

## 7.0 Species Licence Appeals

This section deals with the policy and procedure regarding the appeal process for species licences commencing in 2005.

### 7.0.1 Policy

Plants will be given from April 1, 2005 to March 31, 2006 to appeal the licences issued to them for 2005.

Plants granted transitional licences will be given 12 months from the expiry date of their transitional licences to appeal species and species groups issued on their licences.

Plants will be able to submit an appeal requesting species licences that were not issued to them, based on extenuating circumstances such as fire, labour dispute, natural disaster, and/or discrepancies in production data provided to the Department.

### 7.0.2 Procedure

#### Secretariat

The Secretariat will:

- record appeal and ensure it meets guidelines;
- acknowledge receipt and outline the appeal process to the applicant;
- copy appeal to Board members and the Minister;
- review appeal and prepare necessary background and relevant information;
- seek comments and information from Regional Directors;
- compile background information and comments/information from Regional Directors; and
- put appeal on the agenda for the next Board meeting, provide Board with summary, take minutes and prepare a record of recommendation for submission to the Minister.

#### Board

The Board will:

- review appeal and relevant information from the Secretariat and Regional Directors;
- evaluate the appeal based on government policy and appeal guidelines;
- reach a consensus on a recommendation, but where a consensus cannot be achieved, vote on appeal with the final recommendation based on majority rule; and
- submit record of recommendation to the Minister.

## **Minister**

The Minister will:

- review the record of recommendation from the Board;
- make final decision on the appeal; and
- inform the applicant of his/her final decision.

### **7.0.3 Rationale**

There may be circumstances beyond the control of some operations that prevented them from meeting the criteria to be issued a licence. The appeal process will enable the plant to provide additional information and present their case to the Board.