

1 Ntsikelelo Verification Agency

Appeals Processes

1. Introduction

- 1.1 This document defines the terms of reference of the Appeals committee.
- 1.2 The Appeals Committee is 1 Ntsikelelo Verification Agency Member's delegated authority on Appeals lodged by its Clients in respect of verification decisions made by the Verification Manager.

2. Purpose of the Appeals Committee

- 2.1 The Appeals Committee is responsible for reviewing all Appeals by clients in connection with Verification Decisions by the 1 Ntsikelelo Verification Agency and to consider such Appeals.
- 2.2 The Appeals Committee shall perform the activities delegated to it and described in the 1 Ntsikelelo Verification Agency Manual.
- 2.3 The Appeals Committee shall perform such other activities as may be required by the board of 1 Ntsikelelo Verification Agency from time to time.

3. Membership

- 3.1 The Appeals Committee shall be appointed in writing by the Members of 1 Ntsikelelo Verification Agency, and such appointment shall be subject to the rules applicable to Conflicts of interest and Impartiality set out in clause 4 below.
- 3.2 The Appeals Committee may co-opt experts or interested parties from the industry to the committee on either a permanent or temporary basis.
- 3.3 Every member of the Committee will be expected to display his/her competency passing a competency review test set by the Verification Manager on the technical aspects relating to the verification process and the Verification Standards required to enable him/her to make an informed judgment on the merits of an appeal as may be required in his/her capacity as a member of the Appeals Committee. Only Committee Members who have been declared competent by the Verification Manager in terms of the provisions of [8.1] of the 1 Ntsikelelo Verification Agency Manual may be appointed to the committee.

4. Conflict of Interest, Impartiality and Competency

- 4.1 Any member appointed to the Appeals Committee that has any conflict of interest with a Client under review shall reclude himself/herself from the proceeding pertaining to that Client.
- 4.2 Any member who believes that his/her impartiality may be compromised for any reason whatsoever should disclose same to the Committee prior to the discussion and reclude him/her from the proceedings pertaining to that Client.
- 4.3 Every member of the Committee will sign a Standard Statement required in terms of [6.9] of the 1 Ntsikelelo Verification Agency Manual regarding Impartiality and Confidentiality on every verification matter on which he/she may do any work.

5. Mandate and Scope

- 5.1 The Appeals Committee is mandated by the members of 1 Ntsikelelo Verification Agency to assess the merits of any Appeal lodged by a Client of 1 Ntsikelelo Verification Agency pursuant to the Appeals pursuant to the Appeals procedure set out in the 1 Ntsikelelo Verification Agency Manual.
- 5.2 The Appeals Committee shall implement instructions and actions directed to it by the Members of 1 Ntsikelelo Verification Agency, except where such instructions may cause 1 Ntsikelelo Verification Agency to issue a Verification Certificate or B-BBEE Scorecard which may not follow the required standards.

6. Operating Process

- 6.1 The operational responsibilities and process of the Appeals Committee is contained in the 1 Ntsikelelo Verification Agency Manual.
- 6.2 The Appeals Committee shall adhere to the 1 Ntsikelelo Verification Agency Manual and execute its responsibilities as defined therein.
- 6.3 The Appeals committee shall provide a Report to the Board of 1 Ntsikelelo Verification Agency on each Appeal Lodged with the outcome of such appeal and the actions taken.

7. Meetings and Meeting Procedures

- 7.1 The Chairman of the Appeals Committee shall be elected from the members and approved by the Board of 1 Ntsikelelo Verification Agency.
- 7.2 Appeals and other items for presentation to the Appeals Committee shall be submitted three working days in advance in the prescribed format.
- 7.3 A quorum shall compromise at least 50% of those appointed to the Appeals Committee.
- 7.4 In the absence of the appointed chairman, any member may be requested to chair the meeting.
- 7.5 Meetings shall be held on a needs basis

