

Financial Services Ombudsman Scheme for Jersey and Guernsey

16. Consultation questions

16.1 Respondents are invited to comment generally on the ombudsman scheme proposals, specific questions are listed below.

Complainants

Comments are invited on whether there should be a limit on the size of trust/foundation whose trustees or council members can bring a complaint to the ombudsman scheme, and if so, what the limit should be. (section 7.2)

[No comment](#)

Comments are invited on the proposed categories of complainants able to use the scheme (section 7.4)

[No comment](#)

Respondents are invited to comment on whether all the proposed relationships between complainants and financial services providers are applicable to Jersey or if there are any others that should be included (section 7.5).

[The proposals do not specifically name 'debt collection agencies' as coming under the scope of the proposed legislation.](#)

Time periods A decision will need to be made about whether to use 6 or 10 years as the general time limit within which to bring a complaint. Comments would be welcomed on the most suitable time limit to be used (section 9.3).

[We consider that a 10 year period is more suitable to tie with other relevant legislation such as lifetime of Judgements.](#)

A 3-month time limit on financial services providers is proposed (to issue a final response to a complaint), do respondents agree? (section 9.4)

[Broadly we agree that 3 months is a realistic timesale.](#)

A starting date of 1st January 2010 is suggested. Comments would be welcomed on the suitability of this date (section 10.1).

[We favour a start date of 1 Jan 2010, to enable complainants to make retrospective claims.](#)

Funding

What would be your favoured percentage split between income from

annual levies and case fees? (section 15.2.2)

No comment

Do you agree with the approach of not charging fees on the first few complaints per year? (section 15.2.3)

This approach may be a good way of ensuring that as many complaints as possible are resolved without the need to revert to the Ombudsman.

Do you agree there should be flat fees for financial services providers that deal with consumers, except in certain areas where it should be graded? (section 15.2.8)

No comment

Should these graded areas include banking, life insurance, insurance mediation and financial advice? (section 15.2.8)

No comment

Do you agree the data to inform these graded areas should be measures of the size of consumer business or could more basic data such as number of employees be used? (section 15.2.9)

No comment