

Chapter 2

Arch cru Consumer Redress Scheme

2.8 Provisions relating to communications with consumers

- 2.8.1** **R** Whenever a *firm* is required by a provision of this chapter to send a letter in a form set out in an Annex, it must do so enclosing any documents referred to, following the instructions in the standard form set out in the relevant Annex, complying with any instructions in that Annex to insert, delete, select or complete text.
- 2.8.2** **R** All letters to *consumers* required under this chapter must be printed on the letterhead of the *firm* and dispatched by recorded delivery mail.
- 2.8.3** **R**
- (1) Where a *firm* becomes aware that the contact details it holds for a *customer* (or *consumer*) are out of date, it must take all reasonable steps to obtain up-to-date contact details and, where appropriate, resend any letter and repeat the steps to contact the *customer* (or *consumer*) required by this chapter.
 - (2) If, having complied with (1), a *firm* is unable to contact a *customer* (or *consumer*), it need not take any further action pursuant to this chapter in relation to that *customer* (or *consumer*) unless (3) applies.
 - (3) If, in reliance on (2), the *firm* has ceased taking action but subsequently becomes aware of up-to-date contact details for that *customer* (or *consumer*), the *firm* must, where appropriate, resend any letter and repeat the steps to contact the *customer* (or *consumer*) required by this chapter. Each applicable deadline for those actions by the *firm* is extended according to the length of the delay incurred by the application of (2).
- 2.8.4** **G** The reasonable steps in **■ CONRED 2.1.3R (1)** might include checking public sources of information, but without incurring excessive cost.
- 2.8.5** **G** The reasonable steps in **■ CONRED 2.5.7R (2)(b)** might include attempting to contact the *consumer* by telephone (at a reasonable hour when the *consumer* is likely to be available to receive the call) or by email.
- 2.8.6** **R** A *firm* must not make any communication to a *consumer* which seeks to influence, for the benefit of the *firm*, the outcome of the processes undertaken pursuant to this chapter, either by seeking to influence the

content of information provided by the *consumer* in response to the *firm's* requests made under ■ CONRED 2.5.7 R or otherwise.

2.8.7

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A *firm* must tailor the questionnaire at ■ CONRED 2 Annex 8 R so that it does not request more information than is sufficient for it to determine all of the outstanding matters.

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