

APPLICATION FOR ASSISTANCE

STEP 1 - Before lodging a complaint with the Ombudsman for Banking Services (OBS)

1.1. First lodge a formal, written complaint directly with your Bank's Dispute Resolution Unit:

Bank	Telephone	Fax	E-mail
ABSA	011 330 3021	0867 533 553	resolve@absa.co.za
African Bank	011 564 6643	011 207 3862	lungisa@africanbank.co.za
Capitec Bank	086 066 7719	086 066 7782	complaintmanagement@capitecbank.co.za
FNB	087 575 9408	011 632 2317	care@fnb.co.za
Nedbank	011 294 0291	011 295 0291	OBSRefComplaints@Nedbank.co.za
Standard Bank	0860 101 101	011 636 2911	ecru@standardbank.co.za

1.2. Ask for a Complaint Reference Number from your Bank's Dispute Resolution Unit.

1.3. Allow the Bank's Dispute Resolution Unit 20 working days to try and resolve your complaint.

1.4. Obtain a written response from your Bank's Dispute Resolution Unit.

1.5. For banks not listed above, please phone our call centre on 0860 800 900.

STEP 2 - Before completing the OBS Application for Assistance

2.1. Ensure that you have followed STEP 1 above.

If you did not, we cannot open a file to deal with your complaint and your complaint will be referred to the Bank's Dispute Resolution Unit (see above) on your behalf. You may follow up the status of the referral directly with the Bank's Dispute Resolution Unit.

2.2. Check if the OBS has the necessary jurisdiction to accept your complaint:

- You must be a customer of the bank you are lodging the complaint against.
- The complaint must be related to the advice, product or service received from your own bank.
- We can only accept complaints against BASA members *most major South African banks are BASA members.
- Your claim should not be subject to legal action or under consideration by a legal practitioner.
- The cause of your complaint should not be older than 3 years.
- The maximum claim amount is R2 000 000.
- The incident caused you loss and / or considerable distress and inconvenience.
- The complaint has not yet been dealt with by another dispute-resolving body or Ombud.
- If the complainant is a company the annual business turnover must be less than R10 000 000.

NB If your complaint does not comply with the above criteria then we may not have jurisdiction to deal with it.

2.3. Attach a copy of the complaint that you sent to the Bank's Dispute Resolution Unit to this Application.

2.4. Attach a copy of the response received from the Bank's Dispute Resolution Unit to the OBS Application.

2.5. Quote the reference number of the Bank's Dispute Resolution Unit in your Application for Assistance.

STEP 3 - Complete the OBS Application for Assistance

3.1. Please follow STEP 1 and STEP 2 before completing the Application for Assistance.

3.2. Bank's Dispute Resolution Unit reference number _____

3.3. Complainant's Personal Details:

Initials & Surname _____ ID No. _____

Age _____ Race _____ Gender Female or Male *This information is required for statistical purposes

Company Name _____ (if complainant is a company)

Company Type CC Pty Sole Proprietor Partnership Trust Other _____

Company Registration No. _____ Company Annual Turnover R _____

Complainant's Representative _____ (if applicable)
(E.g. Complainant's parent, guardian, account signatory, spouse, family member, friend. Company's director, owner, member etc.)

Physical/Postal address _____

_____ Province _____

Telephone: Cell _____ Work _____ Home _____

Fax _____ E-mail _____

3.4. Complainant's Bank details

Bank against whom the complaint is lodged _____

Account number _____ Type of account _____

Dispute category (choose one):

- ATM Internet Banking Mortgage Loan Personal loan Credit card Vehicle finance
 Current account Other

3.5. How did you learn about the Ombudsman for Banking Services?

Word of Mouth Newspaper Radio TV Magazine My bank Other _____

STEP 5 – Familiarise yourself with our Terms and Conditions

(The Terms and Conditions represent a summary of the OBS's Terms of Reference available on www.obssa.co.za)

- The OBS does not provide legal advice and does not act as an attorney or consumer advocate. We will do an objective and impartial assessment of the details of your complaint and the bank's response thereto. Based on our evaluation of all the submitted information, we may suggest a conciliation, make a recommendation to resolve the dispute, or invite both parties to attend a mediation.
- If there is no prospect of making a finding in your favour we will issue an Assessment Report indicating same to you.
- The process may take from 4 weeks up to 4 months to finalize, depending on the complexity of the case.
- The OBS or its staff members may not be held liable for any loss or damage that you may suffer due to us dealing with your complaint.
- You may withdraw your complaint at any time. Please inform us as soon as possible.
- Please inform us if you decide to institute legal action while your complaint is lodged with the OBS.
- If you accept a settlement from the bank, it will be in full and final settlement of your claim. You will have no right to claim further amounts from the bank.
- The OBS may dismiss your complaint if you fail to provide requested information, fail to reply to correspondence within a reasonable time, or if you are vexatious, abusive or insulting when communicating with the OBS.
- It may emerge that the complaint is very complicated, involving complex legal issues, or a dispute of fact that requires oral evidence by witnesses, is would be more suited to another forum. In such a case, we will inform you and refer you to the more appropriate forum such as a court of law.
- You remain legally obliged to continue paying your debts owed to the bank. We recommend that you continue paying the debt even if the OBS is investigating your complaint. Seek independent legal advice before stopping any payments.
- Acceptance of your complaint by the OBS does not automatically suspend legal action against you.
- Do not publish any of the details of your complaint in any media after the OBS has accepted it. This does not promote the resolution of a dispute by informal means. The Ombudsman may, in his sole discretion, decline to continue investigation if, in his opinion, such publication were detrimental to the investigation.
- Your complaint and any documents you and the bank submit to the OBS are deemed confidential. The OBS has the right to decide which documents to disclose.
- Should your complaint become the subject of a court case or any other dispute-resolving process, you / your legal representative cannot subpoena documents from the Ombudsman or any of his staff.
- You or your representative cannot order that any documents be discovered in terms of any rules of court.
- By your signature you authorise the bank to disclose any information or documentation it may have that the OBS may require to investigate your complaint.

STEP 6 – Sign Agreement to the OBS Terms and Conditions

By my signature below, I agree that my complaint will be processed by the Ombudsman in accordance with the Terms and Conditions as contained in the OBS Terms of Reference. The information provided by in this form is, to my knowledge, true and correct. I understand that submitting a false claim may constitute the crime of fraud.

Date

Complainant / Complainant's Representative
(Enclose Power of Attorney for representative)

STEP 7 – Send your complaint to us:

E-mail: info@obssa.co.za | Fax: 086 676 6320 or 011 483 3212 | Post: PO Box 87056, Houghton, 2041

Do you require logon details to track the progress of you case online?

Yes:

No: