



ACCREDITATION UNIT

RULES FOR FORMATION AND OPERATION OF THE APPEALS COMMITTEE (APC)

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Title: Rules for Formation and Operation of the Appeals Committee (APC)

1 Responsibilities:

- 1.1 The APC deals with and decides upon the appeals received from the Conformity Assessment Bodies (CABs) regarding:
- 1.1.1 Refusal to accept an application.
 - 1.1.2 Refusal to proceed with an assessment.
 - 1.1.3 Corrective action request.
 - 1.1.4 Changes in the accreditation scope.
 - 1.1.5 Decision to deny, suspend, or withdraw accreditation.
 - 1.1.6 Any other action that impedes the attainment of accreditation desired.
- 1.2 Reports to AU about procedures that should be taken to correct any deficiencies in the accreditation system resulted from investigating the cause of the appeals.

2 Members:

- 2.1 AU director is entitled to nominate persons other than its employees as members of this committee.
- 2.2 AU director shall obtain the approval of the appellant CAB on nominated APC members.
- 2.3 AU director/ DASS /the Minister of Industry and Trade decides upon the formation of the APC, which shall include:
- 2.3.1 Two neutral experts in the relevant field of appeal from private and public sector.
 - 2.3.2 Representative from the Steering Committee (the director of accreditation and standardization system and the AU Director, cannot attend the APC meeting).**
 - 2.3.3 Legal advisor.
- 2.4 The composition of the APC shall insure the necessary impartiality.

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2.5 The chairperson of the APC is nominated by members in the first meeting.

2 Qualifications:

The APC member's qualifications shall be determined according to the nature and technical scope of the appeal taking into consideration the necessary experience and the technical competence concerning the field of the appeal.

3 Meetings:

4.1 APC Secretary shall call the APC for a meeting within two weeks from the date in which the AU director has taken the decision of its formation.

4.2 The appellant CAB may be requested to provide a hearing session upon the request of the APC within the course of the APC meetings and as scheduled by the APC.

5 General Rules:

5.1 The APC shall be dismissed after reporting to the AU director about its decision concerning the appeal for which it has been formed.

5.2 AU and the appellant CAB shall provide the APC with all required information.

5.3 In cases where a member of any committee has resigned or was absent for 2 consecutive meetings without justification, the AUD is entitled to replace him/her by appointing a new member.

5.4 The APC shall safeguard and protect the confidentiality of all the information and documents with which they became acquainted during their work and according to the confidentiality procedures, QP-041 agreed upon with AU and shall be free from any commercial, financial and other pressures that might influence their

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decision. They shall disclose to AU all their interests with CABs. All member shall sign a declaration of confidentiality form qf041-01

- 5.5 The decision concerning the appeal shall be taken by the general consensus and voting should be avoided as much as possible.
- 5.6 If voting is required the decision is taken by the majority of three members.
- 5.7 The APC members will meet for reviewing the appeal and making their decision in its regard. There might be a need to carry out more than one meeting to reach a final decision regarding the appeal but in any case, the decision shall be taken and **the CAB informed within two months** from the date of receiving the appeal in writing.
- 5.8 The chairperson of APC shall prepare a report that includes its final decision and recommendations concerning the appeal and submit it to the AU director.
- 5.9 The decision of the APC is deemed final, therefore all concerned parties shall execute the decision of the APC unless one of the concerned parties decides to appeal to court within 30 days from the APC decision.
- 5.10 If necessary, AU director shall assign a secretary to follow up the meetings of the committee and to write the minutes of meetings to be distributed and approved by the members.
- 5.11 The chairperson and the secretary of the APC are responsible for coordinating with the other technical accreditation committees and with AU, if necessary.
- 5.12 The party against whom the appeal was decided shall be charged all the expenses resulted from any arrangements taken to resolve it.
- 5.13 All members shall be free from any commercial, financial and other pressures that might influence their decision. They shall disclose to AU all their interests with CABs.

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- 5.14 Two representatives of each of the disputed parties, in the presence of a legal advisor -if necessary- may also attend the meetings of the APC as observers upon the request of the APC.
- 5.15 If the involvement of external or additional technical expert is deemed necessary, the APC may invite technical experts as consultants to take part in the meetings but will not have any voting rights.
- 5.16 AU informs the appellant CAB of the final decision in writing who in turn shall execute the decision according to the time frame set by AU.

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