

## **Review of Registration Application Decisions by an Appeal Panel**

*Improved Public Interest  
Improved Regulatory Effectiveness*

To be a better and more effective regulator APEGA's registration processes and decisions must be transparent, objective, impartial and fair. Having an independent appeal process is a necessary part of this.

### Background

- Currently when an application has been refused by the Board of Examiners, the applicant may appeal the decision to the Appeal Board. The Appeal Board may make any decision the Board of Examiners was authorized to make.
- There is no option for the applicant to appeal to the Appeal Board if the registration has been deferred with conditions.

### Why this is important

- It is in the public interest that APEGA's registration processes and decisions must be transparent, objective, impartial and fair.
- The duty of fairness requires that an individual whose application for registration has not been accepted (either refused or deferred) they should have the opportunity to have that decision reviewed by an independent body.
- Part of this duty of fairness is to provide a review mechanism; another part is to ensure the fairness of the original decision.

### Proposed legislative change

- It is recommended that an individual whose application for registration is accepted subject to conditions, deferred or whose application is refused by the Registration Committee may request a review of that decision and that shall be done by an appeal panel of the Appeal Committee.
- The Appeal Panel would continue to hold the existing authority plus the ability to refer the matter back to the Registration Committee, with or without directions, for further assessment of the application and decision.

Effect of the  
proposed  
change

- Applicants have a mechanism to have Registration Committee decisions reviewed by an independent authority.
- Appeal panels would review the original Registration Committee decision. The panels would review whether the Registration Committee followed a fair process, whether the Registration Committee evaluated the application in a manner in accordance with the Act and the policies of the Association and consistent with other like applications, and whether the resulting decision was fair.
- It will result in better and more consistent decisions by the Registration Committee who will benefit from feedback from the appeal panels.
- It will align the legislation with other modern self-regulatory professional associations in Alberta.