

Terms of Reference of the Fishermen Claims Appeal Board

To process appeals regarding applications for an ex-gratia allowance (EGA) and a one-off grant filed by trawler owners and local deckhands affected by the trawl ban, the Government set up a Fishermen Claims Appeal Board (FCAB) on 5 November 2012. The Terms of Reference of the FCAB are:

* To see that the criteria established by the inter-departmental working group (IWG) for processing and/or vetting applications for the EGA comply with the government policy, and are fair and reasonable (in the public law sense) to the applicants.

* To see that the IWG's decisions on eligibility and the amount of EGA granted comply with the government policy and are fair and reasonable (in the public law sense) to the applicants.

* To examine any new or additional information/evidence provided by the appellants (or their representatives) who have lodged an appeal against the IWG's decisions or by the relevant departments, and to consider the relevance of and the weight to be given to such information/evidence.

* To consider whether to uphold the IWG's decisions on the appellants' cases or to revise the decisions, and to determine the type and amount of EGA payable to the appellants, as appropriate.