



Tertiary Education Commission
Te Amorangi Mātauranga Matua

Application for Review of Annual Fee Movement Limit or Postgraduate Fee Increase Limit Decision

Your Contact Details PLEASE COMPLETE ALL SECTIONS

Organisation Name:	Edumis No:
Address: _____ _____ _____	
Postal Address: <i>(If different from above)</i> _____ _____ _____	
Contact Person:	Role:
Daytime contact phone number:	
Fax Number:	Email:

Information for Applicants

Applications for Review must be sent to:

FCCM Exemption Applications
Tertiary Networks Directorate
Tertiary Education Commission
P O Box 27-048
WELLINGTON

You must submit all details and arguments you wish to have considered with this application.

Reviews will be conducted by the Manager, TEC Audit and Assurance (the Reviewer).

There is no fee for an appeal.

The matters the Reviewer may consider are as follows:

Procedural Fairness

At each review stage, the reviewer must consider the procedural fairness of the decision, by having regard to whether the decision was made according to law, fairly and reasonably.

This involves confirming that:

- In respect of the decision, the decision maker gave the organisation the opportunity to be heard in terms of the application requirements, and has considered any submission made to it.
- The matter must not be pre-determined. Policies may be developed to guide decision-making, but this must not be applied so rigidly that the decision-maker's mind is closed to circumstances that would justify a departure.
- The decision-maker was appropriately delegated to make the decision. The decision-maker may rely on information prepared by its employees, committees or members, or from other government agencies.
- The decision-maker approached the decision with an open mind, free from bias, took into account relevant considerations and disregarded irrelevant circumstances.

Reasonableness

A decision must not be so unreasonable that no reasonable decision-maker in the same position could possibly have decided the matter in the way it was decided.

Application of principles to the facts

The principles must have been fairly and reasonably applied to the facts as presented by the TEO, and there must not have been a material factual error made, in terms of the information supplied. Factual errors contained within the information supplied by the TEO are not grounds for appeal.

In this context, the “decision-maker” includes the various parties within the TEC directly involved with providing input to the decision on that TEO.