

The cover features a vibrant blue background with abstract, overlapping circular and curved shapes in various shades of blue. A large, solid black diagonal band cuts across the center from the bottom left towards the top right. The word 'esomar' is written in white lowercase letters on this black band. Below it, the words 'Disciplinary Procedures' are written in yellow, stacked vertically. In the bottom left corner, the date '16th of June 2026' is printed in white. Yellow corner tabs are visible in the top-left and bottom-right corners.

esomar

Disciplinary Procedures

16th of June 2026

Contents

Section A: Scope 3

Article 1. Application and interpretation of the ICC/Esomar International Code on Market, Opinion and Social Research and Data Analytics	3
Article 2. Competent associations	3
Article 3. Application to non-members	4
Article 4. Application to former members	5
Article 5. Legal Proceedings	5

Section B: Governing Bodies 5

Article 6. Appointment	5
Article 7. Location	6
Article 8. Professional Standards Committee	6
Article 9. Disciplinary Subcommittee	7
Article 10. Disciplinary Committee	8

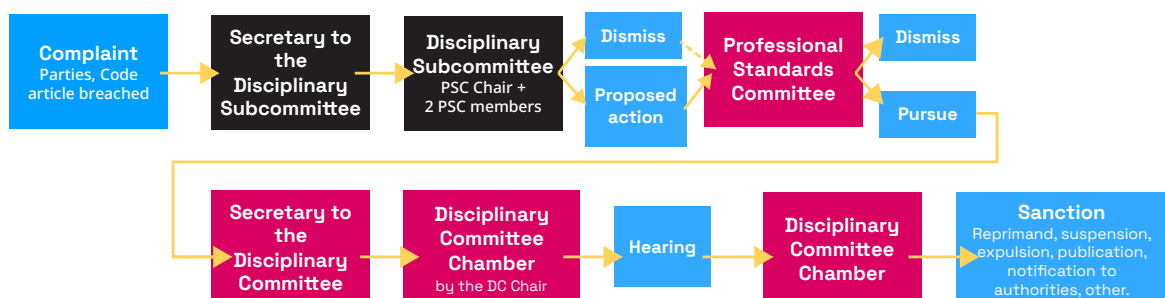
Section C: Procedure 9

Article 11. Submitting a complaint	9
Article 12. Requirements for submitting a complaint	10
Article 13. Responding to a complaint	10
Article 14. DsC Initial Case Review	10
Article 15. PSC Procedure	11
Article 16. DC Hearing Procedure	13

Section D: Other Requirements 15

Article 17. Other requirements	15
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Disciplinary Process



Section A: Scope

Article 1. Application and interpretation of the ICC/Esomar International Code on Market, Opinion and Social Research and Data Analytics

1.1. Responsibility for applying the ICC/Esomar International Code

The International Chamber of Commerce (ICC) and Esomar are competent for the interpretation and application of the joint ICC/Esomar International Code on Market, Opinion and Social Research and Data Analytics (hereinafter “the Code”).

By extension, associations that have formally adopted the Code and notified Esomar of their adoption are also granted the competence to interpret and apply the Code within their jurisdiction, in accordance with these Disciplinary Procedures, without prejudice to Article 2.

1.2. Coordination with ICC

The Disciplinary Subcommittee (DsC), Professional Standards Committee (PSC), and Disciplinary Committee (DC) are responsible for the examination of any reported and alleged breach of the Code by individuals and organisations (hereinafter “Members”) party to the Code at the international level. Esomar will notify ICC of all cases determined by the DC in an annual report. Esomar may also share relevant case information with national associations, where doing so may help identify patterns or related cases.

1.3. Compliance with the Code

Esomar members must always comply with the letter and spirit of the Code and its guidelines. The Code should be read in conjunction with other relevant ICC and Esomar codes, guidelines and principles.

Article 2. Competent associations

2.1. Interpretation of the Code by competent associations

The DsC, PSC, and DC may, at the request of associations that have adopted or endorsed the Code, support them and other applicable self-regulatory bodies in interpreting the Code and its related guidelines.

2.2. Cases/alleged breaches at the national level

In accordance with Article 1.1 of these Disciplinary Procedures, associations that have adopted or endorsed the Code are responsible for examining alleged breaches of the Code occurring within their jurisdiction.

The DsC, PSC, and DC may only investigate alleged breaches of the Code at the national level in exceptional circumstances. In such cases, Esomar will first consult with the relevant national association(s) and confirm whether the matter falls within Esomar’s jurisdiction. Where a national association is competent and actively addressing the issue, Esomar will not duplicate the investigation and shall refrain from initiating any parallel procedure. Esomar may offer support or advice upon request, and will only intervene directly if:

- there are no competent or active associations, or
- the competent association refers the case to Esomar, or
- the competent association is unable to examine the alleged breach, or
- the case involves multiple jurisdictions and requires coordination beyond national capacity.

2.3. Reciprocity of sanctions at national level

If a competent association finds an Esomar member to be guilty of violating the Code at national level, the association shall notify Esomar of the case and the sanctions imposed.

a) For associations adopting the Code

Associations adopting the Code will notify Esomar of the case details and the sanction(s) imposed. Esomar will follow the decision taken at the national level and apply an equivalent sanction, subject to article 15.6 and confirmation with the DC.

b) For associations endorsing the Code

Associations endorsing the Code will notify Esomar of the case details and the sanction(s) imposed, together with the reasoning on which the decision was based. Esomar will consider whether to apply a reciprocal sanction subject to article 15.6 and confirmation with the DC.

If the association cannot share the underlying evidence or full reasoning (for example, due to local privacy or data protection requirements), the DsC can consider proceeding with the case.

Article 3. Application to non-members

3.1. Cases involving non-members

Esomar will only examine alleged breaches of the Code involving non-members if the relevant body (DsC, PSC, or DC) deems it necessary to safeguard the ethical standards of the Code or to protect the reputation of research or its members.

3.2. Procedure regarding non-members

To the extent practicable, the Disciplinary Procedures will be applied equally to cases involving non-members.

3.3. Sanctions against non-members

Non-members may be requested to refrain from the action complained about. In case such a request has not been complied with or if a more serious sanction is deemed necessary, the relevant body will refer the case to the Council with a proposal for appropriate steps, including publication and/or notification to the authorities and/or relevant national associations.

3.4. Admission to membership

Admission to membership will not be granted until any outstanding disciplinary process has been completed and any potential remedy or sanction has been fulfilled.



Article 4. Application to former members

4.1. Resignation during a disciplinary investigation

If a member complained about resigns or if their membership is withdrawn (for example through reason of non-payment of membership fees), while the case is unresolved and/or the investigation is ongoing, the DsC, PSC, or DC will still examine the matter and may impose relevant measures. Resignation during a disciplinary investigation does not absolve a member of any disciplinary measures resulting from an alleged breach that occurred during the member's effective membership.

4.2. Re-admission to membership

Re-admission to membership will not be granted until any outstanding disciplinary process has been completed and any potential remedy or sanction has been fulfilled.

Article 5. Legal Proceedings

5.1. Ongoing legal proceedings

Any disciplinary investigation regarding a case that is in legal dispute shall be placed on hold until the legal proceedings are resolved, unless there is a pressing need to take immediate action and the DsC, PSC or DC unanimously agrees it is necessary to continue the investigation. After the court case is finished, the DsC, PSC or DC will decide whether to continue the investigation into the Code breach.

5.2. Advice to courts of law and public authorities

If requested, the DsC, PSC, or DC may give its opinions to courts of law and public authorities with respect to the interpretation of the Code. The PSC may also proactively engage with relevant authorities where the protection of the public or the profession requires it.

Section B: Governing Bodies

Article 6. Appointment

6.1. Appointment

The Council will decide on the appointments of the DsC, PSC and DC.

6.2. Replacement

The Council may replace any member of the DsC, PSC, or DC for cause, including non-compliance with Esomar statutes and relevant bylaws, bringing Esomar into disrepute, or acting against the interests of Esomar. Such cause may include failure to perform the duties expected of the member. The Council may also replace any member who has become unavailable.

a) Protection against Conflicts of Interest

The Council does not have the authority to replace or dissolve the DsC, PSC, or DC solely on the basis of a complaint against the Council itself or an individual Council member.

b) Performance Review

The Council shall conduct an annual performance review for the DsC, PSC, and DC.



6.3. Oversight by the Disciplinary Committee

Any decision by the Council to replace a member or to dissolve the DsC, PSC, or DC must be approved by the DC.

6.4. Approval for Replacement

In cases of dismissal of members of the DsC, PSC, or DC, the Chair of the DC has the authority to request the Council to replace them.

6.5. Insurance Coverage

All members of the PSC, DsC, and DC shall be covered by Esomar insurance for their work on these committees, including costs incurred in legal proceedings. The Esomar Secretariat (as per 6.6) must formally notify each member of this coverage in writing every January, providing a summary of the insurance coverage.

6.6. Administrative support

Administrative support for the functioning of the DsC, PSC, and DC shall be provided by the Esomar Secretariat under the supervision of the relevant Statutory Director. The Secretariat is responsible for ensuring transparency in appointments, for maintaining relevant records, and for providing logistical and procedural support. In case of any procedural concerns or conflicts of interest related to appointments or committee functioning, the matter shall be referred to the Statutory Director for resolution, with the option of escalation to the Council if necessary.

Article 7. Location

7.1. Meetings

Meetings of the DsC, PSC, and DC may be held in person, by telephone or by any other appropriate means of communication as determined by the Chair.

7.2. Location

The DsC, PSC, and DC are located at the Esomar Secretariat but may meet in any appropriate place at the request of the Chair or any place deemed appropriate by a majority of the members.

Article 8. Professional Standards Committee

8.1. Composition

The Professional Standards Committee (PSC) will be composed of a Chair and at least five and no more than eight Esomar members, as appointed by Council. The PSC may appoint one or more consultants to the Committee. Consultants may participate in discussions and provide expert input but may not vote unless appointed as PSC members by Council. The PSC will reflect a variety of experiences and interests in the Research, Data Analytics and Insights sector. To this end, PSC members shall come from at least five different countries and a range of sectors.

8.2. Chair

The PSC will appoint a Vice Chair from among its members. In the event of the Chair's retirement, a successor will be nominated by the President and approved by the Council.



8.3. Term of Office

All members of the PSC will be appointed for a term of three years. After three years, the PSC members' term may be renewed for a second and successive terms. Renewal will be confirmed following the annual performance review described in Article 6.2(b). At the start of each term, the PSC members shall sign an NDA.

8.4. Quorum

The text now reads: Decisions by the PSC will be valid when the Chair, or the Vice Chair, and two-thirds of all PSC members participate in the meeting. Participation requires being present in person, by telephone, or via similar electronic means. Decisions require a majority vote by the participating members.

8.5. Neutrality and Fairness

The PSC will consider all complaints in a neutral, fair and unbiased manner. Members, including the Chair, shall declare any personal, professional, or financial interest in the matter under consideration and withdraw from the proceedings if such a conflict exists or may reasonably be perceived to exist.

All members shall sign a declaration of impartiality and a non-disclosure agreement at the outset of their term, and for each case they are assigned to. The Secretariat to the DsC shall maintain these declarations for reference and ensure compliance.

8.6. Secretary

The Chair of the PSC will nominate a member of the Esomar Secretariat to be the Secretary to the Committee. The Secretary does not have a vote.

8.7. Right of initiative

Should the PSC be made aware of a potential breach of the Code, it may initiate an investigation on its own initiative, without this constituting a formal complaint. The PSC may escalate this to being a formal complaint if it deems it to be necessary with the PSC as the complainant.

Article 9. Disciplinary Subcommittee

9.1. Composition

The Disciplinary Subcommittee (DsC) is a subcommittee of the PSC composed at minimum of the Chair of the PSC and two PSC members. The DsC may also include consultants appointed under Article 8.1.

9.2. Mission

The role of the DsC is to review, evaluate and prepare cases in first instance and to submit a recommendation for consideration to the PSC.

9.3. Appointment

Members will serve a three-year term which can be renewed.



9.4. Neutrality and Fairness

The DsC will consider all complaints in a neutral, fair and unbiased manner. Members, including the Chair, shall declare any personal, professional, or financial interest in the matter under consideration and withdraw from the proceedings if such a conflict exists or may reasonably be perceived to exist.

All members shall sign a declaration of impartiality at the outset of their term. The Secretary to the DsC shall maintain these declarations for reference and ensure compliance.

Article 10. Disciplinary Committee

10.1. Composition

The Disciplinary Committee (DC) will be composed of a Chair and a panel of seven senior Esomar members. The DC will reflect a variety of experiences and interests relating to the data, research and insights sector.

10.2. Chair

The Chair shall preferably be an independent lawyer with relevant knowledge of the market research sector. The Chair shall nominate an independent substitute Chair to replace him, her or them if necessary. The substitute Chair needs to be approved by Council. In case of retirement of the Chair, a successor will be nominated by the President and approved by Council.

10.3. Terms of office

The members of the DC will be appointed for a term of three years. After three years the DC members' term may be renewed. The Chair of the DC will be appointed for a term of five years. After five years the Chair's term may be renewed. At the start of each term, the DC members shall sign an NDA.

10.4. Chamber

The DC operates in chambers. Once a case has been received by the DC, the DC chair will appoint three members and a substitute member to form the chamber that will handle that case.

10.5. Quorum

Decisions by the DC will be valid when the Chair or the substitute Chair and all members of the chamber participate. Depending on the procedure or type of hearing, participation requires being present in person or via conference telephone or similar communication equipment. Decisions by the DC require a majority vote by the members serving on the chamber. The Chair of the DC shall not be entitled to vote.

10.6. Neutrality and Fairness

The DC will consider all complaints in a neutral, fair and unbiased manner. Members, including the Chair, shall declare any personal, professional, or financial interest in the matter under consideration and withdraw from the proceedings if such a conflict exists or may reasonably be perceived to exist. The Secretary to the DC will ensure compliance.

All members shall sign a declaration of impartiality and a non-disclosure agreement at the outset of their term, and for each case they are assigned to. The Secretary to the DC shall maintain these declarations for reference.



10.7. Right of challenge

The parties have the right to challenge the selection of members of the DC chamber at the outset of the procedure or as soon as possible, but no later than before the case is heard. In case a member of the chamber is challenged, the Chair will appoint an alternate member. The Chair will be the sole judge on the grounds of challenge and his, her or their decision will be final. Should the Chair be challenged, the substitute Chair will be appointed.

10.8. Secretary

The Chair of the DC will nominate a Secretary to the committee. The nominated Secretary needs to be approved by the DC. To ensure objectivity the nominated Secretary to the DC will be different from the Secretary to the PSC.

Section C: Procedure

Article 11. Submitting a complaint

11.1. Who may submit a complaint?

Any private individual or organisation directly concerned by an alleged breach of the Code may submit a complaint reporting an alleged breach of the Code to Esomar.

11.2. Complaints regarding contractual, payment or employment issues

Esomar will not examine complaints regarding contractual, payment, or employment issues, as these are best addressed through legal means. Esomar will only accept such cases if there is evidence of an alleged breach of the Code or of recurring behaviour that appears to bring the profession into disrepute.

Esomar may provide general guidance to complainants on alternative avenues for resolution (such as local courts, commercial arbitration, or relevant national associations) but will not act as a mediator in commercial disputes.

11.3. Statute of limitations

A complaint must be filed within three years of the alleged breach occurring. Esomar will not examine complaints regarding alleged Code breaches that occurred three or more years before the complaint was filed.

11.4. Jurisdiction

If a complaint concerns conduct in a jurisdiction where a national association has adopted or endorsed the Code, Esomar will coordinate with that body before accepting or proceeding with the complaint. The national association shall be the primary forum for investigation unless the conditions in Article 2.2 are met. Esomar may request updates from the national association and reserve the right to apply sanctions under its own authority once the national process has concluded.

11.5. Anonymity and whistleblowing

Where a complainant raises concerns about retaliation or has legitimate reasons for requesting anonymity, the DsC Chair may, at their discretion, withhold the complainant's identity from the respondent during preliminary enquiries. This protection does not normally extend to the formal hearing before the DC, where the complainant's identity may need to be disclosed to ensure a fair process. However, where there is credible evidence of a serious risk of retaliation, the DC may adopt proportionate protective measures (for example, limiting certain personal details in the case file shared with the respondent, or anonymising the complainant in the published decision), provided these measures do not undermine the respondent's ability to understand and answer the case.



Article 12. Requirements for submitting a complaint

12.1. Evidence

All submitted complaints shall include a description of the case and which Code article(s) has/have allegedly been breached. The PSC may make an independent decision regarding which Code article(s) has/have allegedly been breached. Complaints will only be accepted if they are supported by evidence, including relevant documents.

12.2. Language

All complaints need to be submitted in English. Evidence needs to be delivered in the original form. If the original is not in English, a translation must be included. The Chair of the relevant body may decide, at the request of one or more of the parties involved, that complaints and evidence can be submitted in another language, provided that a summary in English is also supplied.

Article 13. Responding to a complaint

13.1. Failure to co-operate

Esomar members must make themselves available and cooperate in the investigation of a complaint. Failure to co-operate is a breach of the Code and may result in a sanction. Where a respondent (whether a member or non-member) fails to respond after two written reminders, the DsC may proceed on the evidence available and issue a formal warning. The respondent's non-cooperation will be recorded in Esomar's systems. Non-cooperation from any party will be recorded.

13.2. Accountability of Individual Members responding to a complaint

Individual Members will be contacted whenever a complaint is received about their organisation. Individual Members must investigate and, to the extent possible, address any alleged breach in their organisation. However, Individual Members cannot be held accountable for Code breaches occurring in departments or offices over which they cannot assert control or influence.

13.3. Accountability of Corporate Members responding to a complaint

If a complaint is received about an Esomar Corporate Member, the Signatory Member will be contacted. The Signatory Member must respond on behalf of the company or designate another person to respond on behalf of the company.

13.4. Time limits on proceedings

Each stage of the disciplinary process should be completed as promptly as practicable. As a guideline, the DsC should aim to complete its initial review within 90 calendar days of receiving a complaint, and the PSC should aim to reach a decision within 90 calendar days of receiving the DsC's recommendation. These timeframes may be extended where complexity or external circumstances require it, with the reasons for any extension recorded in writing.

Article 14. DsC Initial Case Review

14.1. Preliminary enquiry

Where a complaint is received, and the DsC determines that clarification or additional information from the respondent would assist the review, the DsC may make an informal preliminary enquiry before initiating formal proceedings. This preliminary enquiry does not constitute a formal complaint notification.

14.2. Informing the respondent

Once the DsC determines that a formal investigation is warranted, the respondent will be notified and asked to address the complainant's claims. The respondent will be informed that such questions are being asked in connection with possible disciplinary proceedings.

14.3. Responding to the enquiries

The respondent will be allowed up to 21 calendar days to provide a written response. If no response is received within 21 calendar days, this will be considered failure to cooperate, as specified in Article 13.1.

14.4. DsC enquiries

The DsC will ensure that the complainant and respondent are asked all relevant questions to establish the facts and circumstances of the case. To the extent possible, the DsC will attempt to determine the case to both parties' satisfaction.

14.5. DsC decision

If the case cannot be settled to both parties' satisfaction and after the facts and circumstances of the case are sufficiently clear, the DsC may decide:

- Esomar has no competence to pursue the case, following Article 2.2, Article 3, or Article 11.2.
- There was no breach of the Code, and the case will be closed.
- The Code was breached, and the case against the respondent must be pursued.

14.6. Decision no case to pursue

In case the DsC finds there is no competence or no case to pursue, the complainant and respondent will be informed of the reasoning and decision in writing. This decision will be reported to the PSC.

14.7. Decision to pursue case

In case the DsC finds the Code was breached and the case against the respondent must be pursued, the DsC will inform the PSC of the facts and circumstances of the case and the recommended action.

14.8. Appeal

In case the DsC finds there is no competence or no case to pursue, the complainant or respondent can request a review of the DsC decision in writing within 21 calendar days of receiving the decision. These requests need to be supported by documented evidence and an explanation why the PSC should pursue this case.

Article 15. PSC Procedure

15.1. PSC procedure

Once the PSC is informed by the DsC of the facts and circumstances of the case or the appeal, the PSC may decide to raise its own questions with the complainant and/or respondent. The complainant and/or respondent must provide a written response within 21 calendar days. After a response is received or after 21 calendar days, the PSC may ask any further questions it deems necessary.



15.2. PSC decision

After completing its inquiries, the PSC will give its opinion on the case and send its reasoning and findings to both parties. The PSC may decide:

- There is no competence to pursue the case.
- There has not been a breach of the Code.
- To send the complainant or respondent an unpublished warning for a breach of the Code.
- That the case appears to be a serious breach of the Code for which a sanction, as stated in Article 16.6, should be considered.

In imposing a warning or sanction, the PSC will take into account the number of times the Code was breached, mitigating circumstances (such as immediate remedial action taken) or aggravating circumstances (such as recurring behaviour signalling that the offender is incapable or unwilling to comply with the Code) and the scale of the impact of the breach.

15.3. Decision no case to pursue

If the PSC finds there is no competence or no case to pursue, the complainant and the respondent will be informed of the reasoning and decision in writing.

15.4. Decision unpublished warning

If the PSC finds that there was a breach of the Code, it may issue an official warning. Both parties will be informed of the reasoning and the decision to impose an unpublished warning. A record of the warning will be kept and considered should similar complaints be received. Both parties will be asked to respect the confidentiality of this measure. Breaching this confidentiality will be considered a breach of Article 12c of the Code.

15.5. Sanction

If the PSC decides a sanction is the appropriate measure for the breach of the Code, it will refer the case to the DC. The PSC will include a recommendation for a sanction.

15.6. Appeal

The complainant and/or respondent may request a review of the PSC decision in writing within 21 calendar days of receiving the decision. These requests need to be supported by documented evidence and an explanation of why the decision warrants review. In the event of an appeal, the DC Chair, whose decision is final, will determine whether the appeal is admissible.

15.7. Requirements for the referral to the DC

The PSC will refer the facts and circumstances of the case, including all the evidence, to the DC, accompanied by its reasoning for the decision. In case of a referral, the full case will be referred to the DC within 21 days. The PSC will inform all parties to the case.



Article 16. DC Hearing Procedure

16.1. DC Hearing

Once the full case is received, the DC Chair will inform the PSC and parties to the case without undue delay regarding:

- The composition of the DC chamber.
- The right to challenge the composition of the chamber.

The hearing will be held in writing.

16.2. DC Enquiries

The DC may raise questions with the PSC and/or the parties to the case. Questions raised will be shared with all parties, including the PSC. Members of the DC may themselves question witnesses, parties or representatives as they see fit. The DC may, after consultation with the parties, seek expert advice at any time. The expert advice will be made available to all parties.

16.3. Requirements for submissions

The following requirements apply to all submissions to the DC:

- Submissions must be received at least 14 calendar days before the hearing.
- Anything received after that date must include a statement of reasons by the submitter to justify the late submission. The DC will determine the admissibility of late submissions, taking into account the need to ensure fair and orderly proceedings.
- All evidence presented to the DC must be supported by a written explanation of the essential parts of the evidence.

All submissions will be shared with all parties.

16.4. Order of the hearing proceedings

The order of proceedings for the hearing before the DC will be as follows:

- Submissions by or on behalf of the PSC.
- Submissions by or on behalf of any or all of the parties to the case.
- Hearing of any witnesses called by the PSC or evidence submitted by the witnesses, followed by cross-examination of such witnesses by any or all of the parties to the case.
- Hearing of any witnesses called by any or all of the parties to the case or evidence submitted by the witnesses, followed by cross-examination of such witnesses by or on behalf of the PSC.
- Closing submissions by or on behalf of the PSC.
- Closing submissions by or on behalf of the parties to the case.

16.5. DC decision

The DC shall reach decisions based on the balance of probability and in line with the general principles of fair process. The decision together with any sanction to be imposed, including the reasons therefore, will be provided in writing to all parties to the case, the PSC and Council as soon as practicable.

16.6. Sanctions

The DC may impose a warning and/or one or more of the following sanctions:

- Reprimand: an official letter detailing the wrongful actions of the respondent and the punishment that can be expected if the actions are repeated.



- Suspension of Esomar membership: the suspension will be for a period of at least one year and no more than two years. After that period, the member may request reinstatement by providing sufficient written assurance that remedial action has been taken to ensure the wrongful actions will not be repeated. If such assurances are not provided, the DC may recommend to the Council that the member be expelled.
- Expulsion from Esomar membership: the expulsion will be for a period of at least three years. After that period, the member may request reinstatement by providing sufficient written assurance that remedial action has been taken to ensure that the wrongful actions will not be repeated. If such assurances are not provided, the DC may recommend to the Council that the member not be reinstated.
- Publication: A summary of the decision will be published, including the wrongful actions, the sanction, and the name of the person or company sanctioned. This summary may be published, as appropriate: in the Annual General Meeting (AGM), on the Esomar website, in Esomar's magazine, in an email newsletter, in a dedicated email, and/or shared via social media for a period of 3 years, or another period determined by the DC, depending on the nature of the case.
- Notification to the authorities and associations: Wrongful actions may be notified to the relevant (public) authorities, enforcement bodies, national research associations, and/or ICC. Where Esomar holds concerns but lacks sufficient formal evidence, it may share an alert with the relevant national association(s).
- Any further measures authorised by the Council: in exceptional circumstances, the DC may request the Council to authorise any further measure deemed necessary.

In imposing a warning or sanction, the DC will consider the number of times the Code was breached, whether the behaviour is recurring, whether it signals that the offender is incapable or unwilling to comply with the Code, whether remedial action has been taken, and whether action has been taken to prevent a recurrence.

16.7. Publication of sanctions

Sanctions imposed by the DC will be published unless the DC determines otherwise.

16.8. Appeal in case of procedural irregularity

The decision of the DC will be final, any of the parties to the case can request an appeal to the Council under the following conditions:

- There have been substantial deviations from these Disciplinary Procedures.
- The request is supported by documented evidence of these deviations, including references to these procedures.
- The request must be received by Esomar within 21 calendar days of receiving the DC decision.

In the event of an appeal to Council, the PSC and DC are entitled to respond to the claims regarding procedural irregularity. If an appeal is made against the DC decision, the Council may require the appellant to pay a reasonable deposit as proof of goodwill. If the appeal is sustained, the deposit will be returned to the appellant, and the case will be considered by another chamber of the DC. If the appeal is not sustained, the deposit will not be returned. If deemed appropriate by Council, the Substitute Chair may be appointed to review the claims.



Section D: Other Requirements

Article 17. Other requirements

17.1. Confidentiality

Documents that the DsC, PSC, or DC accepts as confidential will be shared only with the parties to the case, the relevant body, subject-matter experts, and members of Esomar's executive and professional staff on a need-to-know basis. Experts consulted by any of the parties, or by the DsC, PSC, or DC, shall sign a non-disclosure agreement and will have access only to the documents necessary to formulate an expert opinion. Anyone given access to confidential documents, including the parties involved, must respect the disclosure limitations placed on such documents.

17.2. Undue influence

No party involved in a complaint, nor any member of Esomar staff, Council, or external stakeholder, may attempt to influence the decision-making of the PSC, the DsC, or the DC outside the formal processes established under these Procedures.

All communications intended to inform or affect the proceedings must be made transparently through the designated channels. Any attempt to exert undue influence (whether by personal appeal, informal lobbying, or use of authority) shall be reported to a Statutory Director and may constitute a separate breach of Esomar rules. For the purpose of this article, "undue influence" shall be interpreted in line with Dutch law.

17.3. Costs

No out-of-pocket costs shall be reimbursed. However, if no Code violation is found, the Council may decide to indemnify those involved for the portion of costs the Council deems necessary to serve the interests of justice. Legal costs will never be reimbursed.

17.4. Jurisdiction

All disputes arising out of or in connection with these Disciplinary Procedures must be dealt with under Dutch law and a Dutch court will have exclusive jurisdiction.

17.5. Annual Report

The PSC and the DC will present an annual report to the Esomar Council and the Annual General Meeting (AGM). The names of members expelled or suspended, or respondents who have received a public warning as a result of a disciplinary action, shall be included in the report to the AGM with a summary of the wrongful action. These names will also be stored in Esomar's CRM system for future reference.



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