Appeal Review Committee

Candidates who are not satisfied with the decision of the Public Examinations Board (PEB) on their complaints or are in doubt of the rechecking / remarking process or the marking of their scripts after having access to their scripts may submit an appeal review application to the Appeal Review Committee (ARC).

Note

The Appeal Review Committee is an independent committee appointed by the HKEAA Council with its composition as follows:
• 2 members from the legal profession (one of them shall be the Chairperson);
• 1 senior administrator from a tertiary institution;
• 2 Council members; and
• 1 Council member representing the interests of parents.
The Deputy Secretary General of the HKEAA (non-member) serves as the secretary.

Types of appeal review

(Note: Applications for appeal review will not automatically lead to remarking of the answer scripts concerned.)

1. **Processing of examination irregularities**
   A candidate may request a review of the PEB decision on examination irregularities in respect of the candidate’s examination on any of the following grounds:
   • The decision was not made in accordance with the examination regulations and instructions given in the Handbook for Candidates.
   • There are extenuating circumstances which the candidate has not been able to present to the HKEAA prior to the decision being made.
   • Due process has not been observed in the handling of the case or the decision on the case has been reached on the basis of material errors or irregularities.

2. **Review of the process of rechecking and remarking**
   A candidate may request a review of the process of rechecking and remarking on any of the following grounds:
   • There was reason to query that the procedure and due process for rechecking or remarking of scripts has not been followed.
   • There are extenuating circumstances which the candidate can adduce to demonstrate that the examination results have been affected by material errors or irregularities in marking.

3. **Review of the marking of scripts after access to scripts**
   A candidate, on good cause being shown, may request to review the marking of scripts after gaining access to his/her answer scripts.
Application details

◆ All applications should be submitted in writing to the Secretary of the ARC in person or by post within the stipulated period:

<table>
<thead>
<tr>
<th>Type of Appeal Review</th>
<th>Application closing date</th>
<th>Release of the ARC decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Examination irregularities</td>
<td>11 August 2010</td>
<td>Around 24 August 2010</td>
</tr>
<tr>
<td>Process of rechecking and remarking</td>
<td>7 September 2010</td>
<td>Around 29 September 2010</td>
</tr>
<tr>
<td>Marking of scripts</td>
<td>10 days after the scripts are made available to the candidates</td>
<td>5 working days after the ARC meeting</td>
</tr>
</tbody>
</table>

All late applications (including applications post-marked after the closing date) will not be considered.

◆ The candidate shall provide the following information in the application:
  • Name, candidate number, correspondence address and subject/paper concerned and the results obtained;
  • Reason(s) for review – the candidate shall produce valid reasons or new evidence to substantiate the request;
  • For appeal review of the process of rechecking and remarking, a school candidate shall submit the request through the candidate’s school with the support of the school principal.

◆ Candidates shall pay the required fee at the time of application. If the outcome of the application does not concur with the original decision, the appeal review fee shall be refunded to the candidate.

Processing of Appeal Review Applications

◆ For appeal review of the processing of examination irregularities or the process of rechecking and remarking, the applications will be considered by the ARC no later than 21 calendar days after the closing date of application. The ARC will examine each and every appeal review case to ensure that the cases were handled fairly, consistently and in accordance with the PEB guidelines.

◆ For appeal review of the marking of scripts after access to scripts, depending on the submission dates, the applications will be considered by the ARC at its scheduled meetings. The marking of the candidate’s scripts will be reviewed and the ARC will examine these cases with reference to the additional information provided after the review of the marked scripts.

Outcome of Appeal Review Applications

◆ The candidate will be notified of the outcome of the application according to the prescribed schedule. If the outcome of the application does not concur with the original decision, the HKEAA shall take immediate actions as indicated below, with the corresponding outcome to be conveyed to the candidate concerned at the same time.
- Review of the decision on examination irregularities – where there is any mark adjustment or change in mark penalty that results in upgrading in the subject(s)/component(s) concerned, the Education Bureau will be notified of the revised result, as appropriate, at the same time.
- Review of the process of rechecking and remarking – the HKEAA will follow the prescribed procedures for rechecking/remarking and complete the process within 3 working days. The Education Bureau will be notified of the revised results, as appropriate, at the same time.
- Review of the marking of scripts – where there is any upgrade in the subject(s)/component(s) concerned, the Education Bureau will be notified of the revised result, as appropriate, at the same time.

| Note         | The decision of the Appeal Review Committee shall be final. |