GUIDELINES FOR A PROTEST COMMITTEE REQUESTING CONFIRMATION OR CORRECTION OF ITS DECISION IN A PROTEST OR REDRESS HEARING

- Following a protest or redress hearing, the protest committee may request “confirmation or correction”.
- From the time of giving the decision the protest committee has 15 days to send the request to AS.
- Every reasonable effort must be made to obtain and include all the documents listed in Appendix R of the Rules. If there are any reasons why some cannot be provided, then this should be noted in the request.

WHAT HAPPENS NEXT?

- An appeal committee will be formed by AS from appropriately experienced, skilled and accredited judges. All will typically come from interstate and none will have a conflict of interest in the case.
- AS will send a copy of the request to the parties involved in the hearing and they will have 15 days to submit any comments.
- The parties’ comments are not an opportunity to submit additional facts or dispute the facts already stated by the protest committee. The facts have already been ascertained from the evidence given at the hearing.
- Should the appeal committee decide the facts are inadequate it may require the protest committee to provide additional facts or other information, even if that requires the hearing to be re-opened.
- The appeal committee will not conduct a new hearing.
- The appeal committee may study the facts found, conclusions, rules applicable, cases, rule interpretations and procedures.
- The appeal committee cannot over-turn established facts or establish new facts as the appeal committee was not present at the hearing.
- The AS appeal committee will either confirm the protest decision or make a correction to the decision. The protest committee will be bound by the written reply received.