



BEE EMPOWERED

B E E R A T I N G A G E N C Y

PROCEDURE MANUAL	Doc Ref No: BEE/MP/8
Title: Appeals	Revision No: 09
Copy No: 01	Page 1 of 7
Compiler: L Frank	Date Compiled: 5 June 2017
Approver: A Kotze	Effective date: 6 June 2017

1. **SCOPE**

This procedure shall be applicable to all appeals lodged against Verification Decisions and other decisions taken by Management.

2. **PURPOSE**

The purpose of this procedure is to ensure that all appeals are handled in an effective and timely manner.

3. **RESPONSIBILITY AND AUTHORITY**

3.1 The Administration Manager, alternatively the Administration Assistant, is responsible for informing the duly authorized representative of the Measured Entity of its right to appeal against the Verification Decision, within five (5) working days after the Verification Decision or Management Decision has been delivered to the said authorized representative of the Measured Entity.

3.2 The Administration Manager is responsible to ensure that the said authorized representative of the Measured Entity understands our appeal procedure, by emailing a copy of this procedure, as well as a copy of an Appeal Form (BEE/MP/8/A1) to the authorized representative of the Measured Entity.

3.3 On receipt of the duly completed Appeal Form from the Measured Entity, the Administration Manager is responsible for recording the appeal in the Appeal Register (BEE/MP/8/A2), the date



BEE EMPOWERED

B E E R A T I N G A G E N C Y

PROCEDURE MANUAL	Doc Ref No: BEE/MP/8
Title: Appeals	Revision No: 09
Copy No: 01	Page 2 of 7
Compiler: L Frank	Date Compiled: 5 June 2017
Approver: A Kotze	Effective date: 6 June 2017

on which the appeal should be finalized, i.e. within thirty (30) days after having received the Appeal Form from the Measured Entity and to record a unique Appeal Reference Number on the Appeal Form.

- 3.4 The Administration Manager is responsible for delivering a copy of the said Appeal Form to Top Management.
- 3.5 If the Appellant is appealing against the B-BBEE Verification Decision, then Top Management will allocate the Appeal for finalization to a Verification Manager, who was not responsible for the B-BBEE verification decision of the Measured Entity, or that was not involved in the verification of the Measured Entity.
- 3.6 If the Appellant is appealing against a Management Decision, for example, not accepting a client's Request for Verification, then Top Management will allocate the Appeal for finalization to a member of the Management Review Committee.
- 3.7 The Verification Manager referred to in clause 3.5 shall have the right to either grant or refuse the Leave for Appeal and the member of the Management Review Committee referred to in clause 3.6, shall have the right to either grant or refuse the Leave for Appeal and the Verification Manager / Member of the Management Review Team shall state his or her reasons for not granting the Leave for Appeal on the Appeal Form (BEE/MP/8/A1).
- 3.8 In instances where the Verification Manager / Member of the Management Review Team refuses the right of Appeal, the Administration Manager shall refer the Leave for Appeal to Top Management (in this instance the Managing Director) who shall have the right to grant or refuse the Measured Entity's Request for an Appeal.



BEE EMPOWERED

B E E R A T I N G A G E N C Y

PROCEDURE MANUAL	Doc Ref No: BEE/MP/8
Title: Appeals	Revision No: 09
Copy No: 01	Page 3 of 7
Compiler: L Frank	Date Compiled: 5 June 2017
Approver: A Kotze	Effective date: 6 June 2017

3.9 If Top Management (in this instance the Managing Director) refuses to grant Leave for Appeal, the Audit Committee shall consider the Measured Entity's Leave for Appeal, and they will constitute an Appeal Hearing.

3.10 Top Management (in this instance the Managing Director), alternatively, a Verification Manager who was not involved in the verification of the Measured Entity, shall chair the Appeal Hearing. If the Managing Director was responsible for the B-BBEE Verification Decision, a Verification Manager that was not responsible for the B-BBEE Verification Decision, shall chair the Appeal Hearing, alternatively, the Appeal Hearing shall be chaired by a Verification Manager who was not involved in the verification of the Measured Entity, alternatively, the Audit Committee shall chair the Appeal Hearing

4. REFERENCES

SANAS R47-02, clause 19

5. PROCEDURE

5.1 The Administration Manager, alternatively the Administration Manager's assistant, informs the duly authorized representative of the Measured Entity of its right to appeal against the Verification Decision within five (5) working days after the aforesaid B-BBEE Verification Decision, or Management Decision, was delivered to the said authorized representative of the Measured Entity. Top Management will have the sole discretion to allow or disallow an Appeal if the Measured Entity wishes to lodge an Appeal outside the five (5) working days, referred to herein.

PROCEDURE MANUAL	Doc Ref No: BEE/MP/8
Title: Appeals	Revision No: 09
Copy No: 01	Page 4 of 7
Compiler: L Frank	Date Compiled: 5 June 2017
Approver: A Kotze	Effective date: 6 June 2017

- 5.2 On receipt of the duly completed Appeal Form, the Administration Manager records the appeal in the Appeal Register (BEE/MP/8/A2), the date on which the appeal should be finalized, i.e. within thirty (30) days after having received the Appeal Form from the Measured Entity and to record a unique Appeal Reference Number on the Appeal Form.
- 5.3 The Administration Manager delivers a copy of the said Appeal Form to Top Management, who shall make the decision to either grant or refuse the leave to appeal within five (5) days after having received the Appeal Form from the Administration Manager.
- 5.4 If the Appellant is appealing against the B-BBEE Verification Decision, then Top Management will allocate the Appeal for finalization to a Verification Manager, who was not responsible for the B-BBEE verification decision of the Measured Entity or that was not involved in the verification of the Measured Entity.
- 5.5 If the Appellant is appealing against a Management Decision, for example, not accepting a client's Request for Verification, then Top Management will allocate the Appeal for finalization to a member of the Management Review Committee.
- 5.6 The Verification Manager referred to in clause 5.4 grants or refuses the Leave for Appeal.
- 5.7 The Member of the Management Review Team referred to in clause 5.5 grants or refuses the Leave for Appeal.
- 5.8 If the Verification Manager / Member of the Management Review Team refuses to grant Leave for Appeal, he or she shall state the reasons for same on the Appeal Form and hand the form

PROCEDURE MANUAL	Doc Ref No: BEE/MP/8
Title: Appeals	Revision No: 09
Copy No: 01	Page 5 of 7
Compiler: L Frank	Date Compiled: 5 June 2017
Approver: A Kotze	Effective date: 6 June 2017

back to Top Management (in this instance the Managing Director), who will then consider the Measured Entity's Leave for Appeal.

- 5.9 If Top Management (in this instance the Managing Director) refuses to grant Leave for Appeal, the Audit Committee shall consider the Measured Entity's Leave for Appeal.
- 5.10 If the event that Top Management (in this instance the Managing Director) was responsible for the B-BBEE Verification Decision, a Verification Manager who was not responsible for the B-BBEE Verification Decision, shall chair the Appeal Hearing, alternatively, the Appeal Hearing will be chaired by a member of the Audit Committee.
- 5.11 If Top Management (in this instance the Managing Director) was not involved in the B-BBEE Verification Decision, Top Management (in this instance the Managing Director) shall chair the Appeal Hearing.
- 5.12 In reviewing the Measured Entity's request for a Leave for Appeal, the person having to consider the said Leave to Appeal will take the "Grounds for Appeal" into consideration, i.e. whether the Measured Entity is appealing against the B-BBEE Verification Decision itself (the person responsible for the B-BBEE Verification Decision has made an incorrect decision based on the evidence submitted) or whether the Measured Entity has new facts, evidence, circumstances or submissions that could influence the B-BBEE Verification Decision made.
- 5.13 Should the Leave for Appeal be granted, and the Audit Committee is appointed to chair the Appeal Hearing, Top Management instructs the Administration Manager to convene an Appeal Hearing.



BEE EMPOWERED
BEE RATING AGENCY

PROCEDURE MANUAL	Doc Ref No: BEE/MP/8
Title: Appeals	Revision No: 09
Copy No: 01	Page 6 of 7
Compiler: L Frank	Date Compiled: 5 June 2017
Approver: A Kotze	Effective date: 6 June 2017

- 5.14 The Administration Manager convenes an Appeal Hearing within five (5) working days after, having received instructions to convene the Appeal Hearing.
- 5.15 The Administration Manager informs the Appellant that he or she may be represented at the Appeal Hearing.
- 5.16 Depending on the grounds of Appeal, the purpose of the Appeal Hearing will be to consider facts, evidence or circumstances, or to review the actual Verification Decision / other Management decisions in the light of the assessed evidence, submissions, representations and other relevant factors.
- 5.17 The Administration Manager, records the outcome of the Appeal Hearing in the Appeal Register.
- 5.18 The Administration Manager, conveys the outcome of the Appeal hearing to the Appellant by furnishing him or her with a copy of the duly completed Appeal Form, together with supporting evidence.
- 5.19 The Administration Manager shall be responsible to ensure that our procedures herein has been followed and that the chairperson of the appeal hearing completed the Appeal Form in full and has attached all the supporting evidence prior to conveying the outcome of the Appeal to the duly authorised representative of the Measured Entity.
- 5.15 The Appeal/Appeal Hearing should be finalized within 30 (thirty) days from when the Appeal Form was lodged by the Appellant. Should the Appeal not be finalized within the 30-day period referred to herein, reasons for the delay, should be recorded on the Appeal Form by the Administration Manager.



BEE EMPOWERED
BEE RATING AGENCY

PROCEDURE MANUAL	Doc Ref No: BEE/MP/8
Title: Appeals	Revision No: 09
Copy No: 01	Page 7 of 7
Compiler: L Frank	Date Compiled: 5 June 2017
Approver: A Kotze	Effective date: 6 June 2017

6. **DEFINITIONS**

- 6.1 "Top Management" means the Managing Director or a person appointed by the Managing Director;
- 6.2 "Administration Manager" means the Administration Manager or the person(s) appointed to carry out the duties of the Administration Manager.

7. **RECORDS**

Record Reference Number	Records (Including Computer records where applicable)	Responsibility	Minimum Retention Period	Disposal
BEE/MP/8/A1	Appeal Form	Administration Manager	Three (3) years	Destroy
BEE/MP/8/A2	Appeal Register	Administration Manager	Three (3) years	Destroy