

Appendix 5

Relevant motor finance discretionary commission arrangement complaint handling rules

5.2 Complaint handling rules in respect of a relevant motor finance DCA complaint

Time limits for a final response, consideration by the Ombudsman and complaints records

- App5.2.1** **R** (1) This *rule* applies in respect of a *relevant motor finance DCA complaint*:
- (a) that is received in the period beginning with 17 November 2023 and ending with 25 September 2024; and
 - (b) in relation to which a *final response* has not been sent.
- (2) For the purpose of calculating the eight-week period in:
- (a) ■ DISP 1.6.2R;
 - (b) ■ DISP 1.6.7G;
 - (c) ■ DISP 2.8.1R(2); and
 - (d) ■ DISP 2.8.1R(4)(a),
- time is to be treated as not running for the period of thirty-seven weeks beginning with 11 January 2024 and ending with 25 September 2024.
- (3) The three-year period in ■ DISP 1.9.1R(2) (Complaints record rule) is to be treated as not running for the period beginning with 11 January 2024 and ending with 25 September 2024.

Time limits for referring a complaint to the Ombudsman

App5.2.2 **R** Where a *final response* to a *relevant motor finance DCA complaint* is sent in the period beginning with 12 July 2023 and ending with 20 November 2024, the six-month period in ■ DISP 2.8.2R(1) is extended to fifteen months.

- App5.2.3** **R**
- (1) This rule applies in respect of a *relevant motor finance DCA complaint* where a *final response* is sent in the period beginning with 11 January 2024 and ending with 20 November 2024.
 - (2) For the purpose of complying with ■ DISP 1.6.2R(1)(f), the appropriate wording to include in a *final response*, as set out in ■ DISP 1 Annex 3R(1), (2) and (3), is modified so that the references to 'six months' in these *rules* are substituted with 'fifteen months'.

Communicating with consumers

- App5.2.4** **R**
- (1) A *respondent* must update any information it has published pursuant to ■ DISP 1.2.1R(1) as soon as is practicable to:
 - (a) inform consumers of the pause to time limits for a *final response* as set out in ■ DISP App 5.2.1R(2); and
 - (b) refer them to fca.org.uk/car-finance-complaints, which explains the reason for the pause.
 - (2) This rule applies until 21 November 2024.

Communicating with complainants

- App5.2.5** **R** In relation to a *relevant motor finance DCA complaint* received in the period beginning with 11 January 2024 and ending with 25 September 2024:
- (1) ■ DISP 1.6.1R applies as modified by this *rule*.
 - (2) Where a *respondent* has:
 - (a) on or before 10 January 2024 sent a written acknowledgement in accordance with ■ DISP 1.6.1R(1) but has not sent a *final response* in accordance with ■ DISP 1.6.2R(1), the *respondent* must:
 - (i) promptly inform the complainant in writing of the pause to the time limits as set out in ■ DISP App 5.2.1R(2); and
 - (ii) comply with (3);
 - (b) not, on or before 10 January 2024, sent a complainant a written acknowledgement in accordance with ■ DISP 1.6.1R(1), and has not sent a *final response* in accordance with ■ DISP 1.6.2R(1), the *respondent* must:
 - (i) explain the pause to time limits set out in ■ DISP App 5.2.1R(2) when complying with ■ DISP 1.6.1R(1); and
 - (ii) comply with (3).
 - (3) A *respondent* must direct the complainant to the information published at fca.org.uk/car-finance-complaints, which explains the reason for the pause.

Communicating the Financial Ombudsman Service temporary time limits

- App5.2.6** **R**
- (1) This rule applies to a *relevant motor finance DCA complaint* where a *final response* is sent in the period beginning with 12 July 2023 and ending with 20 November 2024.
 - (2) Where, in accordance with **DISP 1.6.2R(1)**, a *respondent* has on or before 10 January 2024 sent a complainant a *final response*, the *respondent* must promptly in writing inform the complainant that:
 - (a) the time limit to refer the *complaint* to the *Financial Ombudsman Service* has been extended to fifteen *months* beginning with the *day* on which the *respondent* sent its *final response*;
 - (b) the six-month time limit contained in the *Financial Ombudsman Service's* standard explanatory leaflet does not apply; and
 - (c) the information at [fca.org.uk/car-finance-complaints](https://www.fca.org.uk/car-finance-complaints) explains the reason for the extension.
 - (3) Where a *respondent* has not on or before 10 January 2024 sent a complainant its *final response*, it must, when complying with **DISP 1.6.2R(1)**:
 - (a) explain that the time limit to refer the *complaint* to the *Financial Ombudsman Service* is fifteen *months* beginning with the *day* on which the *respondent* sent its *final response*; and
 - (b) provide the information contained in (2)(b) and (c).