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## Objection, appeal, view

### Supporting processes - improvement processes

Classification: confidential/internal-use/public

Process Owner: HSQE Manager

**This document only has the function of translation and shall be an exact copy of the signed and prevailing Dutch version, in case of differences of interpretation due to translations, the Dutch version is leading.**

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## Contents

<b>1</b>	<b>Introduction</b>	<b>3</b>
1.1	<i>Scope</i>	3
1.2	<i>Purpose</i>	3
1.3	<i>Revision History</i>	3
1.4	<i>Definitions</i>	3
<b>2</b>	<b>Roles and Responsibilities</b>	<b>4</b>
2.1	<i>Country Manager</i>	4
2.2	<i>BU Manager</i>	4
2.3	<i>HSQE Manager</i>	4
2.4	<i>Hearing Committee</i>	4
2.5	<i>RASCI-matrix</i>	4
<b>3</b>	<b>Flowchart</b>	<b>5</b>
<b>4</b>	<b>Process steps</b>	<b>6</b>
<b>5</b>	<b>Registration and references</b>	<b>8</b>

## 1 Introduction

### 1.1 Scope

This procedure applies to all services provided by Applus Netherlands B.V.

### 1.2 Purpose

In the context of its statutory inspection, certification activities, Applus+ uses the objection, appeal and views procedure for administrative bodies, as set out in the General Administrative Law Act.

The purpose of this procedure is:

- Comply with the General Administrative Law Act.
- Comply with ISO 17020 and ISO 17024
- Define staff responsibilities in this context.
- Ensuring the provision of information to clients with regard to this subject.

### 1.3 Revision History

Revision	Date	Short description	Author
01	08-Mar-2021	Created	Emiel van Gernerden
02	08-Sep-2025	Layout, Chapter 5 and certification added, responsibilities and roles adjusted. Legal entity modified	Emiel van Gernerden

### 1.4 Definitions

Complain..... This is an expression of dissatisfaction directed at Applus+ that is related to:  
- the conduct of Applus+;  
- actions of a person working under the responsibility of Applus+.

Opinion/Objection .An opinion is a form of complaint from the client to Applus+ regarding:  
- the intention to refuse provision of services or certification;  
- the determination, or intention thereof, of a major non-conformity by Applus+;  
- the intention to modify or terminate service provision.

Formal Objection .. This is a protest by a client against a decision by Applus+ against which they formally object, regarding:  
- a decision made by Applus+ concerning the modification or termination of service provision;  
- the withdrawal, modification or replacement of the contested decision;  
- the refusal of an application for service provision;  
- the failure to close a non-conformity.

Appeal ..... This refers to an appeal to the competent judicial authority.

## 2 Roles and Responsibilities

### 2.1 Country Manager

- Ultimately responsible for all processes.
- Responsible for the HSQE Manager's resources.
- Responsible for policy throughout the Netherlands.

### 2.2 BU Manager

- The BU Manager is responsible for any objection, appeal or view received.
- The BU Manager is ultimately responsible for a substantiated response and/or solution to the objection, appeal or view.

### 2.3 HSQE Manager

- The HSQE Manager is responsible for ensuring that all parts of the appeal, objection and opinion process remain in compliance with the legal provisions at all times.
- The HSQE Manager is responsible for giving an impartial opinion to the objection, appeal or view received.
- The HSQE Manager maintains a report of objections and appeals and a report on the submitted views and their settlement.

### 2.4 Hearing Committee

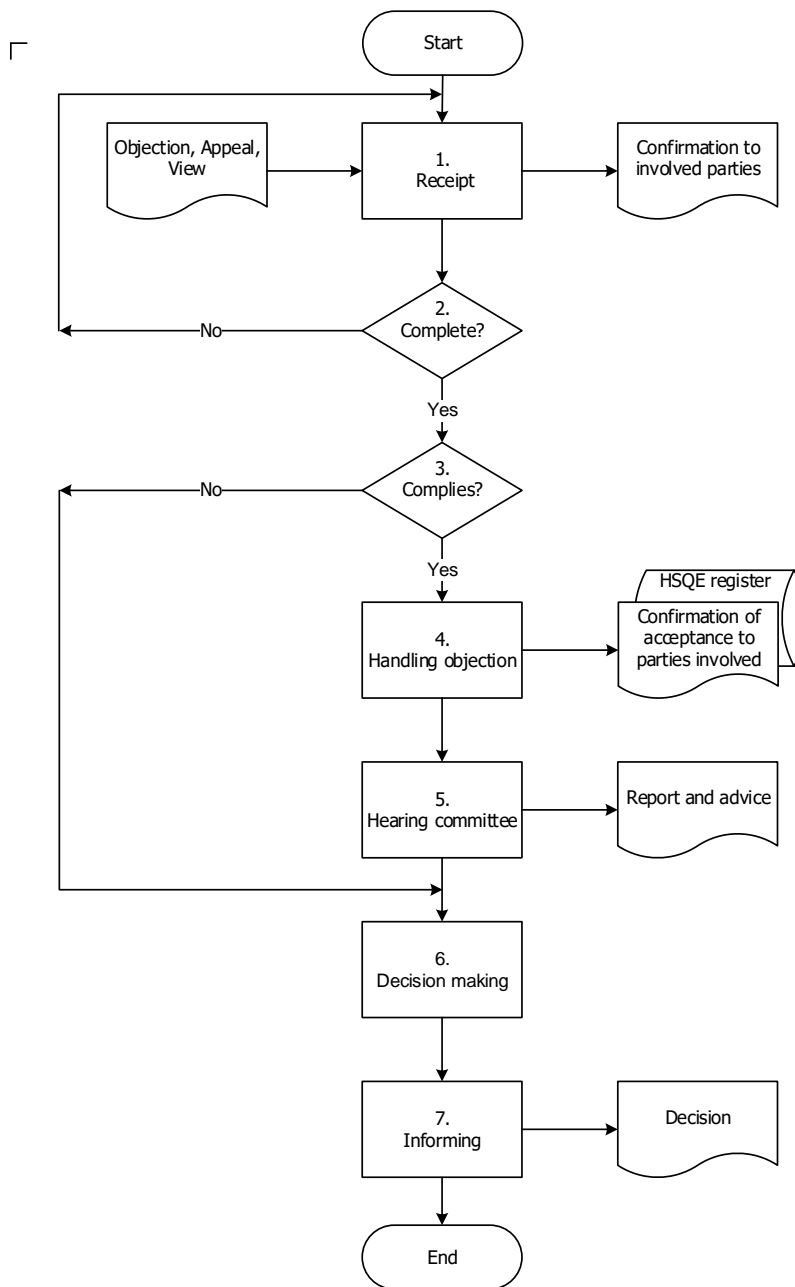
- The hearing committee is responsible for indicating whether they is/have not been involved in preparing the decision and are not bound to the interested party (s)
- The hearing committee is responsible for hearing, in particular, the professional aspects.
- The hearing committee is responsible for attaching a report (including an opinion) to their decision on the objection.

### 2.5 RASCI-matrix

	BU Manager	Technical Authority	HSQE Manager	Hearing Committee
Receiving the objection, appeal, view	A	R	S	
Assessing the objection, appeal, view	S	S	A	
Managing the objection, appeal, view	S	S	A	
Hearing the objection, appeal, view	S	S	A	C
Decision on the objection, appeal, view	S	S	A	

R = Responsible (responsible)	A = Accountable (ultimate responsibility)	S = Supportive (supporting)	C = Consulted (advising)	I = Informed (informed)
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### 3 Flowchart



NL 815 Objections, Appeals, Views
<b>BU Manager</b> Receipt of objection, appeal or view, send acknowledgement of receipt.
<b>HSQE Manager</b> Check whether the appeal, objection, or view is complete.
<b>HSQE Manager</b> Check whether the appeal, objection, or view meets the requirements.
<b>HSQE Manager</b> Takes up appeal, objection, or view formally. Time limits begin to run. The HSQE Manager sets up an independent hearing committee.
<b>Hearing Committee</b> The hearing committee hears the interested party and issues a report and opinion to the HSQE Manager.
<b>HSQE Manager</b> The HSQE Manager must take a decision on the appeal, objection or view within 6 weeks of confirmation of admissibility.
<b>BU Manager</b> The BU Manager will communicate the decision on the objection, appeal, or view including the substantiation and justification to the interested party in writing and by registered mail.

## 4 Process steps

### Process step 1: Receipt

After receipt of the appeal, appeal, expression of view, it will be reviewed by the BU Manager and, if valid, declared admissible.

He must confirm receipt of the appeal, appeal, opinion and statement of admissibility in writing within two weeks, with further procedure and processing deadlines being communicated to the submitter.

After that, he transfers the appeal, appeal, expression of view to the HSQE Manager.

*Objection, appeal:*

The following preconditions apply here:

- Research and decision-making must not result in discriminatory actions.
- The appeal does not suspend the effect of the decision.
- The appeal leads to a review of the decision against which it is addressed.

*View:*

The following preconditions apply here:

- The decision would be based on facts and interests that concern the applicant, and
- This information differs from information that the applicant has provided for this purpose.

If the applicant wants to express his views orally, an interview report will be made of this conversation and signed by both parties.

Opinions can be submitted up to six weeks after the (preliminary) decision has been issued.

### Process step 2: Complete?

The appeal, appeal, statement of view must contain at least the following elements:

- Submitter's name and address
- Date
- A description of the contested decision
- The grounds for the objection

### Process step 3: Complies?

The appeal, appeal, view is declared inadmissible if:

- The specified filing period is not met, unless the submitter can demonstrate that he was not reasonably in default
- The opportunity offered by CBI to recover from absenteeism is not used
- The objection relates to a failure to take a decision in time and is filed unreasonably late

### Process step 4: Handling objection

When processing, the HSQE Manager must ensure that he is not influenced by persons who were involved in the original decision.

He weighs the interests directly involved in the decision, insofar as a limitation does not result from a legal requirement or from the nature of the authority to be exercised.

The submitted appeal, appeal, opinion or interview report of the oral opinion will be assessed by the HSQE Manager against the Technical Authority's decision-making and relevant laws and regulations.

In addition, he collects and verifies all necessary information as a basis for his assessment. He may decide to make use of a hearing committee, which will hear the original decision maker and the objector in the presence of each other and report on this in writing, with reasons from both parties to the composition of this committee (motivated challenge).

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### **Process step 5: Hearing committee**

The hearing mainly concerns the professional aspects that led to the decision and must take place within six weeks of determining that a hearing procedure is appropriate.

The hearing can take place by the CBI or by one or more experts appointed by the CBI, who is/have not been involved in the preparation of the decision and have no connection with the interested party (s)

The hearing takes place at a time to be determined by the CBI within office hours. Relevant documents can be submitted up to 10 days before the hearing and are available for inspection one week before the hearing.

Hearing is waived if:

- The objection is manifestly inadmissible or manifestly unfounded,
- The objection has now been addressed,
- As interested party (s), declare that they will not make use of this.

The hearing will be reported by the chairman of the hearing committee, including advice, and will be attached to the decision on the objection.

Should it happen that certificate holders, CBIs or other stakeholders use different definitions about the standards and/or technical standards, and there are disagreements about this, the different interpretations should be submitted to the scheme manager, the supervisor or the field-specific forum, for example: NEN Schemabeheer, CVD-da, Ministry of Social Affairs, SodM, IPO, CKP-DA and CABF PED/SPV.

### **Process step 6: Decision making**

The HSQE Manager must decide within 6 weeks of receiving the appeal, appeal, expression of view. The decision period can be extended once by a maximum of 6 weeks. If it is decided to set up a hearing committee, a period of 10 weeks applies, which can be extended by 4 weeks if necessary, motivated. After this period, the period can only be extended with the consent of the interested party.

### **Process step 7: Informing involved parties**

The BU Manager will communicate the decision on the appeal, appeal, view including substantiation and justification to interested party (s) in writing and by registered mail.

In doing so, he must point out to the petitioner that it is possible to file an appeal, whether before the District Court.

## 5 Registration and references

Output	Where	Responsible	Retention period
Objection, appeal or view	HSQE registry	HSQE Manager	At least 7 years
Receipt confirmation to stakeholders	HSQE registry	HSQE Manager	At least 7 years
Pending confirmation to stakeholders	HSQE registry	HSQE Manager	At least 7 years
Report and advice from the hearing committee	HSQE registry	HSQE Manager	At least 7 years
Decree	HSQE registry	HSQE Manager	At least 7 years

References
Integral Management System Applus+
NEN-EN-ISO/IEC 17020:2012
NEN-EN-ISO/IEC 17024:2012
ILAC P15
Field chart Conformity Assessment Pressure Equipment (WCD)
General Administrative Law Act (Awb)