



COMMISSIE Individuele
TEGEMOETKOMING Slachtoffers
WOII Transporten NS

Complaints Committee Regulations



1. Regulations

- 1.1 These Regulations apply to all complaints that are submitted pursuant to Article 13 of the Payment Scheme of the Foundation for Individual Compensation for Victims of WWII Transport by NS (the Payment Scheme).
- 1.2 The Complaints Committee will assess every complaint in accordance with the Payment Scheme and these regulations (the Regulations).
- 1.3 By submitting a complaint, the complainant confirms that they are bound by the provisions of the Payment Scheme and these Regulations.

2. Complaints committee

- 2.1 The complaints committee consists of three members, assisted by a secretary (the Complaints Committee). The Complaints Committee was appointed by the Foundation for Individual Compensation for Victims of WWII Transport by NS (the Foundation). The Complaints Committee will appoint a chair from among its members.
- 2.2 If one or more members of the Complaints Committee can no longer be or no longer wish to be on the Complaints Committee, the Complaints Committee will see to the succession of such members itself.
- 2.3 The Complaints Committee is charged with judging complaints about rejection of applications for individual compensation, based on the Payment Scheme.
- 2.4 The Complaints Committee operates independently from the Foundation. The Complaints Committee and the Foundation will have no mutual contact about a complaint without informing the complainant thereof at the same time.
- 2.5 If the complainant or a member of the Complaints Committee is of the opinion that, in connection with some kinship with the complainant, a member of the Complaints Committee is unable to judge a complaint independently, the complainant or a member of the Complaints Committee will inform the Complaints Committee thereof in writing. The remaining members of the Complaints Committee will decide on the further handling of the complaint.



3. Term for complaints

- 3 A person applying for individual compensation must submit a complaint within four weeks of the date of the Foundation's decision. A complaint submitted after the expiry of this term for complaints will not be handled.

4. Complaints

- 4.1 Only a person applying for individual compensation on the basis of the Payment Scheme can submit a complaint to the Complaints Committee, and only in the event that the Foundation has rejected a complete application for individual compensation.
- 4.2 An apparently erroneous categorisation of the applicant, as a result of which the applicant receives a lower compensation than that to which they believe to be entitled, will be equated with a rejection within the meaning of Article 4.1 of the Regulations.
- 4.3 A complaint may only pertain to one rejected application. Unless the Complaints Committee determines otherwise, there will be no joint handling of complaints.
- 4.4 Complaints must be submitted via the email address klacht@commissietegemoetkomingns.nl
- 4.5 Complaints must at least state the following:
 - 4.5.1 The name and address details of the complainant;
 - 4.5.2 The date of the complaint;
 - 4.5.3 The notice of the Foundation concerning the rejection of the individual compensation;
 - 4.5.4 The information made available to the Foundation and any other correspondence with the Foundation;
 - 4.5.5 An explanation indicating why the complainant is of the opinion that the Foundation has taken the wrong decision, where possible substantiated with (further) documentation.



5. Admissibility

- 5.1 The chair of the Complaints Committee will determine within four weeks of receipt of a complaint (i) whether the complaint was submitted in time; (ii) whether the complaint pertains to a subject on which complaints can be submitted to the Complaints Committee; and (iii) whether the complaint is complete.
- 5.2 If the complaint was not submitted in time, or pertains to a subject on which no complaints can be submitted to the Complaints Committee, the Complaints Committee will not handle the complaint any further. The Complaints Committee will inform the complainant thereof.
- 5.3 If the complaint is incomplete, the Complaints Committee will give the complainant the opportunity to supplement the complaint. The complainant will be given four weeks to do so, to be calculated from the date of the notice from the Complaints Committee. If the complainant does not complete the complaint within that term, the complaint will not be handled any further.
- 5.4 If the complaint complies with the formalities, the Complaints Committee will process the complaint.

6. Procedure and handling

- 6.1 The Complaints Committee will inform the complainant and the Foundation when it commences with the handling of the complaint, sending the complaint to the Foundation. Within four weeks of this notice, the Foundation may supplement the file and/or provide a written explanation of its decision. The Foundation is not obliged to do so.
- 6.2 The Foundation may ask the parties that assist it in the implementation of its Payment Scheme to respond on its behalf.
- 6.3 After receipt of the Foundation's response, or after the Foundation has failed to respond within the time set, the Complaints Committee will decide on the progress of the procedure. The Complaints Committee may decide to hold a (telephone) hearing or to settle the matter in writing.
- 6.4 In the event that the matter is settled in writing, the Complaints Committee will give the complainant the opportunity to respond to the supplement or explanation provided by the Foundation. The Complaints Committee may ask that the complainant provide a specific explanation or send further documentation.



6.5 After the hearing or after receipt of the second written explanation from the complainant, the handling of the case will be closed. The Complaints Committee will not consider any documentation submitted after that time.

7. Binding final judgement

7.1 After closing the handling of the complaint, the Complaints Committee will – in principle – decide within four weeks.

7.2 The decision of the Complaints Committee will in any case state (i) the name of the complainant; (ii) the date of the decision; (iii) a decision on whether the individual compensation will be granted or refused and (iv) the substantiation of the decision.

7.3 The Complaints Committee will send its decision to the complainant and the Foundation at the same time.

7.4 The decision of the Complaints Committee is binding on the complainant and the Foundation. There will be no remedy against this decision.

8. Closing provision

8.1 The Complaints Committee will decide on all cases for which the Payment Scheme or these Regulations do not provide.