

# **Appeals Mechanism under the Notification on Import of Only BSB-Certified Products**

## **1. Purpose and Scope**

This document establishes the Appeals Mechanism for stakeholders aggrieved by decisions taken under the Notification on the Import of Only BSB-Certified Products. It applies to decisions made by:

- Bhutan Standards Bureau (BSB);
- Department of Revenue and Customs (DRC);
- Competition and Consumer Affairs Authority (CCAA); or
- Any other authority enforcing the notification.

## **2. Legal Basis**

- Bhutan Standards Act 2010, Section 11(g), 4(f) and 4(h); and
- Notification Ref. No. MoICE/BSB/ADM/04/2024-2025/962 dated 16<sup>th</sup> June 2025

## **3. Appealable Matters**

Stakeholders may appeal decisions regarding:

- 3.1 Denial of BSB certification;
- 3.2 Denial of import clearance by DRC at entry points;
- 3.3 Determination of whether foreign standards are higher than Bhutan Standards;
- 3.4 Recall of goods and prohibition of sale by CCAA during market surveillance; or
- 3.5 Any other action under the notification affecting the stakeholders' rights or business interests.

## **4. Who May Appeal**

The following parties may appeal:

- 4.1 Importers
- 4.2 Authorized Dealers
- 4.3 Manufacturers
- 4.4 Individuals importing for self-consumption
- 4.5 Any other party affected by an enforcement action under the notification

## **5. Appeals Process**

### **5.1 Filing an Appeal**

- Appeals must be lodged within fifteen (15) working days of receiving a written decision or denial.
- Appeals shall be addressed to the BSB Appeals Committee.
- The appeal shall include:
  - Name and contact of the appellant;
  - A copy of the decision/order being appealed;

- A clear statement of the grounds for appeal; and
- Any supporting documents or evidence related to the appeal.
- Appeals may be submitted:
  - Online (once the system is established and notified by BSB); or
  - As a paper-based submission filed at the BSB headquarters.

## **5.2 Review Process**

- The BSB Appeals Committee shall:
  - Acknowledge receipt of the appeal within two (2) working days;
  - Review all submitted documents and evidence;
  - Seek additional information if required; and
  - Conduct hearings with the appellant if deemed necessary for fair resolution.

## **5.3 Timeline for Decision**

- The Appeals Committee shall issue a final decision within fourteen (14) working days from receipt of a complete appeal submission.

## **6. Decision Outcome**

6.1 The Appeals Committee may:

- Uphold the original decision;
- Modify the decision; or
- Reverse the decision and direct corrective action.

6.2 The decision of the Appeals Committee shall be final and binding within the administrative process.

6.3 Aggrieved parties retain the right to seek judicial review before the courts of Bhutan if they remain dissatisfied with the decision.

## **7. Appeals Committee**

The Appeals Committee shall consist of the following members:

1. One of the BSB Governing Body members – Chairperson
2. Senior Official, Department of Trade, MoICE – Member
3. Senior Official, DoID, MoIT – Member
4. Senior Official/Nominee, BCCI
5. Chief Engineer, Certification Division, Bhutan Standards Bureau (BSB), MoICE – Member Secretary

## **8. Fees**

No fees shall be charged for appealing to this mechanism at this stage. This provision may be reviewed and revised in the future in consultation with stakeholders.

## **9. Records**

8.1 BSB shall maintain an Appeal Register containing:

- Name and details of the appellant;
- Nature and subject of the appeal;
- Decision rendered; and
- Time taken to resolve the appeal.

8.2 BSB shall publish periodic summaries of appeals for transparency. However, no confidential business information shall be disclosed in public reports.

## **10. Confidentiality**

All appeal proceedings and related documents shall be treated as confidential, except where disclosure is required under Bhutanese Law.

## **11. Effective Date**

This Appeals Mechanism shall come into effect on 1st January 2026.