



## **Complaint submission procedure to the Complaint Panel of the Interreg V-A Greece – Bulgaria 2014-2020 Programme**

### **1. Scope of the Complaint Panel**

The two Member States participating in the Programme ensure that effective arrangements are in place for the examination of Complaints submitted by Lead Applicants (Complainants) of project proposals against the Decisions of the Monitoring Committee of the Programme regarding the assessment and the selection of operations to be funded by the Programme so as to ensure fair, just and unbiased treatment of all project proposals, in line with the Programme provisions.

The Complaint Panel is the body entitled to examine the admissibility of the complaints, the legality of the actions against which the complaints are launched and the legal and factual arguments and claims of the complaints.

### **2. Submission and Management of the Complaints**

The Lead Applicant of a project proposal, as the representative of the project beneficiaries, may submit a complaint against any of the Decisions of the Monitoring Committee regarding either the admissibility and eligibility of the project proposals or the qualitative assessment and selection of operations to be funded by the Programme, in writing, presenting all its legal arguments, factual grounds and its claims, once, to the Managing Authority/Joint Secretariat (MA/JS) within seven (7) working days, following the official notification of the relevant Decision of the Monitoring Committee by the Joint Secretariat. If a complaint is submitted after that deadline it will be rejected without further examination.

Regarding the admissibility of the complaint, it should include:

- the name and address of the Lead Applicant;
- title and acronym of the project proposal concerned;
- the date of its submission, signature and stamp of the legal representative of the Lead Beneficiary.

Supporting documentation may not be provided with the complaint, in order to correct deficiencies identified in the assessment process already made of the project proposal in question and provide new information. Any new information and documentation provided will not be taken into consideration.

The MA/JS shall provide the Complaint Panel with:

- a. the complaint of the Lead Applicant
- b. the original application form and all supporting documents that were taken into consideration during the project assessment and selection process
- c. all documents relating to the assessment of the application in question and the record of the Monitoring Committee's decision,
- d. any other document requested by the members of the Complaint Panel relevant to the complaint.

The Complaint Panel will examine and evaluate the legal and factual argument(s) and claims of the complaint, will form its opinion and reach a conclusion on the complaint.

The Complaint Panel will not perform a quality assessment or re-evaluation of the project proposal.

The Complaint Panel submits its conclusions on the justifications of the complaint to the Monitoring Committee of the Programme within fifteen (15) working days from the last date indicated for the submission of complaints.

The Monitoring Committee examines the conclusion reached by the Complaint Panel and takes a decision on whether to accept it or reject the complaints within five (5) working days following the submission of the Complaint Panel conclusions.

In case a complaint is accepted by the Decision of the Monitoring Committee, the MA/JS shall be requested to re-assess the project proposal in question. The Monitoring Committee, on the basis of the results of the re-evaluation of the given project proposal, may review its initial Decision on the selection of the operations to be funded by the Programme.

In case a complaint is rejected by the Decision of the Monitoring Committee, this decision is final and binding to the Complainant and it may not be subjected to a second similar complaint procedure.

Once a complaint is submitted and a decision is reached on the matter by the Monitoring Committee of the Programme according to the above mentioned procedure, the same Complainant has exhausted its right to submit a complaint, not only on the same grounds but on any grounds against the final Decision of the Monitoring Committee of the Programme regarding the selection of operations to be funded by the Programme.

The MA/JS shall notify to the Complainant the decision of the Monitoring Committee's on the complaint, immediately. In case the complaint is accepted, the Complainant is informed of the relevant procedure for the re-evaluation of the project proposals that the Monitoring Committee of the Programme will proceed with. In case the complaint is rejected, it informs the Complainant of its legal rights before the competent Greek Courts and the relevant procedure under the Greek Administrative law, since the official seat of the MA is located in Greece, according to the Programme.