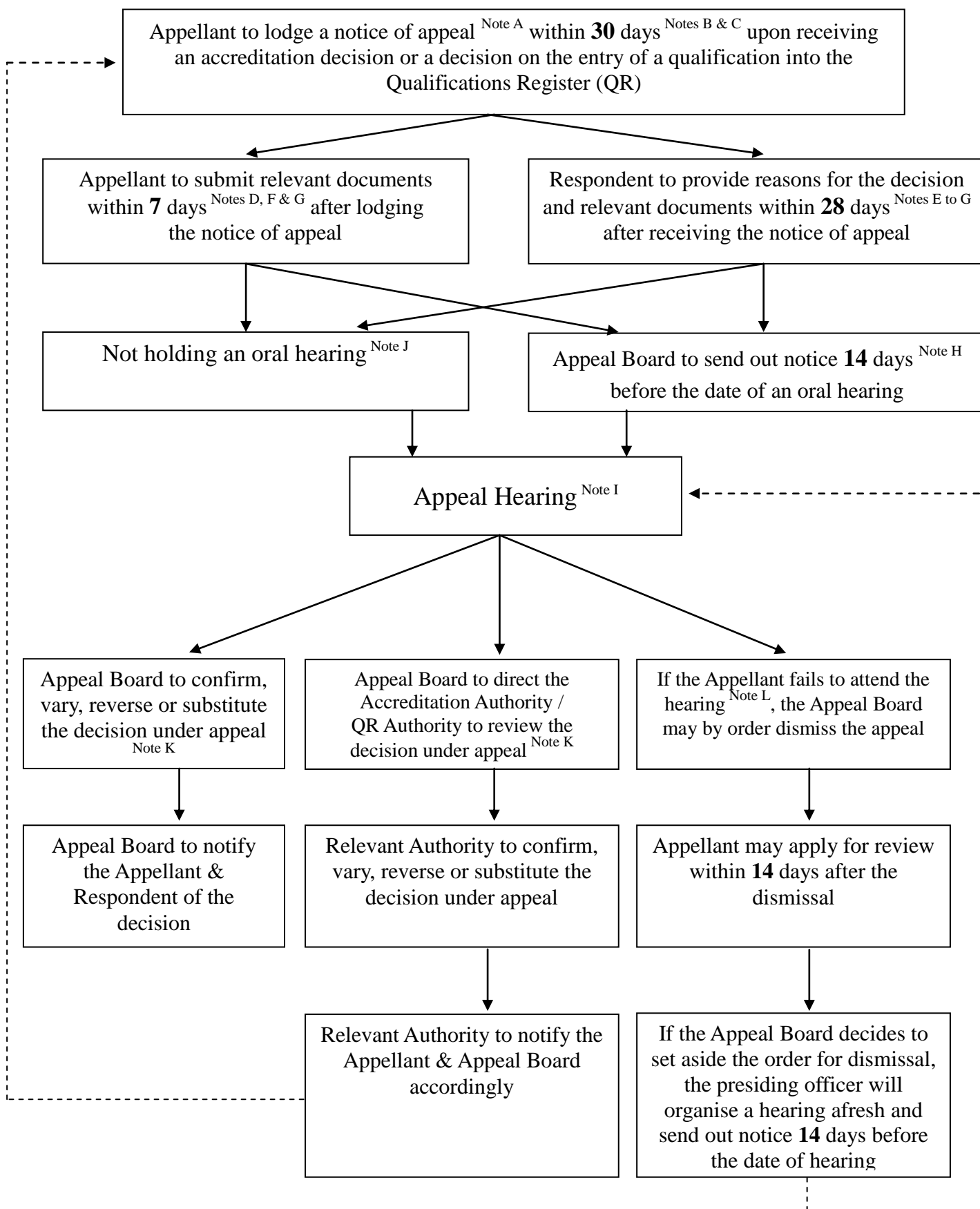


**Flowchart of the Appeal Mechanism under
the Accreditation of Academic and Vocational Qualifications (AAVQ) Ordinance (the
Ordinance) (Cap. 592) and AAVQ (Appeal) Rules (the Rules) (Cap. 592A)**



Explanatory Notes to Flowchart

Disclaimer

The Flowchart and the following notes to the Flowchart of the Appeal Mechanism under the AAVQ Ordinance (Cap. 592) (Ordinance) and the AAVQ (Appeal) Rules (Cap. 592A) (Rules) provide a brief introduction of the Ordinance and the Rules for quick reference only. They do not substitute, supplement or interpret the Ordinance or the Rules and do not constitute any legal advice and do not have any legal effect.

Also, it should be noted that, according to section 14(1)(a) of the Ordinance, “ For the purposes of an appeal, the Appeal Board may determine any matter of practice or procedure relating to the appeal where no provision governing such matters is made in this Ordinance or in any rules made under section 17(2).”

Notes to Flowchart

- A. The scope of appeal is set out in section 11(1) of the Ordinance.
- B. An appellant shall lodge an appeal within 30 days of the receipt of the relevant decisions specified in section 11(2) of the Ordinance and the form of notice of appeal is at **Annex**. For more details, please refer to section 11(2) of the Ordinance and sections 3(2) and 3(3) of the Rules.
- C. The procedures for application for extension of the 30-day period of lodging an appeal are set out in section 11(2)(b) of the Ordinance.
- D. After lodging the notice of appeal, the appellant shall submit relevant documents within 7 days as required in section 4(1) of the Rules.
- E. After receiving the notice of appeal, the respondent shall provide reasons for the decision and relevant documents within 28 days according to section 5 of the Rules.
- F. An appellant/respondent who wishes to extend the required period for serving the documents may make a written request as specified in sections 4(1) and 5 of the Rules.
- G. The serving of document by an appellant/respondent is specified in section 11 of the Rules.
- H. The scheduling and notification of hearings are set out in section 13(5) of the Ordinance and sections 6(1) and 6(2) of the Rules.

- I. In respect of appeal hearing, sections 13(2), 19(1) and 19(2)(f) of the Ordinance and section 8 of the Rules may be referred to.
- J. Please refer to Section 13(1) of the Ordinance.
- K. For the determination or decision under appeal, please refer to sections 14(2), 14(3) and 15 of the Ordinance.
- L. Please refer to section 9 and sections 10(1) to (4) of the Rules.

February 2016

**ACCREDITATION OF ACADEMIC AND VOCATIONAL
QUALIFICATIONS ORDINANCE (Cap. 592)**

NOTICE OF APPEAL

(Before completing this notice, please read the notes at the back of this notice)

I _____ the Appellant, at the
address of _____

(Telephone No.: _____ Fax No.: _____), appeal against the decision of
the *Accreditation Authority / Qualifications Register (QR) Authority on the _____

A copy of the notice of the decision dated _____ is at **Annex A**.

Date of receiving the notice of the decision _____.

The grounds of my appeal are stated below:

(Please use additional sheets if necessary)

The statement of the facts that I relied on is at **Annex B**.

Date: _____ Signature of Appellant: _____

* Please delete as appropriate

Note:

1. This notice is prescribed under section 11(2) of the Accreditation of Academic and Vocational Qualifications (AAVQ) Ordinance to be used by an operator, assessment agency or granting body who is aggrieved by the decisions of the Accreditation Authority or the Qualifications Register Authority under section 11 (1) of the AAVQ Ordinance.
2. You are advised to read the AAVQ Ordinance and the AAVQ (Appeal) Rules before lodging this notice of appeal.
3. This notice must be completed in accordance with the directions specified in the notice and lodged with the Appeal Board under the AAVQ Ordinance in person or by post at the Further Education Division, Education Bureau, 7/F, East Wing, Central Government Offices, 2 Tim Mei Avenue, Tamar, Hong Kong within **30** days after the receipt of the decision under appeal.
4. A copy of the notice shall be served on the Accreditation Authority or the Qualifications Register Authority in person or by post on the day on which the notice is lodged with the Appeal Board.
5. The personal data in this notice of appeal and other documents provided by you will be used by the Appeal Board for purposes directly relating to your appeal.
6. You have the right to request access to or correction of personal data provided on this notice in accordance with the provisions of the Personal Data (Privacy) Ordinance. Such requests may be made in writing to the Secretary to the Appeal Board.