

**AFRINIC POLICY DEVELOPMENT
APPEAL COMMITTEE
TERMS OF REFERENCE
Version 4 - Approved 23 August 2021**

(A) Composition

1. There shall be a standing Appeal Committee of five(5) members to be appointed by the Board of Directors and made up as follows:
 - a. One member of the NRO Number Council / Address Supporting Organisation Address Council (NRO NC / ASO-AC) from the AFRINIC region;
 - b. One former Director of the company;
 - c. One member of the Governance Committee;
 - d. One former PDWG Chair and one active participant of the PDWG.
2. For the purpose of the above, the Board of Directors shall ensure that the persons being appointed hold such competence and ability to exercise independent judgment, act impartially and with integrity.
3. The Board of Directors may at any time as it deems appropriate, acting in good faith and on valid reason(s), remove the appointment of anyone or simply reconstitute the whole committee, as the case may be.
4. For the avoidance of doubt, the quorum for meetings of the Appeal Committee shall be three (3) appointed members, and decisions of the committee shall be according to the majority rule.

(B) Term

1. The members of the Appeal Committee shall hold office for one calendar year starting from 01 January to 31 December.
2. Notwithstanding the above and as a transitional measure, the initial members being appointed by the Board of Directors shall hold office until 31 December 2021 and may be eligible for reappointment thereafter.

(C) Duties

1. The Appeal Committee shall act in accordance with the present ToR by conducting a review of the decision-making process adopted by the PDWG's Co-Chairs reaching their decisions, based on Section 3.5(2) of AFRINIC's Consolidated Policy Manual.
2. In delivering its duties, the Appeal Committee shall conduct a review as to whether:
 - a. The Co-Chairs misapplied and/or misinterpreted the provisions of AFRINIC's Consolidated Policy Manual;
 - b. The Co-Chairs acted irrationally and with procedural impropriety;
 - c. The Co-Chairs' decisions or actions, as the case may be, were disproportionate;
 - d. The Co-Chairs acted unfairly, thus depriving all members of the PDWG a fair opportunity to contribute on a matter under discussion;
 - e. The Co-Chairs failed to ensure that any objection or concern raised in respect of a policy proposal was adequately addressed.

3. For the sake of clarity, it is important to note that the role of the Appeal Committee is not to determine whether a policy proposal ought to have obtained consensus or not (section 3.5(2) of AFRINIC's Consolidated Policy Manual refers) in as much as the Appeal Committee cannot substitute itself to the PDWG or its Co-Chairs, but to ensure that the decision-making process of the Co-Chairs was fair and consistent with AFRINIC's Consolidated Policy Manual.

***Approved in Board Meeting dated 23 August 2021**