	<b>PT MUTUAGUNG LESTARI</b>	
	<b>MALQ-09</b>	<b>APPEALS AND DISPUTES</b>
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## APPEALS AND DISPUTES

APPROVED BY

PREPARED BY

GENERAL MANAGER


OPERATIONS MANAGER

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### REVISION SHEET

Section No.	Revision Description	Issue No.	Revision No.	Date of Revision	Sign
1	Newly created	1	0	01 JUL.,2002	
2	General update	1	0	01JUL.,2005	
3	Reexamine for renewal application registration	1	0	01 JUL.,2009	
4	Revise point 4.2 become ISO 17065 : 2012	2	1	01AUG.,2012	
5	Added note 6.2.1 and 6.2.2	1	1	01AUG.,2012	
6	Added point 5.5 responsibility of president director	1	1	01AUG.,2012	
7	Change logo	1	1	01AUG.,2012	
8	At point 6.2.1 and 6.2.2. added phrase "Note: however, if the General Manager is involved in the conflict ....."	1	1	01AUG.,2012	
9	Change 6.1.2 to 6.1.3	1	1	01AUG.,2012	
10	Added 6.3.7 confidentiality information	1	1	01AUG.,2012	
11	Added 9-7 Measures To Prevent Recurrence	1	1	01AUG.,2012	

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#### 09-1 PURPOSE

The purpose of this procedure is to provide a mechanism for the manufacturer to appeal against MAL-Department of JAS Product Certification decisions, relating to the warning letter and advising letter for suspending a JAS certificate and report to MAFF about JAS certification and mutual understanding between the two parties.

#### 09-2 SCOPE

This procedure covers dispute and appeals against decisions issued by MAL-Department of JAS Product Certification.


#### 09-3 DEFINITIONS

None.

#### 09-4 REFERENCES

- 4.1 MALQ-00, Product Certification Manual
- 4.2 ISO/IEC 17065:2012, Conformity Assessment - Requirements for Bodies Certifying Products, processes, and Services
- 4.3 Pedoman BSN 40 – 2000, Persyaratan Umum Lembaga Sertifikasi Produk.

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**09-5 RESPONSIBILITIES**

**5.1 Administration Coordinator**

The Administration Coordinator of Audit, Certification and Judgment shall responsible for documentation of appeals and disputes, action taken and its effectiveness.

**5.2 Operations Manager of Audit and Operations Manager of Certification**

The Operations Manager of Audit and Operations Manager of Certification shall responsible for preparing the documents needs for the Judgment Team Panel evaluation.

**5.3 Operations Director and General Manager**

The Operations Director and General Manager shall responsible for preparing the documents needs for the Judgment Team panel evaluation and evaluate the effectiveness of the action taken.

**5.4 Judgment Team Panel (J.T.P)**


The J.T.P. shall responsible for evaluating of appeals and final decision.

**5.5 President Director**

When a General Manajer is involved the conflict of interest, representative Directors who are not involved in certification and they has responsibility to assign a person witout conflict of interest which does not perform as a consultant in the past two years.

**09-6 PROCEDURE**

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## 6.1 **Manufacturer Appeals and Disputes**

6.1.1 If, for any reason, notification is given by MAL-Department of JAS Product Certification about JAS Certificate disputes or there is a dispute of any kind, the manufacturer has the right to appeal.

6.1.2 When the documents of appeals are received, the general manager shall check whether certification body appeals concerning to the certification activities that need responsibility.

6.1.3 All appellant is notified when MAL-Department of JAS Product Certification received the appeal document.

6.1.4 All appeals must be in writing, directed through the General Manager and received within seven days of receipt of notification of JAS Certificate dispute, together with the relevant facts and data for consideration during Judgment Team Panel's evaluation.


## 6.2 **Document Preparation**

6.2.1 The General Manager on receipt of the appeal documents from Administration Coordinator shall generate the Appeal Record (MALQ-020) and complete the appropriate spaces.  
Note: however, if the General Manager is involved in the conflict of interest in certification activities, representative Directors who has to be assigned a person without conflict of interest.


6.2.2 The General Manager shall prepare documentation supporting MAL-Department of JAS Product Certification decision to issue the warning letter and letter for suspending JAS certificate and report to MAFF. The General Manager shall submit the following documentation for reviewing by the Judgment Team Panel:

- a. Copy of Appeal Record.
- b. Manufacturer appeal documentation.
- c. MAL-Department of JAS Product Certification documentation supporting the decision to withdraw the certificate.

## 6.3 **Judgment Team Panel (J.T.P.)**

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- 6.3.1 The Chief of the Judgment Team shall form a panel of minimum 3 (three) members always include the Chief of Judgment Team as Chairman. The 2 (two) members of Judgment Team shall independent for making certification decision. The J.T.P. shall evaluate all submitted documentation to ascertain whether the appeal is justified.
- 6.3.2 The manufacturer who is appealing has the right to lodge an objection to the constitution of the panel. Such objections shall be considered at a meeting attended by all Judgment Team Members and chaired by the Chief of the Judgment Team who shall uphold or decline the objection, if necessary amending the constitution of the panel accordingly. The decision of the J.T.P. shall be final and binding on both the manufacturer and MAL-Department of JAS Product Certification.
- 6.3.3 Once the decision regarding the appeal has been made, no counter claim by either party in dispute can be made to amend or change this decision.
- 6.3.4 Upon receipt of the J.T.P.'s decision the General Manager shall complete the Appeal Record accordingly and forward to the Operations Manager of Audit and Operations Manager of Certification to take the appropriate action by informing the manufacturer in writing of the decision.
- 6.3.5 Where the appeal has been upheld, the Operations Manager of Audit and Operations Manager of Certification shall reinstate the JAS Certificate and return it to the manufacturer.
- 6.3.6 The Judgment Team, under the direction of President Director, shall be responsible for taking appropriate action, where their decision is not acknowledged.
- 6.3.7 The information of the certified companies obtained from the appellant, it must be treated as confidential.
- 6.3.8 General manager will stored all records that are associated with the outcome and the process of investigation of appeal to be traceable of data in the past for minimum of five years period,.

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**09-7 MEASURES TO PREVENT RECURRENCE**

MAL will take necessary measures action and as well as respond appropriately to complaint furthermore to prevent recurrence for the filing of an objection to all

**09-8 DOCUMENTATION**

This procedure is documented in the form of hard file and/ or soft file in Indonesian or other languages where all have the same status and legality.

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