

Procedure for Appeal to the ANSLs Registration Appeal Committee

(N.S, Regulations s. 21 -22)

21 (1) The Board of Examiners must give written reasons for any decision that

- (a) refuses an applicant's
 - (i) registration, or
 - (ii) entry in a roster; or
- (b) imposes conditions or restrictions on a member's registration.

(2) An applicant may, by written notice, appeal a decision listed in subsection (1) to the Registration Appeal Committee no later than 30 days after the date the applicant receives the written reasons.

(3) On receiving a written notice of appeal, the Registration Appeal Committee must do all of the following:

- (a) set a date for a hearing of the appeal that is no later than 60 days after the date the Committee receives the written notice of appeal;
- (b) serve written notice of the date, time and place for the hearing of the appeal on the appellant and the Executive Director;
- (c) advise the appellant of their right to
 - (i) be represented by legal counsel,
 - (ii) disclosure of any information to be given to the Committee, and
 - (iii) a reasonable opportunity to present a response and make submissions.

(4) The parties to an appeal before the Registration Appeal Committee are the Association and the appellant.

(5) Except as provided in subsection (6), evidence is not admissible before the Registration Appeal Committee unless, at least 10 days before the appeal, the opposing party has been given

- (a) in the case of written or documentary evidence, an opportunity to examine the evidence;

(b) in the case of evidence of an expert, a copy of the expert's written report or, if there is no written report, a written summary of the evidence; and

(c) in the case of evidence of any other witness, the identity of the witness.

(6) If it is in the public interest, the Registration Appeal Committee, in its discretion, may allow the introduction of evidence that is otherwise inadmissible under subsection (5) and may make directions it considers necessary to ensure that a party is not prejudiced by the introduction of the evidence.

(7) 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 examine and cross-examine witnesses.

(8) The Registration Appeal Committee must give the parties written reasons for its decision within a reasonable time.

(9) All material relied upon by the Board in making the decision that is the subject of the appeal must be given to the parties.

(10) The testimony of witnesses at a hearing before the Registration Appeal Committee must be taken under oath or affirmation.

Disposition by Registration Appeal Committee

22 (1) The Registration Appeal Committee must do 1 of the following upon completion of the registration appeal process:

(a) confirm the original decision of the Board;

(b) vary the original decision of the Board;

(c) dismiss the original decision of the Board.

(2) The Registration Appeal Committee must give its decision in writing.

(3) A decision of the Registration Appeal Committee is final.

(4) The Registration Appeal Committee must send a copy of its written decision to all of the following parties:

(a) the appellant, by registered mail or personal service;

(b) the Association, by regular mail or personal service.