



## **REGISTRATIONS APPEAL POLICY**

### **1. Purpose**

In terms of section 35 of the Act, (48 of 2000) any member of the public whose interest and rights are affected by the decision made by the Council may appeal against such a decision. The purpose of this policy is to provide appeal guidelines against Council decision regarding assessment for persons applying for registration with the Council.

### **2. Assessments communication - deferral/refusal of the registration application**

The Council shall provide the applicant with full reasons and bases for deferral or refusal. The applicant will be notified of the outcomes of the assessment in writing and be advised of their right to appeal in compliance with the provisions of the Act.

### **3. The Appeal Procedure**

**Stage 1** - An applicant should on receipt of an unsatisfactory decision made by the Council regarding his/her application assessment, lodge an appeal in writing within 30 days of becoming aware of the Council decision. The applicant shall request the Council to furnish him or her in writing with clarity on reasons for the decision.

**Stage 2** - The Council shall within 30 working days respond to the applicant with reasons for the decision.

**Stage 3** - An applicant shall within 30 days furnish the Council with additional information in a case where he/she believes that the Council has not considered some details or substantiate some details with the view to review the decision.

**Stage 4** - Council shall then consider the submission and respond to the applicant within 30 days from receipt of additional information and a formal written request to review the assessment.

**Stage 5** - If an applicant is still not satisfied with the Council decision, he/she will within 90 days from the date on which the Council furnished him/her with its reasons for that decision and after giving notice in writing to the Council, appeal to the CBE against that decision in terms of section 21 of the Council for the Built Environment Act, 2000.

**Stage 6** - The applicant may in terms of section 35(2) of the Act, (48 of 2000), after giving notice to the Council or the CBE (stage 5) as the case may be, lodge a notice of appeal with the Registrar of the appropriate High Court within one month from the date of the decision of the Council or the CBE.

*The working days referred to exclude the statutory building recess period.*