NEN Scheme Management[1]

Manual

Date of last revision: 20090220

[1] **Note: The term Scheme Management is a direct translation of Dutch in English. In English often the term 'Scheme Ownership' is used. But a Scheme owner can be a different entity than a Scheme Manager.**

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1 General – 20090220

1.1 Policy

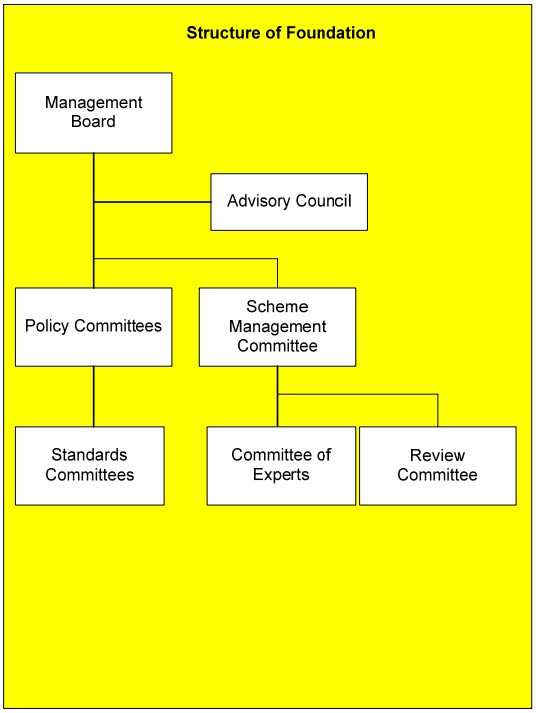
In response to calls from both standards committee members and standards users NEN has decided to offer its services in the field of scheme management. NEN has developed and implemented an infrastructure for managing schemes that is in line with the rules of the Dutch Accreditation Council (RvA) applicable[2]. Using the RvA rules gives NEN a good basis for implementing scheme management in a straightforward and professional manner.

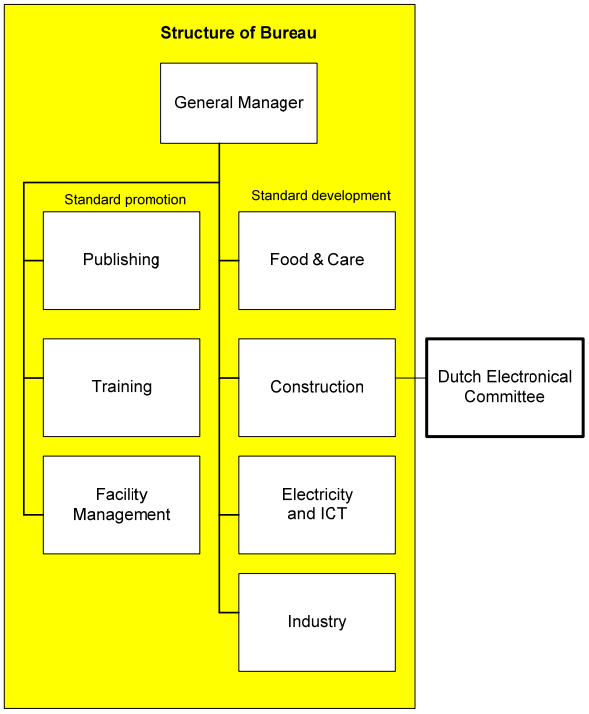
NEN manages several schemes for a variety of subject matters. The scope of scheme management covers the management of schemes relating to product-, service conformity, person certification and system certification. For each scheme consideration is given to whether its management should be formally subject to acceptance by the RvA. For schemes that are not subject to acceptance, the starting point is to follow the NEN Scheme Management Manual.

NEN performs the role of scheme manager within a wide range of sectors, as is also the case for the development of standards. In view of all the common ground between standards development and the development and management of schemes NEN is of the opinion that including scheme management in the present organisational structure fits in well with the role of NEN as a National Standardization Body and with its core values such as independence, transparency, consensus and 'all parties concerned', etc.

1.2 Procedure

This manual describes the procedure for the development and management of schemes by NEN.





2 RvA-R13 - The Assessment and Acceptance of Scheme Managers
RvA-T33 - Assessment of Conformity Assessment Schemes

There are two different processes for the development and management of schemes.

- the development of schemes is carried out via the existing standardization process by standards committees reporting to the policy committees;
- the management of schemes is carried out by Committees of Experts and Review Committees reporting to the Scheme Management Committee.

The activities of the committees involved in the management of schemes is supported within NEN by NEN Scheme Management. NEN Scheme Management is not a separate organisational entity within NEN. The activities of NEN Scheme Management are integrated into the procedure of the standards development units within NEN Bureau.

The procedure of NEN for developing and managing schemes in principle follows the existing agreements within NEN, such as Statutes, Rules of Procedure and the NEN Quality Manual. Exceptions are only made from these if that is necessary for the specific tasks and responsibilities relating to the development and management of schemes. This manual should therefore be read as a supplement to the existing documents and applies for those situations in which the existing documents make insufficient provision or a different procedure is preferable.

Where the existing procedures and this NEN Scheme Management Manual result in a lack of clarity and possibly even in contradictions, the Policy Committee and the Scheme Management Committee ensure a suitable solution. Should this not be possible, the Management Board takes a final decision.

1.3 Definition of scheme

A scheme contains the following elements[3]:

1. Identification of the conformity assessment subject (such as product, process, system, person);
2. The requirements, including any resulting interpretations, against which the subject is compared (for example certification standard, product specifications, legal standards);
3. The method by which the conformity assessment institution determines conformity (such as audit programmes, inspection protocols, testing method, inspection regulations);
4. If applicable the method of surveillance (including control frequencies, content and scope of organisation/project driven surveillance and reassessments);
5. The requirements, including any resulting interpretations that apply to the conformity assessment body relating to their organization, operating methods, personnel, equipment, reporting, certificates, etc. These requirements are generally set out in the accreditation standards, but may be defined in more specific detail.

[3] Dutch Accreditation Council (RvA), Assessment of Conformity Assessment Schemes, T33

2 Composition and procedure of committees in developing and managing schemes – 20090220

This clause describes the composition and procedure of the NEN committees that are involved in developing and managing schemes.

2.1 Bodies involved in developing and managing schemes

For the development of schemes please refer to the bodies involved in the standardization process, namely the Standards committees and the Policy Committees.

The following bodies are involved in the management of schemes:

- NEN Scheme Management;
- Scheme Management Committee;
- Committee of Experts;
- Review Committee[4].

2.2 Tasks and responsibilities in developing and managing schemes

2.2.1 Tasks and responsibilities of the Standards committee and Policy Committees

In addition to the tasks and responsibilities described in the Statutes, Rules of Procedure and NEN Quality Manual both committees have to ensure that R-13 and T-33 are complied with during the development process. The final surveillance of this is carried out by the Scheme Management Committee (see 2.2.3).

2.2.2 Tasks and responsibilities of NEN Scheme Management

NEN Scheme Management is an integrated part of the NEN Bureau and is responsible for the management of schemes and all related executive activities. NEN Scheme Management fulfils the role of secretariat for the Scheme Management Committee and the Committees of Experts and Review Committees falling under it. NEN Scheme Management is the first point of contact for all stakeholders in the management of the schemes.

2.2.3 Tasks and responsibilities of Scheme Management Committee

The tasks of the Scheme Management Committee are:

- to adopt the NEN Scheme Management Manual;
- to check whether the schemes to be managed are in accordance with the NEN Scheme Management Manual;
- to decide whether a scheme is to be managed by NEN Scheme Management[5];
- to set up Committees of Experts and Review Committees and appoint the members based on a proposal by NEN Scheme Management,
- to monitor the execution of the management of schemes in accordance with NEN Scheme Management Manual,
- to adopt the documents to be used within the scheme management, for example standards, schemes and interpretation documents,
- to deal with complaints received about the execution of schemes,

[4] In case of the management of a scheme with the aim of person certification, ‘examination committee’ should be read for ‘review committee’ in the remainder of this document

[5] If the Scheme Management Committee takes a negative decision, the consequence of this is that NEN Scheme Management is not involved at all in the execution of the scheme and that hence the full surveillance of NEN Scheme Management, as described in the manual, comes to an end. The activities may therefore not be linked in any way with NEN Scheme Management.

- to check whether additional decisions and/or interpretation documents on the scheme are in accordance with the NEN Scheme Management Manual;
- to ratify additional decisions and/or interpretation documents;
- to request the adaptation of schemes taken into management for standards development if information received gives rise to possible adaptations of the schemes;
- to check the arguments forming the basis for the extension, termination, inactivation or revision of a scheme and ratify these;
- to draw attention to relevant social developments and schemes of third parties.

The Scheme Management Committee:

- may delegate activities to the Committee(s) of Experts and/or the Review Committee(s);
- in cooperation with the Committee(s) of Experts and the Review Committee(s) ensures the establishment of the schemes to be managed and the interpretations to be developed and managed;
- carries out its tasks being accountable to the Management Board of NEN.

2.2.4 Tasks and responsibilities of Committee of Experts

The Scheme Management Committee decides for each scheme whether it is desirable to appoint a Committee of Experts for the management of the scheme. If it is decided to do this, the following applies.

The aim of the Committee of Experts is to involve stakeholders in the management of the schemes and to draw up interpretation documents so that the schemes remain geared to the views and wishes from the market, government and society in order to maintain broad support for a scheme.

The Committee of Experts has the following tasks:

- to assess (reports of investigation into) the functioning of the scheme in practice;
- to draw up additional decisions and/or interpretation documents.

The Committee of Experts is authorized to outsource investigation work to third parties.

2.2.5 Tasks and responsibilities of Review Committee

The Scheme Management Committee decides for each scheme to be managed whether it is desirable to appoint a Review Committee. If it is decided to do this, the following applies.

The Review Committee has the following tasks for the management of schemes:

- to assess schemes for verifiability
- to advise on the number of inspection hours/days per scheme,
- to record and give feedback on the experiences of licence holders relating to approval tests and inspections carried out.

The Review Committee is responsible for:

- reviewing requirements for the frequency with which approval tests and assessments should be repeated to establish whether the requirements laid down are continuously met (if applicable),
- reviewing the methods of investigation that are part of the scheme,
- advising on the practical verifiability of the schemes set up,
- giving feedback on practical experiences to all those involved in the management of the scheme.

2.2.6 Other tasks and responsibilities

All the committees are authorized to advise NEN Scheme Management on matters relating to the management of all the schemes. The committees review the activities of NEN Scheme Management against the requirements wanted by the stakeholders, as well as against other relevant developments

in the market and/or society. NEN Scheme Management provides the committees with all the information that they need for their work. If NEN Scheme Management does not act upon the advice of a committee it shall notify the reasons for this to the committees.

2.3 Setting up and appointing committees

2.3.1 Setting up and appointing Scheme Management Committee

The Management Board sets up the Scheme Management Committee and can terminate it.
The Management Board appoints the chairperson and the members of the Scheme Management Committee.

The Management Board aims when appointing the members of the Scheme Management Committee for a balanced composition of experts from, if relevant:

- producer organisations and bodies;
- user organisations and bodies;
- trade organisations and bodies;
- consumer organisations and bodies;
- scientific bodies;
- research and approval testing bodies;
- government and semi-government bodies;
- employer organisations;
- employee organisations;
- independent experts as representatives of the functioning Committee of Experts.

The duties of a member of the Scheme Management Committee come to an end after retirement, dismissal or if he/she loses the capacity on the basis of which he/she was proposed, as well as if the organisation on behalf of which the member sits on the committee gives notice of this. The appointment may take into account the personal competences of the committee members.

2.3.2 Setting up and appointing Committee of Experts

The Scheme Management Committee sets up a Committee of Experts and appoints its members for an unlimited period based on a proposal from NEN Scheme Management.

The Scheme Management Committee aims when appointing the members of a Committee of Experts for a balanced composition of experts from, if relevant:

- the applicant of the scheme for the relevant subject;
- producer organisations and bodies;
- user organisations and bodies;
- trade organisations and bodies;
- consumer organisations and bodies;
- scientific bodies;
- research and approval testing bodies;
- government and semi-government bodies;
- employer organisations;
- employee organisations;

The duties of a member of a Committee of Experts come to an end after retirement, dismissal or if he/she loses the capacity on the basis of which he/she was were proposed, as well as if the organisation on behalf of which the member sits on the committee gives notice of this. The appointment may take into account the personal competencies of the committee members.

2.3.3 Setting up and appointing Review Committee

The Scheme Management Committee sets up the Review Committee and appoints its members for an unlimited period based on a proposal from NEN Scheme Management.

The Scheme Management Committee aims when appointing the members of the Review Committee for a balanced composition of experts from, if relevant:

- a conformity assessment body;
- auditors and/or inspectors;
- examiner and education expert.

The duties of a member of a Review Committee come to an end after retirement, dismissal of if he/she loses the capacity on the basis of which he/she was proposed, as well as if the organisation on behalf of which the member sits on the committee gives notice of this. The appointment may take into account the personal competencies of the committee members.

2.4 Procedure

The Scheme Management Committee receives regular reports on the activities and results of the Committee of Experts and the Review Committee.

The members of the committees treat as confidential information obtained in relation to their work which they should have understood to be of a confidential nature. The members of the committees should avoid a conflict of interests and in case of a possible conflict of interest refrain from voting in the committee.

2.5 Demonstrability of representation

When developing schemes NEN monitors the fact that committee members have a proven relationship with a party in accordance with existing procedures (see 1.2). Exceptions to this should be argued and determined under the responsibility of the Policy Committee.

When managing schemes NEN Scheme Management monitors the fact that committee members have a proven relationship with a party in accordance with the NEN Scheme Management Manual. Exceptions to this should be argued and determined under the responsibility of the Scheme Management Committee.

2.6 Decision process

In the decision process, with consideration for the different interests involved in the subject, consensus must be aimed for. If upon failure to reach consensus on a subject one or more members are of the opinion that the matter involved is of sufficient importance, they may request a decision from the Management Board. If such a request is not made within two weeks after it has been found that there is no consensus, a decision may be taken on the subject in question by the Scheme Management Committee, for which a majority of 2/3 of the number of members is required.

In case of a written decision process the votes of the committee members of the Committee of Experts and/or Review Committee must have been received by NEN Scheme Management within three weeks after the request of the chairperson. At the next meeting of the relevant committee a report is given on the written decision process.

2.7 Interpretation disputes

The Scheme Management Committee may delegate the process to the Committee of Experts and/or the Review Committee to arrive at unambiguous interpretations in response to interpretation disputes.

The conformity assessment bodies and the certificate holders are informed in writing of the interpretations established. Interpretation disputes are filed in a controlled way and incorporated in the relevant scheme upon the next official revision.

3 Developing and managing schemes – 20090220

This clause describes the way in which NEN develops and manages schemes.

3.1 Phase 1 Preliminary process

3.1.1 Request for development

Anyone may submit to NEN a request to develop a scheme for a particular subject. The request should be justified.

3.1.2 Determining support

NEN ensures that the support is determined, for which the request is normally underpinned by a support investigation into the feasibility for the development of the scheme.

As far as possible this support investigation takes into account the following elements:

- stakeholder analysis in accordance with NEN Quality Manual;
- important social aspects;
- potential market interest for a scheme and/or certification and the size of the market for the product or the service;
- existing testable requirements for (comparable) product groups;
- (im)possibilities of laying down controllable requirements at acceptable development and control costs;
- (im)possibilities of reaching agreement within NEN;
- credibility of the scheme and/or a certificate/quality mark in relation to the relevant product group;

And the following matters are discussed:

- definition and delimitation of the subject (the scope);
- market situation. The alternatives available on the market, functional properties, market shares, the main parties in the market, companies, commercial chains, sectors and how these are related to one another, initiatives in the sector and market interest for the use of standards, testable requirements and/or schemes and the issuing of a certificate/quality mark);
- the credibility of a certificate/quality mark and a scheme for this subject. The views of the consumer or customers on the subject are relevant here;
- compliance with existing laws, standards, quality marks, schemes and/or approval regulations.

3.1.3 Decision development

NEN assesses whether it can proceed to develop a scheme. A consideration here is whether NEN is of the opinion that

- with the establishment of testable requirements and on the basis of these the execution of a conformity assessment the quality of a particular subject can be ensured at a socially desirable level, and in accordance with the overall policy of NEN;
- the economic feasibility of the scheme for practical execution is adequately ensured,

If NEN decides to approve a request it may set up a standards committee for this or assign this to an existing standards committee. If NEN decides to reject the request, the applicant of the proposal is informed of this by NEN. Any other possibilities are also pointed out to the applicant.

3.2 Phase 2 Development

3.2.1 Drawing up a scheme

The standards committee draws up a scheme including (a reference to) the testable requirements for the subject to be certified, the method of conformity assessment and the requirements for the conformity assessment body to be able to certify. When drawing up the scheme existing laws, standards, schemes, available testable requirements, available technology, etc. are taken into account

Pre-conditions for the testable requirements are:

- verifiable;
- unambiguously formulated, to avoid interpretation differences as far as possible.

If requirements in existing standards contain insufficient testable requirements, the following may be undertaken to formulate the testable requirements:

- the adaptation of the standard; or
- the formulation of testable requirements in the scheme;

Likewise in existing standards and regulations in addition to testable requirements, requirements may also be included relating to the method of conformity assessment and the conformity assessment body.

Schemes are drawn up in accordance with the document 'Dutch rules for drawing up standards[6]'. The schemes should as a minimum comply with the requirements in T-33 (see among others Appendices 1 and 2 of T-33).

3.2.2 Validation and adoption of schemes

A standards committee validates a scheme prior to its adoption. This validation is in principle carried out during the External Criticism period. Validation means as a minimum that the scheme has had a test period which has demonstrated that the scheme can be executed in practice and meets the expectations of the drafters. Important questions that should be answered during a validation are:

- can the conformity assessment be executed as described?
- are the results reproducible and reliable?

The standards committee ensures that when adopting schemes it is ensured that schemes are in accordance with the document RvA-T33 - Assessment of Conformity Assessment Schemes and with other documents drawn up within the scope of scheme management.

3.2.3 Publication

When the scheme has been adopted:

- NEN informs the applicant;
- NEN publishes the scheme and informs the stakeholders of this.
- A scheme is in principle published as a standard. Standards are available via www.nen.nl

3.3 Phase 3 Management

3.3.1 Adoption of schemes to be managed

For all schemes offered to NEN Scheme Management for management, the Scheme Management Committee checks whether they have been developed via the procedures stated in this Manual. Depending on the results of this check the way in which a scheme can be managed will be decided.

[6] Document belonging to NEN Quality Manual

3.3.2 Licence agreement

NEN Scheme Management signs a licence agreement for schemes to be managed with one or more conformity assessment bodies..

3.3.3 Logo

As soon and as long as the right to use a certificate including the logo belonging to the scheme is granted to the certificate holder, he is authorized to use this logo on and/or in the object in question in accordance with the conditions of NEN.

As soon and as long as the right to use a certificate including the NEN Logo is granted to the certificate holder, he is authorized to use this logo on and/or in the product/service in question, on the packaging of this product and/or in brochures and advertising statements for this product/service. In no case may misunderstandings arise about the object to which the certification relates. Form, size, typographical design and colour use of the logo (text and logo) should comply with the regulations laid down by NEN for this purpose. The logo may not be used by the licence holder and the certificate holder as their own trade mark.

The Dutch Advertising Code applies to the certificate holder's advertising statements.
The logo of NEN Scheme Management, as a collective component of the Netherlands Standardization Institute logo, is registered with the Benelux Trade Mark Office. The Netherlands Standardization Institute will take action against any unauthorized use of the logo.

3.3.4 Extension, termination, inactivation, revision

Inactivation is understood to mean that the decision to revise or extend is postponed for an unlimited period, while awaiting interest from the market or possible market developments.

Considerations that play a part in this are:

- developments in the market;
- experience of conformity assessment bodies involved;
- the credibility;
- the number of certificate holders.

Because more time is probably necessary to adapt the requirements a decision to adapt the requirements will usually also mean that the validity period is first extended by a year.
NEN Scheme Management informs the stakeholders. NEN Scheme Management in association with the conformity assessment bodies informs the certificate holders in good time about the expiry of the validity period for schemes, any adaptation of requirements and the commencement date for the revised requirements. The transition period in case of the revision of schemes is in principle 1 year.

3.3.5 Interim revision

An interim revision of the scheme may sometimes be necessary. The Scheme Management Committee advises the standards committee to make an interim revision, where applicable on the advice of the Committee of Experts and the Review Committee. NEN Scheme Management informs the stakeholders and publishes the decision in a suitable way for stakeholders. NEN Scheme Management in association with the conformity assessment bodies also informs the certificate holders in good time of the expiry of the validity period of requirements and any adaptation of requirements, the transition period and the commencement date for the revised requirements.

4 Complaints, objections and appeals – 20081107

This clause describes the way in which NEN handles complaints, objections and appeals relating to the management of schemes and in accordance with the Regulation for the Assessment and Acceptance of Scheme Managers (RvA-R13) of the Dutch Accreditation Council (RvA).

4.1 Complaints handling

NEN Scheme Management handles among other things complaints about: the functioning of the committees, the execution of the activities of the committees, the incorrect and/or unlawful use of certification marks by third parties. Complaints about NEN Scheme Management are handled by the Management Board of NEN and/or the Scheme Management Committee on request of the Management Board.

For handling complaints NEN Scheme Management follows the NEN-wide complaints procedure, with the following additions. NEN Scheme Management:

- is not obliged to deal with complaints relating to behaviour:
  - about which a complaint has previously already been submitted that has been settled;
  - that took place more than twelve months before submission of the complaint;
  - against which an appeal could be brought by the complainant.
- confirms in writing the receipt of a complaint, passes on complaints for handling to the party responsible and competent for settling them and informs the sender of the above.
- is not obliged to handle a complaint if the interest of the complainant or the severity of the complaint is clearly insufficient.
- notifies the complainant that a complaint has not been accepted for handling as soon as possible, within six weeks after receipt of the complaint, in writing and giving reasons. No appeal may be brought against a decision regarding the handling of a complaint.
- ensures that the complaint is not handled by a person who was involved in the matter to which the complaint relates. A copy of the complaint and the documents sent with it is sent to the person whose behaviour the complaint relates to. If upon assessment of the complaint it is found that essential information is missing the applicant is offered the opportunity to provide additional information within a period of six weeks.
- notifies the complainant in writing and giving reasons of the findings of the investigation into the complaint, the decision thereon and of any conclusions associated with it. The notification indicates the period within which the complainant can then submit a petition.

4.2 Handling objections and appeals

4.2.1 Objection

An objection may be made to NEN Scheme Management against the following decisions:

- decision relating to licence contracting: by conformity assessment bodies involved by NEN,
- rejection of the request to develop testable requirements whether or not in response to a feasibility investigation: by the applicant who is possibly already a member of the relevant Committee of Experts,
- decision to cease development of testable requirements or not to adopt testable requirements/scheme: by those who have worked on the development in the relevant Committee of Experts,
- decision to adopt testable requirements/scheme: by stakeholders in the relevant Committee of Experts,
- decision to extend, terminate, inactivate or revise an existing scheme: by stakeholders in the relevant Committee of Experts.

4.2.2 Appeal

An appeal may be brought to NEN Scheme Management against the following decisions:

- against all decisions of NEN Scheme Management in response to complaints and objections,
- against all decisions of the Scheme Management Committee.

4.2.3 Suspension

If anyone makes an objection to a decision because he suffers or fears he will suffer a disproportionate disadvantage from this decision due to that decision remaining in effect during the settlement of his objection, he may apply to NEN Scheme Management with a request to suspend that decision and/or to make a provisional arrangement with which the disadvantage is removed or limited.

NEN Scheme Management decides as soon as possible in response to a such request.

The provisional arrangement shall in any case come to an end as soon as:

- the objection is withdrawn, or
- NEN Scheme Management has delivered a judgment, unless a later time is determined in the judgment.

4.2.4 Procedure for objection and appeal

Objections are handled by the next higher committee to which this relates. If an appeal can be brought against the decision on the objection, this is stated in the notification of the decision. This states by whom and within what period an appeal may be brought to NEN Scheme Management.

For the appeal procedure an independent arbitration committee is appointed. The stakeholders are hereby offered the opportunity to be heard. The body that assesses the appeal:

- sets the date and place for the hearing,
- notifies this to the stakeholders, at least fourteen days beforehand,
- submits for this purpose the appeal and the relevant documents and vouchers before the date set for the hearing to the stakeholders for inspection at least fourteen days beforehand.

Stakeholders are heard in one another's presence, unless it likely that hearing them together will hinder careful handling or during the hearing facts or circumstances will be made known for which confidentiality is appropriate for serious reasons. If stakeholders are heard separately, each of them is informed of what was discussed during the hearing at which he was not present, except where confidentiality is appropriate for serious reasons. A report is prepared of the hearing.

Stakeholders may submit further information up to seven days before the hearing to the persons who will decide on the appeal.

The independent arbitration committee may hear witnesses, consult experts and take all measures that it considers necessary for a good decision. Stakeholders may request that witnesses and experts be heard, in writing and at the latest seven days before the hearing. Both the applicant and NEN Scheme Management has the right to be represented or assisted by a legal adviser in the hearing.

The holding of a hearing and the offering of the opportunity to submit further information and to put forward witnesses and experts may be omitted if:

- the appeal is clearly not admissible or is clearly unfounded,
- stakeholders have declared they do not wish to make use of the right to be heard, to submit further information or to put forward witnesses or experts,
- the appeal is fully conceded and the interests of other stakeholders cannot be harmed,
- the required speed prevents this,
- the stakeholder has already been given the opportunity to present his view and since then no new facts or circumstances have arisen,
- the purpose intended with the decision can only be achieved if the stakeholder is not informed

of this in advance.

The independent arbitration committee decides in accordance with requirements of reasonableness and fairness. They are however bound to the rules that they have established. This in any case includes: the various procedures relating to scheme management.

The judgment on an appeal should be delivered within six months after submission. If the circumstances require this, these periods may be extended once by two months. Judgments on an appeal are set down in writing and giving reasons sent within fourteen days after the judgment to the applicants and to those who were involved in the hearing. The judgment of the independent arbitration committee is signed and sent to all the parties. The original is filed for at least five years.

4.2.5 Deficiencies in objection or appeal

The person who has to decide on an objection or appeal may decide not to handle the objection or appeal if the applicant not has met the requirements laid down in these regulations or if the data and documents provided are insufficient for a proper assessment. The applicant should however have been given the opportunity to supplement his objection or appeal sufficiently. The period is suspended with effect from the day on which the applicant has been asked to rectify an omission, until the day on which the omission has been rectified or the period set for this has passed without being used.

A decision not to handle an objection or appeal is notified to the applicant within four weeks after the objection or appeal has been supplemented or after the period set for this or for complying with other requirements has passed without being used.

4.2.6 Advice for the assessment of an objection or appeal

NEN Scheme Management and/or the appointed responsible person may be advised by the bodies of NEN Scheme Management before delivering a judgment.

4.3 Confidentiality

NEN Scheme Management and/or the appointed responsible person are obliged to treat as confidential everything that they experience or come to know in connection with the performance of their function about the person, the enterprise/organisation or the personal or business circumstances of the applicant.

4.4 General conditions

The complaint, objection or notice of appeal is signed by the applicant and contains at least:

- the name and address of the applicant,
- the date,
- a description of the decision or action that has given rise to the complaint, or the decision against which the objection or appeal is directed,
- the statement that this involves a complaint, or an objection or appeal,
- the grounds for the complaint, objection or appeal.

The applicant of a notice of appeal must state in writing that he submits to the conditions of this procedure.

If the complaint, objection or appeal is drawn up in a foreign language and a translation is needed for it to be handled properly, the applicant should arrange for a translation. NEN Scheme Management confirms the receipt of this in writing. NEN Scheme Management notifies this as soon as possible to the party that has taken the disputed decision. If the objection or notice of appeal is submitted to an unauthorized party, it is forwarded as soon as possible to the authorized party, at the same time notifying this to the sender.

4.5 Periods

The period for the submission of an objection or notice of appeal is six weeks. The period starts on the day after that on which the decision is announced in the specified way.

An objection or notice of appeal is submitted in good time if it is received before the end of the period by NEN Scheme Management. If an objection or notice of appeal is submitted after the period expires, a statement that it is not admissible on these grounds is not made if it cannot reasonably be deemed that the applicant has been in default.

The objection or appeal does not suspend the action of the decision against which it is directed. A decision against which an objection is made or an appeal is brought, may be upheld, in spite of infringement of a procedural requirement, by NEN Scheme Management or the appointed responsible person that decides on the objection or appeal, if it is found that the stakeholder(s) is/are not adversely affected as a result.