

# GlobalPlatform Technology Complaint & Appeals Process Document Version 1.0

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**Public Release**

**October 2020**

**Document Reference: GP\_PRO\_069**

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# 1 Introduction

This document describes the management of complaints and appeals related to the development of GlobalPlatform technical work and Certification Body activities.

## 1.1 Audience

This document is intended primarily for all parties involved in the management of complaints and appeals related to the development of GlobalPlatform technical work and Certification Body activities, as well as any interested party seeking to submit such a complaint or appeal to GlobalPlatform.

## 1.2 IPR Disclaimer

Attention is drawn to the possibility that some of the elements of this GlobalPlatform specification or other work product may be the subject of intellectual property rights (IPR) held by GlobalPlatform members or others. For additional information regarding any such IPR that have been brought to the attention of GlobalPlatform, please visit <https://globalplatform.org/specifications/ip-disclaimers/>. GlobalPlatform shall not be held responsible for identifying any or all such IPR, and takes no position concerning the possible existence or the evidence, validity, or scope of any such IPR.

## 1.3 References

The table below lists references applicable to this specification. The latest version of each reference applies unless a publication date or version is explicitly stated.

**Table 1-1: Normative References**

Standard / Specification	Description	Ref
GP_PRO_063	Certification Body Quality Manual	[GPCB]
IETF RFC 2119	Key words for use in RFCs to Indicate Requirement Levels	[RFC 2119]

## 1.4 Terminology and Definitions

The following meanings apply to SHALL, SHALL NOT, MUST, MUST NOT, SHOULD, SHOULD NOT, and MAY in this document (refer to [RFC 2119]):

- **SHALL** indicates an absolute requirement, as does **MUST**.
- **SHALL NOT** indicates an absolute prohibition, as does **MUST NOT**.
- **SHOULD** and **SHOULD NOT** indicate recommendations.
- **MAY** indicates an option.

Selected terms used in this document are defined in [GPCB].

## 1.5 Revision History

GlobalPlatform technical documents numbered *n.0* are major releases. Those numbered *n.1*, *n.2*, etc., are minor releases where changes typically introduce supplementary items that do not impact backward compatibility or interoperability of the specifications. Those numbered *n.n.1*, *n.n.2*, etc., are maintenance releases that incorporate errata and precisions; all non-trivial changes are indicated, often with revision marks.

**Table 1-2: Revision History**

Date	Version	Description
October 2020	1.0	Public Release

## 2 Processes for Complaints and Appeals

### 2.1 Responsibilities regarding Complaints and Appeals

The Operations Secretariat is responsible for receiving and maintaining records of complaints and appeals related to the development of GlobalPlatform technical work and Certification Body activities, and providing formal notice of the outcome to the complainant or appellant.

The following complaint categories are distinguished:

- Complaints on Laboratory Accreditation
- Complaints on Test Tool Qualification
- Complaints on Product Functional certification or Product Security certification
- Complaints on specification development
- Complaints on member publications

For complaints relating to Laboratory Accreditation, Test Tool Qualification, Product Functional certification, or Product Security certification:

- The Certification Process Owner is responsible for investigating and assessing complaints.
- The Certification Director is responsible for determining a final decision on complaints and, if necessary, investigating and assessing appeals.

For complaints relating to specification development and member publications:

- The Operations Secretariat is responsible for investigating and assessing complaints.
- The Technical Director is responsible for determining a final decision on complaints and, if necessary, investigating and assessing appeals.

The Executive Director is responsible for determining a final decision on all appeals. However, if an action of the Executive Director is the subject matter being appealed, the Chairman of the Board will be responsible for determining a final decision on the appeal.

### 2.2 Complaint Procedure

This section details procedures for complaints and appeals that concern the actions and decisions of GlobalPlatform and its groups and that are related to the complaint categories noted in section 2.1.

## 2.2.1 Conditions

1. Complaints may only be submitted by persons or organizations that are directly, materially, or adversely affected by the activities related to the complaint.
2. Complaints filed with GlobalPlatform must:
  - a. be introduced within 30 days after GlobalPlatform has officially communicated the result of a Laboratory Accreditation, a Test Tool Qualification, or a Product Certification, or has published a specification or member document;
  - b. be accompanied by documentation providing all relevant details of the complaint;
  - c. include any supporting evidence or documentation, such as statements and explanations related to the issue; and
  - d. not be repeated unless a minimum of 6 weeks has passed.
3. The person or organization making the complaint shall not derive any rights or presume the validity of the claim based on the fact that GlobalPlatform is investigating the complaint.

## 2.2.2 Process

1. The complaint shall be submitted by e-mail sent to the Operations Secretariat at: [secretariat@globalplatform.org](mailto:secretariat@globalplatform.org).
2. The complaint, along with the personal and/or company information of the complainant (full name, address, and other contact details), shall include the complainant's personal opinion about the assessment and/or conclusion, the reasons for disapproval with the decision reached, as well as the settlement being sought.
3. The Operations Secretariat will acknowledge receipt of the complaint, assign a complaint reference number (CPYYYYMMnn), and notify the person responsible for investigating and assessing the complaint.
4. The person responsible will investigate and assess the complaint, taking into account advice from the technical experts, where necessary, to determine the facts of the case and an appropriate response or resolution. This investigation will be completed within 30 days of receipt of the complaint. If more time is needed, the complainant will be notified of progress and estimated timeline.
5. Records of complaints, investigations, and proposed resolutions will be provided to and maintained by the Operations Secretariat.
6. Proposed resolutions will be reviewed and ratified by the person responsible for determining a final decision prior to onward communication.
7. The Operations Secretariat will communicate outcomes or proposed resolutions to the complainant.
8. If the complainant agrees with the outcome at this stage, then the complaint does not proceed to further stages and the complaint is closed.
9. If the complainant is not satisfied with the outcome, then he/she may submit an Appeal (see section 2.3).

Note that the Operations Secretariat will compile a summary of all submitted complaints, along with outcomes or resolutions, for review by the GlobalPlatform Board of Directors, a minimum of once per year.

## 2.3 Appeal Procedure

This procedure stipulates the way in which an appellant may appeal a decision of GlobalPlatform with respect to a complaint.

### 2.3.1 Filing

1. Appeals may only be submitted by persons or organizations that are directly, materially, or adversely affected by the activities related to the initial complaint / appeal.
2. The appeal must be submitted within 14 days after the decision on the disputed complaint is communicated to the complainant.
3. The appeal shall be submitted by e-mail sent to the Operations Secretariat at: [secretariat@globalplatform.org](mailto:secretariat@globalplatform.org).

### 2.3.2 Acceptance

1. The appellant can only submit an appeal after the Operations Secretariat has communicated a final decision on the complaint.
2. If the appeal is submitted within the required timeline and by the appropriate person or organization (as set forth in section 2.3.1), and no prior appeal has been submitted, the appeal will be accepted by GlobalPlatform, with no undue burden imposed on the appellant.
3. When an appeal has been accepted by GlobalPlatform, the appeal is considered formal and will be dealt with according to this procedure.

### 2.3.3 Process

1. Upon acceptance of an appeal, the Operations Secretariat will promptly acknowledge receipt and assign an appeal reference number (APYYYYMMnn).
2. The person responsible for investigating and assessing appeals will be notified of the filed appeal.
3. The person responsible will investigate and assess the appeal, taking into account advice from the technical experts where necessary, to determine the facts of the case and an appropriate response or resolution. This investigation will be completed within 30 days of receipt of the appeal. If more time is needed, the appellant will be notified of progress and estimated timeline.
4. All appeals will be handled by the relevant parties promptly and in a fair, unbiased, and impartial manner.
5. Records of appeals, investigations, and proposed resolutions will be provided to and maintained by the Operations Secretariat.
6. Proposed resolutions will be reviewed and decided expeditiously by the person responsible prior to onward communication.
7. The Operations Secretariat will communicate outcomes of final decision to the appellant and the appeal is closed. Note that appeals may not be repeated or re-submitted.