1. **Scope**

   This procedure covers the process to be followed in the event of a client wishing to appeal against the outcome of a BEE verification rating conducted by Mazars Consulting Services (Pty) Ltd.

2. **Purpose**

   The purpose of this procedure is to ensure that appeals are dealt with quickly and fairly.

3. **Responsibility and Authority**

   The office of the Director/ Admin person shall be responsible for the management and outcome of an appeal and the authority to confirm, review or amend the original outcome and or scores of a B-BBEE rating. All appeals will be directed to admin.bee@mazars.co.za

4. **References**

   R42-02 Clause 19
   Appeals Policy- MPPOL/008

5. **Procedure**

5.1 **Application for and Validation of an Appeal:**

   5.1.1. Within 5 working days for Broad Based Clients and 3 working days for QSEs from the date on which it received the B-BBEE Ratings decision, a client may appeal to the Director, Danny Naidoo, of Mazars Consulting Services (Pty) Ltd if he/she is dissatisfied with the B-BBEE ratings decision. This responsibility will be transferred to an admin person when/ if appointed.

   5.1.2. The Appeal Application should contain sufficient information to validate the grounds for the appeal. Such information must include:

   - **Issues:** Precise identification of the issues being appealed. Issues could include interpretations of the BEE Act, the Codes or information from the client; calculation of scores for an element, sub-element or the final score; on-site assessment procedures, etc.;

   - **Grounds:** The detailed grounds of appeal in respect of each issue being appealed. Grounds could include an incorrect interpretation of the Codes or misunderstanding of a client document such as a shareholders
agreement; an incorrect calculation of a score; an incomplete assessment of the client’s employee composition for employment equity purpose, etc.;

- **Supporting documents:** Documents which are relevant to the issues and grounds of appeal; written statements by management, staff or advisors appointed by the client to assist with the appeal;

- **Desired outcome:** The appeal must describe the desired outcome of the appeal.

5.1.3 If the appeal is based on evidence that was not taken into account by the analyst, then such evidence must be included;

5.1.4 The client must provide proof that the evidence was submitted to Mazars Consulting Services (Pty) Ltd;

5.1.5 If the client had undergone any changes that affected the score, proof that these changes were submitted to Mazars Consulting Services (Pty) Ltd must be provided.

5.1.6 Within 5 working days on receipt of the appeal, the client must furnish Mazars Consulting Services (Pty) Ltd with the further information requested. If the client fails to do so, the Director/ Admin person may dismiss the appeal.

5.1.7 As soon as the Director/ Admin person is satisfied that he / she has sufficient information to validate the grounds for the appeal, he / she will notify the client, in writing, that the appeal has been accepted and will be investigated.

5.2. **Investigating An Appeal:**

5.2.1. The Director/ Admin person must investigate the appeal within 10 working days of informing the client that the appeal has been accepted.

5.2.2. In coming to a decision on the outcome of the appeal, the Director/ Admin person will take account of the following.

5.2.2.1. The information provided by the client for validating the appeal.
5.2.2.2. The agreement between Mazars Consulting Services (Pty) Ltd and the client, including the Annexures.
5.2.2.3. The information provided by the client in the BEE Measurement Form.
5.2.2.4. The analyst’s Preliminary Report and Rating.
5.2.2.5. The Verification Manager’s report on the Preliminary Report and Rating.
5.2.2.6. Any information or comment provided by the client on the Preliminary Report and Rating.
5.2.2.7. Any objections lodged by the client regarding the Preliminary Report and Rating.
5.2.2.8. The Final Report and Scorecard.
5.2.2.9. Any complaints lodged by the client during the verification process.

5.2.3. The Director/ Admin person may engage with the analyst, or the Verification Manager appointed to conduct the assessment and verification of the client’s BEE status.

5.2.4. In the event of a dispute of fact arising during the course of the investigation between the client, on the one hand, and the analyst and / or Verification Manager on the other, the Director/ Admin person shall constitute a fact-finding appeal hearing in order to resolve the disputes of fact on a balance of probability.

5.2.5. The Director/ Admin person will provide the client with progress reports.

5.3. Action to be Taken:

5.3.1. At the end of the investigation, the Director/ Admin person may:

5.3.1.1. Confirm the B-BBEE Ratings decision.
5.3.1.2. Re-rate the client on the basis of the information obtained during the investigation.
5.3.1.3. Appoint a new Verification Analysts and / or Verification Manager to perform the verification exercise afresh at no cost to the client.

5.4. Notice of the Outcome to the Client:

As soon as the Director/ Admin person has made the decision on the application, which must be made within 25 working days from the date on which the appeal was lodged, he / she must notify the client in writing regarding the outcome of the appeal.

5.5. Tracking and Recording Appeals:

All stages in the process all information, documents and records related to the appeal will be recorded in Mazars Consulting Services (Pty) Ltd management system as the process progresses for security and confidentiality purposes and for the purposes of tracking the appeal.
5.6 Valid Appeal:

5.6.1 Should the complaint be valid, the Director/Admin person will complete MPRep/003 – Non-conformance, Corrective Action and Clearance Report, and raise the complaint as a Non-Conformance.

5.6.2 MPPRO/008 – Managing Corrective Action Procedure will then be followed, to prevent any re-occurrence of the same complaint or similar complaints.

5.7 Records

Mazars Consulting Services (Pty) Ltd will keep the records of all appeals, as well as the remedial actions that Mazars Consulting Services (Pty) Ltd has taken.

6. Records

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<thead>
<tr>
<th>Record</th>
<th>Responsibility</th>
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