



COMPLAINT FORM

Before you submit this form to the Office of the Arbiter for Financial Services ("the Office"), you must have complained in writing to the financial services provider.

This is an important document. Please ensure the Form is filled in completely and correctly before forwarding to this Office. Complete this form on screen, then print it off and post it to us together with any supporting documents. Further details at the back of this form. If you have any difficulties completing in this form, please call us on 8007 2366 (or +356 2124 9245).

SECTION A1 YOUR DETAILS

COMPLAINANT 1

Surname Title

First name(s)

ID /Passport No.

Address for correspondence (include postcode)

Mobile (and landline)

E-mail

If this complaint concerns a policy or account which is in joint names, this form needs to be signed by both account holders or policyholders, with details of the second complainant noted below.

COMPLAINANT 2

Surname Title

First name(s)

ID /Passport No.

Address for correspondence (include postcode)

Mobile (and landline)

E-mail

Relationship to Complainant 1 Spouse Sibling Other

If you have provided two different addresses above, please select which one you would like us to use to contact you:

Complainant 1 Complainant 2

SECTION A2**IF YOU ARE COMPLAINING ON BEHALF OF A BUSINESS**

Business name

Registration Number (if applicable)

Registered or
principal address

Type of business

 Sole Trader Partnership Limited Liability Company Other (please specify)

Please state your designation within the business

If you ticked any of the above mentioned boxes please provide the Office with (a) most recent official document clearly indicating the number of employees; and (b) audited accounts which confirm the annual turnover and/or annual balance sheet total for the financial year prior to which the complaint is made to the Office. The Office may request further information and/or clarification as required. If the business employs more than 10 persons and the annual turnover and/or annual balance sheet total exceed €2 million, the Office will not be able to accept your complaint.

SECTION B**IF YOU HAVE ASKED SOMEONE TO ASSIST YOU WITH YOUR COMPLAINT**

This section should only be completed if you have asked someone of your trust to assist you with your complaint. We would still send all future correspondence at the address as indicated earlier in Section A1/A2.

Title, Name and Surname

 Professional adviser Relative Other (please specify)

Mobile

Landline

E-mail

SECTION C FINANCIAL SERVICES PROVIDER, PRODUCTS AND SERVICES

Name(s) of the Financial Services Provider you are complaining against in full

Name and type of the product and/or service you are complaining about (such as home loan, bank account, insurance policy, investment, pension plan etc)

Account or policy number or claim number, or other reference

When did you first have knowledge of the matters you are complaining about?
If you don't know the exact date, please make an estimate.

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**Have you complained to your provider?
Attach a copy of your letter.**

YES

NO

We will not process your complaint if you have not provided the financial service provider reasonable opportunity to look into your complaint.

**Have you received a final response from the financial service provider?
Attach a copy of the response you received.**

YES

NO

You should allow 15 working days for a reply from the date when you send the complaint letter.

In regard to the conduct being complained of, is it currently or has it been the subject of a law suit before a court or tribunal initiated by the same complainant (or complainants) on the same subject matter?

YES

NO

We will not be able to process your complaint if the conduct being complained of is, or has been, subject of a law suit initiated by the same complainant(s) on the same subject matter.

SECTION D YOUR COMPLAINT (*Please respond in detail to all parts in this section*)

Describe the complaint in your own words.

If you need more space, use a separate sheet which should be clearly labelled and signed. You may also use bullet points.

Describe clearly the reason or reasons why your financial services provider has let you down.

If you need more space, use a separate sheet which should be clearly labelled and signed.

Describe clearly the remedy you are seeking.

If you are seeking compensation, please provide the amount and the relative detailed calculation. If you need more space, use a separate sheet which should be clearly labelled and signed.

This section provides information as to how and in what manner the Office of the Arbiter for Financial Services (“we”, “the Office”) uses your personal data. We process your data to exercise our official functions as laid out in the *Arbiter for Financial Services Act* and in accordance with the General Data Protection Regulation 2016/679 (GDPR) and any national implementing legislation.

How your data is processed throughout the complaint procedure

- We only request data which we will need to review your complaint.
- Personal data is obtained from the contents of your complaint form as well as from replies received from the financial services provider you are complaining against.
- In the course of processing your complaint, parties to the complaint provide further information by way of written correspondence or during hearings, of which we make a formal note. All the relevant data and information is exchanged between the parties to the complaint.
- Complaint files (in physical and electronic format) are kept for five (5) years from the date the decision becomes binding on the parties to the complaint. Decisions, containing all parties’ names, are permanently stored in physical and electronic format.
- Decisions issued by the Arbiter for Financial Services are published on the Office’s website and will remain available for a minimum of ten (10) years from the date of the Arbiter’s decision. In such published versions, complainants’ names will be replaced with different initials to make them unidentifiable.
- A summary of the case may also be published in the Office’s Annual Report, in which case the complainants’ names and details will also be unidentifiable.

Access to your data

- Your personal data will only be made accessible and transmitted to the parties directly involved in the case, or who may have a duty or legitimate interest at law to have access to such data and information. Generally speaking, the following will have access to some or all of the personal data pertinent to the said procedures, as applicable:

- Your (legal) representative whom you have authorised to assist you;
 - The financial services provider, its (legal) representatives and dependents;
 - Personnel acting and serving the Office; and
 - Consultants or experts as appointed by the Arbiter.
- We will also share your data where we are obliged to do so by law (such as if your complaint is appealed in which case the entire case file will be handed over to the Court of Appeal, Inferior Jurisdiction).

Keeping your personal data safe

High standards of physical and technical security are employed to protect the confidentiality of your personal data. All staff are aware of the standards of data processing and security of personal data that is required of them.

Access to personal data

You can make a request for your personal data by contacting our Data Protection Officer via email at dpo.oafs@financialarbiter.org.mt or in writing to: Data Protection Officer, Office of the Arbiter for Financial Services, First Floor, St Calcedonius Square, Floriana FRN1530. You may also contact the Data Protection Officer if you would like to ask that your data is amended or erased.

Complaint to the Data Protection Commissioner

If you are not satisfied at the way we handle your personal data, you may contact the Information and Data Protection Commissioner on (+356) 2328 7100 or at idpc.info@idpc.org.mt

Information and Changes to this Privacy Statement

This Privacy Statement was approved updated, on 7 March, 2019 and may be reviewed in light of changes to our operations or other legislative developments. A comprehensive Data Protection Statement is available on our website www.financialarbiter.org.mt. Please get in touch with the Data Protection Officer (dpo.oafs@financialarbiter.org.mt) for further information.

SECTION F DECLARATION

- I/we hereby certify and confirm that to the best of my/our knowledge, the information furnished above is true, accurate, correct and complete.
- The Office of the Arbiter for Financial Services may need to exchange information about my/our complaint with other persons or organisations in connection with my/our complaint, if it deems appropriate to do so. In this respect, I/we am/are extending my/our full consent to the Office to contact such other persons or organisations, and for such persons or organisations to disclose whatever information is required in respect of my/our complaint;
- By submitting this complaint to the Office, I/we understand that:
 - Where a complaint has not been settled between the parties, or withdrawn, that complaint will be subject to a formal decision in writing by the Arbiter, the terms of which will be binding on the parties.
 - A decision may be appealed to the Court of Appeal (Inferior Jurisdiction) by any of the parties to a complaint within 20 days from the date when the decision is notified to the parties.

	Name of Complainant 1 / Authorised signatory of the business	<input type="text"/>
Signature	<input type="text"/>	Date <input type="text"/>
	Name of Complainant 2 / Authorised signatory of the business	<input type="text"/>
Signature	<input type="text"/>	Date <input type="text"/>

If this complaint concerns a policy or account which is in joint names, this form needs to be signed by both account holders or policyholders.

The complaint form, with documents, may either be delivered by hand or mailed by registered post to:

OFFICE OF THE ARBITER FOR FINANCIAL SERVICES
FIRST FLOOR
ST CALCEDONIUS SQUARE
FLORIANA FRN1530
MALTA

Before submitting your complaint, please ensure that you have typed your complaint and:

- enclosed a copy of the provider's final letter, if available;
- enclosed copies of relevant documentation;
- Included everything you want to tell us about your complaint.

Finally...

The Office of the Arbiter for Financial Services would not be able to register your complaint if the payment of the case fee (€25) has not been made. We prefer payments to be made by bank transfer (call us on +356 2124 9245 for details). Only local cheques accepted. Never send cash by post.