and Procedures Committee, will review its Terms of Reference every two (2) years. The Board must approve proposed revisions or administrative updates.