

Financing Remediation Standard Operating Procedure

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INTRODUCTION

Articles 25, 26 and 27 of the Pakistan Accord for Health and Safety in the Textile and Garment Industry (Pakistan Accord) provide that signatory companies shall negotiate commercial terms with their suppliers which ensure that it is financially feasible for the factories to maintain safe workplaces and comply with the upgrade and remediation requirements instituted by the Chief Safety Officer (CSO). The Financing Remediation Protocol (Protocol) of the Pakistan Accord sets out the implementation of these provisions.

The Pakistan Accord Secretariat and International Accord for Health and Safety in the Textile and Garment Industry (International Accord) Secretariat (together, the "Secretariats") have specific roles and responsibilities in the effective execution of the Protocol. This Standard Operating Procedure (SOP) outlines these roles and responsibilities, and the process to be followed regarding (1) Remediation Finance Plans and (2) Factory Finance Requests.

The International Accord Deputy Director, International Accord Policy & Accountability Coordinator and the assigned Pakistan Accord Factory Remediation Coordinator (FRC) will process Remediation Finance Plans and Factory Finance Requests (together, the "Financing Remediation Team") as indicated in this SOP.¹

¹ See details on roles and responsibilities in Section IV. With time, the Financing Remediation Team will include a lead financing remediation FRC with accounting and finance experience to support the International Accord Secretariat in the coordination of Remediation Finance Plans and Factory Finance Requests.

I. ESTABLISHMENT OF A REMEDIATION FINANCE PLAN

Once a Corrective Action Plan (CAP) has been developed, the establishment of a Factory Finance Plan will be required for final CAP approval by the CSO.²

According to the Pakistan Accord's Inspections and Remediation Protocol, the CAP must be both technically and financially approved within **6 weeks** of the factory's receipt of the initial inspection reports. **This 6-week period will include 4 weeks** during which the factory and responsible brand(s) must develop a CAP, fill out the CAP costing template, remediation and financing schedules, and determine how the necessary resources will be secured to ensure remediation is possible (Remediation and Financing Schedule phase).

Upon receipt of these documents, the CSO will have **2 weeks** to review the CAP, and the Financing Remediation Team will have **2 weeks** to confirm that a finance plan is in place. Once the CAP is final both technically and financially, the CSO will approve the CAP.³

Should further time be needed, see section 5 below for time extensions regarding the confirmation of a Finance Plan, and the Inspection & Remediation Protocol/SOP regarding the acceptance of the completed CAP and remediation schedule.

1. Finance Plan Introductory Meeting

The Pakistan Accord Secretariat will arrange the Finance Plan Introductory Meeting, a meeting with factories and their responsible signatories to explain the purpose and process of establishing a Finance Plan.

The meeting will take place online and occur **within 1 week** of the factory and all responsible signatories receiving the factory's initial inspection report for review.

The factory's assigned Factory Remediation Coordinator (FRC) will send the meeting invitation by email and invite the factory, relevant International and Pakistan Accord staff, and all responsible signatories using (together, the "concerned parties") [*Template Invitation for Finance Plan Meetings*].

This meeting may be substituted by an instructional video or a webinar, which will be decided by the International Accord Secretariat on a case-by-case basis.

2. CAP Costing

Factories will be asked to obtain at least two quotations from service and equipment providers with a detailed breakdown of the remediation costs for each CAP scope (fire, structural, electrical and boiler).

Within the 4-week Remediation and Financing Schedule phase, the factory will: obtain quotations from service and equipment providers and indicate the costs of remediation per CAP or group of CAP items using the Pakistan Accord *CAP Costing Template*. The factory will also complete the *Comparative Quotation Form* indicating the quotations collected, the amounts quoted, and the service/equipment provider selected.⁴

² See Inspections and Remediation Protocol.

³ These timelines will require adjustments at the start of the Pakistan Accord inspections & remediation program.

⁴ The International Accord is researching market costs of safety measures and items in textile and garment factories in Pakistan as required by the Pakistan Accord Building Standard. Standardized guidance on common remediation items and their costs will help provide a credible initial assessment of the costs (e.g., average costs per square meter for a sprinkler/fire alarm systems, various prices of materials, engineering consulting costs) and will aim to streamline the process of establishing factory finance plans. Once this in place, the SOP may be adapted.

The factory will send the completed CAP Costing template, Comparative Quotation form, and corresponding quotations to the FRC. The FRC will check that all quotations and completed forms have been provided, and send these in an email to all concerned parties.

All documents related to the factory's Finance Plan shall be filed in the relevant Sharepoint folder(s) of the Pakistan Accord.

3. Remediation & Financing Schedules

During the 4-week Remediation and Financing Schedule phase, the factory and responsible brand(s) will develop a remediation schedule that outlines the stages of remediation and the approximate costs of remediation at each stage.

The remediation schedule must consider the CAP as a whole, including all scopes (fire, electrical, structural, and boiler safety), to establish a coherent sequence of remediation steps that takes into account the type of remediation required in the factory and the timelines established by the CSO.⁵ The Inspections & Remediation Department of the Pakistan Accord Secretariat will provide standard guidance on remediation schedules to support the factory in developing a coherent sequence of remediation steps.

Based on the remediation schedule, the factory will determine what financing is needed at each step of the remediation process.

The FRC will coordinate with the Pakistan Accord's engineering helpdesk as necessary on issues relating to the establishment of the factory's remediation schedule.

The factory will submit its proposed remediation and financing schedules to the FRC. The FRC will check that the schedules cover all remediation scopes and commensurate financing, and will send the remediation schedule and any relevant supporting documentation in an email thread to the concerned parties.

4. Remediation Financing Plan

Once the remediation and financing schedules have been agreed on, the factory and responsible brand(s) will examine the means to finance remediation.

The factory and responsible brand(s) can consider the following elements:

- The costs of remediation
- Factory profit margins and capacity to absorb remediation costs
- Relative sourcing capacity of each responsible brand in the factory
- Total turnover and production of brands and retailers in the factory
- Responsible brand(s)'s FOB yearly turnover in the factory
- Size of the responsible brands

Financing remediation can be covered in any or a combination of the following ways:

- Factory: self-financing (bank loans, factory capital)
- Brands: increasing order volumes, advance payment terms, opening an L/C, soft loans, bank loan support, shortening payment delays, placement of orders during low season, direct payments, and any other commercial terms that may be relevant.

⁵ The Inspections & Remediation Department will provide standard guidance on remediation scheduling to support the factory in developing a coherent sequence of remediation steps.

Considering the above-listed elements, the International and Pakistan Accord Secretariats can facilitate discussions on the Finance Plan with the support of easy-to-use tools to calculate remediation financing and how these could be covered through commercial terms.

The factory and responsible brand(s) will report the means of financing remediation to the Secretariats. If brand support is being provided, the commercial terms agreed to support the financial feasibility of factory's remediation will also be reported to the Secretariats.

In case a Finance Plan is not agreed on, or in case a previously agreed Finance Plan is no longer adequate to ensure remediation is financially feasible, the factory can raise a finance request under Article 25 of the Pakistan Accord with their responsible brand(s).

5. CSO CAP Review & Approval

Within 2 weeks of receiving the CAP and remediation schedule, the CSO and Pakistan Accord engineering teams will review and assess whether the proposed schedule are acceptable. The Financing Remediation Team will do the same with respect to the proposed finance plan. In the event either remediation schedule or finance plan requires further amendments, the CSO and the Financing Remediation Team will provide comments on the additional information or clarification required and a time extension of no more **than 2 weeks** to address these comments.⁶ Should the factory fail to provide the requested comments on the Finance Plan within the additional timelines provided, the Financing Remediation Team will arrange a mandatory Finance Plan meeting between the factory and responsible brand(s).

Once the remediation schedule and finance plan are accepted, the CAP can be approved by the CSO (provided the CAP template has been correctly completed by the factory).

Should the factory and responsible brand(s) require more time to finalise the finance plan, the CSO can authorise the factory and responsible brand(s) to start the remediation works based on the completed CAP template and remediation schedule. In such cases, the CSO may provide the factory an **additional 2 weeks** to complete the Finance Plan. In the continued absence of a Finance Plan, the Financing Remediation Team will arrange a mandatory Finance Plan meeting between the factory and responsible brand(s). The factory will be requested to provide the steps it has taken to develop a Finance Plan and documented information regarding its financial situation (e.g., order books and balance sheets/ financial audit documents for the past 3 years). The goal of this meeting will be determine whether the factory and responsible brand(s) are addressing the requirement to develop a Finance Plan or not, and whether financial support is needed from the responsible brand(s) to cover remediation costs.

In the event the factory fails to cooperate in the development of a Finance Plan, the CSO may trigger a notice and warning under the Pakistan Accord Escalation Protocol. In the event the responsible brand(s) fail to cooperate in this process, the Deputy Director with the support of the Policy & Accountability Coordinator may raise the matter with the International Accord Steering Committee.

6. Tracking Finance Plans

The Pakistan Accord Secretariat will be responsible for tracking system up-to-date information on factory finance plans under the supervision of the International Accord Secretariat.

The database should include all information relevant to the factory's finance plan, including:

- Date of receipt of the initial inspection reports
- Date the finance plan introductory meeting was held

⁶ See *the Pakistan Accord Inspections & Remediation Protocol and Standard Operating Procedures*.

- Submission of at least two quotations per CAP item/group of CAP items YES/NO
- Submission of completed CAP Costing Template YES/NO
- Submission of completed Comparative Quotation Form YES/NO
- Agreement on remediation schedule YES/NO
- Financing schedule YES/NO
- Brand support YES/NO
- Means of remediation selected
- Delays YES/NO
- CAP approved by CSO YES/NO
- Raise finance request YES/NO

II. FACTORY FINANCE REQUESTS

A factory may raise a need for financial support at any time during the remediation process regardless of whether a Finance Plan was previously agreed on. To raise a finance request under Article 25, the factory and/or responsible brand(s) may indicate to the International or Pakistan Accord Secretariat, either verbally or via email, that the factory does not have the financial resources to remediate within the timelines set out in the CAP.

1. Confirmation of Finance Request

The FRC will send the factory the [*Template explanation email*] to explain what a finance request is and the documents that will be needed for the finance request to move forward. The FRC may clarify the process further by phone in the local language to ensure that the factory understands the finance request process. However, all email communication must be in English. The factory must then confirm that they wish to proceed with raising a finance request.

The factory must have completed all immediate and low-cost CAP items as a show of good will that the factory is committed to the completion of its CAP. Failure to remediate all immediate and low-cost CAP items will lead to the dismissal of the Finance Request.

Once a Factory Finance Request confirmed, the request is added to the finance request database and the status of the request is set to "P - Awaiting Meeting".

2. Meeting Invitation

The FRC for the factory will send the invitation to the finance request meeting to the factory, responsible brand(s), and relevant Accord staff using [*Template Meeting Invitation for Finance Meetings*].

The responsible brand(s) for the factory, management factory representatives, and relevant Accord staff are required to be present at the finance request meeting. Responsible brands are encouraged to ensure that a representative from their sourcing department and agent are present at the meeting.

The finance request meeting will be scheduled to take place **maximum three weeks** from the day the invitation is sent. A request to postpone the finance request meeting will be decided by the Financing Remediation Team on a case-by-case basis.

3. Meeting Preparation

The factory will be required to submit several documents and information for assessment. These documents and information include:

- Order books for the past 3 years

- Balance sheets / financial audit documents for the past 3 years⁷
- CAP costing (cost of each CAP item included under the finance request)
- At least two quotations per issue
- Information on how much the factory already has invested in remediation
- Information on what the division of the costs would be (factory-brand(s))

All documents provided to the Accord will be shared with all those involved in the meeting. The Secretariats and responsible brand(s) will agree to keep these documents strictly confidential.

10 days before the meeting, the factory's FRC will ensure that the factory has submitted all necessary documents. Should the factory not have submitted the documents, the FRC will contact the factory to ask whether it needs further guidance or clarification on the details of what is required and remind the factory that the financial documentation must be submitted at the latest **5 working days** before the meeting. [*Template Reminder E-mail Finance Docs*]

The factory will have up to **5 working days** before the finance meeting to submit all their documents. Should the factory fail to submit the documents within this timeline⁸, their finance request may be postponed or dismissed depending on the reason behind the delay.

- If the documentation provided is insufficient, the factory will be given **1 additional week** to submit the documentation and the finance request meeting will be rescheduled.⁹ If the factory does not provide all the required documents by that time, the finance request will be dismissed.
- If the documentation provided is sufficient, the FRC will develop a Cheat Sheet in preparation for the meeting [*Template Cheat Sheet*]. The Cheat Sheet provides details on the factory's remediation progress, follow-up inspections, escalation status and the items for which financial support is being requested. The Cheat Sheet is used as a reference during the meeting and to document the main outcomes of the meeting.

Once the documents have been received, the the Policy & Accountability Coordinator reviews them and drafts a summary of the factory's financial situation. This preliminary case analysis will be sent to the Deputy Director and will be uploaded onto the factory file on the shared database.

4. Factory and Brand Representation

The factory and responsible brands' representatives at the meeting must have sufficient decision-making power to resolve the financing issues and knowledge of the documents submitted by the factory to engage in an informed discussion. If there is no one available with that authority, such representative shall be put in copy in all correspondence relating to the factory's finance request so that a decision at a higher level can be made regarding the financing agreement.

5. The Finance Request Meeting

At the finance request meeting, the Accord presents a summary of the case and requests the factory to explain what their preferred type of support would be. The finance requests can be met via any -or a combination of- commercial terms, including:

- Increased order volume
- Advance payment terms
- Opening an L/C

⁷ The latest year's financial audit statement will be collected should the finance request continue into another calendar year.

⁸ This timeline may be extended at the Accord's discretion.

⁹ The meeting may be rescheduled up to 2 weeks later at the Accord's discretion.

- Soft loan
- Support for a bank loan
- Higher FOB prices
- Improved payment times/terms
- Placing orders during the low season

Once the factory has expressed its preference for a particular financial support mechanism, the Accord reminds the responsible brands of their obligations under Article 25 of the Pakistan Accord and asks what avenues of support suggested by the factory they can accommodate. The responsible brands have **2 weeks** to come to a decision and provide this decision to the Accord Secretariats.

Present from the Accord

- International Accord Deputy Director
- International Accord Policy & Accountability Coordinator
- Pakistan Accord FRC for the factory

Present from the factory and the responsible brand(s)

- The factory owner
- If the factory is leased, the factory owner and factory manager
- All responsible brands
- Other non-Accord brands willing to participate to support the factory

Agenda

1. Welcome participants
2. Explain the purpose of the meeting
3. Confirm meeting attendees and absentees of all responsible brands and the factory
4. Explain signatory obligations under Article 31 of the International Accord
5. Confirm financial information related to the finance request has been submitted by the factory:
 - Order books for the past 3 years
 - Balance sheets / Financial audit documents for the past 3 years
 - CAP costing (cost of each CAP item included under the finance request)
 - At least two quotations per issue
 - Information on how much the factory already has invested in remediation
 - Information on what the division of the costs would be (factory-brand(s))
6. Confirm whether the responsible brands have reviewed the financial documentation and whether further documentation is required
7. Request position from brands on factory's finance request. If there is no one available with that decision-making authority, a decision at a higher level must be made regarding the financing agreement
8. Explain that the Accord Secretariat will refer cases to the Accord Steering Committee where a finance plan is not agreed and where the brands might not be exercising their responsibilities under Article 31
9. Explain the Escalation Protocol and the fact that items found under the finance request will be kept in abeyance from escalation during the agreed remediation schedule
10. Provide an overview of the factory's remediation status
11. Close, summaries action points and thanks

Meeting Actions and Minutes

The FRC will send meeting action points to all participants within **1 working day** of the meeting having taken place.

The FRC will write a draft of the minutes and share them within a week from the meeting having taken place with the Policy & Accountability Coordinator for review.

The Policy & Accountability Coordinator will share the revised minutes with all participants and upload the file onto the factory folder on the shared database. The minutes shall be shared within two weeks of the meeting having taken place.

6. Facilitation of Factory-Brand Discussions

The Secretariats can facilitate discussions between the factory and responsible brand(s) with the support of easy-to-use tools to calculate remediation financing and how these could be covered through commercial terms, as explained in the Finance Plan section of this SOP.

7. Monitoring Brand Obligations

The FRC under the supervision of the International Accord Secretariat will follow up with the responsible brand(s) and the factory to ensure feasible commercial terms are agreed upon. A finance request is considered resolved once the factory and their responsible brand(s) have agreed on financial means of support to complete the remediation according to schedule. The status of the finance request is then changed to resolved on the finance request tracker.

Brand Decision

The responsible brand(s) have **2 weeks** from the Finance Request Meeting to come to a decision on how the finance request will be met and provide this decision to the Accord. Should the brands not provide their decision within two weeks, the following process shall be shared with the responsible brand(s). The FRC will:

- Reiterate the brand(s)' obligations under Article 25 of the Pakistan Accord,
- Explain the consequences of not meeting a finance request, and
- Provide the brand an additional week to provide a preliminary answer on how the finance request will be met.

Should a brand refuse to meet its responsibilities under Article 25, the finance request will be raised with the Finance Remediation Subcommittee¹⁰ (Subcommittee) for support.

Resolved Factory Finance Request

If the responsible brand(s) agrees to meet the finance request, the brand(s) will have a maximum of **three months** to provide a financing plan that meets the factory's finance request, which should include the means of support and an associated remediation schedule.

Pakistan Accord engineers will need to have reviewed the factory's remediation schedule to ensure the timelines provided are reasonable and approve the remediation schedule.¹¹ Once there is agreement between the factory and responsible brand(s) on the financing plan and the Pakistan Accord engineers on the remediation schedule, the finance requests will be marked as resolved in the finance request database.

Should the responsible brand(s) not follow through with their commitments related to the finance request, the case will immediately be raised with the Steering Committee under Article 26 of the Pakistan Accord.

Implementation of Financial Support

The International Accord Secretariat will follow up with the responsible brand(s) and the factory to ensure that the agreed means of financial support is followed through. Once the agreed financing method has been carried

¹⁰ The Finance Remediation Subcommittee is a committee composed of two Steering Committee representatives, one from the trade unions and one from the brands.

¹¹ Should the timelines proposed be considered too long, the remediation schedule will be adjusted accordingly and the brands will be requested to revise the financial means of support to a timeline that is deemed acceptable by the Pakistan Accord engineers.

out and the corresponding remediation has been completed, the case can be confirmed as implemented in the Accord’s data system.

Unmet Finance Requests

Should the brand fail to meet the finance request within the timeline, the case will be raised with the Subcommittee for support. When a finance request is raised with the Subcommittee, the status of the finance request is changed to “Refer to Subcommittee” on the finance request database. The Subcommittee has **one month** to intervene with the responsible brand(s). The Accord will support the Subcommittee in their discussions with the responsible brand(s) by providing an overview of the case.

If the Subcommittee is unable to resolve the matter with the responsible brand(s) within one month, the International Accord Secretariat will raise the case with the Steering Committee under Article 26 of the Pakistan Accord. The Steering Committee will have **one month** to review the finance request and decide whether the responsible brand(s) have met their obligations under Article 25 of the Pakistan Accord (see section 2 below). When a finance request is raised with the Steering Committee, the status of the finance request is changed to “Refer to SC” on the finance request database.

Brand Disengagement

In the event a factory receives information that business may be withdrawn as a result of the factory raising a Finance Request, the responsible brands will address this concern by providing written clarification to the factory. Failure to do so will result in the Secretariat raising the Finance Request with the Steering Committee under Article 26 of the Pakistan Accord.¹²

Escalations

All items included under the finance request are kept in abeyance of escalation for the entirety of the agreed remediation schedule.

8. Process for Unmet Finance Requests under Article 26 of the Pakistan Accord

For cases raised under Article 26, the International Accord will inform the factory and the responsible brand(s) of the decision to inform the Steering Committee that the factory finance request is unmet.

The Accord will prepare a case summary for the Steering Committee which contains the following information:

- The nature of the finance request (e.g. CAP items under the finance request, amount of financial support requests, support requested by the factory)
- An analysis of the factory’s financial situation
- A summary of the brand(s) response

The Steering Committee will have **1 month** to communicate with the responsible brand(s) and resolve the finance request. Without a resolution, the International Accord Secretariat may recommend that the Steering Committee trigger Section XIII of the Pakistan Accord.

III. ROLES & RESPONSIBILITIES

Factory Remediation Coordinator	<ul style="list-style-type: none"> - Schedules the finance request meeting - Sends the email invitation - Coordinates with the factory to ensure attendance and document submission - Coordinates with the responsible brand(s) to ensure meeting attendance - Prepares meeting cheat sheet - Drafts meeting action points - Sends meeting action points
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¹² See Pakistan Accord Financing Remediation Protocol.

	<ul style="list-style-type: none"> - Drafts meeting minutes
Policy & Accountability Coordinator	<ul style="list-style-type: none"> - Ensures document submission by the factory meets the requirements - Analyses the documents submitted by the factory and provides a summary to the Deputy Director - Reviews action points - Reviews meeting minutes - Sends meeting minutes - Engages with brands to ensure the resolution of the finance request - Monitors the observance of Pakistan Accord Article 26 obligations by the factory's responsible brand(s) - Raises cases with the Deputy Director when timelines are not met by the brands - Prepares case summaries for finance request cases that are raised to the Steering Committee for support or that are raised under Article 26
Deputy Director	<ul style="list-style-type: none"> - Chairs the finance request meeting - Monitors the observance of Article 25 obligations by the factory's responsible brand(s) - Oversees the finance request process - Refers unmet finance cases with the Steering Committee for support or under Article 26

IV. TRACKING FINANCE REQUESTS

The Secretariats are responsible for developing a tracking system with up-to-date information for factory finance request raised under Article 25 of the Pakistan Accord.

The database should include all information relevant to each factory's finance request:

- Account Name
- Account ID
- Factory status
- Escalation status
- The date the finance request was raised
- The date the finance meeting took place
- The CAP items that required finance and their associated amounts
- A communication log between the Secretariats, the responsible brands and the factory
- The outcome of the finance request
- The means of support provided by the brand(s), if the factory received brand support, and
- If the factory remediated the CAP items in question.

Each factory has a finance request status, which reflects the current stage of a particular finance request. These statuses also serve as guides for next steps and actions to be taken for each case. The statuses are:

Pending Finance Requests (P)	<ul style="list-style-type: none"> - P - Awaiting Meeting: Pending for finance meeting to be held. - P - Awaiting Further Documentation: Pending documents/design/drawing submission by factory - P - Awaiting Brand Decision: Pending decision from the responsible brands
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	<ul style="list-style-type: none"> - P - Awaiting Factory Confirmation: Pending confirmation that the finance request is still relevant, or waiting for confirmation that brand support being provided meets the factory's finance request.
Resolved Finance Requests (R)	<ul style="list-style-type: none"> - R - Self-Financing: Resolved by confirmation from the factory that it will self-finance - R - Bank/IFC loan: Resolved by a bank loan or IFC loan - R - Brand Soft Loan: Resolved by a low-interest rate loan from the brand - R - Order increase/guarantees: Resolved by brands increasing orders or guaranteeing future orders - R - Advance Payment Terms: Resolved by the advance payment of orders from brands - R - Brand Funding: Resolved by direct support received from brands - R - Multiple: Resolved by multiple sources of support
Implemented	<ul style="list-style-type: none"> - Implemented: Once the agreed financing method has been carried out and the corresponding remediation has been completed
Ineligible (I)	<ul style="list-style-type: none"> - I - Group Escalation: Ineligible due to escalation related to factor group escalation - Ineligible: Ineligible due to not complying with Accord requirements
Closed/Relocated	<ul style="list-style-type: none"> - Factory is in Closure/Relocation.
Refer to SC	<ul style="list-style-type: none"> - Refer-SubSC: Referred to SubCommittee for support in resolution of finance request. - Refer-SC: Referred to Steering Committee as an unmet finance request
Dismissed	<ul style="list-style-type: none"> - Finance request dismissed due to lack of co-operation from the factory
Hold	<ul style="list-style-type: none"> - The completion of the finance request is being delayed due to Pakistan Accord operational delays