

**GIBRALTAR EUROPEAN REGIONAL DEVELOPMENT FUND  
INVESTMENT FOR GROWTH AND JOBS GOAL  
MONITORING COMMITTEE  
2014 - 2020**



**TERMS OF REFERENCE AND RULES OF PROCEDURE**

**Introduction**

1. This Paper sets out the terms of reference and the rules of procedure for the Gibraltar European Regional Development Fund Investment for Growth and Jobs Monitoring Committee 2014-2020. The responsibilities of the 2014–2020 Monitoring Committee will also include the work of the 2007-2013 ERDF Competitiveness and Employment Programme.
2. The terms of reference for the 2014–2020 ERDF Programme set out in this Paper are based on the requirements of Articles 47-49 & 110 of Council Regulation (EU) 1303/2013. Following the repeal of Council Regulation (EC) 1083/2006, the terms of reference for the current ERDF Competitiveness and Employment Programme 2007-2013 will also be based on Articles 47-49 & 110 of Council Regulation (EU) 1303/2013.

**Establishment of a Monitoring Committee**

3. Article 47 of Council Regulation (EU) 1303/2013 states;
  1. *Within three months of the date of notification to the Member State of the Commission decision adopting a programme, the Member State shall set up a committee, in accordance with its institutional, legal and financial framework, to monitor implementation of the programme, in agreement with the managing authority (the “monitoring committee”).*

*A Member State may set up a single monitoring committee to cover more than one programme co-financed by the ESI Funds.*
  2. *Each monitoring committee shall draw up and adopt its rules of procedure in accordance with the institutional, legal and financial framework of the Member State concerned.*
4. The Gibraltar ERDF Operational Programme 2014-2020 (section 7.2.1) states:

*There will be a three-tier system in the partnership process of the OP. Each tier will have different levels of responsibility for different areas of the Programme. The levels involved can be summarised as follows:-*

## **MONITORING COMMITTEE (MC)**

### **Membership:**

*Government Departments and Agencies: EU Programmes Secretariat; Treasury Department; Office of the Chief Secretary; Town Planning Section; Technical Services Department; Gibraltar Tourist Board; Employment Service; Environmental Agency; Ministry for the Environment and the Department for Equality.*

*Social partners: Chamber of Commerce; GFSB; Women in Business Gibraltar and the GTC.*

*NGOs: GONHS.*

*Observer/advisory capacity: EU Commission and the Department of Business, Innovation & Skills (BIS) UK.*

### **Responsibilities:**

- *To oversee the Programme.*
- *To monitor expenditure and review progress on the achievement of objectives.*
- *Approval of modifications to the OP.*
- *Issue recommendations regarding implementation of the Programme and its evaluation.*
- *Monitor actions taken as a result of its recommendations.*

### **Conflicts of Interest**

5. Members of the Monitoring Committee are nominated from the partnership, but are invited to serve in an individual capacity. Members will require to act in an objective and non-partisan way, considering the interests of the Programmes as a whole above any interests of their own organisation.
6. Members must not advocate specific proposals within their areas of interest, or where their organisation has a financial or other formally expressed interest. In the event that specific proposals are discussed deriving from their particular organisation, the relevant member must declare a conflict of interest. The member shall not have a vote, if a vote is required on such a matter.

### **Work of the current ERDF Programming Period 2007- 2013**

7. The new ERDF Monitoring Committee established for the 2014–2020 Programme will also be responsible for monitoring the remainder of the 2007–2013 ERDF Programme. The terms of reference and rules of procedure set out in annexes 1 and 2 of this Paper will therefore be applicable to the remainder of the current 2007-2013 ERDF Programme.

### **Conclusion**

8. The Monitoring Committee is asked to note this covering Paper and agree the terms of reference, rules of procedure and committee membership at Annexes 1, 2 and 3.

## ANNEX 1

**GIBRALTAR EUROPEAN REGIONAL DEVELOPMENT FUND  
INVESTMENT FOR GROWTH AND JOBS GOAL  
MONITORING COMMITTEE  
2014 - 2020**



### TERMS OF REFERENCE

The Gibraltar European Regional Development Fund Investment for Growth and Jobs Goal Monitoring Committee 2014-2020, (hereinafter called the MC), is established in accordance with Articles 47-49 & 110 of Council Regulation (EU) 1303/2013.

This document outlines the terms of reference for the MC, specifically the role and tasks involved.

#### **Role**

The role of the MC is to oversee the implementation of the 2014-2020 Gibraltar European Regional Development Fund Investment for Growth and Jobs Goal Programme. The MC shall satisfy itself as to the effectiveness and quality of the implementation of the Operational Programme.

#### **Tasks**

In accordance with Article 47 & 110 of Council Regulation (EU) 1303/2013 the roles of the MC will include:

- *47(2). Each monitoring committee shall draw up and adopt its rules of procedure in accordance with the institutional, legal and financial framework of the Member State concerned.*
- *110(1). The monitoring committee shall examine in particular:*
  - a) *Any issues that affect the performance of the operational programme;*
  - b) *Progress made in implementation of the evaluation plan and the follow-up given to findings of evaluations;*
  - c) *Implementation of major projects;*
  - d) *Implementation of joint action plans;*
  - e) *Actions to promote equality between men and women, equal opportunities, and non-discrimination, including accessibility for persons with disabilities;*

- f) *Actions to promote sustainable development;*
- g) *Where applicable ex ante conditionalities are not fulfilled at the date of the submission of the Partnership Agreement and operational programme, progress on actions to fulfil the applicable ex ante conditionalities;*
- h) *Financial instruments.*

*110(2). By way of derogation from Article 49(3), the monitoring committee shall examine and approve:*

- a) *The methodology and criteria used for selection of operations;*
- b) *The annual and final implementation reports;*
- c) *The evaluation plan for the operational programme and any amendment of the evaluation plan, including where either is part of a common evaluation plan pursuant to Article 114(1);*
- d) *The communication strategy for the operational programme and any amendment of the strategy;*
- e) *Any proposal by the managing authority for any amendment to the operational programme.*

In addition to the above tasks, the Committee will also take full responsibility for monitoring the effectiveness of implementation of the ERDF Competitiveness and Employment 2007-2013 Programme until the point at which the Programme is closed.

The above list is not exhaustive and should not exclude consideration of other issues of relevance to the Operational Programme which may arise.

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**RULES OF PROCEDURE**

The Gibraltar European Regional Development Fund Investment for Growth and Jobs Goal Monitoring Committee 2014-2020, (hereinafter called the MC), is established in accordance with Articles 47-49 & 110 of Council Regulation (EU) 1303/2013.

This document outlines the rules of procedure for the MC.

**1. Membership**

Annex 3 lists the membership of the MC.

**2. Chairperson and Secretariat Duties**

The MC is chaired by a person appointed by the Managing Authority. The EU Programmes Secretariat provides a permanent Secretariat responsible for overseeing the preparation of documents relating to monitoring reports, agendas, and summary recordings of meetings.

The EU Programmes Secretariat will draw up agendas for meetings. Members may request inclusion of particular items in writing via the Chairperson - such requests should normally be received at least 20 working days before the meeting.

The agenda and associated papers will normally be sent at least 10 working days before the meeting where practicable. In exceptional circumstances, the Chairperson may add to the agenda, or distribute papers, less than 10 working days before the meeting.

Minutes of the meeting will be produced and sent to members as soon after the meeting as practicably possible.

**3. Frequency of Meetings**

The MC shall meet twice a year subject to operational needs and may be asked to meet more often, if necessary.

The MC may meet at the initiative of the Member State or the Commission and will be convened by the Chairperson. Exceptionally, a request from members for a meeting will be considered at the Chairperson's discretion. Notice of a meeting will normally be given at least 20 working days in advance.

#### **4. Other Matters**

In exceptional circumstances, proposals may be circulated to members for agreement by written procedure. Members will normally be given 5 days in which to respond. In such cases, no response by the deadline will be taken as approval of the proposal.

It is expected that decisions will be made by consensus. In the event of disagreement, it will be the responsibility of the Chairperson, using appropriate channels, to seek to resolve differences.

## ANNEX 3

### GIBRALTAR EUROPEAN REGIONAL DEVELOPMENT FUND INVESTMENT FOR GROWTH AND JOBS GOAL MONITORING COMMITTEE 2014 - 2020



#### **Membership of the Gibraltar ERDF Monitoring Committee:**

The membership of the MC will include the principal regional partners including the Government, the private sector, the voluntary sector, and economic and social partners, and those representing the environment and equal opportunities, the latter particularly taking account of the need to promote equality between men and women.

A balanced participation of men and women, as far as possible, will be a consideration in representation on the MC.

#### **Membership**

##### **Chairperson**

Appointed by the Managing Authority

##### **Government Departments**

Office of the Chief Secretary (Audit Authority)  
Treasury Department (Certifying & Paying Authority)  
Town Planning Department  
Training & Skills Enhancement Department  
Ministry for Environment & Health  
Ministry for Equality & Social Services  
Ministry for Traffic & Technical Services

##### **Government Agencies**

Gibraltar Tourist Board	Employment Service
Environmental Agency	Gibraltar Citizens Advice Bureau

##### **Social Partners**

Gibraltar Chamber of Commerce	Gibraltar Federation of Small Businesses
Women in Business Gibraltar	

##### **Unions**

Gibraltar Trades Council

##### **N.G.O.s**

Gibraltar Ornithological and Natural History Society (GONHS)	
Gibraltar Disability Society	Bruce's Farm Rehabilitation Centre
University of Gibraltar	

##### **Advisory**

DG Regional & Urban Policy - European Commission

##### **Observers**

Department of Business, Innovation & Skills (BIS) - UK