

Water Industry Professionals Registration Appeals Policy

This policy outlines the procedure for appealing decisions of the Water Industry Professionals Registration Committee (**Committee**) or Water Industry Professionals Administrator. This policy has been set by the Committee and is current as at 1 September 2019.

Who can appeal a decision of the Board?

A person who believes they have been disadvantaged by a decision of the Committee may appeal that decision. A person may not appeal a decision they believe has disadvantaged another person, nor appeal a decision on behalf of another person.

What decisions can be appealed?

Decisions of the Committee which can be appealed are:

- Decline of application for Water Industry Professional Registration;
- Cancellation of Water Industry Professional Registration;
- Suspension of Water Industry Professional Registration.

What is the appeal process?

1. The person (“Appellant”) must lodge an appeal (“Appeal”) within 25 business days from the date of the Committee’s decision letter.
2. The Appeal must be lodged with the WIPA Administrator by post, courier, hand delivery or email.
3. The Appeal should include the following information:
 - a. a copy of the Administrators decision letter;
 - b. the decision the Appellant wishes to appeal;
 - c. the reasons for appealing the decision;
 - d. evidence that supports the reasons for appealing the decision
 - e. what outcomes the Appellant is seeking from the appeal
 - f. whether the Appellant wishes to appear (in person, by teleconference or skype) before the Appeal Tribunal¹.

1. The Committee shall appoint an Appeal Tribunal, whose role is to hear appeals received from any person who is dissatisfied with any decision of the Committee which applies to that person.

4. The Administrator must give notice of the Appeal to the members of the Appeal Tribunal within 5 business days of receiving the Appeal. The notice shall include:
 - (a) all of the information contained in the Appeal;
 - (b) any other information the Administrator reasonably believes is relevant to the Appeal including, if it thinks fit, its own submissions.
5. If the Administrator provides any other information to the Appeal Tribunal pursuant to clause 4(b), it must forthwith provide a copy of the same information to the Appellant.
6. The Appeal Tribunal must make a date to meet either in person, by teleconference or skype to consider the appeal and must advise the Administrator of the date of the meeting ("Appeal Hearing").
7. The date of the Appeal Meeting must be within 10 business days of the date on which the Appeal Tribunal receives the Administrator's notice of the Appeal.
8. The Administrator must forthwith give notice to the Appellant of the date of the Appeal Hearing, which notice shall specify the date by which any further information the Appellant wishes the Appeal Tribunal to consider must be received.
9. The Administrator shall forthwith provide to the Appeal Tribunal, any further information received from the Appellant on or before the date referred to in clause 8.
10. At the Appeal Hearing, the Appeal Tribunal:
 - (a) shall hear the Appellant, if the Appellant has elected to be heard;
 - (b) may, if the Appellant is present, hear oral submissions from the Administrator, and the Appellant shall have the right to respond;
 - (c) shall consider the appeal documents; and
 - (d) shall make a determination.
11. The determinations may be to:
 - (a) Decline the appeal;
 - (b) Accept the appeal and change the original decision to that sought by the person appealing;
 - (c) Make a new decision which is different from the Committee's original decision and the decision which is sought; or
 - (d) Suspend the decision and request further information
12. If further information is requested, the Appeal Tribunal will adjourn the Appeal Hearing until 10 business days after the information becomes available.

13. Once the further information is provided, the Appeal Tribunal must reconvene the adjourned Appeal Hearing (either in person, by teleconference or skype) within 10 business days of receipt of the further information. The Administrator shall notify the Appellant of the new time and date and clauses 5 and 8 above shall apply, with all necessary modifications, to the adjourned hearing.
14. At the reconvened hearing the Appeal Tribunal shall make one of the following determinations:
 - (a) Decline the appeal;
 - (b) Accept the appeal and change the original decision to that sought by the person appealing; or
 - (c) Make a new decision which is different from the original decision and the decision which is sought.
15. The decision of the Appeal Tribunal shall be final and conclusive.

Signed

Chair Water Industry Professional Registration Committee