

Regulations for Appeal regarding the Registration of Biostatisticians

Article 1 Principles, definitions, abbreviations

1. On 13 October 1999, the Rules and Regulations for the Registration of Biostatisticians have become effective.

2. The Netherlands Society for Statistics and Operations Research is responsible for the registration of biostatisticians. This Society appoints the Board for Registration of Biostatisticians on the recommendation of the board of the Biometric Section of the VVS. The present Regulations regard the appeal procedure as meant in Article 9 of the Rules and Regulations for the Registration of Biostatisticians.

3. Definitions and abbreviations:

- VVS: Dutch Society for Statistics and Operational Research (Vereniging voor Statistiek en Operationele Research; registered office at Rotterdam, postal address: Postbus 244, 6700 AE Wageningen, e-mail: admin@vvs-or.nl);
- BRB: Board for the Registration of Biostatisticians
- BMS: Biometric Section of the VV
- BA: Board of Appeal;
- the Secretary: the Secretary of the BRB;
- the Decision: the decision taken by the BRB not to register an applicant, or to remove a biostatistician from the Register, or to declare valid a complaint which has become known to the BRB in its official capacity or which has been submitted to the BRB, possibly combined with a warning or reprimand by the BRB;
- Case: (the procedure regarding) an appeal;
- Verdict: the BAs decision in writing;
- Party: the individual or institution involved in a case;
- Written appeal: the written text in which a case is brought before the BA;
- Written defense: the written text in which the first defense is made against a written appeal or in which a first reaction to the written appeal is laid down;
- Fixed fee: the sum of money which an appellant owes the VVS for hearing a case.

Article 2 The Board of Appeal

For each case that is brought before it, the BA shall be constituted of a President, a Secretary and three Members. The President, the Secretary and one Member shall be appointed by the Board of the VVS. For each separate case, one further Member of the BA shall be designated by the BRB, and one by the appellant. The President shall decide where the Board of Appeal resides.

Article 3 Bringing a case before the BA

Cases may be brought before the BA by submitting a substantiated written appeal, addressed to the Board of the VVS and sent to the Secretary of the VVS.

The Secretary of the VVS shall send a copy of the written appeal to the BRB without delay.

At the time of submission of the written appeal, the appellant shall pay a fixed fee to the VVS. If the VVS has not received the sum of this fixed fee within 14 days after receipt of the written appeal, the Board of the VVS shall declare the appeal inadmissible. Otherwise, a BA will be appointed for the case within two weeks of receipt of the payment.

Article 4 The procedure

The BRB shall submit a written defense to the Secretary of the BA within four weeks after the date of the copy as meant in Article 3. The BA shall send a copy of the defense to the appellant. Barring a different agreement between the parties, the BA shall be free to decide whether the appellant may react in writing and/or whether the BRB may respond to such a written reply.

The BA shall offer both parties the opportunity to give a verbal explanation of their points of view during a session, unless parties waive this right. The BA shall decide on the sessions date and hour.

Written documents to which parties wish to refer must have been received by the Secretary of the BA 14 days before the session at the latest.

The President of the BA shall preside over the session. After both parties have been given the opportunity to give a verbal explanation of their points of view, the President of the BA shall determine a time limit for the BAs verdict.

Article 5 The verdict

The BA shall decide following Dutch law and shall take into consideration the standards which are usually set in the field of expertise concerned.

The BA shall decide with a majority of votes.

The verdict shall contain:

- the names of both parties and their place of residence or office;
- a summary of the procedure;

- a summary of the parties points of view;
- the considerations;
- the actual verdict.

Three copies of the verdict shall be made and shall be signed by the President and the Secretary of the BA.

A copy of the verdict shall be sent to parties by registered mail. The verdict shall be binding to both parties and no higher appeal shall be possible.

Article 6 Expiry date

The possibility to lodge an appeal against a decision by the BRB shall expire when three months have passed from the date of the decision.

Article 7 General regulations

Parties may choose to be assisted by a lawyer or other legal assistant. Cases which have been brought before the BA may not be brought before court, barring cases in which the appellant deems a provisional judgement necessary. In such cases the President of the District Court at Rotterdam shall have the exclusive competence to take into consideration such a request based on a supposed urgency.

The BA, its Members and the Secretary shall never be liable for any action or omission in or connected to applying these Regulations.

In cases for which these Regulations do not provide, the BA shall decide.

The present Regulations shall be referred to as Regulations for Appeal regarding the Registration of Biostatisticians.

Modifications in these Regulations shall come into effect only after the Board of the VVS has established them in writing.

These Regulations have been established by the Board of the VVS and shall become effective on 01 July 2015.

Approved by the Annual Meeting of the Biometric Section on 26 May 1999, and by the Board of the VVS on its meeting of 13 October 1999. Amended version approved by the Board of the Biometric Section and subsequently by the Board of the VVS on its meeting of 01 July 2015.