



Terms of Reference
of the
Amax BEE Verifications (Pty) Ltd Appeals Committee

1. Introduction

- 1.1 This document defines the terms of reference of the Appeals committee.
- 1.2 The Appeals Committee is Amax BEE Verifications (Pty) Ltd Member's delegated authority on Appeals lodged by its Clients in respect of verification decisions made by the Verification Manager.

2. Purpose of the Appeals Committee

- 2.1 The Appeals Committee is responsible for reviewing all Appeals by clients in connection with Verification Decisions by the Amax BEE Verifications (Pty) Ltd and to consider such Appeals.
- 2.2 The Appeals Committee shall perform the activities delegated to it and described in the Amax BEE Verifications (Pty) Ltd Manual.
- 2.3 The Appeals Committee shall perform such other activities as may be required by the board of Amax BEE Verifications (Pty) Ltd from time to time.

3. Membership

- 3.1 The Appeals Committee shall be appointed in writing by the Members of Amax BEE Verifications (Pty) Ltd, and such appointment shall be subject to the rules applicable to Conflicts of interest and Impartiality set out in clause 4 below.
- 3.2 The Appeals Committee may co-opt experts or interested parties from the industry to the committee on either a permanent or temporary basis.
- 3.3 Every member of the Committee will be expected to display his/her competency passing a competency review test set by the Verification Manager on the technical aspects relating to the verification process and the Verification Standards required to enable him/her to make an informed judgment on the merits of an appeal as may be required in his/her capacity as a member of the Appeals Committee. Only Committee Members who have been declared competent by the Verification Manager in terms of the provisions of [6.2.1] of the Amax BEE Verifications (Pty) Ltd Manual AMAX.MAN 1.1 may be appointed to the committee.



4. Conflict of Interest, Impartiality and Competency

- 4.1 Any member appointed to the Appeals Committee that has any conflict of interest with a Client under review shall reclude himself/herself from the proceeding pertaining to that Client.
- 4.2 Any member who believes that his/her impartiality may be compromised for any reason whatsoever should disclose same to the Committee prior to the discussion and reclude him/her from the proceedings pertaining to that Client.
- 4.3 Every member of the Committee will sign a Letter of Appointment and Confidentiality AMAX.SUP.13.0 required in terms of (4.12) of the Amax BEE Verifications (Pty) Ltd Manual AMAX.MAN.1.1 regarding Impartiality and Confidentiality on every verification matter on which he/she may do any work.

5. Mandate and Scope

- 5.1 The Appeals Committee is mandated by the members of Amax BEE Verifications (Pty) Ltd to assess the merits of any Appeal lodged by a Client of Amax BEE Verifications (Pty) Ltd pursuant to the Appeals pursuant to the Appeals procedure set out in the Amax BEE Verifications (Pty) Ltd Manual.
- 5.2 The Appeals Committee shall implement instructions and actions directed to it by the Members of Amax BEE Verifications (Pty) Ltd, except where such instructions may cause Amax BEE Verifications (Pty) Ltd to issue a Verification Certificate or B-BBEE Scorecard which may not be in compliance with the required standards.

6. Operating Process

- 6.1 The operational responsibilities and process of the Appeals Committee is contained in the Amax BEE Verifications (Pty) Ltd Manual.
- 6.2 The Appeals Committee shall adhere to the Amax BEE Verifications (Pty) Ltd Manual and execute its responsibilities as defined therein.
- 6.3 The Appeals committee shall provide a Report to the Board of Amax BEE Verifications (Pty) Ltd on each Appeal Lodged with the outcome of such appeal and the actions taken.

7. Meetings and Meeting Procedures

- 7.1 The Chairman of the Appeals Committee shall be elected from the members and approved by the Board of Amax BEE Verifications (Pty) Ltd.



- 7.2 Appeals and other items for presentation to the Appeals Committee shall be submitted three working days in advance in the prescribed format.
- 7.3 A quorum shall compromise at least 50% of those appointed to the Appeals Committee.
- 7.4 In the absence of the appointed chairman, any member may be requested to chair the meeting.
- 7.5 Meetings shall be held on a needs basis