## WAIVER APPLICATION PROCESS FOR PRECEDING CPD YEAR

**SUBMISSION**

- Applications for waivers will commence as announced by the Institute.
- Applications that are incomplete or incorrectly submitted will not be considered.
- All correspondence will be conducted via e-mail unless otherwise required by the Institute.
- An e-mail acknowledgment of receipt will be sent within three (3) working days after the date of successful submission. Acknowledgement of receipt does not mean that any waiver has been granted.

**COMPILATION**

- Applications acknowledged as received by the Institute will be sorted by the Institute's Secretariat into those which contain sufficient information for the Institute's Secretariat to process, and those which require more information.
- The Institute's Secretariat will attempt to obtain from the applicant the additional information required within response deadlines.
- Generally speaking, the applicant will be required to respond within three (3) working days from the date of the request for more information (inclusive).
- If no further information can be obtained by the Secretariat according to the response deadlines, then a note of this will be made for the Compliance Committee's reference and the application will be processed 'as is'.

**PHASE 1 REVIEW**

- The Compliance Committee will review each application together with the Institute's Secretariat's recommendations (if any) and requested additional information (as applicable).
- The Compliance Committee will then make a decision on whether to grant waivers in respect of those applications for which it has sufficient information.

**PHASE 2 REVIEW**

- Where the Compliance Committee determines that it requires more information in order to make a decision, the matter will proceed to a second review phase and the Institute's Secretariat will assist the Compliance Committee in seeking further clarification from the applicant.
- Generally speaking, the applicant will be required to respond within three (3) working days from the date of the request for more infromation (inclusive).
- Where the applicant responds to the request within the response deadlines, the additional information will be provided to the Compliance Committee for its decision.
- Where the applicant fails to respond within the response deadlines or at all, the Compliance Committee will be notified accordingly and may, without limitation, assess the application 'as is' or decide that it has insufficient grounds to make a decision.

**ENFORCEMENT**

- An applicant, once informed of the outcome of his waiver application, must comply with the conditions imposed if any. Such compliance will be assessed as part of the Institute's yearly compliance audit or as required by the Compliance Committee.
- Failure to comply with the conditions imposed by the Compliance Committee may result in a reprimand or a complaint of misconduct under section 85 of the Legal Profession Act.

**APPEAL**

- An applicant who is aggrieved by the outcome of his waiver application may, within 14 days of being notified of such outcome by the Institute's Secretariat, apply for the outcome to be reviewed by the CPD Review Board in accordance with rule 13 of the CPD Rules 2012.