

MINISTRY REPRESENTATIVE AT TRIBUNAL – OBJECTIONS *(February 2012)*

This Quick Reference Guide is intended for Ministry Representatives at Tribunal. It provides guidance on making an objection during an appeal hearing.

Overview	<p>An objection is made to call the appeal panel’s attention to improper procedure or inadmissible evidence.</p>
Making an objection	<ol style="list-style-type: none"> 1. If new evidence is being submitted by a party at a hearing, the other party can object to the admissibility of that evidence. 2. The party who submitted the evidence is then allowed to respond to the objection. 3. If the party who made the objection has a follow-up submission, then they should request an opportunity to present such a submission. <p>Panels do not make determinations of the admissibility of evidence at hearings. They simply take the objection into consideration when making a decision.</p> <p>Because of this, the party making an objection should not only put an objection to evidence’s admissibility on the record, they should make submissions on the substance of the evidence itself (e.g. that a report should not be relied upon because it is new evidence and it does not support the evidence before the ministry at the time of the decision being appealed, i.e. the reconsideration decision).</p>

OLR → Decisions, Reconsideration and Appeal → Appeal

Policy:

Staff:

https://gww.hsd.gov.bc.ca/intranet/meia/online_resource/decisions_reconsideration_and_appeal/appeal/current/policy.html

Public: http://www.gov.bc.ca/meia/online_resource/decisions_reconsideration_and_appeal/appeal/policy.html

Procedures:

Staff:

https://gww.hsd.gov.bc.ca/intranet/meia/online_resource/decisions_reconsideration_and_appeal/appeal/current/procedures.html

Public: http://www.gov.bc.ca/meia/online_resource/decisions_reconsideration_and_appeal/appeal/procedures.html