

<i>Procedural documents</i> Dispute settlement procedures	PEFC BG 1007:
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Bulgarian forest certification scheme

Dispute settlement procedures

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1. Scope

1.1 This guideline details procedures for complaints and appeals to PEFC Bulgaria which concern decisions and/or activities related to PEFC Bulgaria, including standard setting, interpretation of the PEFC Bulgaria standards, logo usage licencing and notification of certification bodies.

Note: Complaints and appeals relating to the decisions and activities of a certified entity, an accredited certification body or an accreditation body, shall be dealt with by the complaints and appeals procedures of the relevant accredited certification body, an accreditation body, the European Cooperation for Accreditation or by the International Accreditation Forum.

2. Normative references

None.

3. Terms and definitions

3.1 Appeal

Written request by any person or organisation (the appellant) for reconsideration of any decision affecting the appellant made by PEFC Bulgaria's bodies where the appellant considers such decision have been taken in breach of the PEFC Bulgaria's requirements or procedures.

Note: Such adverse decisions may include, for example:

- *Rejection; suspension; or termination of PEFC Bulgaria's membership,*
- *Rejection of application for usage of the PEFC Logo;*
- *Refusal of application for the notification of certification bodies.*

3.2 Complaint

Written expression of dissatisfaction (other than appeal) by any person or organization which relates to the activities of PEFC Bulgaria.

4. Complaints and appeals acceptance

4.1 All complaints and appeals shall be addressed in writing to PEFC Bulgaria's Secretariat.

4.2 It is the responsibility of the complainant/ appellant to submit written information which can be verified as accurate and correct through an independent source.

4.3 The PEFC Bulgaria's Chairperson decides on formal acceptance of the complaint/ appeal provided that the complaint/appeal is in accordance with 3.2/3.1 and the information supporting the complaint/appeal can be authenticated as being in compliance with 4.2.

4.4. The PEFC Bulgaria's Chairperson shall without delay:

- a) acknowledge to the complainant/ appellant (in writing) the receipt and acceptance/rejection of the complaint/ appeal, including its justification;
- b) provide the complainant/appellant with details of the PEFC Bulgaria's complaints and appeals procedures to ensure that they are clearly understood;
- c) refer the complainant/ appellant to other parties responsible for resolving the matter where the matter does not satisfy clause 1.1.

5. Complaint and appeal resolution process

5.1 The PEFC Bulgaria's Chairperson shall assign an ad-hoc Task Force Group (the TFG), comprising one or more persons, to investigate the accepted complaint or appeal. The members of the TFG shall have no vested or conflict of interest in the complaint or appeal. Alternatively, in justified circumstances, the TFG may have balanced representation of concerned parties.

5.2 The TFG shall undertake a thorough investigation and seek a resolution. The TFG shall submit in a timely manner, a detailed written report, to the PEFC Bulgaria's Chairperson to be presented to the Management Board. The report shall include a statement indicating whether, or not, the complaint or appeal has been substantiated and recommendations on resolving the complaint/ appeal.

Note: It is expected that complaints not requiring an on-site investigation should normally be investigated by the TFG within 1 month.

5.3 The Management Board of PEFC Bulgaria shall approve or disapprove the conclusions of the report, including its recommendations and relevant corrective and preventive actions. Where the complaint or appeal concerns the decision of the General Assembly, the final decision is made by the General Assembly based on recommendation of the Management Board.

5.4 The PEFC Bulgaria's Chairperson shall, without delay, inform the complainant/ appellant and other interested parties about the outcomes of the complaint/ appeal resolution process, in writing by electronic mail.

5.5 It is expected that any formally accepted complaint/ appeal, not requiring an on-site investigation should normally be resolved within 6 months.

5.6 Regardless of the outcome of any complaint/ appeal, the complainant/ appellant and PEFC Bulgaria shall each meet their own costs.

5.7. The Committee on Petitions and Complaints to Council for SFMC in Bulgaria (PEFC Bulgaria) performs the function of a Task Force Group in case of signals and complaints on the implementation of the Statute of the PEFC Bulgaria.

6. Documentation

The PEFC Bulgaria's Chairperson shall keep records relating to the complaints/ appeals, including their reception; acceptance/rejection, investigation, resolution and communication to the complainant/ appellant.

Figure 1: Complaint/ appeal procedure diagram

