

Procedure Ref No: ACP01	APPEALS PROCEDURE	Effective date: 1 JUNE 2021
	Area/Function: Appeals	Originator: Appeals Committee
	Approved by: Appeals Committee Chairperson	Date approved:

## APPEALS PROCEDURE

### 1. INTRODUCTION

Pursuant to Section 32(3) of the Quantity Surveyor's Registration Act, a person aggrieved by the Council's decision may appeal in writing to the Appeals Committee within 30 days of notification of the decision of the Council, if the Council:

- 1.1 Refuses to register him or her as a quantity surveyor;
- 1.2 Suspends his or her registration; or
- 1.3 Removes his or her name from the register.

### 2. The Appeals Process

- 2.1 Appeals must be in writing and must include the full names and contact details of the appellant.
- 2.2 State the nature and reasons of the Appeal in detail, and supporting facts, including references to the relevant Sections of the Quantity Surveyors' Registration Act, Registration Regulations, etc. or any other relevant documentation.
- 2.3 All submissions must be submitted electronically to the QSRC offices duly addressed to the Appeals Committee.
- 2.4 Legal representation will not be permitted during appeals.
- 2.5 If an appellant is called for an interview, no witnesses or third parties will be allowed during the oral submission.
- 2.6 The Appeals Committee shall give the Council a reasonable opportunity to submit its own written submissions in connection with the appeal and may give both the appellant and the Council a reasonable opportunity to make oral submissions before it.

2.7 The Appeals Committee shall give due consideration to every submission made to it and shall thereafter proceed to confirm, reverse or vary the decision of the Council against which the appeal is brought.

2.8 The Council shall comply with the order of the Appeals Committee.

**3. Oral Submissions/Interview**

3.1 The Committee may request both the Council and the appellant or either one of them to make oral submissions before it, should they require to ascertain information provided. The Committee:

i) shall examine all documents submitted by the party making the appeal; ii) may examine any other written evidence; iii) may interview other individuals as it deems necessary.

3.2 Oral interviews can either be physical or virtual, depending on the Committee's preference.

**4. Timeframes**

4.1 The Appeals Committee shall make decisions on all appeals received within sixty (60) calendar days of receipt.

4.2 The Committee shall deliver written reasons for its decisions, which shall be signed by the Chairperson, and shall be transmitted to both the Council and the appellant within fourteen (14) days of the meeting.

**5. Late Submissions**

Failure to submit an appeal within thirty (30) days of the notification of the Council decision will lead to the appeal being dismissed.

**6. Appeals Committee Decision**

A person aggrieved by the decision of the Appeals Committee may appeal to the High Court within thirty (30) days of the notification of the Appeals Committee decision.

Signed:

Committee Chairperson:

Date:

  
