A 336

I assent.

(L.S.) **MYRIAM SPITERI DEBONO**
President

27th March, 2026

ACT No. VI of 2026

AN ACT to set-up the Credit Review Office and to provide for any matter ancillary and consequential thereto.

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled and by the authority of the same, as follows:-

ARRANGEMENT OF THE ACT

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PART I
Preliminary

Short title and commencement.

1. (1) The short title of this Act is the Credit Review Office Act, 2026.

(2) This Act shall come into force on such date or dates as the Minister responsible for the economy and the Minister responsible for finance may, by notice in the Gazette establish, and different dates may be so established for different provisions and, or purposes of this Act.

Interpretation.

2. (1) In this Act, unless the context otherwise requires:

"charter" means the document to be drawn up by each lending institution in accordance with article 17;

"credit application" means an application submitted by a customer or potential customer of a lending institution for the purpose of obtaining a credit facility;

"credit facility" means the lending of a sum of money by way of an advance, overdraft or loan, or any other line of credit required by the eligible applicant for working capital requirements or other general business purposes but excludes discounting of bills of exchange and promissory notes, guarantees, indemnities, acceptances, bills of exchange endorsed pour aval and financial leasing;

"credit reviewer" means any body or other person designated for this purpose by the Minister, by notice in the Gazzette made in accordance with this Act, which shall be responsible for overseeing the implementation of the Office and shall have the functions established in this Act or any regulations made thereunder;

"customer" and, or "potential customer" means a customer or a potential customer of a lending institution;

"durable medium" means any instrument which enables the storage of information addressed personally to a particular person in a way accessible for future reference and for a period of time adequate for the purposes of the information contained therein and allows the unchanged reproduction of the information stored;

"eligible applicant" means:

(a) a trader who is not a member in a commercial partnership and who resides in Malta;

Cap. 386.

(b) a commercial partnership constituted in Malta in accordance with the Companies Act, or any law which may from time to time be applicable; or

(c) any other person as the Minister may from time to time prescribe by regulations made under this Act;

"eligible application" means an application submitted by an eligible applicant who:

(a) has received a formal refusal by a lending institution following a request for a credit facility;

(b) has not received a final decision by a lending institution within the time period stipulated by the lending institution in accordance with its charter following a request for a credit facility by the eligible applicant;

(c) has been formally notified, through a durable medium, by a lending institution that an existing credit facility has been withdrawn or reduced; or

(d) has received formal refusal, through a durable medium, by a lending institution following a request for the restructuring of an existing credit facility;

(e) has not received a final decision by a lending institution within the time period stipulated by the lending institution in accordance with its charter following a request for the restructuring of an existing credit facility:

Provided that "eligible application" shall not include:

(a) decisions by lending institutions to refuse applications for credit facilities due to restrictions emanating from the European Union state aid rules;

(b) decisions by lending institutions relating to non-performing credit facilities;

(c) decisions by lending institutions refusing, withdrawing, reducing or refusing to restructure credit facilities in excess of two million euro (€2,000,000);

(d) applications refusing, withdrawing, reducing or refusing to restructure credit facilities of less than five thousand euro (€5,000); and

(e) decisions by lending institutions to refuse applications for credit facilities on the basis that granting such facilities would breach anti-money laundering and combating the funding of terrorism legislation, any implementing procedures, guidelines and any international agreements binding on the lending institutions;

"lending institution" means any entity licensed by the Malta Financial Services Authority to carry out the business of banking in terms of the Banking Act or to grant credit facilities in terms of the Financial Institutions Act; Cap. 371. Cap. 376.

"Malta Financial Services Authority" means the authority established in terms of the Malta Financial Services Authority Act; Cap. 330.

"Minister" means the Minister responsible for the economy;

"non-performing facility" means any credit facility that is classified as a non-performing exposure in accordance with the Commission Implementing Regulation (EU) 2021/451 of 17 December 2020 laying down implementing technical standards for the application of Regulation (EU) No. 575/2013 of the European Parliament and of the Council with regard to supervisory reporting of institutions and repealing Implementing Regulation (EU) No. 680/2014;

"Office" means the Credit Review Office established in accordance with article 3;

"Regulation (EU) 2016/679" means Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

(2) Words and expressions used in this Act and in any regulations made thereunder with reference to any other law shall, so far as necessary, have the same meaning as assigned to them in the respective law.

(3) If there is any conflict between the English and Maltese texts in this Act and in any regulations made thereunder, the English text shall prevail.

PART II
Establishment of the Credit Review Office

Credit Review Office.

3. (1) There shall be established the Credit Review Office.

(2) The Office shall be made up of the credit reviewer and of such officers and staff members appointed or employed with the Office.

Functions and powers of the Office.

4. (1) The Office shall have the following functions:

(a) to ascertain that a customer or potential customer making a complaint in accordance with article 9 qualifies as an eligible applicant;

(b) to ascertain that an application submitted by an eligible applicant is an eligible application in accordance with this Act;

(c) to review and investigate eligible applications submitted by eligible applicants, including by the means of mediation in accordance with article 10 and, where necessary, by issuing a recommendation in accordance with article 14;

(d) to inform the public through electronic means and, where possible, by means of written guidelines with regard to the functions carried out by the Office, the role of the credit reviewer, the contact details of the Office, the procedure followed by the credit reviewer and, or the Office in relation to eligible applications, and other information concerning the Office with the purpose of informing the public on the services offered by the Office;

(e) to provide the means to enable an eligible applicant to submit a complaint electronically or by recorded delivery through the post or courier service;

(f) to provide the means to enable the exchange of information between an eligible applicant and a lending institution electronically or by recorded delivery through the post

or courier service;

(g) to ensure that any personal data processed by the Office in the course of proceedings fully complies with Regulation (EU) 2016/679 and the Data Protection Act, including any regulations made thereunder; Cap. 586.

(h) to establish rules and guidelines in relation to the implementation of the regulations made in terms of article 19;

(i) to publish a yearly report of official statistics; and

(j) to carry out such other functions as are assigned to it under this Act or any other law.

(2) In carrying out his functions under this Act, the credit reviewer shall:

(a) act independently and impartially and shall not be subject to the direction or control of any other person or authority;

(b) determine complaints submitted in accordance with article 9 by reference to what in his opinion is fair, equitable and reasonable in the particular circumstances and substantive merits of the case;

(c) consider and have due regard, in such manner as he deems appropriate to applicable and relevant laws, rules and regulations, in particular those governing the conduct of a lending institution, including guidelines issued by national and European Union supervisory authorities, good industry practice and reasonable and legitimate expectations of eligible applicants and this with reference to the time when it is alleged that the facts giving rise to the complaints occurred;

(d) deal with a complaint in a procedurally fair, informal, economical and expeditious manner.

(3) The credit reviewer may delegate in writing to any person engaged with the Office any of its functions under this Act.

(4) The credit reviewer shall employ sufficient communication media for the purposes of its obligations arising from sub-article (1).

5. The yearly report shall contain: Yearly report.

(a) summarised reports establishing the main terms of

each complaint received by the Office and the resolution thereof, without including personal data of natural persons and the details of the lending institution;

(b) statistical data, both in absolute terms and in terms relative to the size of the lending institution including therein the number of complaints filed against each individual lending institution and their resolution, where applicable, and the lending institution shall be identified for the purpose of this paragraph; and

(c) data emanating from any surveys conducted or commissioned by the Office on the state of accessibility of finance by eligible applicants.

Presentation of yearly report by the House of Representatives.

6. The credit reviewer shall draw up a yearly report and a copy of the said yearly report is to be laid on the Table of the House of Representatives by the Minister within six (6) months from the end of each calendar year and shall be made accessible to the public in such a manner as the Minister may determine.

Accountability of the Office.

7. The Office shall be accountable to the Minister for the discharge of its duties.

PART III
Proceedings

Internal review process.

8. (1) An eligible applicant who may submit an eligible application in accordance with this Act, shall first submit a complaint with the relevant lending institution.

(2) The lending institution shall investigate the complaint made by the eligible applicant in accordance with and subject to the time-limits established in its charter.

(3) The lending institution shall communicate its decision on a durable medium to the eligible applicant within the time-limits established in its charter.

(4) Where following its internal review process the lending institution confirms its decision to:

(a) refuse to grant a credit facility to the eligible applicant;

(b) withdraw or reduce an existing credit facility; or

(c) refuse an application requesting the restructuring of

an existing credit facility:

(i) it shall, to the extent permitted by law, specify its reasons for the refusal, withdrawal or reduction; and

(ii) it shall, include clear information about the eligible applicant's right to refer a complaint to the Office, together with the contact details of the Office, and the applicable time-limits for doing so in accordance with article 9.

(5) The provisions of this article shall not apply to lending institutions which are not required to have in place a complaints management policy and a complaints management function in terms of law.

Review by credit reviewer.

9. (1) An eligible applicant who is entitled to submit an eligible application in accordance with this Act may, within ninety (90) days after having exhausted all remedies available to him in the charter of the relevant lending institution, submit an application in writing to the credit reviewer, which application shall:

(a) identify the lending institution against which the eligible application is made;

(b) identify the reasons for submission of the eligible application; and

(c) request the credit reviewer to establish, to the extent permitted by law, whether the decision communicated by the lending institution in respect of the eligible application submitted by the eligible applicant was in accordance with the credit policies of the lending institution and in the case of a failure by the lending institution to make a final decision within the time period provided by the lending institution in accordance with its charter following a request for a credit facility by the eligible applicant, to establish the reason for such a delay in making such a decision, and whether such delay was justified.

(2) Upon receipt of an eligible application the credit reviewer shall determine whether the eligible application falls within his competence.

(3) Where the credit reviewer determines that the eligible application does not fall within his competence, the credit reviewer shall promptly inform the eligible applicant in writing and provide the decision and the reasons for such decision, either electronically or by recorded delivery through the post or courier service.

(4) The application submitted shall be in the form and language determined by the Office and shall be accompanied by the documentation requested therein, including all documentation provided by the eligible applicant to the lending institution and the feedback received from the lending institution, to the extent that these are available.

(5) On submitting a complaint with the Office the eligible applicant may be required to pay a fee as the Minister, in consultation with the Minister responsible for finance, may prescribe, from time to time, by regulations made under this Act.

(6) The credit reviewer shall issue an order for the termination of the proceedings if:

(a) before the credit reviewer shall have reached a decision, the eligible applicant shall notify the credit reviewer in writing either electronically or by recorded delivery through the post or courier service of the withdrawal of his application; or

(b) if the continuation of the proceedings initiated by the eligible applicant become unnecessary or impossible for any reason.

(7) Where the credit reviewer determines that an eligible application falls within his competence, he shall transmit a copy of the eligible application, including supporting documents as applicable, to the lending institution electronically or by recorded delivery through the post or courier service.

(8) The lending institution shall, within twenty days (20) from service of the eligible application to the said lending institution by the credit reviewer, or any other period determined by the credit reviewer and communicated by him to the lending institution through a durable medium, submit a reply to the credit reviewer.

Voluntary mediation.

10. (1) An eligible application shall, as far as possible, be primarily dealt with by mediation.

(2) Participation in mediation by the eligible applicant and the lending institution shall be voluntary, and any party may withdraw from participation at any time.

(3) The mediation proceedings shall be carried out by officers appointed by the Office, whose function shall be to act as mediators between the eligible applicant and the lending institution:

Provided that the mediator may, on forming the view that a

mediation attempt is not likely to succeed, abandon such attempt to resolve the complaint by mediation. The mediator shall communicate such decision to the eligible applicant and the lending institution.

(4) Subject to the provisions of this Act and to any regulations made under article 19, the mediator may regulate his own procedure.

(5) The mediation proceedings shall proceed in private and any resolution of a complaint as a result of mediation shall not have the resolution thereof published in any format.

(6) No appeal shall lie from anything done by an officer acting in his capacity as mediator.

Where voluntary mediation is unsuccessful.

11. Where the mediation proceedings under article 10 prove to be unsuccessful, or where either the eligible applicant or the lending institution refuse to undergo voluntary mediation, the credit reviewer shall proceed to review the complaint raised by the eligible applicant in its application.

Proceedings before the credit reviewer.

12. (1) The credit reviewer has discretion to determine whether, for the purposes of the issuance of the recommendation, any additional oral and, or written submissions are required, in addition to the written submissions stipulated in article 9. Where the credit reviewer determines that any additional oral and, or written submissions are required, he shall provide the parties with an opportunity to make such additional oral and, or written submissions.

(2) The eligible applicant and the lending institution shall have the right to be represented and assisted by a person or persons of their trust. Neither party shall be required to be represented or assisted for any oral hearings which are required by the credit reviewer. If only one (1) party is represented or assisted, the credit reviewer shall ensure that the hearing remains fair for both parties.

(3) The credit reviewer may request the production of information or documentation from either of the parties or from a third party, as the case may be, which he considers necessary or relevant for the determination of the complaint raised by the eligible applicant, which information or documentation is to be provided before the expiry of such reasonable period as the credit reviewer shall specify, and in the case of information, in such manner or form as may be specified by the credit reviewer:

Provided that any documentation requested by the credit reviewer from a lending institution and which relates to the said lending institution's internal policies or strategies or any other document which, at the request of the lending institution shall be

deemed by the credit reviewer as containing sensitive information in relation to the lending institution, shall be made available by the lending institution to the credit reviewer only, to the exclusion of the eligible applicant or any other third party.

Cap. 586.

(4) Any personal data processed by the Office shall fully comply with the provisions of Regulation (EU) 2016/679 and the Data Protection Act, including any regulations made thereunder and the fundamental rights and freedoms of the data subjects.

(5) When the Office acts in its capacity of a controller within the meaning of Article 4(7) of Regulation (EU) 2016/679 it shall perform the relevant data processing operations which are strictly limited to the extent necessary and proportionate to enable the Office to exercise its functions under article 4(1).

(6) The language of the proceedings before the credit reviewer shall be either Maltese or English as the credit reviewer may determine in accordance with the particular circumstances of each case, in agreement with the parties.

(7) Subject to the provisions of this Act and of any regulations made thereunder, the credit reviewer shall regulate the proceedings as he deems appropriate.

Proceedings to be conducted in private.

13. Proceedings undertaken before the credit reviewer shall be conducted in private.

Recommendation.

14. The findings and conclusions reached by the credit reviewer following the submission of an eligible application in terms of this Act shall take the form of a recommendation which shall not be binding on the parties thereto.

Form of recommendation.

15. (1) The recommendation issued by the credit reviewer shall:

(a) support the lending institutions' decision complained of by the eligible applicant;

(b) recommend that a credit facility should be granted;

(c) recommend that an existing credit facility ought not be withdrawn or reduced;

(d) recommend that an existing credit facility is restructured; or

(e) make such other recommendation as the credit

reviewer deems appropriate in the circumstances.

(2) No monetary compensation may be awarded by the credit reviewer in respect of eligible applications submitted.

(3) The findings, conclusions and recommendations reached by the credit reviewer shall be drawn up in writing, giving the credit reviewer's reasons therefor and shall be read out in private on a day duly notified to the parties.

(4) The recommendation shall be made available to the parties to the proceedings only and shall not be made available to third parties, except as may be required in terms of law. The recommendation shall be treated as strictly confidential to the parties to the proceedings, who shall not disclose, divulge, reproduce or communicate any information or material contained in the recommendation, in whole or in part, to any third party, except as may be required in terms of law.

(5) The lending institution may comply with the recommendation issued by the credit reviewer or, where it elects not to comply with such recommendation, it shall provide the credit reviewer, to the extent allowed by law and permitted in terms of any document disclosed by the lending institution to the credit reviewer, with its reasons for not doing so, and in such case, the credit reviewer may elect to share those reasons with the eligible applicant.

PART IV
Miscellaneous

Applicability of the Holders of Public Office and Public Entities (Responsibility) Act. Cap. 652.

16. Unless expressly provided otherwise in this Act, the Holders of Public Office and Public Entities (Responsibility) Act shall be applicable in the case of any civil or criminal proceedings against the Office including the credit reviewer, unless it is shown that the person concerned acted in bad faith.

Charter.

17. (1) Each lending institution shall draw up a charter which shall be aimed at providing:

(a) guidance on the process which is to be undertaken in connection with the credit application process, including applicable timelines;

(b) an indicative list of initial documentation and data which is expected from the customer or potential customer in support of his credit application, together with a reference to the fact that further information may be required by the lending institution in order to process an application for a credit facility;

(c) to the extent applicable, the lending institutions' requirements regarding security and, or collateral required in connection with a credit facility;

(d) without prejudice to article 8(5), information on the lending institution's complaint handling mechanisms in relation to internal appeals or reviews where:

(i) an eligible applicant has received a formal refusal following a request for a credit facility;

(ii) a lending institution has withdrawn or reduced an existing credit facility;

(iii) an eligible applicant has received formal refusal by a lending institution following a request for the restructuring of an existing credit facility; or

(iv) the eligible applicant has not received a final decision by a lending institution within the time period provided by the lending institution in accordance with its charter, following a request for a credit facility or for the restructuring of an existing credit facility by the eligible applicant,

regarding the manner how such internal review or appeal process may be undertaken, together with any relevant timings; and

(e) information on the remedy available in certain instances to have a refusal by a lending institution reviewed by the credit reviewer.

(2) Without prejudice to sub-article (1), a lending institution shall include in its charter the time-period within which it shall be required to inform a customer or potential customer of the timeframe within which the lending institution shall revert with its decision following an application made for a credit facility or an application for a restructuring of an existing credit facility.

(3) The information established in the charter shall be made available on the lending institutions' website and, if so requested by a customer or potential customer of a lending institution, on a durable medium, free of charge. It shall be the duty of the lending institution to keep such information updated at all times.

(4) In cases where a charter is not drawn up and made publicly available by the lending institution in accordance with the provisions

of this Act, the Charter established in the Schedule shall apply.

(5) The Malta Financial Services Authority shall be responsible for the supervision and enforcement of the requirements relating to the charter as established in this article. For this purpose, the powers assigned to the Malta Financial Services Authority in accordance with the Malta Financial Services Authority Act and the Banking Act shall apply *mutatis mutandis.*

Cap. 330.
Cap. 371.

18. (1) The credit reviewer may appoint such officers and consultants to assist in the fulfilment of its functions. The engagement of such officers and consultants shall be at such appropriate terms and conditions as commensurate with their appointment and professional standing and experience. Such appointment may be on full-time or part-time basis, or related to specific eligible applications that require special skills for proper analysis.

Power to procure resources.

(2) Any person appointed in accordance with sub-article (1) shall:

(a) be independent and impartial of the parties to the application or applications in respect of which they shall have been engaged;

(b) carry out their duties free from any interference from any person except for the direction given by the credit reviewer; and

(c) maintain ongoing confidentiality regarding any information acquired during the course of their duties, even after their engagement has ended.

(3) The Office shall have the power to conduct surveys on the state of accessibility of finance by eligible applicants and to request information from lending institutions on the number of credit applications received by them by eligible applicants, including:

(a) the value of credit requested;

(b) the number of credit applications which have been approved and declined by lending institutions; and

(c) the reasons for refusal, to the extent permitted by law.

19. The Minister may, in consultation with the Office, and where applicable with the Malta Financial Services Authority, make regulations for the better implementation of the provisions of this Act and, without prejudice to the generality of the aforesaid, by such regulations, in particular:

Power to make regulations.

(a) establish the charges payable in accordance with this Act, in consultation with the Minister responsible for finance;

(b) establish the procedure to be followed by the officer in his capacity as mediator in the context of any mediation proceedings conducted in terms of this Act;

(c) prescribe the procedure to be followed in the formulation of a report by the officer in the context of any mediation proceedings conducted in terms of this Act;

(d) regulate the drawing up, approval, publication and distribution in Malta of the charter to be published by lending institutions in terms of this Act;

(e) amend, substitute or revoke Schedules.

Exchange of information.

20. (1) For the proper discharge of their respective duties, the Office and the Malta Financial Services Authority shall cooperate and exchange information about the efficient complaint handling of lending institutions and issues that are likely to have wider regulatory implications arising from eligible applications, including issues that appear to affect multiple applicants of one (1) or more lending institutions.

(2) The Office may enter into a memorandum of understanding with the Malta Financial Services Authority establishing the terms under which they agree to comply with sub-article (1). Such agreement shall be publicly available electronically or as requested.

(3) Any information divulged or exchanged pursuant to this article shall be treated as strictly confidential by the respective parties, and its disclosure may only be permitted if prior consent of the respective parties is obtained in writing.

Transitory provision.

21. This Act shall regulate any decision by lending institutions which relates to:

(a) an application for a credit facility made by an eligible applicant, and which is submitted to a lending institution following the date of the coming into force of this Act;

(b) a withdrawal or reduction of an existing credit facility, which withdrawal or reduction is effected following the date of the coming into force of this Act; and

(c) a refusal of an application requesting a restructuring of an existing credit facility, which application is submitted to

the lending institution following the date of the coming into force of this Act.

PART V
Amendments to the Arbiter for Financial Services Act

Amendments to the Arbiter for Financial Services Act. Cap. 555.

22. This Part amends the Arbiter for Financial Services Act and shall be read and construed as one with the Arbiter for Financial Services Act, hereinafter in this Part referred to as the "principal Act".

Amendment of article 21 of the principal Act.

23. Sub-article (2) of article 21 of the principal Act shall be amended as follows:

(a) paragraph (c) thereof shall be substituted by the following new paragraph:

"(c) the complaint is, in the opinion of the Arbiter, frivolous or vexatious; or";

(b) immediately after paragraph (c) thereof, as substituted, there shall be added the following new paragraph:

Act No. VI of 2026.

"(d) the complaint is submitted by an eligible applicant and relates to an eligible application as defined in the Credit Review Office Act.".

SCHEDULE
(article 17)

Charter

Information Required.

1. Customers or potential customers who intend to apply for a credit facility are to submit an application in writing in the form and substance determined by the lending institution.

2. Following receipt of the application referred to in item 1, the lending institution shall review the application and revert with a list of documentation and information required to process the application, by not later than seven (7) days from receipt of the said application.

3. (1) The type and level of the information required shall vary on a case-by-case basis depending on the nature of the customer or potential customer’s activity and the specific conditions associated with each credit application. The lending institution shall generally require the following information:

(a) identification documents where the applicant is a natural person;

(b) statements of income where the applicant is a natural person;

(c) up-to-date financial and management accounts;

(d) a comprehensive and detailed business or activity plan;

(e) information on the customer's or potential customer's experience, understanding of the market and understanding of risks and of opportunities which may arise in the short and medium term in connection with the customer's or potential customer's business;

(f) information on the customer's or potential customer's credit history; and

(g) information with respect to the customer's or potential customer's lending needs, including the amount which the customer or potential customer intends to borrow and the purpose for which the funds are being requested.

(2) Any personal data processed by the lending institution shall fully comply with the provisions of Regulation (EU) 2016/679 and the Data Protection Act, including the regulations made thereunder, and the fundamental rights and freedoms of the data subjects.

Cap. 586.

4. The lending institution may require collateral from the customer or potential customer for the purposes of securing the credit facility being requested or in connection with any request to restructure an existing credit facility. The specific collateral requirements shall be considered by the lending institution in the course of assessing the application submitted by the customer or potential customer and shall be communicated by the lending institution in the notice of confirmation.

5. Where an existing customer requests the restructuring of an existing facility with the lending institution, such request is to clearly explain why such restructuring is necessary and whether the customer is experiencing any difficulty in keeping up with its existing commitments and, or repayments.

6. The lending institution shall be required to acknowledge receipt of the application and accompanying documentation within seven (7) days of receipt of a completed application.

7. The lending institution shall notify the customer or potential customer of the outcome of its assessment in writing. This notice shall be communicated by the lending institution by not later than sixty (60) days from the date of submission of a complete application, duly supported by all documents and information requested by the lending institution, provided that a lending institution shall, at least one (1) week prior to the expiry of the said period, inform the customer or potential customer that the lending institution requires an additional timeframe, to be indicated therein, to revert with its assessment.

Assessment.

8. The lending institution shall use the information provided by the applicant to carry out an assessment of the application. In its assessment, the lending institution shall adopt a reasonable but commercial approach, proportionate to the level of credit being requested, the term of the facility and the overall risk profile of the applicant.

9. Where an application is approved, the notice of confirmation shall be communicated on a durable medium and shall include all applicable terms and conditions associated with the facility, including all fees or charges.

10. In the case that an application is declined or partially declined, the lending institution shall notify the customer or potential customer on a durable medium, whilst clearly providing the reasons on the basis of which the lending institution is unable to accommodate the request, except where to do so would result in a breach of any anti-money laundering and combating the funding of terrorism legislation, any implementing procedures, guidelines and any international agreements binding on the lending institutions, and informing the customer or potential customer about the lending institution's complaints procedure, to the extent applicable.

Internal review process.

11. In the case that:

(a) a customer or potential customer has received formal refusal following a request for a credit facility;

(b) a lending institution has withdrawn or reduced an existing credit facility;

(c) a customer or potential customer has received formal refusal by a lending institution following a request for a restructuring of an existing credit facility; or

(d) a customer or potential customer has not received a final decision by a lending institution within the time period provided by the lending institution in accordance with item 7

following a request for a credit facility or for the restructuring of an existing credit facility by the customer or potential customer,

the customer or potential customer may file a complaint with the lending institution requesting that its decision be reviewed.

12. Complaints shall be submitted in writing to the lending institution at its registered address, which complaint shall explain the grounds on the basis of which the complainant wants to have the lending institution's decision reviewed.

13. Complaints shall be submitted within one (1) month from the date of service of the decision, in the form and contents determined by the lending institution. The lending institution shall acknowledge receipt of the submission within two (2) days.

14. The complaint shall be considered by an independent official, or a team of officials, who were not involved in the original decision communicated by the lending institution.

15. If the assessment of the complaint requires submission of further information from the complainant, the lending institution shall indicate a reasonable timeframe by when such information shall be submitted.

16. The lending institution shall review the complaint submitted by the complainant and shall inform the complainant of the outcome of the complaint by not later than fifteen (15) days from receipt of the complaint and documentation requested by the lending institution. If the investigation of the complaint is not completed within fifteen (15) days as aforesaid, the lending institution shall inform the complainant of such fact before the expiry of such period.

17. Items 11 to 16, both inclusive, of this charter shall not apply to lending institutions which are not required to have in place a complaints management policy and a complaints management function in terms of law.

The Credit Review Office

18. A customer or potential customer may, within ninety (90) days after having exhausted all remedies available to him in accordance with this charter, if his application is considered to be an eligible application in accordance with the Act, submit an application in writing to the credit reviewer within the Credit Review Office.

19. The application shall be in the form and language determined by the Credit Review Office and accompanied by the documentation

requested therein, including all documentation provided by the eligible applicant to the lending institution and the feedback provided by the lending institution, to the extent that these are available.

20. Any application submitted in accordance with item 19 shall:

(a) identify the details of the lending institution against which the application is made;

(b) identify the reasons for submission of the application; and

(c) request the credit reviewer to establish, to the extent permitted by law, whether the decision communicated by the lending institution in respect of the application submitted by the eligible applicant is in accordance with the credit policies of the lending institution and in the case of failure by the lending institution to make a final decision within the timeframe established by the lending institution in accordance with its charter following a request for a credit facility by the eligible applicant, to establish the reason for such a delay in making such decision, and whether such delay is justified.

21. The findings and conclusions of the Office shall take the form of a recommendation which shall not be binding on the parties thereto.

Passed by the House of Representatives at Sitting No. 450 of the 25th March, 2026.

ANĠLU FARRUGIA
Speaker

ELEANOR SCERRI
Clerk of the House of Representatives

VERŻJONI ELETTRONIKA

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