


Authority of Appeal Panel Policy	HREA-AP01
Issuing Authority	Health Research Ethics Authority
Signature of Administrative Authority Chairperson, HREA	
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Approval Date	August 2025
Scheduled Review Date	August 2028

**Background:** In accordance with the HRE Act<sup>1</sup>, the HREA appoints the Chairperson and members of the Appeal Panel to act as members of appeal boards to hear appeals from decisions made under the HRE Act.

**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 describe the authority of and processes to be followed by, the Appeal Panel and an appeal board.

**Policy Statements:**

1. The Appeal Panel shall be appointed by the HREA Board of Directors 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. Members shall be appointed for a term of 3 years. Appointments may be renewed for two additional three-year terms but shall not exceed a period longer than 9 consecutive years. A member whose term has expired continues to serve until reappointed or replaced. Persons appointed to the Appeal Panel shall not be directors of the authority, member of the HREB, or members of a research ethics body.
2. Researchers dissatisfied with a decision of the HREB may request that the HREB reconsider its decision. Upon receipt of the request, the HREB will conduct a review of its decision. If dissatisfied with the reconsideration decision, researchers may appeal by applying to the Chairperson of the Appeal Panel by filing a Notice of Appeal in accordance with SOP 401. Researchers must submit a Notice of Appeal to the Research Ethics Office and the Chairperson of the Appeal Panel.
3. The Chairperson will notify the HREA that a Notice of Appeal has been received. The HREA will notify the respondent research ethics board and provide it with a copy of the Notice of Appeal.
4. The HREA will prepare and file the appeal record.
5. The Chairperson, upon receiving a Notice of Appeal, shall appoint an appeal board consisting of 5 members of the Appeal Panel. In appointing the appeal board, the Chairperson will consider

the subject matter of the appeal and the need for expertise in the area of the subject matter to the extent that the members of the appeal panel possess it.

6. The appeal board shall hear submissions from the parties and consider the appeal, and shall substitute the decision it considers appropriate or dismiss the appeal.
7. An appeal hearing may be conducted in writing, or through oral submissions, or a combination thereof, in the discretion of the appeal board.
8. The appeal will be based only on the documents and information that were originally reviewed by the research ethics board. It will not be a completely new hearing or re-evaluation from the beginning.
9. The hearing will be conducted in accordance with any relevant SOP issued by the HREA. The appeal board may give direction to the parties as to any matter, procedural or otherwise, arising in connection with the appeal.
10. The decision of the appeal board shall be in writing and include reasons for the decision.
11. A decision of the appeal board may be appealed to the Supreme Court within 30 days of the decision of the appeal board. The date of the decision means the day on which the appeal board's written decision is communicated to the parties.
12. A decision of the appeal board is binding on the principal investigator and the research ethics body that considered the application for the health research.

## RELATED DOCUMENTS

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

**Standard Operating Procedure 408: Reconsideration of HREB Decisions and Appeal Process**

1. *Health Research Ethics Act*: An act respecting health research ethics. (2025). Retrieved from: [SNL2024 CHAPTER H-1.03 - HEALTH RESEARCH ETHICS ACT \[In force July 1/25\]](#)
2. *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)

July 2025	HRE Act (2025)
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