


<b>Authority of Appeal Panel Policy</b>	<b>HREA-AP01</b>
Issuing Authority	Health Research Ethics Authority
Signature of Administrative Authority Chairperson, HREA	
Author	Sharon Newman, Ethics Director
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Scheduled Review Date	April 30, 2027

**Background:** The Health Research Ethics Authority (HREA) was established by the HREA Act and came into effect on July 1, 2011. In fulfilling its mandate to ensure that all health research involving human subjects within Newfoundland and Labrador is reviewed in an ethical manner, the HREA appoints the members of the Appeal Panel to act as members of appeal boards to provide a fair hearing to those involved in appealing a decision of the Health Research Ethics Board (HREB). Research Ethics Office (REO) Personnel provide administrative and other health research ethical review expertise and support to the HREA and HREB, as per Section 6 of the HREA Act. REO Personnel may also engage with researchers and students to provide education and consultation.

**Scope:** All Appeal Panel members and REO Personnel are responsible for ensuring that the requirements of this policy are met.

**Purpose:** The purpose of this policy is to state the authority of the Appeal panel.

**Policy Statements:**

1. The Appeal Panel shall be appointed by the HREA Board of Directors, following consultation with the Minister of Health and Community Services, the President of the Memorial University and the Chief Executive Officer of the Eastern Regional Health Authority, to act as members of Appeal Boards. One of the persons appointed to the Appeal Panel shall be appointed by the HREA Board of Directors as Chairperson of the Appeal Panel.
2. Researchers will have a process to appeal a decision of the HREB. The appeal board shall consider the matter of any appeal brought to an appeal board.
3. The appeal board has the legislated authority to uphold the appeal and substitute the decision it considers appropriate or to dismiss the appeal.
4. The appeal board shall function impartially, provide a fair hearing to those involved in the appeal process and provide reasoned and appropriately documented opinions and decisions.

**RELATED DOCUMENTS**

**Standard Operating Procedure 401: HREB Review Decisions**

*Health Research Ethics Authority Act*: An act to establish a health research ethics authority for the province. (2011). Retrieved from: [SNL2006 CHAPTER H-1.2 - HEALTH RESEARCH ETHICS AUTHORITY ACT \(assembly.nl.ca\)](#)

*The Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans*: <https://ethics.gc.ca/eng/documents/tcps2-2022-en.pdf>

## VERSION HISTORY

Revision Date	Summary of Changes
April 2021	Original version
April 2024	TCPS 2 (2022)