



RAIL INDUSTRY SAFETY AND STANDARDS BOARD

ABN: 58 105 001 465

ADMIN 3.1 APPEALS PROCESS

VERSION 5

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1 Purpose

The purpose of this document is to set out the details of the Appeals Process as it relates to RISSB product development.

Where a stakeholder believes a RISSB outcome or decision was procedurally in error and/or did not follow the correct process, stakeholders may seek a decision be reviewed and/or overturned by way of appeal.

2 Procedure

The Appeals Process allows both public and industry stakeholders to appeal against the process stage of the RISSB Quality Management System used to develop products released by RISSB. This process is outlined in Figure 1.

Anyone may lodge a formal objection against the process RISSB utilises to develop its products.

An appeal might be received through any RISSB staff member. However, all appeals must be in writing and contain as a minimum –

- the contact details of the appealing applicant;
- identification of the RISSB product subject to the appeal; and
- details/evidence to support why the applicant believes that a procedural error may have occurred.

Upon receipt of an appeal, RISSB staff will notify RISSB CEO in writing by COB the first working day after receipt.

The CEO is to provide the appealing applicant with written advice that their appeal has been received by RISSB and is subject to the appeals process. Where the appeal relates to a RISSB-developed Australian Standard, the CEO will also ensure that Standards Development Accreditation Committee (SDAC) are notified. These notifications are to occur no later than 10 working days after the appeal was first received.

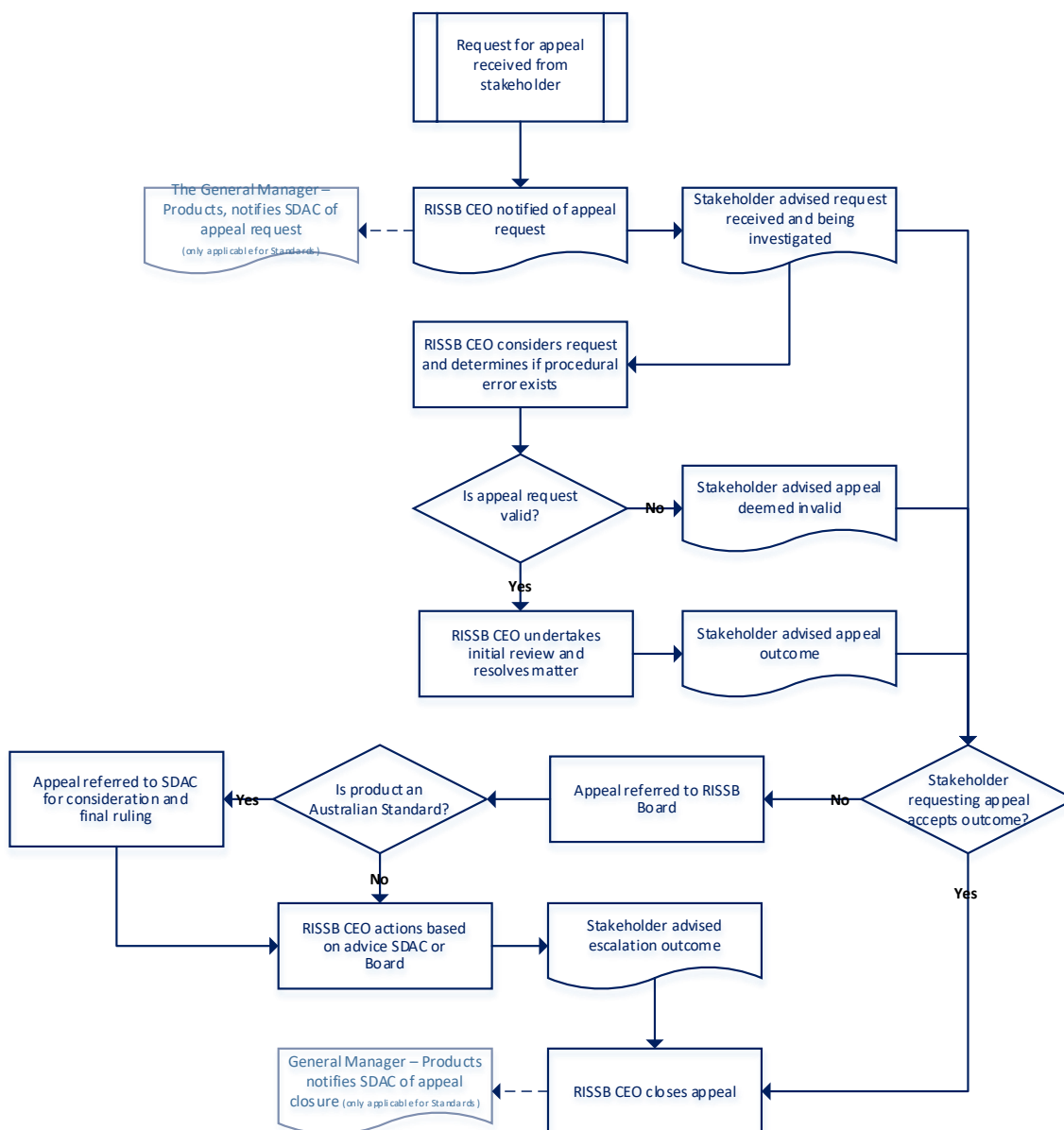


Figure 1. RISSB Product Appeals Process

If the CEO perceives the objection to be immaterial, i.e. irrelevant, a notice of disallowance shall be issued to the applicant.

If the CEO deems the objection to be material, i.e. pertinent, the CEO undertakes an initial review of the objection and attempts to resolve the matter. The review must be undertaken within 20 working days after the notification of the objector and SDAC.

The actions taken to resolve the issue are reported to the applicant. If the objection is resolved to the applicant's satisfaction, the appeal is deemed closed. Should the applicant not be satisfied with the outcome provided, the applicant may request an escalation to RISSB Board.

If escalated, the RISSB Board reviews the details of the appeal and directs the CEO as to a response. The CEO will, in turn, advise the applicant of the outcome.

Where the appeal relates to a RISSB Guideline, Rule, or Code of Practice, the RISSB Board decisions will be final. Where the RISSB Board has provided an outcome, no further objection will be considered, and the appeal will be closed.

Where the appeal relates to an Australian Standard developed by RISSB, the applicant may request further escalation to SDAC if dissatisfied with the RISSB Board's decision. It should be noted that reviews by the SDAC will be final and relate solely to ensuring that RISSB has followed due process in developing standards under its accreditation terms.

3 Records management

All records pertaining to an appeal, such as the written objection, supporting evidence, and communication with the appealing applicant, Board decision, SDAC decision etc. must be documented and captured in a secure and centralized repository.

Records must be maintained for the required minimum period. Admin 3.10 Records Control provides details about the details the responsibilities and methods for the identification, collection, indexing, filing, storage, maintenance and disposition of all records for RISSB.