

**NATIONAL VOLUNTARY FOREST CERTIFICATION SYSTEM  
TECHNICAL DOCUMENT**

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**REGULATIONS FOR  
COMPLAINT AND APPEAL COMMITTEE  
(Second edition)**



**Association National Voluntary Forest Certification System**  
5, Starokozacka Str, 44049 Dnipro, Ukraine  
tel. +380975565335  
Email: [info@pefcukraine.com](mailto:info@pefcukraine.com)  
Website: [www.woodcertification.com.ua](http://www.woodcertification.com.ua)

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## **Foreword**

This second edition from the date of publication cancels and replaces the first edition UA SFM TD 05. The second edition has minor technical amendments relating to PEFC Endorsement process of National Voluntary Forest Certification System.

## **1 General Provisions**

1.1 The Complaint and Appeal Committee (hereinafter referred to as the Committee) is a permanent body formed for the purpose of investigation and decision-making on complains and appeals in National Voluntary Forest Certification System (NVFCS).

1.2 The Committee is formed and canceled by the Head of the Association National Voluntary Forest Certification System (hereinafter referred to as the Association NVFCS), and the Head decides on the changes in the structure, activity and members of the Committee.

1.3 The Committee is directly subordinated to the Head of the Association NVFSC.

1.4 In its activity, the Committee follows these Regulations, UA SFM ST 04, Procedure for Managing Complaints and Appeals, and other NVFCS documents, as well as the legislation of Ukraine.

1.5 The Committee acts on a non-remunerated basis.

1.6 The Committee engages in its activity based on the following principles:

a) confidentiality of commercial and other information received in the course of complaint and appeal investigation, disclosure of which can damage the interests of the complainant (appellant) as well as the NVFCS participants and members;

b) objectiveness of the decisions made which exclude a possibility of administrative, commercial, financial or other pressure on the Committee that can influence the results of investigation of the subject matter of a complaint and appeal;

c) complete handling of its tasks and correct performance of functions;

d) openness and transparency, i.e. information of complainants and appellants, subject matter of a complaint and appeal, members of the Committee, decisions made can be published on the official website of the Association NVFCS (<http://woodcertification.com.ua/>), if NVFCS acknowledges it important for the stakeholders, and the Committee members, complainants and appellants do not require its confidentiality and anonymity.

## **2 Functions**

2.1 It registers complaints and appeals sent to its address.

2.2 It determines plans of activity and periods for investigation of complaints and appeals.

2.3 It collects information on the subject matter of complaints and appeals.

2.4 It investigates in full the documents and other information received regarding specific complaints and appeals.

2.5 It interacts with complaints, appellants, defendants, the Head of the Association NVFCS, the Working Group on the Development of Forest Management Standard and other third-party organizations concerning the proposed issues.

2.6 It hears (if needed) complainants, appellants, their representatives and other persons having reference to the subject matter of the complaint and appeal on its meetings.

2.7 It elaborates appropriate corrective and preventive actions.

2.8 It informs the Head of the Association NVFCS of complaints received regarding documents and the process of their development, approval and updating, as well as of appeals received regarding the decisions made on the documents and the process of their development, approval and updating.

2.9 It informs the Working Group on the Development of Forest Management Standard of receiving a complaint or appeal regarding the forest management standard and the process of its development, approval and updating.

2.10 It ensures timely execution of the outcome of complaint and appeal investigation and provides it to the Head of the Association NVFCS for a formal decision on the complaints and appeals.

2.11 It ensures objectiveness of complaint and appeal investigation.

2.12 It ensures nondiscrimination of the conflicting parties.

2.13 It follows ethical standards in the course of consideration of materials and decision-making.

2.14 It ensures confidentiality of information received in the course of complaint and appeal investigation.

2.15 It timely informs the stakeholders of the decisions made regarding the complaints and appeals and appropriate corrective and preventive actions.

2.16 It keeps records of documentation regarding its activity, including the records of filed complaints, appeals and decisions made on them and as well appropriate corrective and preventive actions, and keeps such documents for at least five years.

2.17 It submits an annual work completion report to the Head of the Association NVFCS.

### **3 Management and Structure**

3.1 The Committee consists of representatives of the Association NVFCS, head of the Working Group on the Development of Forest Management Standard and representatives of the stakeholders:

- 1) forest management bodies;
- 2) business and industry;
- 3) non-governmental organisations;

- 4) scientific and technological community;
- 5) trade unions and workers;
- 6) women and children;

3.2 When determining the number and names of the Committee members, different factors are taken into account. Details on formation of the Committee are given in clauses 5.3.1.2 and 6.3.1.3 UA SFM ST 04 Procedure for Managing Complaints and Appeals.

3.3 The members of the Committee are approved by the Head of the Association NVFCS. The Committee consist of the Head, members and secretary. The members of the Committee are changed subject to the requirements of UA SFM ST 04 Procedure for Managing Complaints and Appeals.

3.4 The Head of the Committee manages the activities of the Committee.

3.5 Chief operating officer of the Association NVFCS is the secretary of the Committee.

3.6 Administrator of the Association NVFCS ensures administrative and technical support of the activity.

## **4 Rights**

4.1 To make decisions on complaints and appeals within its competence.

4.2 To require and receive information necessary for objective investigation of filed complaints and appeals from the complainants, appellants, defendants and other participants of NVFCS, as well as from other third-party organizations.

4.3 To involve to complaint and appeal investigation experts and consultants competent in investigation of the subject matter of complaints and appeals who have no personal interest which may lead to a conflict of interests as a result of complaint and appeal investigation.

4.4 To use information from the NVFCS Inventory.

4.5 To submit proposals for improvement of normative and other NVFCS documents for consideration by the Head of the Association NVFCS regarding issues which are ambiguously understood by the participants of complaint and appeal investigation, and cause disputes and reciprocal claims.

4.6 To prepare proposals on the appropriate corrective and preventive actions to be taken by the Association NVFCS based on the outcome of complaint and appeal investigation.

## **5 Responsibility**

5.1 The Committee is responsible for:

- a) engaging in its activity in accordance with the requirements of these Regulations and UA SFM ST 04 Procedure for Managing Complaints and Appeals;
- b) lawfulness, reasonableness and objectiveness of the decisions made;
- c) ensuring confidentiality of information received in the course of complaint and appeal investigation.