

## The appeals procedure

Step	Description	Timeframe	Responsibility
1.	The appellant submits the appeal request not later than 30 days after the contested decision has been received to the SGfB secretariat in accordance with the relevant datasheet and transfers the appeal fee on the SGfB account.	30 days	appellant
2.	<p>The secretariat confirms the receipt of the appeal request for an appeal and informs the appellant about the further procedures.</p> <p>In addition, the secretariat notifies the following persons of the appeal request:</p> <ul style="list-style-type: none"> <li>• the Appeals Committee</li> <li>• the entity that took the decision against which the appellant has lodged the appeal</li> <li>• the board (without mentioning the name of the appellant)</li> <li>• the treasurer (who checks the payment of the appeal fee).</li> </ul>	immediately	secretariat
3.	<p>The secretariat verifies if the following conditions have been fully met:</p> <ol style="list-style-type: none"> <li>a) competence of the SGfB appeals committee (no appeal with respect to the advanced diploma examination)</li> <li>b) compliance with the 30 day period (Cf. point 1)</li> <li>c) the appeal request is complete and correct in accordance with the documentation procedures</li> <li>d) the appeal fee has been paid.</li> </ol> <p>If condition a) is not fulfilled, the secretariat will promptly return the appeal to the appellant with an appropriate note referring the person to the competent appeals body.</p> <p>If condition b) is not fulfilled, the secretariat immediately contacts the chair of the</p>	immediately	secretariat

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	<p>appeals committee to discuss further steps.</p> <p>If conditions c) and d) are not fulfilled, the secretariat will ask the appellant in writing to provide additional materials within a period of ten days. It is up to the secretary to contact the appellant by telephone before the due date.</p>		
4.	The appellant must provide the additional information with 10 days.	10 days	appellant
5.	If the requested additional information is not provided before the due date, the secretariat will inform the president of the appeals committee.	immediately	secretariat
6.	In case the conditions for appeal are not fulfilled (cf. point 3), the appeals committee decides whether the appeals procedure is opened (when there are only minor objections in the appeal) or whether the appeal is rejected on the basis of procedural shortcomings (in the case of serious shortcomings in the appeal).	immediately	president of the Appeals Committee
7.	In case the appeal is not accepted, the president of the Appeals Committee informs the appellant in writing and the secretariat returns the appeals documents to the appellant.	immediately	president of the Appeals Committee / secretariat
8.	<p>If all conditions are met, the secretariat notifies the following persons that the appeal request has been admitted and informs them of the further procedures:</p> <ul style="list-style-type: none"> <li>• the appellant</li> <li>• the Appeals Committee</li> <li>• the board</li> <li>• the entity that took the decision against which the appellant has lodged the appeal.</li> </ul>	immediately	secretariat

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9.	After the appeal has been opened, the secretariat sends copies of the appeal documents to the members of the Appeals Committee. The original appeal documents remain in the secretariat and are returned to the appellant on completion of the appeals procedure.	immediately	secretariat
10.	The President of the Appeals Committee decides on a date for a telephone conference. The telephone conference must take place no longer than 7 days after the receipt of the appeal documents.	7 days	president of the Appeals Committee
11.	The members of the Appeals Committee individually examine the appeal documents.		Appeals Committee
12.	During the telephone conference the members of the Appeals Committee discuss the appeal documents and decide which parties or experts will be invited to express their views orally or in writing.		Appeals Committee
13.	The President of the Appeals Committee invites the parties or experts concerned to express their views either orally or in writing.	immediately	president of the Appeals Committee
14.	The secretariat is charged by the Appeals Committee to send relevant appeal documents to the President of the Appeals Committee parties and/or experts that are invited to express their views.	immediately	secretariat
15.	The invited parties and/or experts have 15 days to submit their views in writing to the secretariat.  In the case of an orally expressed view, the time schedule depends on the earliest possible date for a meeting.	15 days	parties and/or experts
16.	The secretariat makes copies of the written views or the minutes of the meeting of the orally expressed views and sends it to the members of the Appeals Committee.	immediately	secretariat

Step	Description	Timeframe	Responsibility
17.	The President of the Appeals Committee sends a copy of the views or the minutes of the meeting to the appellant and after consultation with the other members of the Appeals Committee, invites the appellant to respond orally or in writing to the views expressed by the experts.	immediately	president of the Appeals Committee
18.	The appellant has 15 days time to send his response in writing to the secretariat or to express his view orally.	15 days	appellant
19.	The secretary makes copies of the response and sends it to the members of the Appeals Committee.	immediately	secretariat
20.	Not later than 15 days after the receipt of the response the members of the Appeals Committee meet and discuss the appeal documents, the expert views and the appellant's response and take on final decision based on these documents. The decision must be motivated.	15 days	Appeals Committee
21.	The Appeals Committee formulates a decision with respect to the appeal in writing not later than 15 days after the meeting. This decision comprises: <ul style="list-style-type: none"> <li>• the appellant's request and his/her arguments</li> <li>• views expressed by parties or experts</li> <li>• the appellant's response</li> <li>• assessment by the Appeals Committee</li> <li>• decision taken by the Appeals Committee</li> </ul>	15 days	Appeals Committee
22.	When the written decision about the appeal is available the President of the Appeals Committee will inform the following persons about the decision and the reasons therefor:	immediately	president of the Appeals Committee

Step	Description	Timeframe	Responsibility
	<ul style="list-style-type: none"> <li>the appellant</li> <li>the board</li> <li>the entity that took the decision against which the appellant has lodged the appeal</li> <li>parties and/or experts</li> </ul>		
<b>23.</b>	The President of the Appeals Committee sends the complete appeal documentation back to the secretariat. The other members of the Appeals Committee destroy their copies of the appeals documentation.	immediately	president of the Appeals Committee / members of the Appeals Committee
<b>24.</b>	The secretary archives the complete appeal documentation and returns the original documents of the appeal request provided by the appellant back to him/her.	immediately	secretariat

Decided and put into effect by the Appeals Committee on 01.01.2010.

Version of 22.11.2018 with amendments and procedural details.