



NATIONAL CLEANER PRODUCTION CENTRE, SRI LANKA
ECOLABEL – SRI LANKA
PROCEDURE FOR HANDLING APPEALS

1. PURPOSE

To describe the method of dealing with appeals related to the process of the ecolabelling certification decisions in its certification process.

2. SCOPE

This procedure describes the activities to be involved in dealing with appeals.

3. DEFINITIONS

3.1 Appeal – request by the provider of the object of conformity assessment to the conformity assessment body or accreditation body for reconsideration by that body of a decision it has made relating to that object.

4. RESPONSIBILITY

4.1. Chief Executive Officer - CEO

Responsible for setting up an appeal committee through the Board of Directors, registering appeals, and coordinating with the appeal committee and appellant till the judgment is passed.

4.2. Governing Council -GC

Responsible for reviewing appeals and doing justification, if possible, for the appellant.

4.3. Appeal Committee - AC

Responsible for conducting an impartial investigation and passing judgment on the appeal

5. PROCEDURE

5.1 Any inquiry or request related to an appeal is received, CM shall fill out the appeals form; FM-EL-40 and send it to the CEO, with the request, retaining a copy of it with CM. CM shall acknowledge the appeal and inform the appellant using FM-EL-41.

5.2 The CEO shall discuss the appeal at the Governing Council and act as follows.

- a) If the appeal is related to an ecolabelling certification decisions in the process, the CEO shall refer it to the Governing Council
- b) If the appeal cannot be justified as related to the ecolabelling certification decision, CEO shall reject it and notify the appellant with a copy to CM.

5.3 In the case of 5.2a, the Council shall appoint an impartial appeal committee comprising a Chairperson and two other members, who are having knowledge and experience in ecolabelling certification. The appellant shall be informed of the investigation and the appeal committee. The appellant has the right to state his/her objections to the constitution of the appeal committee in writing to the CEO. The Council has the right to consider the reasons for objections made and to decide whether or not to accept the objection and amend the constitution of the appeal committee.

5.4 The appeal committee shall conduct the investigation on the appeal. As necessary, the appellant may be invited for the investigation. The investigation shall be concluded within one (01) month and both appellant and the appeal committee have the right to avail themselves of assistance from witnesses, provided that the names and addresses of the witnesses have been informed in writing to the appeal committee or to the applicant.

5.5 The members of the appeal committee shall judge the matter in an open, justifiable and fair manner and decide the decision on consensus. The judgment shall be signed by all members of the appeal committee.

5.6 CEO shall notify the final decision of the appeal in writing to the parties concerned. CEO shall determine the cost of conducting the appeal. In case the appeal is unsuccessful, the appellant shall be obliged to pay the cost.

5.7 The decision of the appeal committee is final and conclusive.



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5.8 All details pertaining to appeals are maintained in the appeals register; RG-EL-05 ensures that appropriate correction and corrective action are taken.

6. Related Documents:

FM-EL-40 – Appeal form

FM-EL-41 – Acknowledgement letter of the appeal

RG-EL-05 – Appeals Register