



## IMO I 4.5.3 G-e Appeals Procedures

### 1. Principles

- 1.1 Any decision taken by IMO regarding the certification of an operation can be appealed against. The following procedures regulate the handling of appeals against decisions of IMO.
- 1.2 Appeals regarding IMO procedures or certification decisions are also open to third parties (e.. environmental organizations).
- 1.3 Each appeal is handled by IMO according to the procedures laid down in this document.

### 2. Validity and scope

This instruction is valid for the scopes "certification", "sanctions", "grant/refusal of applications" and "other notifications".

The instruction is relevant for the personnel involved in certification and notification as well as to IMO management and quality assurance personnel.

For clients for FSC certifications this document in its current version comes into force two weeks after shipping by IMO.

### 3. Procedures

- 3.1 In any case the complaints/appeals are registered in writing, dated (entering date) and passed on to the competent person, if this person didn't already receive it.  
The competent person checks the timely entering of the complaint/appeal, confirms the receipt of the complaint/appeal within 10 working days and attends to it if it is not evidently unfounded.  
The investigation will proceed from
  - the reconsideration of the facts to
  - obtaining additional information from other involved persons and/or third party experts
  - to obtaining further documents and expertise.
- 3.2 The measures to be taken are based on the requirements of the case (incl. that they need to be reasonable with regard to necessary efforts/expenses as well as timely clarification of the matter). They can be determined by relevant laws, regulations and standards.
- 3.3 For any admissible complaint/appeal a notification by writing is issued.  
The notification (or provisional notification, which outlines the actions planned) shall be sent to the complainant within 4 weeks after the complaint has been filed.  
The complaints shall be resolved within 6 months after the complaint has been filed. An extension of this period up to 12 months is only possible under extraordinary

circumstances. The resolution of complaints concerning FSC certification is aimed for within three months.

The IMO executive director and quality manager shall be informed upon the completion of the appeals procedure, respective documentation has to be forwarded to the management.

Regarding certification according to the FSC label, the implementation of corrective measures and the control of these measures has to comply with FSC-STD-20-002, paragraph 8.6:

*“The certification body shall suspend or withdraw a certificate if a major non-compliance is identified after the certificate has been issued, and the certificate holder does not correct the non-compliance within three (3) months (or, in exceptional circumstances, six (6) months) of the non-compliance being identified.”*

#### **4. Responsibilities**

The decision upon appeals is made, as a matter of principle, by IMO management not technically involved in the appeals process.

In case that no agreement can be reached, each party can call for the IMO arbitration procedure (see IMO I 4.5.5 G-e Arbitration procedures).

The arbitration procedure must be pointed out to the complainant.

If applicable, the competent authorities have to be included in the process.

#### **5. Documentation**

5.1 In connection with this instructions the following applies

- EN 45011, paragraph. 16

5.2 The appeals documentation includes:

- The complaint / appeal
- The answer of the control body
- A complete description of the handling of the appeal including a documentation of all persons involved
- The outcome of the appeals procedure
- Recommendations
- Documentation on action taken and their resulting effect

5.3 The appeals are documented:

- in the file of the appellant;
- in the general appeals file;
- in the file of other concerned parties;
- in the file of parties that have to be informed of the case (e.g. relevant Authorities, )

5.4 This instruction is related to the following parts of the Quality Manual:

- Filing system (IMO I 2.2.1)
- Internal organization (IMO I 2.1.x)
- Sanction Policy (IMO I 4.5.1)
- Arbitration procedures (IMO I 4.5.5)

**Example for legal instruction**

"Appeals against this notification can be entered within 14 days in written form to:  
Institute for Marketecology (IMO), Weststr. 51, CH-8570 Weinfelden.

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