



Revision and review of decisions

Review of a decision by the Council Secretariat to decline or discontinue consideration of a complaint

1. A complainant (other than a secondary complainant) may request a review of a decision by the Council Secretariat to decline a complaint, or to discontinue consideration of a complaint at Level 1.
2. The ground for review is that the Council Secretariat's decision is clearly erroneous.
3. The review will be conducted by the Chair of the Council, or by a Vice Chair, or by another Council Member designated by the Chair.
4. The Council Secretariat may be required to give further consideration to the complaint or specific parts of it.
5. The request for a review must be made within 7 days of the complainant being notified of the decision to decline or discontinue.

Revision of a Provisional Adjudication made by a Full Adjudication Panel or a Direct Adjudication Panel

6. A complainant (other than a secondary complainant) or a publication may request a revision of a Provisional Adjudication made by an Adjudication Panel. A revision does not involve a change in whether aspects of a complaint are upheld or dismissed.
7. The grounds for revision are that the Provisional Adjudication contains material that is inaccurate, unclear, or unnecessarily compromises the privacy of a complainant or other person.
8. The Chair of the Adjudication Panel, after consultation with the Executive Director, can approve revisions.
9. A request for revision must be made within 7 days of the requesting party being notified of the Provisional Adjudication.

Review of a Provisional Adjudication made by a Full Adjudication Panel or a Direct Adjudication Panel

10. A complainant (other than a secondary complainant) or a publication can request a review of a Provisional Adjudication.
11. The grounds for review are that:
 - a significant error of fact or procedure has occurred; or

- new evidence has become available which it was not reasonably possible to provide earlier; and
 - correction of the error, or consideration of the new evidence, may justify a change in the decision by the Adjudication Panel.
12. The Chair and a Vice Chair may invite comment from either the Full Adjudication Panel or the Direct Adjudication Panel before deciding whether to proceed with a review.
 13. The Chair and a Vice Chair will decide whether a reasonably arguable case for review is made out, and if so, then:
 - if the review concerns a Provisional Adjudication decided by a Full Adjudication Panel, decide whether the review will be conducted by the same Adjudication Panel or by a newly constituted Review Panel; or
 - if the review concerns a Provisional Adjudication decided by a Direct Adjudication Panel, refer it to a Review Panel.
 14. In deciding which Panel will conduct the review of a Provisional Adjudication decided by a Full Adjudication Panel, the Chair and a Vice Chair will consider the significance of the matter, its complexity, the significance of new evidence, the desirability of the prompt finalisation of the review, and any other relevant factors.
 15. The Panel conducting the review will consider whether to uphold or dismiss the complaint as if it were an Adjudication Panel, except that parties will not be invited to make oral submissions, unless the Chair of the Council considers it appropriate.
 16. A request for review must be made within 7 days of the requesting party being notified of the Provisional Adjudication.

Revision of a Provisional Adjudication made by a Review Panel

17. A complainant (other than a secondary complainant) or a publication may request a revision of a Provisional Adjudication made by a Review Panel. A revision does not involve a change in whether aspects of a complaint are upheld or dismissed.
18. The grounds for revision are that the Provisional Adjudication contains material that is inaccurate, unclear, or unnecessarily compromises the privacy of a complainant or other person.

Review of a Provisional Adjudication made by a Review Panel

19. A complainant or publication cannot seek review of a Review Panel's decision to uphold or dismiss the complaint or an aspect of the complaint.