

APPEAL BOARD

Terms of Reference

Purpose: To provide Association members and the public full protection of their statutory right of appeal and right to natural justice, in accordance with the Engineering, Geological and Geophysical Professions Act, through review of decisions and actions by the Discipline Committee, Practice Review Board, Investigative Committee or Board of Examiners.

I Program Goals

1. To hear appeals in a timely, fair and efficient manner.
2. To ensure that all relevant evidence is reviewed and that appellants are given reasonable opportunity to demonstrate and explain the reasons for their appeals.
3. To reach conclusions that are objective and complete.

II Committee Activities

1. Arrange and conduct appeal hearings. This involves advance individual review of relevant documentation and physical conduct of the hearing in the appropriate manner.
2. Determination of findings and conclusions in those areas authorized under the Act.

III Committee Structure and Operations

1. The Appeal Board is established under section 18.1 of the EGGP Act.
2. The Appeal Board shall be comprised of one Past President of the Association; two professional members who have served as members of the Investigative Committee or Discipline Committee; at least three additional professional members with a minimum of ten years of responsible experience in practice of the profession; and a public member appointed by the Minister after consultation with the Association.
3. The Chair and Appeal Board members are appointed by the Council for 3-year terms and may be reappointed. The public member is appointed by the Minister for a three-year term and may be reappointed.
4. Any vacancies in the professional membership of the Appeal Board shall be filled by appointment by the Council for the unexpired term.
5. The quorum for an Appeal Hearing shall be any 3 members including the Chair.
6. In the absence of the Chair, a member may be appointed in advance by the Chair or appointed by a majority of the members of the Appeal Board in attendance as the acting Chair.
7. All hearings before the Appeal Board are open to the public unless the Board orders otherwise.
8. Reports of disciplinary investigations may, if the Appeal Board directs, be published.
9. The Appeal Board will advise Council of activities on a regular basis.
10. The Executive Director (or designate) is responsible for ensuring that the Board carries out its mandate in a timely and competent manner.

Approved by Council on September 21, 2000