

Chapter 3

Complaint handling procedures of the Financial Ombudsman Service

3.2 Jurisdiction

- 3.2.1** **R** The *Ombudsman* will have regard to whether a *complaint* is out of jurisdiction.
- 3.2.2** **R** Unless the *respondent* has already had eight weeks to consider the *complaint* (or for *EMD complaints* and *PSD complaints* the time specified by ■ DISP 2.8.1R(2A)) or issued a *final response* or *summary resolution communication*, the *Ombudsman* will refer the *complaint* to the *respondent* (except where ■ DISP 2.8.1R(4) applies).
- 3.2.2A** **R** If the subject matter of a *complaint* falls to be dealt with by the *respondent* under a *consumer redress scheme*, and the time limits specified under the scheme for doing so have not yet expired, the *Ombudsman* will refer it to the *respondent* to be dealt with under the scheme (except where ■ DISP 2.8.1R(4) applies).
- 3.2.3** **R** Where the *respondent* alleges that the *complaint* is out of jurisdiction, the *Ombudsman* will give both parties an opportunity to make representations before he decides.
- 3.2.4** **R** Where the *Ombudsman* considers that the *complaint* may be out of jurisdiction, he will give the complainant an opportunity to make representations before he decides.
- 3.2.5** **R** Where the *Ombudsman* then decides that the *complaint* is out of jurisdiction, he will give reasons for that decision to the complainant and inform the *respondent*.
- 3.2.6** **R** Where the *Ombudsman* then decides that the *complaint* is not out of jurisdiction, he will inform the complainant and give reasons for that decision to the *respondent*.