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**Complaint Procedure and Rules of Arbitration for  
Group Organisations**



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## Foreword

PEFC Austria (PEFC: Programme for the Endorsement of Forest Certification schemes) is a national organisation with the purpose of facilitating sustainable forest management through sustainable forest management certification and labelling of wood products. Consumers can trust that products carrying the PEFC label are made of raw material from sustainably managed forests, from recycling and/or non-controversial sources. PEFC Austria is a work group responsible for the standard setting and the administration of the Austrian PEFC scheme.

PEFC Austria standards are developed within an open and transparent procedure based on consensus and supported by consultation of a variety of stakeholders. Since 1999, PEFC Austria is full member of PEFC International whose strict endorsement procedure guarantees international recognition.

To improve the readability, the male form is used for all denominations of persons. It refers to all genders.

## Introduction

Forest management certification provides confidence that the defined forest area is managed in compliance with the requirements for sustainable forest management. Thus, regional certification is the best approach to forest management certification under Austrian conditions participating in group forest management certification allows forest owners to become voluntarily certified under a common certificate and share the financial obligations arising from forest management certification as well as the common responsibility for forest management. This approach also aims at improving information dissemination and co-operation in forest management amongst individual forest owners.

This guideline shall ensure that during the dispute settlement procedure the group organization considers all relevant aspects necessary for the handling of any complaint and appeal relating to the participation in group forest management certification or implementation of sustainable forest management in the.

The term “shall” is used throughout this document to indicate those provisions that, reflecting the requirements that are mandatory. The term “should” is used to indicate guidance that, although not mandatory, is provided as a recognised means of meeting the requirements. The term “may” used throughout this standard indicates permission expressed by this standard whereas “can” refers to the ability of a user of this standard or to a possibility open to the user.

## 1 Scope

This document provides an example of dispute settlement procedures which can be adopted or modified by group organisations, in order to satisfy the requirements specified in PEFC AT ST 1001, ch. 5.6.5.1 or PEFC AT ST 1003, ch. 4.2.13.

Note: This applies to all group organisations defined in PEFC AT ST 1003, ch. 3.2, such as the regional committee of the group certification in natural growth regions.

## 2 Normative References

The following referenced documents are indispensable for the application of this document. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies:

- PEFC AT ST 1001 PEFC-Standard for Sustainable Forest Management in Austria
- PEFC AT ST 1003 Group Forest Management Certifications according to the PEFC-System in Austria – Requirements

## 3 Definitions

### 3.1 Appeal

Written request by any person or organisation (the appellant) for reconsideration of any decision affecting the appellant made by the group organisation where the appellant considers such decision have been taken in breach of the group organisation's requirements or procedures or requirements of the Austrian PEFC scheme.

Note: Note: Such adverse decisions may include, for example rejection; suspension; or termination of the participation in the group certification in natural growth regions.

### 3.2 Complaint

Written expression of dissatisfaction (other than appeal) by any person or organization which relates to the activities of the group organisation or implementation of sustainable forest management by participants in group forest management certification.

## 4 Complaints and appeals acceptance

4.1 All complaints and appeals shall be addressed in writing to [name of the group organisation] as the contact point for all complaints and appeals defined by this document.

4.2 It is the responsibility of the complainant/ appellant to submit written information which can be verified as accurate and correct through an independent source.

4.2.1 Following information shall be contained:

- a) facts of the case
- b) positions of those parties involved (if available)
- c) if required, reports of the certification body (if available)

4.3 [Name of the group organisation] decides on formal acceptance of the complaint/ appeal provided that the complaint/appeal is in accordance with 3.2/3.1 and the information supporting the complaint/appeal can be authenticated as being in compliance with 4.2.

4.4 [Name of the group organisation] shall without delay:

- a) acknowledge to the complainant/ appellant (in writing) the receipt and acceptance/rejection of the complaint/ appeal, including its justification;
- b) provide the complainant/appealant with details of the group organisation's complaints and appeals procedures;
- c) refer the complainant/ appellant to other parties responsible for resolving the matter where the matter does not satisfy clause 1.1.

## **5 Complaint and appeal resolution process**

5.1 [Name of the group organisation] shall convene an ad-hoc Task Force Group (the TFG) in written form, comprising one or more persons, to investigate the accepted complaint or appeal. In justified circumstances requiring a balanced stakeholders representation, the TFG shall consist of three to five persons, whereby this must always include one representative from the forestry, one from the environmental groups and, in particular, one representative of that interest group which is at the focus of the complaint. The members of the TFG shall act independently and impartially. The members of the TFG shall have no vested or conflict of interest in the complaint or appeal. The members shall always vote for a chairman from amongst themselves. The arbitration body may call upon the expertise of specialists.

5.2 The TFG shall undertake a thorough and impartial investigation and seek a resolution. The TFG shall meet within three months in person or by other means upon receipt of the complaint, and a decision is to be made within 60 days. In justified cases, which may lead to a delay (compiling expertise, etc.), the period required for making the decision may be extended by 30 days. The TFG shall submit in a timely matter, a detailed written report,. The report shall include a statement indicating whether, or not, the complaint or appeal has been substantiated and recommendations on resolving the complaint/ appeal.

5.3 The decision shall be made by a simple majority; if the votes are equal, the chairman shall have the deciding vote. The decision made by the TFG is binding and forms the conclusion of the procedure of arbitration for the group organisation.

5.4 The [Name of the group organisation] shall, without delay, inform the complainant/ appellant and other concerned parties about the outcomes of the complaint/ appeal resolution process, in writing.

5.5 Regardless of the outcome of any complaint/ appeal, the complainant/ appellant and [name of the group organisation] shall each meet their own costs.

## **6 Documentation**

6.1 [Name of the group organisation] shall keep records relating to the complaints/ appeals, including their reception; acceptance/rejection, investigation, resolution (minutes of meetings) and communication to the complainant/ appellant.

Figure 1: Complaint/ appeal procedure diagram

