

Dispute resolution: Complaints

DISP TP 1 Transitional provisions

(1)	(2) Material provision to which transitional provision applies	(3)	(4) Transitional provision	(5) Transitional provision: dates in force	(6) Handbook provision: coming into force
1	DISP 1.2.15 G	R	Expired		
1A	DISP 1	R	A <i>complaint</i> received by a <i>respondent</i> on or before 31 October 2007 should be handled, resolved, recorded and reported in accordance with the requirements of <i>DISP</i> as they stood at the date the <i>complaint</i> was received.	From 1 November 2007	1 November 2007
1B	DISP 2.7.9 R		In relation to a <i>complaint</i> concerning an act or omission before 1 November 2007, in DISP 2.7.9R (2) substitute "an <i>intermediate customer</i> or <i>market counterparty</i> " for "(a) a <i>professional client</i> or (b) <i>eligible counterparty</i> ".	From 1 November 2007	1 November 2007
2	DISP 1.5.4 R - DISP 1.5.7 R	R	Expired		
3	DISP 1.5.4 R - DISP 1.5.7 R	G	Expired		
6	DISP 2, DISP 3 and FEES 5	R	In DISP 2, DISP 3 and FEES 5 references to a " <i>firm</i> " or " <i>firms</i> " include <i>unauthorised persons</i> subject to the <i>Compulsory Jurisdiction</i> in relation to <i>relevant complaints</i> in accordance with the <i>Ombudsman Transitional Order</i> .	From commencement	Commencement
7	DISP 2, DISP 3 and FEES 5	G	Under the <i>Ombudsman Transitional Order</i> , a <i>relevant complaint</i> is subject to the <i>Compulsory Jurisdiction</i> whether or not it is about a <i>firm</i> or an <i>unauthorised person</i> . <i>Unauthorised persons</i> are not subject to DISP 1, but references to " <i>firm</i> " in DISP 2, DISP 3 and FEES 5 include <i>unauthorised persons</i> subject to the <i>Compulsory Jurisdiction</i> in relation to <i>relevant complaints</i> , where applicable.	From commencement	Commencement
7A	DISP 2.8.7 R	R	Nothing in DISP 2.8.7 R affects the position of a <i>complaint</i> which, on 31 May 2004, could not have been considered by the <i>Ombudsman</i> under DISP 2.8.2 R (2); or DISP 2.8.7R (1)(b) as it then stood (as DISP 2.3.6 R (1)(b)).	From 1 June 2004	Amended with effect from 1 June 2004

(1)	(2) Material provision to which transitional provision applies	(3)	(4) Transitional provision	(5) Transitional provision: dates in force	(6) Handbook provision: coming into force
7B	DISP 2.8.7 R	R	In the case of a complainant falling within DISP 2.8.7 R, (and whose time for referring a <i>complaint</i> under the <i>rules</i> as they stood before 1 June 2004 has not expired), time will expire in accordance with DISP 2.8.7 R save that if the final date would otherwise be before 30 November 2004 an explanation of the final date will be in conformity with DISP 2.8.7R (2), provided it stipulates a final date which is not less than two months from the date on which the explanation is likely to be received by the complainant.	From 1 June 2004	Amended with effect from 1 June 2004
8	DISP 1 DISP 2 DISP 3 DISP 4 and FEES 5	R	In relation to <i>relevant complaints</i> , references in DISP 1, DISP 2, DISP 3, DISP 4 and FEES 5 to an " <i>eligible complainant</i> " include a person who is to be treated as an <i>eligible complainant</i> in accordance with the <i>Ombudsman Transitional Order</i> and references to a <i>complaint</i> shall be construed accordingly.	From commencement	Commencement
9	DISP 5.5.1 R	R	Expired		
10	DISP 1.10.1 R and DISP 1.10.2 R	R	Expired		
11	DISP 1.10.1 R and DISP 1.10.2 R	R	Expired		
12	DISP 1.10.1 R and DISP 1.10.2 R	R	Expired		
13	DISP 1	R	Deleted		
14		G	Expired		
15	FEES 5.4.1 R	R	Expired		
16	FEES 5.4.1 R	G	Expired		
17	DISP 1.3.12R - DISP 1.3.17R	R	Deleted		
18	DISP 1.10.1 R and DISP 1.10.2 R, DISP 1.10.4 R	R	Expired		

(1)	(2) Material provision to which transitional provision applies	(3)	(4) Transitional provision	(5) Transitional provision: dates in force	(6) Handbook provision: coming into force
	and DISP 1 Annex 1				
19	DISP 1.10.1C R and DISP 1.10.1D G	R	Expired		
20	DISP 1.6.4 R	R	Expired		
21	DISP 2.7.3 R	R	<p>A <i>person</i> is also an <i>eligible complainant</i> if:</p> <p>(a) it is a business with a group annual turnover of less than £1 million at the time it refers the <i>complaint</i> to the <i>respondent</i>;</p> <p>(b) the <i>complaint</i> relates to a contract or <i>policy</i> entered into by or for the benefit of the complainant before 1 November 2009; and</p> <p>(c) if the <i>complaint</i> had been made immediately before 1 November 2009 the <i>respondent</i> was subject to, or participated in, the <i>Ombudsman's</i> jurisdiction in respect of the activity to which the <i>complaint</i> relates.</p>	From 1 November 2009	1 November 2009
22	DISP 2.7.3 R	G	Transitional provision 21R applies together with the other eligibility <i>rules</i> in DISP 2.7. So, for example, a <i>person</i> who is an <i>eligible complainant</i> under the transitional provision, will not be an <i>eligible complainant</i> if the <i>complaint</i> does not arise from matters relevant to one of the relationships set out in DISP 2.7.6 R.	From 1 November 2009	1 November 2009
23	DISP 1.10A.1 R	R	[deleted]		
24	DISP 1.10A.1 R	R	[deleted]		
25	DISP 1.11.6A R	R	[deleted]		
26	DISP 2.8.2 R	R	[deleted]		
27	DISP 1.10.5 R	R	[deleted]		
27A	Amendments to DISP made in the Consumer Redress Schemes Instru-		The amendments do not apply in relation to any <i>consumer redress scheme</i> imposed before the instrument came into force on a particular <i>firm</i> , or on a particular <i>payment service provider</i> or <i>electronic money issuer</i> , as envisaged by section 404F(7) of the Act.	From 1 August 2011 indefinitely	1 August 2011

(1)	(2) Material provision to which transitional provision applies	(3)	(4) Transitional provision	(5) Transitional provision: dates in force	(6) Handbook provision: coming into force
	ment 2011				
28	DISP 3.7.4 R	R	For a <i>complaint</i> referred to the <i>Financial Ombudsman Service</i> before 1 January 2012 the maximum money award which the <i>Ombudsman</i> may make is £100,000.	From 1 January 2012	1 January 2012
28A	The amendments to DISP 2.7.6R (12) effected by the Dispute Resolution: Complaints (Amendment No 4) Instrument 2011	R	The amendments referred to in column (2) do not affect who is an <i>eligible complainant</i> for the purpose of DISP 2.7.6 R (12)(a) in respect of complaints that relate to acts or omissions that occurred before 1 January 2012.	From 1 January 2012	1 January 2012
29	DISP 1.10.2 R and DISP 1 Annex 1	R	Where a <i>firm</i> reports information on any <i>complaints</i> closed under a two-stage procedure before 1 July 2012, the <i>rules</i> and <i>guidance</i> in DISP 1.6.6 R, DISP 1.10.3G (2), DISP 1.10.7R (3), and DISP 1.10.8 G and DISP 1 Annex 1 apply as they stood on 30 June 2012.	1 July 2012 to 31 December 2012	1 August 2009
30	DISP 1.10.2A R	R	Where a <i>firm</i> , which has a reporting period ending on or before 30 June 2013 submits its report to the <i>FCA</i> in accordance with the <i>complaints reporting rule</i> at DISP 1.10.2A R the number of <i>complaints</i> must be calculated for the period from the 31 December 2012 to the end of the <i>firm's</i> relevant reporting period.	31 December 2012 to 30 June 2013.	31 December 2012
31	DISP 1.10.6A R	R	(1) A <i>firm</i> is not liable to pay the administrative fee in DISP 1.10.6A R in respect of a failure to submit a report in accordance with DISP 1.10.5 R for a relevant reporting period ending before 1 March 2012. (2) Relevant reporting period in (1) has the meaning in DISP 1.10.4 R.	From 1 March 2012	1 March 2012
32	The changes to DISP 1.10 and DISP 1.10A	R	The changes referred to in column (2) to DISP 1.10 and DISP 1.10A do not apply until 1 October 2014.	1 April 2014 to 1 October 2014	1 April 2014

(1)	(2) Material provision to which transitional provision applies	(3)	(4) Transitional provision	(5) Transitional provision: dates in force	(6) Handbook provision: coming into force
	set out in Annex K of the Consumer Credit (Consequential and Supplementary Amendments) Instrument 2014				
33	The changes to DISP 1.10 and DISP 1.10A set out in Annex K of the Consumer Credit (Consequential and Supplementary Amendments) Instrument 2014	G	<p><i>Firms</i> are reminded that CONC 12.1.4 R provides that DISP 1.10 and DISP 1.10A (a) do not apply to a <i>person</i> with only an <i>interim permission</i>; and (b) apply to a <i>firm</i> with an <i>interim permission</i> that is treated as a variation of <i>permission</i> with respect to <i>credit-related regulated activity</i> or <i>operating an electronic system in relation to lending</i> as if the changes to DISP 1.10 and DISP 1.10A effected by the Consumer Credit (Consequential and Supplementary Amendments) Instrument 2014 had not been made.</p> <p>The effect of TP 32 and CONC 12.1.4 R is that:</p> <p>(1) for a <i>firm</i> with only an <i>interim permission</i>:</p> <p>(a) the reporting frequencies, submission deadlines and time limits for publication for the returns and complaints data summaries in DISP 1.10 and DISP 1.10A are calculated by reference to the <i>firm's</i> next <i>accounting reference date</i> that follows 1 October 2014 or, if later, the date on which the <i>firm's</i> application for <i>permission</i> to carry on <i>credit-related regulated activity</i> or <i>operating an electronic system in relation to lending</i> is granted;</p> <p>(b) the first complaints return in the form in DISP 1 Annex 1 should cover <i>complaints</i> received in the period:</p> <p>(i) starting on either 1 October 2014 or, if later, on the date on which the <i>firm's</i> application for <i>permission</i> to carry on <i>credit-related regulated activity</i> or <i>operating an electronic system in relation to lending</i> is granted; and</p>	1 April 2014 to the date on which <i>interim permission</i> ceases to have effect	1 April 2014

(1)	(2) Material provision to which transitional provision applies	(3)	(4) Transitional provision	(5) Transitional provision: dates in force	(6) Handbook provision: coming into force
			<p>(ii) ending on either the <i>accounting reference date</i> or (if the frequency is twice a year and the start of the period under (i) is more than six months before the <i>accounting reference date</i>) the date that falls six months before the <i>firm's accounting reference date</i>.</p> <p>(2) For a <i>firm</i> with an <i>interim permission</i> that is treated as a variation of <i>permission</i>, where the relevant reporting period includes a period after the date on which the <i>firm's</i> application for a variation of <i>permission</i> to add <i>credit-related regulated activity</i> or <i>operating an electronic system in relation to lending</i> is granted (or, if that date is before 1 October 2014, where the relevant reporting period includes a period after 1 October 2014):</p> <p>(a) the complaints return form should be submitted in the form in DISP 1 Annex 1 as amended by Annex K of the Consumer Credit (Consequential and Supplementary Amendments) Instrument 2014; and</p> <p>(b) items 35 to 46 of the form should cover <i>complaints</i> received from 1 October 2014 or, if later, from the date on which the <i>firm's</i> application for <i>permission</i> to carry on <i>credit-related regulated activity</i> or <i>operating an electronic system in relation to lending</i> is granted.</p>		
34	DISP 1.10 and DISP 1.10A	R	DISP 1.10 and DISP 1.10A do not apply to a <i>firm</i> with <i>permission</i> to carry on only one or more <i>credit-related regulated activities</i> or <i>operating an electronic system in relation to lending</i> (and no other <i>regulated activity</i>) until 1 October 2014.	1 April 2014 to 1 October 2014	1 April 2014
35	DISP 2.3.1 R, DISP 2.3.2A R and DISP 2.3.2B R	R	(1) Except where indicated otherwise, expressions used in this <i>rule</i> have the same meaning as they had in the Consumer Credit Act 1974 on 31 March 2014, before the amendments made to that Act by the Financial Services and Markets Act 2000 (Regulated Activities) (Amendment) (No. 2) Order 2013, the Financial Services Act 2012 (Consumer Credit) Order 2013, the Financial Services and Markets Act 2000 (Consumer Credit) (Miscellaneous Provisions) Order 2014, the Financial Services and Markets Act 2000 (Regulated Activities) (Amendment) Order 2014, the Consumer Credit Act 1974 (Green Deal) (Amendment) Order 2014, and the Financial Services and Markets Act 2000 (Consumer Credit) (Miscellaneous Provisions) (No. 2) Order 2014 came into force.	Indefinitely from 1 April 2014	1 April 2014

(1)	(2) Material provision to which transitional provision applies	(3)	(4) Transitional provision	(5) Transitional provision: dates in force	(6) Handbook provision: coming into force
			<p>(2) In DISP 2.3.1 R, DISP 2.3.2A R and DISP 2.3.2B R, references to an act or omission by a <i>firm</i>, <i>payment service provider</i> or <i>electronic money issuer</i> in carrying on <i>regulated activities</i> or <i>credit-related regulated activities</i> include an act or omission which took place before 1 April 2014 in carrying on any one of the following activities:</p> <p>(a) providing credit or otherwise being a creditor under a regulated consumer credit agreement;</p> <p>(b) the bailment or (in Scotland) the hiring of goods or otherwise being an owner under a regulated consumer hire agreement;</p> <p>(c) credit brokerage in so far as it was the effecting of introductions of:</p> <p>(i) individuals desiring to obtain credit to persons carrying on a consumer credit business; or</p> <p>(ii) individuals desiring to obtain goods on hire to persons carrying on a consumer hire business;</p> <p>(d) in so far as they related to regulated consumer credit agreements or regulated consumer hire agreements:</p> <p>(i) debt-adjusting;</p> <p>(ii) debt-counselling;</p> <p>(iii) debt-collecting; or</p> <p>(iv) debt administration;</p> <p>(e) the provision of credit information services; or</p> <p>(f) the operation of a credit reference agency;</p> <p>where at the time of the act or omission complained of:</p> <p>(g) the <i>firm</i>, <i>payment service provider</i> or <i>electronic money issuer</i> was:</p> <p>(i) covered by a standard licence under the Consumer Credit Act 1974; or</p> <p>(ii) authorised to carry on an activity by virtue of section 34A of that Act; or</p>		

(1)	(2) Material provision to which transitional provision applies	(3)	(4) Transitional provision	(5) Transitional provision: dates in force	(6) Handbook provision: coming into force
			<p>(iii) in accordance with regulation 26(2) of the <i>Payment Services Regulations</i> or regulation 31 of the <i>Electronic Money Regulations</i> was not required to hold a licence for consumer credit business under section 21 of the Consumer Credit Act 1974; and</p> <p>(h) the activity was carried on in the course of a business of a type which was specified in accordance with section 226A(2)(e) of the Act (now repealed).</p>		
36	DISP 2.3.1 R	R	In DISP 2.3.1 R (4), in relation to an act or omission by a <i>firm</i> in lending <i>money</i> that took place before 1 April 2014, the reference to "(excluding <i>restricted credit</i> where that is not a <i>credit-related regulated activity</i>)" is to be read as a reference to "(excluding <i>restricted credit</i> where that is not an activity described in TP 35(2))".	Indefinitely from 1 April 2014	1 April 2014
37	DISP 2.3.1 R	R	In DISP 2.3.1 R (5), in relation to an act or omission by a <i>firm</i> in paying <i>money</i> by a <i>plastic card</i> that took place before 1 April 2014, the reference to "(excluding a <i>store card</i> where that is not a <i>credit-related regulated activity</i>)" is to be read as a reference to "(excluding a <i>store card</i> where that is not an activity described in TP 35(2))".	Indefinitely from 1 April 2014	1 April 2014
38	DISP 1	R	In respect of a <i>complaint</i> received by a <i>respondent</i> on or before 8 July 2015 the <i>respondent</i> must handle, resolve, record and report the <i>complaint</i> in accordance with the <i>rules</i> as they stood at the date on which the <i>complaint</i> was received by the <i>respondent</i> .	From 9 July 2015	From 9 July 2015.
39	DISP 1.5, DISP 1.10 and DISP 1.10A, DISP 1 Annex 1R, DISP 1 Annex 1BR	R	<p>(1) In respect of reporting periods starting on or before 29 June 2016, the <i>rules</i> and <i>guidance</i> in column (2) continue to apply to a <i>firm</i> as they stood at the beginning of the relevant reporting period for the purposes of reporting information about <i>complaints</i> under DISP 1.10 and DISP 1 Annex 1R, and publishing <i>complaints</i> data under DISP 1.10A and DISP 1 Annex 1BR.</p> <p>(2) For reporting periods commencing on or after 30 June 2016, the <i>rules</i> and <i>guidance</i> in column (2) apply as they stood on 30 June 2016.</p>	From 30 June 2016	From 30 June 2016
40	DISP 1.5, DISP 1.10 and DISP 1.10A, DISP 1	G	The effect of TP 39(1) is that a <i>firm</i> with a reporting period which starts on or before 29 June 2016 should continue to use the <i>rules</i> , <i>guidance</i> , reporting forms and publication forms as they were at the start of the relevant reporting period and is not	From 30 June 2016	From 30 June 2016

(1)	(2) Material provision to which transitional provision applies	(3)	(4) Transitional provision	(5) Transitional provision: dates in force	(6) Handbook provision: coming into force
	Annex 1R, DISP 1 Annex 1BR		required to report or publish information about <i>complaints</i> resolved under DISP 1.5 by close of the <i>business day</i> following its receipt in such a reporting period. However, subject to that, from 30 June 2016 a <i>firm</i> must comply with the <i>rules</i> in DISP 1.5 when dealing with <i>complaints</i> , so a <i>firm</i> would need to send a <i>summary resolution communication</i> under DISP 1.5.4R in relation to any <i>complaint</i> considered to be resolved by close of the third <i>business day</i> following the day on which it is received.		
41	DISP 1	R	With respect to a <i>complaint</i> received on or after 13 January 2018 concerning an act or omission that occurred before that date, the definition of <i>PSD complaint</i> in the <i>Glossary</i> is to be read as if the reference to Parts 6 and 7 of the <i>Payment Services Regulations</i> were a reference to Parts 5 and 6 of the <i>Payment Services Regulations 2009</i> (SI 2009/209).	From 13 January 2018	13 January 2018
42	DISP 1.10B.9D	D	The first relevant reporting period is the period commencing on 13 July 2018 and ending: (i) where the <i>respondent</i> has an <i>accounting reference date</i> , the first <i>accounting reference date</i> following 30 November 2018; (ii) where the <i>respondent</i> does not have an <i>accounting reference date</i> , 31 December 2018.	13 January 2018 to 30 November 2019	13 January 2018
43	DISP 1.10B.9D	G	The effect of (42) is that, if a <i>firm</i> has an <i>accounting reference date</i> that falls shortly after 13 July 2018 (i.e. between 13 July 2018 and 30 November 2018), the first electronic money and payment services complaints return form that it is required to submit should cover a period of more than one year, from 13 July 2018 to the <i>accounting reference date</i> in 2019.	13 January 2018 to 30 November 2019	13 January 2018
44	DISP 2.7.7AR	R	DISP 2.7.7AR applies in relation to a <i>complaint</i> concerning an act or omission which occurs on or after 26 June 2017.	1 April 2018	1 April 2018
45	DISP 2.7.6R(2A)	R	DISP 2.7.6R(2A) applies in relation to a <i>complaint</i> concerning an act or omission which occurs on or after 13 January 2018.	14 December 2018	14 December 2018
46	DISP 2.7.6R(2B)	R	DISP 2.7.6R(2B) applies in relation to a <i>complaint</i> concerning an act or omission which occurs on or after 31 January 2019.	31 January 2019	31 January 2019
46A	DISP 1 DISP 2 DISP 3 and FEES 5	R	DISP 1, DISP 2, DISP 3 and FEES 5 only apply to a <i>TP firm</i> , a <i>TA EMI firm</i> , a <i>TA PI firm</i> and a <i>TA RAISP firm</i> in respect of <i>complaints</i> under the <i>Compulsory Jurisdiction</i> about acts or omissions that occurred on or after <i>IP completion day</i> .	From <i>IP completion day</i>	Amended with effect from <i>IP completion day</i>

(1)	(2) Material provision to which transitional provision applies	(3)	(4) Transitional provision	(5) Transitional provision: dates in force	(6) Handbook provision: coming into force
47	DISP 1.10.1R, DISP 1.10.4AR, DISP 1.10.5R, and DISP 1 Annex 1ABR	R	<p>(1) This transitional provision applies where a <i>firm</i> with <i>permission</i> to carry on only <i>regulated claims management activities</i> is required to provide the <i>FCA</i> with its first report under DISP 1.10.1R in the form of DISP 1 Annex 1ABR.</p> <p>(2) No report is required under DISP 1.10.1R in the form of DISP 1 Annex 1ABR in respect of a period ending on an <i>accounting reference date</i> of the <i>firm</i> earlier than 1 July 2019.</p> <p>(3) If the <i>firm</i> does not provide a report in the form of DISP 1 Annex 1ABR under DISP 1.10.1R in respect of a period ending on an <i>accounting reference date</i> of the <i>firm</i> earlier than 1 July 2019, the first report in the form of DISP 1 Annex 1ABR provided under DISP 1.10.1R must cover the period from 1 April 2019 to the <i>firm's</i> first <i>accounting reference date</i> which occurs on or after 1 July 2019.</p>	From 1 April 2019 to 1 July 2020	1 April 2019
48	DISP 2 and DISP 3	R	In DISP 2 and DISP 3 references to a " <i>firm</i> " or " <i>firms</i> " include unauthorised persons subject to the <i>Compulsory Jurisdiction</i> in relation to <i>relevant claims management complaints</i> in accordance with the <i>Claims Management Order</i> .	From 1 April 2019	From 1 April 2019
49	DISP 2 and DISP 3	G	Under the <i>Claims Management Order</i> , a <i>relevant claims management complaint</i> is subject to the <i>Compulsory Jurisdiction</i> whether or not it is about a <i>firm</i> or an <i>unauthorised person</i> . <i>Unauthorised persons</i> are not subject to DISP 1, but references to " <i>firm</i> " in DISP 2 and DISP 3 include <i>unauthorised persons</i> subject to the <i>Compulsory Jurisdiction</i> in relation to <i>relevant claims management complaints</i> , where applicable.	From 1 April 2019	From 1 April 2019
50	DISP 1, DISP 2, DISP 3 and DISP 4	R	In relation to <i>relevant claims management complaints</i> , references in DISP 1, DISP 2, DISP 3 and DISP 4 to an " <i>eligible complainant</i> " include a person who is to be treated as an eligible complainant in accordance with the <i>Claims Management Order</i> and references to a <i>complaint</i> shall be construed accordingly.	From 1 April 2019	From 1 April 2019
51	DISP 2.7.3R(3), (4) and (6)	R	The amendments to DISP 2.7.3R(3) and (4) and new paragraph DISP 2.7.3R(6) apply only in relation to a <i>complaint</i> concerning an act or omission which occurs on or after 1 April 2019.	From 1 April 2019	From 1 April 2019
52	DISP 2.7.3R(7)	R	DISP 2.7.3R(7) applies only in relation to a <i>complaint</i> concerning a guarantee or security given on or after 1 April 2019.	From 1 April 2019	From 1 April 2019
52A	DISP 3.7.4	R	For a <i>complaint</i> referred to the <i>Financial Ombudsman Service</i> before 1 April 2019 but on or after 1 January 2012 the maximum money award which the <i>Ombudsman</i> may make is £150,000.	From 1 April 2019	1 April 2019

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53	DISP 1 Annex 1AD	R	The figures for complaints relating to alleged <i>authorised push payment fraud</i> in Table 4 should only include such complaints from 1 July 2019.	1 July 2019 to 30 June 2020	1 July 2019

1	R	This TP applies in relation to a <i>person</i> who falls within regulation 122(1) (Transitional provisions: requirement to be authorised as a payment institution) or regulation 123(1) (Transitional provisions: requirement to be registered as a small payment institution) of the <i>Payment Services Regulations</i> (a "transitioning payment institution").
2	R	This TP applies from 1 November 2009 until 30 April 2011.
3	R	DISP 1 (Treating complainants fairly) applies in relation to a transitioning payment institution as if the transitioning payment institution were a <i>payment institution</i> .
4	R	The <i>Ombudsman</i> can consider a <i>complaint</i> that relates to an act or omission by a transitioning payment institution under the <i>Compulsory Jurisdiction</i> if: <ul style="list-style-type: none"> (1) it could consider that <i>complaint</i> under the <i>Compulsory Jurisdiction</i> if it related to a <i>payment institution</i>; and (2) (where the transitioning payment institution is a <i>licensee</i>) the complaint relates to an act or omission in providing <i>payment services</i>.
5	G	The effect of this transitional provision is to: <ul style="list-style-type: none"> (1) apply to transitioning payment institutions as though they were <i>payment institutions</i> the complaints-handling requirements in DISP 1.1 to DISP 1.8; and (2) to bring them within the scope of the <i>Compulsory Jurisdiction</i> to the same extent as <i>payment institutions</i>.
6	G	<i>Complaints</i> relating to <i>payment services</i> , <i>consumer credit activities</i> or a combination of both can be considered under the <i>Compulsory Jurisdiction</i> . However, transitioning payment institutions that are <i>licensees</i> will remain subject to the <i>Consumer Credit Jurisdiction</i> for <i>complaints</i> that relate only to <i>consumer credit activities</i> .
7	R	The rules and guidance in FEES 5.5.1R, 5.5.6 R, FEES 5.5.7 R, 5.5.15 R, 5.7.2 R, 5.9.1 R and 5.9.2 G shall apply to transitioning payment institutions and <i>persons</i> that cease to be transitioning institutions in the same way as they apply to <i>firms</i> and <i>firms</i> that cease to be authorised.

Dispute resolution: Complaints

Schedule 1 Record keeping requirements

Sch 1.1 G

The aim of the *guidance* in the following table is to give the reader a quick overall view of the relevant record keeping requirements.

It is not a complete statement of those requirements and should not be relied on as if it were.

Sch 1.2 G

Handbook reference	Subject of record	Contents of record	When record must be made	Retention period
DISP 1.1A.37UK	<i>MiFID complaints</i> subject to DISP 1.1A.	Each <i>MiFID complaint</i> received and the complaint handling measures taken to address the <i>MiFID complaint</i> and for its resolution [Note: see article 26(1), article 72, and Annex 1 of the <i>MiFID Org Regulation</i>]	Not specified [Note: see article 26(1), article 72 and Annex 1 of the <i>MiFID Org Regulation</i>]	Not specified [Note: see article 72 of the <i>MiFID Org Regulation</i>]
DISP 1.9.1 R	<i>Complaints</i> subject to DISP 1.3 - DISP 1.8.	Each <i>complaint</i> received and the measures taken for its resolution	From receipt	5 years for <i>complaints</i> relating to <i>collective portfolio management services</i> and 3 years for all other <i>complaints</i>

Dispute resolution: Complaints

Schedule 2 Notification requirements

Sch 2.1 G

The aim of the *guidance* in the following table is to give the reader a quick overall view of the relevant requirements for notification and reporting.

It is not a complete statement of those requirements and should not be relied on as if it were.

Sch 2.1 G

Handbook reference	Matter to be notified	Contents of notification	Trigger event	Time allowed
DISP 1.1.12 R	<i>Firm</i> qualifies for exemption	Confirmation that a <i>firm</i> does not do business with <i>eligible complainants</i> and has no reasonable likelihood of doing so	Conditions in DISP 1.1.12 R apply	N/A
DISP 1.10.1 R (1)	Complaints report	Details	- 6 months preceding the <i>accounting reference date</i> - <i>accounting reference date</i>	30 <i>business days</i>
DISP 1.10.1 R (2)	Complaints report	Details	A year immediately following the <i>firm's accounting reference date</i>	30 <i>business days</i>
DISP 1.10.9R	Single contact point	Details	At the time of authorisation or on subsequent change	Not specified
DISP 1.10A.4 R and (where relevant) DISP 1.1A.40R	Publication of <i>complaints data summary/ total number of complaints</i> (as appropriate), including <i>MiFID complaints</i> where relevant	Email confirmation of publication, containing also a statement that the data summary or total number of <i>complaints</i> (as appropriate) accurately reflects the report submitted to the <i>FCA</i> and stating where the summary/ total number of <i>com-</i>	Upon publication of <i>complaints data summary/ total number of complaints</i> (as appropriate)	Im- mediately

Handbook reference	Matter to be notified	Contents of notification	Trigger event	Time allowed
		<i>plaints</i> has been published		
DISP 1.11.5 R (1)	<i>Member</i> of Lloyd's qualifies for exemption	Confirmation by the <i>Society</i> of Lloyd's that a specified <i>member</i> of Lloyd's does not do business with <i>eligible complainants</i> and has no reasonable likelihood of doing so	[As above]	N/A
DISP 1.11.5 R (2)	End of exemption for <i>member</i> of Lloyd's	Confirmation by the <i>Society</i> of Lloyd's that the condition in DISP 1.1.12R no longer apply to a specified <i>member</i> of Lloyd's	Conditions in DISP 1.1.12R no longer apply	Not specified
DISP 1.11.6 R	Complaints report by <i>Society</i> of Lloyd's	Details	- 30 September - 31 March each year	One <i>month</i>
DISP 1.11.6D R	Publication of <i>complaints</i> data summary	Email confirmation of publication, containing also a statement that the data summary accurately reflects the report submitted to the <i>FCA</i> and stating where the summary has been published	Upon publication of <i>complaints</i> data summary	Im- mediately

Dispute resolution: Complaints

Schedule 3 Fees and other required payment

Sch 3.1 G

There are no requirements for fees or other payments in *DISP*.

Sch 3.2 G [deleted]

Dispute resolution: Complaints

Schedule 4 Powers Exercised

Sch 4.1 G
[deleted]

Sch 4.2 G
[deleted]

Sch 4.3 G
[deleted]

Sch 4.4 G
[deleted]

Sch 4.5 G
[deleted]

[**Note:** certain rules in *FEES* are made exclusively by the *FOS Ltd*. A list of those rules is set out in ■ GEN Sch 4.12 G.]

Dispute resolution: Complaints

Schedule 5 Actions for damages for contravention under section 150 of the Act

Sch 5.1 G

1	The table below sets out the <i>rules</i> in <i>DISP</i> contravention of which by an <i>authorised person</i> may be actionable under section 138D of the <i>Act</i> (Actions for damages) by a <i>person</i> who suffers loss as a result of the contravention.
2	If a "Yes" appears in the column headed "For private person?", the <i>rule</i> may be actionable by a " <i>private person</i> " under section 138D (or, in certain circumstances, his fiduciary or representative; see article 6(2) and (3)(c) of the Financial Services and Markets Act 2000 (Rights of Action) Regulations 2001 (SI 2001 No 2256)). A "Yes" in the column headed "Removed" indicates that the FCA has removed the right of action under section 138D(3) of the <i>Act</i> . If so, a reference to the <i>rule</i> in which it is removed is also given.
3	The column headed "For other person?" indicates whether the <i>rule</i> may be actionable by a <i>person</i> other than a <i>private person</i> (or his fiduciary or representative) under article 6(2) and (3) of those Regulations. If so, an indication of the type of <i>person</i> by whom the <i>rule</i> may be actionable is given.

Sch 5.2 G

Chapter/ Appendix	Section/ Annex	Paragraph	Right of Action under s138D		
			For private person?	Removed?	For other person?
1 Complaints handling arrangements for <i>firms</i>	All rules apart from DISP 1.11.13 R and DISP 1.11.14 R	-	Yes	-	-
1	7	14 and 15	No	Yes - DISP 1.11.21 R	No
2 Jurisdiction rules	-	-	Yes	-	-
3 Complaints handling procedures of the <i>Financial Ombudsman Service</i>	-	-	Yes	-	-
4 The <i>standard terms</i>	-	-	N/A	-	-

Dispute resolution: Complaints

Schedule 6 Rules that can be waived

Sch 6.1 G

As a result of section 138A of the *Act* (Modification or waiver of rules) the *FCA* has power to waive all its *rules*, other than *rules* made under section 137O (Threshold condition code), section 247 (Trust scheme rules), section 248 (Scheme particular rules), section 261I (Contractual scheme rules) or section 261J (Contractual scheme particulars rules) of the *Act*.

