

# EIFEC COMPLIANCE REGISTER (ECR)

## Investigation and treatment of complaints procedure

### Step 1: Submitting a complaint

1. Complaints may be submitted by **completing a standard form on the website of the Register**. That form contains information about the Registrant being complained about, the name and contact details of the complainant and details about the complaint, including, in principle, documents or other materials supporting the complaint. **Anonymous complaints shall not be considered.**
2. The complaint shall specify one or more points of the EIFEC ES2001.06:HBV Standards and related certification (whose main contents are available on the same website) which the complainant alleges have been breached.
3. Complainants should in principle provide documents and/or other materials supporting their complaint.

### Step 2: Decision on admissibility

1. The EIFEC Register Secretariat shall:
  - **verify** that sufficient evidence is adduced to support the complaint, whether in the form of documents, other materials or personal statements; to be admissible, material evidence should in principle be sourced either from the Registrant complained about or from a document issued by a third party;
  - on the basis of such verification, **decide** on the admissibility of the complaint;
  - if it deems the complaint admissible, **register the complaint** and **fix a deadline** (max. 3 working days) **for the final decision** on the validity of the complaint.
2. If the complaint is deemed **inadmissible**, the complainant shall be informed by an e-mail, which shall state the reasons for the decision.
3. If the complaint is deemed **admissible**, it shall be investigated in accordance with the procedure set out below.

### Step 3: Investigation

After registering the complaint, the EIFEC Register Secretariat shall inform by e-mail of the complaint and its content the Registrant/Member complained about, and shall invite the registrant to present any **elements of defense** within 3 working days.

All information collected during the investigation shall be examined by the EIFEC Register Secretariat.

### Step 4: Decision on the complaint

If the investigation shows the complaint to be **unfounded**, the EIFEC Register Secretariat shall inform by e-mail both parties of the decision to that effect.

If the complaint is **upheld**, the Registrant may be **temporarily suspended** from the ECR Register – pending the taking of steps to address the problem.

### Step 5: Measures in the event of non-compliance with the EIFEC ES2001.06:HBV Standards and Certifications

The measures which may be applied in the event of non-compliance with this EIFEC Emergency Standard shall range **from temporary suspension up to removal from the Register**.

If it is established that **information** entered in the ECR Register is **incorrect or incomplete**, the Registrant/Member shall be requested to **correct that information within 1 (one) week**, during which period the registration shall be **suspended**.

If the Registrant **rectifies** the information and is **satisfactory** to the EIFEC Register Secretariat within the timespan specified, the registration shall be **reactivated** (if the Registrant does not act within that period, a measure may be imposed).

If the registrant requests more time to rectify the information and gives sufficient reasons for that request, the period of **suspension** may be **extended**.

In the event of non-compliance with the Standard on other grounds, the registration of the Registrant/Member in question shall be **suspended** for a period of 8 (eight) weeks, during which time the EIFEC Registrar Secretariat shall take the final decision on the **measure(s)**, if any, to be imposed.

Any decision to remove a Registrant from the ECR Register shall include a **ban on future registration** for a period of at least 1 (one) year.

### Step 6: Decision on the measure to be applied

A draft decision on the measure(s) to be applied shall be prepared by the EIFEC Technical Committee and forwarded for final decision to the Governors' Council.

The EIFEC Register Secretariat shall immediately inform both parties (the complainant and the Registrant against which the complaint was made) of the measure(s) decided upon and shall implement it/them.

### Measures available in the event of non-compliance with the EIFEC ES2001.06:HBV Standards and Certifications

	Type of non-compliance	Measure	Mention of measure in the Register
1	Unintentional non-compliance, immediately corrected	Written notification acknowledging the facts and their correction	NO
2	Deliberate non-compliance, necessitating a change of behaviour or rectification of information in the ECR Register within the deadline laid down	Temporary suspension for up to 6 (six) months or until such time as the corrective action requested is completed within the deadline set	Yes (just during the suspension period)
3	Persistent non-compliance – no change of behaviour – failure to correct information within the deadline laid down	Removal from the ECR Register for 1 (one) year	YES
4	Serious, deliberate non-compliance	Removal from the ECR Register for 2 (two) years	YES



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