



## Policy

Type:	Registration		
Name:	Registration Appeals Policy		
Status:	Final	Version #:	1
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### Background

Applicants to the Association of Ontario Land Surveyors whose applications for membership are refused or that are issued with terms, conditions or limitations have the right to appeal the decision of the Registrar.

### Policy

As specified in the Surveyors Act (R.S.O. 1990, c. S.29), registration decisions may be appealed to the Association's Registration Committee. Applicants have 30 days from the date of the Registrar's decision to file a notice of appeal to the Registration Committee, indicating that they require a hearing.

General Where the Registrar proposes,

- (a) to refuse an application for a licence, a certificate of authorization or a certificate of registration;
- (b) to revoke a certificate of authorization; or
- (c) to issue a licence, a certificate of authorization or a certificate of registration subject to terms, conditions or limitations,

the Registrar shall serve notice of the proposal, together with written reasons therefor, on the applicant. (R.S.O. 1990, c. S.29, ss 17(1))

Notice of Right to Appeal A notice under subsection (1) shall state that the applicant is entitled to a hearing by the Registration Committee if the applicant delivers, within thirty days after the notice under subsection (1) is served on the applicant, notice in writing requiring a hearing by the Registration Committee. (R.S.O. 1990, c. S.29, ss 17(4))

The Registration Committee may extend the time for the giving of notice requiring a hearing by an applicant under this section before or after the expiration of such time where it is satisfied that there are apparent grounds for granting relief to the applicant following upon a hearing and that there are reasonable grounds for applying for the extension, and the Registration Committee may give such directions as it considers proper consequent upon the extension. (R.S.O. 1990, c. S.29, ss

17(12))

Timing	Where an applicant requires a hearing by the Registration Committee in accordance with subsection (1), the Registration Committee shall appoint a time for, give notice of and shall hold the hearing. (R.S.O. 1990, c. S.29, ss 17(6))
Remedies	<p>Following a hearing under this section in respect of a proposal by the Registrar in relation to a licence, the Registration Committee by order may,</p> <p>(a) where the Committee is of the opinion upon reasonable grounds that the applicant meets the requirements and qualifications of this Act and the regulations and will engage in the practice of cadastral surveying with competence and integrity, direct the Registrar to issue a licence to the applicant;</p> <p>(b) where the Committee is of the opinion upon reasonable grounds that the applicant does not meet the requirements and qualifications of this Act and the regulations,</p> <ul style="list-style-type: none"><li>(i) direct the Registrar to refuse to issue a licence to the applicant, or</li><li>(ii) where the Committee is of the opinion upon reasonable grounds that the applicant will engage in the practice of cadastral surveying with competence and integrity, exempt the applicant from any of the requirements and qualifications of this Act and the regulations and direct the Registrar to issue a licence; or</li></ul> <p>(c) where the Committee is of the opinion upon reasonable grounds that it is necessary in order to ensure that the applicant will engage in the practice of cadastral surveying with competence and integrity,</p> <ul style="list-style-type: none"><li>(i) require the applicant to take and successfully complete such examinations as the Registration Committee may set or approve and to pay such fees therefor as the Registration Committee fixes,</li><li>(ii) require the applicant to take such additional training as the Registration Committee specifies, or</li><li>(iii) direct the Registrar to issue a licence subject to such terms, conditions and limitations as the Registration Committee specifies</li></ul> <p>(R.S.O. 1990, c. S.29, ss 17(9))</p>
Provision of Information	A party to proceedings under this section shall be afforded an opportunity to examine before the hearing any written or documentary evidence that will be produced or any report the contents of which will be given in evidence at the hearing (R.S.O. 1990, c. S.29, ss 17(15))
Costs	The applicant is responsible for his or her own costs related to the hearing.