

## **Review Committee (grant schemes)**

### **Section A: Structure**

The Committee shall be appointed by the Chief Executive Officer of the MRA with at least one nominee from the Ministry of Resources and Rural Affairs and another from the Ministry of Finance and Economic Investment and not more than one member from the Malta Resources Authority.

The members of the Review Committee shall have appropriate background and be without conflict of interest. In the case of a conflict of interest or absence on the part of the Chair, the Vice Chair will chair the Review Committee.

The primary functions of the Committee are to:

1. Decide on objections by applicants to Grant Schemes who feel aggrieved by decisions of the Grant Scheme Administrators; and
2. Provide clarifications in case of issues which could be subject to differing interpretations in the guidelines. Such clarifications shall be published on the website and shall be applicable to all applicants. A referral for interpretation may be made by Grant Scheme Administrators in a non-adversarial context only.

All decisions of the Committee shall be in line with the guidelines governing the scheme, and with applicable requirements of the Ministry for Finance, other national requirements for the operations of such schemes, directions issued by the PPCD or applicable managing organization and with EU funding requirements.

The referral of his case to the committee by an applicant shall in no way prejudice his rights provided by law.

### **Section B: Terms of Reference**

The mandate of the Review Committee is:

1. To hear and consider objections made by applicants against decisions of the Grant Scheme Administrators
2. To advise the Grant Scheme Administrators on Grant Scheme Policy and Programs from time to time with respect to general administrative procedures upon a referral being made by the Grant Scheme Administrators in a non-adversarial context.
3. To determine detailed procedures in its own operations provided that these should be made known before a case is heard and should not be subject to modification once proceedings are initiated.
4. to submit after every meeting to the grant scheme administrators and CEO a written report on the objections received and considered by the Review Committee.
5. to assess periodically the appeal process and to make recommendations to the CEO, for modifications, as appropriate.
6. to review the decision made by the grant scheme administrators and which has been appealed by an applicant;
7. to conduct a full review of the application and associated documentation in order to reach an independent decision;

8. to render a final and binding decision, by majority vote, which may either
  - a) uphold the original decision,
  - b) modify the original decision or
  - c) impose specific conditions for approval of the grant.
9. to communicate the decision, in writing and with reasons, to Grant scheme administrators who will so inform the applicant making the appeal.

**Section C(i): Meetings**

The quorum shall be at least one member from MFIE and one member from MRRA/MRA.

1. Decisions with respect to the final disposition of an appeal will be carried by a simple majority of the panel hearing the appeal. If the number of members present is two, a unanimous decision is required.
2. Questions pertaining to the interpretation of Scheme policies shall be determined by a simple majority of the panel hearing the appeal.
3. The committee may refuse to give formal hearing to an appeal on the grounds that the matter referred is not directly related to a decision made by a grant scheme administrator with regard to an application.
4. The panel of the Committee hearing an appeal may dismiss an appeal (by unanimous decision) after considering the written submissions, on the grounds that there is no real case for an appeal. Such objections might be described in legal terms as frivolous or vexatious.
5. The committee shall meet within two weeks from the receipt of an appeal. The applicant has two weeks to appeal from the date of the letter sent to him informing him of the grant scheme administrator's decision.

**Section C(ii): Policy meetings**

The Committee meets, to consider proposals concerning policies and procedures governing grant scheme objections.

Policy meetings may be called in the following circumstances:

1. where significant changes are proposed to the Terms of Reference of the Review Committee;
2. to consider or recommend changes to the Terms of Reference of the Review Committee;