

OPERATIONAL TOOLKIT

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# Transitioning to the Australian Financial Complaints Authority

1 AUGUST 2018



AUSTRALIAN INSTITUTE of  
SUPERANNUATION TRUSTEES


## PURPOSE OF THE OPERATIONAL TOOLKITS

AIST has developed this Toolkit to assist AIST members and is a benefit of membership. It contains functional tools such as diagrams, decision trees, flowcharts and checklists, to assist trustees with understanding key arrangements relating to the transition to the Australian Financial Complaints Authority (AFCA).


## HOW TO USE THIS TOOLKIT

This Toolkit is designed to assist trustees with understanding the transition to AFCA and implementing, or preparing to implement, obligations related to internal and external dispute resolution in accordance with the *Corporations Act 2001*, connected Regulations and regulatory guidance. Exempt public sector-superannuation schemes may elect to join AFCA.


## TOOLS

|                                 |  |
|---------------------------------|--|
| <b>Obligations Map</b>          | Showing the source of the dispute resolution requirements and how they interconnect with the broader regulatory framework  |
| <b>Implementation Flowchart</b> | To understand the source of dispute resolution obligations   |
| <b>Checklists</b>               | <ul style="list-style-type: none"><li>• Membership requirements</li><li>• Matters not yet determined</li><li>• Resourcing</li><li>• Processes</li><li>• Internal Dispute Resolution (IDR)</li><li>• External Dispute Resolution (EDR)</li><li>• Disclosure</li><li>• Disclosure examples</li></ul>   |
| <b>Dictionary</b>               | Key words are defined in a dictionary at the back of the Toolkit.  |
| <b>Alerts</b>                   | Symbol  is used to identify a legal requirement established under: <ul style="list-style-type: none"><li>• <i>Superannuation Industry (Supervision) Act 1993 (SIS Act)</i></li><li>• <i>Superannuation Industry (Supervision) Regulations 1994 (SIS Regulations)</i></li><li>• <i>Corporations Act 2001 (Corps Act)</i></li><li>• <i>Corporations Regulations 2001 (Corps Regs)</i></li><li>• Legislative Instruments</li><li>• ASIC Regulatory Guides</li></ul> |

Where appropriate, it is expected that trustee satisfy all these legal requirements. If the answer is “NO” to any of the questions in the checklists, the trustee should ensure that the item is not a legal requirement, or the requirement does not apply.



Symbol  is used to identify an issue that needs care. It may denote:

- An issue or uncertainty arising from different, overlapping requirements; or
- A matter that requires care in interpretation or application to a Trustee’s circumstances.

Symbol  is used to identify policy matters where a law, regulation or guidance is currently under development or not settled. Extra attention for these items is necessary because the outcome may differ substantially from what is anticipated.

## WARNING & DISCLAIMER

The Toolkit is intended to assist Trustees but does not replace or exhaustively replicate primary sources of a Trustee’s legal obligations, such as general law, legislation, regulations, prudential standards and regulatory guidance.

While the  symbol identifies issues requiring care, content without a  symbol should not be regarded as any less significant. The Trustee will have to make its own judgments on how to apply the information in this Toolkit.

This Toolkit does not constitute legal advice and should not be relied upon to demonstrate compliance with any legal obligation or standard of conduct expected of Trustees or their directors. While this Toolkit is a valuable tool for a Trustee considering its obligations, it will not guarantee compliance or sound outcomes.

The information is current as at **1 August 2018**. The *Corporations Act*, regulations and guidance can change and as such any changes made on or after **1 August 2018** will need to be considered.

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## Further assistance

If you would like further assistance, please contact AIST at [info@aist.asn.au](mailto:info@aist.asn.au).

## 1. What this Toolkit covers

This Toolkit does not seek to replicate all the internal and external dispute resolution legal obligations. It addresses the main dispute resolution responsibilities and transition matters.

| TOPIC AREA   | COVERED IN TOOLKIT | PAGE  |
|--|--------------------|-------|
| Detail of current and prospective IDR and EDR requirements   | No                 | N/A   |
| AFCFA membership requirements  | Yes                | 9     |
| Overview of policy matters that have yet to be determined related to: <ul style="list-style-type: none"><li>• EDR</li><li>• IDR</li><li>• AFCFA funding</li></ul>        | Yes                | 10    |
| Likely fund resourcing needs due to transition   | Yes                | 11    |
| Likely changes that may affect fund processes such as complaint handling   | Yes                | 12    |
| Preparation for revised IDR and EDR requirements   | Yes                | 13-14 |
| Disclosure obligations during the transition phase and disclosure examples including final response letters, legislative disclosure and general consumer communications. | Yes                | 15    |

## 2. Obligations

### 2.1 SOURCE OF OBLIGATIONS

📖 Obligations related to the complaints framework are contained in various legislative and regulatory instruments. The table below details some of the key obligations, however it is not exhaustive.

| SOURCE   | DESCRIPTION   |
|--|---|
| <i>Corporations Act 2001</i>   | Part 7.10A provides for the authorisation and regulation of AFCA and contains various provisions relating to superannuation complaints.                                 |
| <i>Superannuation Industry (Supervision) Act 1993</i>  | Provides ASIC with the ability to set IDR requirements for superannuation funds.  |
| <i>Australian Securities and Investments Commission Act 2001</i>   | Allows ASIC to publish IDR data and set IDR requirements for superannuation funds.  |
| <i>Treasury Laws Amendment (Putting Consumers First – Establishment of the Australian Financial Complaints Authority) Regulations 2018</i> | Contains various transitional provisions relating to AFCA.  |
| <i>ASIC Credit (AFCA transition) Instrument 2018/448 and ASIC Corporations (AFCA transition) Instrument 2018/447</i>                       | Contains provisions regarding disclosure relief.  |
| <i>Corporations Regulations 2001</i>   | Details what ASIC must consider when developing IDR standards.  |
| <i>ASIC Regulatory Guide 139</i>   | Contains provisions regarding the approval and oversight of external complaints resolution schemes. The RG will be repealed when all FOS and CIO complaints are closed. |
| <i>ASIC Regulatory Guide 165</i>   | Details what financial service licensees must do to have dispute resolution systems in place that meet ASIC’s requirements.   |
| <i>ASIC Regulatory Guide 267</i>   | Details how ASIC will oversee AFCA and outlines financial firm membership obligations.  |

### 2.2 ONGOING OR UPCOMING CONSULTATIONS AFFECTING OBLIGATIONS

↘ Several obligations regarding dispute resolution are subject to consultation or are yet to be settled, including:

- IDR requirements (RG165)
- AFCA Terms of Reference (rules)
- AFCA Interim Funding Model
- AFCA Operational Guidance



## 2.3 OBLIGATIONS MAP

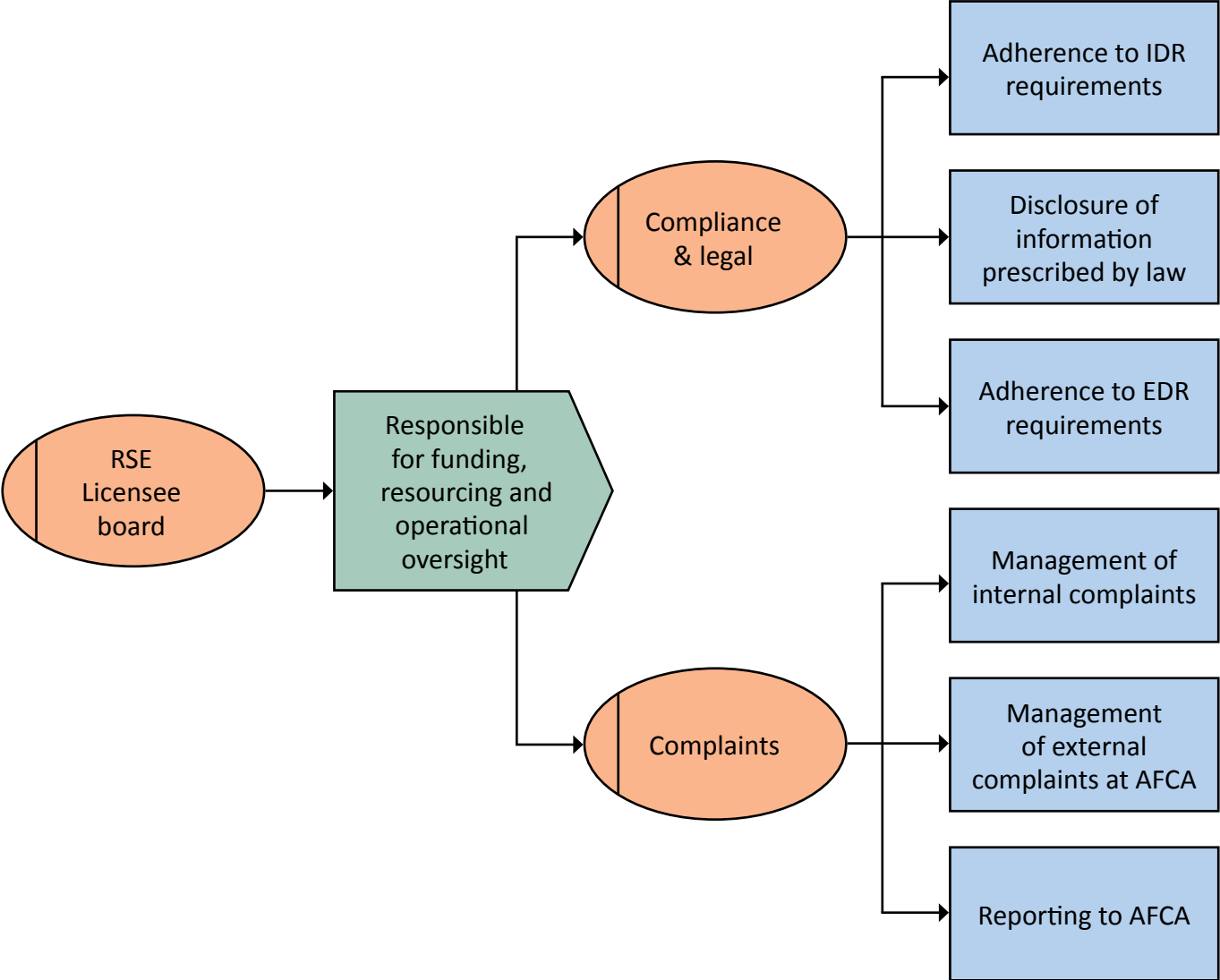
The following Obligations Map sets out the breadth of sources from which dispute resolution obligations arise.

|                             |  |
|-----------------------------|--|
| Corporations Act 2001 (Cth) | <i>Superannuation Industry (Supervision) Act 1993 (Cth)</i>  |
|                             | <i>Australian Securities and Investments Commission Act 2001 (Cth)</i>   |
|                             | <i>Treasury Laws Amendment (Putting Consumers First – Establishment of the Australian Financial Complaints Authority) Regulations 2018</i> |
|                             | <i>ASIC Credit (AFCA transition) Instrument 2018/448</i>   |
|                             | <i>ASIC Corporations (AFCA transition) Instrument 2018/447</i>   |
|                             | <i>RG 139: Approval and oversight of external complaints resolution schemes</i>  |
|                             | <i>RG 165 Licensing: Internal and external dispute resolution</i>  |
|                             | <i>Corporations Regulations 2001 (Cth)</i>   |
|                             | <i>RG 267: Oversight of the Australian Financial Complaints Authority</i>  |




| Key   |                          |
|---|--------------------------|
| <span style="display: inline-block; width: 15px; height: 15px; background-color: #c8e6c9; border: 1px solid black;"></span> | means legislative source |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: #ffe0b2; border: 1px solid black;"></span> | means a regulation       |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: #bbdefb; border: 1px solid black;"></span> | means an ASIC instrument |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: #e1bee7; border: 1px solid black;"></span> | means regulatory guide   |



2.4 IMPLEMENTATION FLOWCHART



**Key**

-  means an organisational unit
-  means a process
-  means a document output


## 3. Essential dates

| TOPIC        | DATE                  | WHAT  |
|--------------|-----------------------|---|
| Consultation | June 2018             | ASIC released RG 267  |
|              | September 2018        | AFCA expected to release funding model  |
|              | September 2018        | AFCA expected to release Rules  |
|              | September 2018        | AFCA expected to release Operational Guidelines   |
|              | August – October 2018 | AFCA expected to release complaint resolution process                                     |
|              | After 1 November 2018 | ASIC expected to consult on RG165   |
| Membership   | August 2018           | AFCA membership application process opens   |
|              | 21 September 2018     | Superannuation funds must have joined AFCA  |
|              | 1 November 2018       | AFCA expected to invoice superannuation funds for the transition and interim funding levy |
|              | 1 November 2018       | AFCA commences  |



## 4. Membership requirements

The following checklist will assist the trustee in understanding the membership requirements:

| MEMBERSHIP  | YES/NO |
|---|--------|
| (a)  Has the trustee ensured that they are, or will be, a member of AFCA before 21 September 2018?   |        |
| (b) Is the trustee aware:   |        |
| <ul style="list-style-type: none"> <li>i. If they are currently members of FOS, no further steps to become an AFCA member are required. On or around 1 November 2018 they are expected to receive an invoice for their 2018-19 AFCA superannuation levy. The levy will be adjusted to take into account any 2018-19 membership fee already paid?</li> </ul> |        |
| <ul style="list-style-type: none"> <li>ii. If they are not members of FOS, they are expected to receive an invoice for their 2018-19 AFCA superannuation levy on or around 1 November 2018 and will have 30 days to pay that invoice?</li> </ul>  |        |

If the answer is “NO” to any of the questions in the checklist above, the trustee may wish to reconsider the issue and determine whether they should provide a positive response to the issue.

## 5. Matters not yet determined

The following checklist will assist the trustee to understand dispute resolution issues that have not been resolved. The trustee can provide input into several of these matters through industry consultation.

| MATTERS NOT YET DETERMINED  | YES/NO |
|---|--------|
| (a) Is the trustee aware that the following issues are not settled as at 1 August 2018? |        |
| i. SCT closure date?  |        |
| ii. \ IDR requirements?   |        |
| iii. \ IDR reporting to ASIC?   |        |
| iv. \ External dispute complaints resolution process including:                         |        |
| a. What types of complaints will be excluded, including standing to bring a claim?      |        |
| b. AFCA's discretions?  |        |
| c. Time limits?   |        |
| d. Referral of a complaint back to the trustee?   |        |
| e. Triage and dispute stream allocation within AFCA?                                    |        |
| f. Information that can be requested?   |        |
| v. \ AFCA's Interim funding model?  |        |
| vi. \ AFCA's Rules?   |        |

⚠ The AFCA rules consultation paper detailed AFCA's proposed approach to dispute resolution and other matters. AFCA intends to release the final Rules and funding arrangements in September following ASIC approval of the Rules.

If the answer is "NO" to any of the questions in the checklist above, the trustee may wish to reconsider the issue and determine whether they should provide a positive response to the issue.

## 6. Resourcing

The following checklist will assist the trustee in considering whether adequate resources have been allocated to manage the transition to AFCA.

| MEMBERSHIP |   | YES/NO |
|------------|---|--------|
| (a)        | Has the trustee ensured it has adequate financial resources available to pay:   |        |
|            | i. The AFCA membership levy?  |        |
|            | ii. The APRA levy to fund the SCT?  |        |
| STAFFING   |   | YES/NO |
| (b)        | Has the trustee ensured it has adequate resources available to:   |        |
|            | i. Monitor developments regarding AFCA transition arrangements?   |        |
|            | ii. Provide input into the consultations on the proposed IDR requirements (RG165)?  |        |
|            | iii. \ Renew existing IDR procedures to comply with ASIC requirements, including maximum resolution timeframes?   |        |
|            | iv. \ Report required IDR information to ASIC?  |        |
|            | v. \ Provide written reasons for relevant trustee decisions relating to a complaint?  |        |
|            | vi. \ Handle any complaints that AFCA refers back to the trustee from 1 November 2018?  |        |
|            | vii. Handle complaints at both the SCT and AFCA during the transition period?   |        |
|            | viii. Regularly monitor AFCA's website for information it will be progressively releasing between September and November, including Rules, operational guidelines, funding, process information and other publications? |        |
| EDUCATION  |   | YES/NO |
| (c)        | Has the trustee ensured that relevant dispute resolution staff are upskilled and knowledgeable in major types of dispute resolution, including:   |        |
|            | i. Negotiation?   |        |
|            | ii. Conciliation?   |        |

If the answer is "NO" to any of the questions in the checklist above, the trustee may wish to reconsider the issue and determine whether they should provide a positive response to the issue.

## 7. Processes






The following checklist will assist the trustee in considering whether process changes are necessary to give effect elements of the revised dispute resolution framework.

| REFERRAL BACK   |  | YES/NO |
|---|--|--------|
| (a)   | Has the trustee ensured that an established process exists to manage complaints, excluding death benefits, that are referred by AFCA back to the trustee?  |        |
| (b)   | In establishing a process to deal with complaints that are referred by AFCA, has the trustee considered:   |        |
|   | i. Who is most appropriate to deal with the complaint?   |        |
|   | ii. Whether the complaint should be referred to AFCA for resolution?   |        |
|   | iii. Other process and resourcing changes that may be required to deal with a complaint that is referred back by AFCA, including responding to AFCA about a referred complaint and sending complaint information electronically to AFCA? |        |
| TRACKING AND CLASSIFICATION OF COMPLAINTS   |  | YES/NO |
| (c)   | To prevent the duplication of complaints and jurisdictional error:   |        |
|   | i. Has the trustee ensured it has processes to:  |        |
|   | a. Identify whether a complaint that has been received by AFCA has previously been dealt with by the SCT?  |        |
|   | b. Inform AFCA whether the dispute is already being dealt with by another EDR body?  |        |
| <p>△ AFCA and the SCT may not necessarily have visibility on whether a complaint has already been heard in another jurisdiction. Therefore there is merit in the trustee considering collecting data to allow for the identification of complaints and to inform the relevant EDR body if multiple jurisdictions have been identified.</p>  |  |        |
| (d)   | Has the trustee ensured that complaints are correctly classified to facilitate effective and accurate reporting to ASIC after the reporting requirement comes into effect?   |        |
| <p>△ ASIC has the power to issue requirements about increased IDR reporting to ASIC. The increased focus on internal dispute resolution reporting highlights the need for funds to clearly identify complaints and their characteristics. Trustee may consider the information contained in RG165 regarding dispute resolution, such as how disputes can be appropriately classified.</p> |  |        |
| EXTERNAL DISPUTE RESOLUTION   |  | YES/NO |
| (e)   | Has the trustee ensured that it has processes to manage complaints that have been lodged with AFCA from 1 November 2018?   |        |
| INTERNAL DISPUTE RESOLUTION   |  | YES/NO |
| (f)   | Has the trustee ensured it has a process to renew existing IDR procedures to comply with ASIC requirements, including maximum resolution timeframes?   |        |

If the answer is “NO” to any of the questions in the checklist above, the trustee may wish to reconsider the issue and determine whether they should provide a positive response to the issue.

## 8. Internal dispute resolution


The following checklist will assist the trustee in understanding some of the requirements related to IDR.

| IDR   | YES/NO |
|---|--------|
| (a)  Is the trustee aware that the current IDR requirements set out in the SIS Act and the RSA Act continue to apply until ASIC consults on the new IDR requirements?  |        |
| (b)  Is the trustee aware of their IDR disclosure obligations, detailed in the disclosure part of this toolkit?  |        |
| (c) \ Has the trustee considered that new IDR requirements may require the trustee to:  |        |
| i. Establish a new IDR process that is different to current IDR processes?  |        |
| ii. Resolve complaints in a timeframe that is shorter than 90 calendar days?  |        |
| <p> The IDR requirements will likely be contained in RG165. The guide currently sets a maximum IDR timeframe of 45 calendar days and notes that best practice procedures should result in timeframes shorter than 45 days being achieved.</p> <p> The Insurance in Superannuation Code of Practice sets a 45 day time limit for the resolution of IDR complaints.</p> |        |
| (d) \ Has the trustee considered that AFCA expects to refer all complaints, excluding death benefits, back to the trustee for consideration?  |        |
| (e)  Has the trustee ensured that, from no later than 1 November 2018, documents relating to internal dispute resolution includes information about AFCA and how to access it?   |        |

If the answer is “NO” to any of the questions in the checklist above, the trustee may wish to reconsider the issue and determine whether they should provide a positive response to the issue.

## 9. External dispute resolution

The following checklist will assist the trustee in understanding some legislative requirements related to EDR.






| EDR  | YES/NO |
|--|--------|
| (a) Has the trustee considered:  |        |
| i. AFCA’s dispute resolution methods and how they may differ from those of the SCT?  |        |
| ii. How AFCA will manage complaints at key stages, including:  |        |
| a. Registration and referral?  |        |
| b. Case management?  |        |
| c. Decision?   |        |
| iii. How AFCA will communicate with trustees?  |        |
| (b)  Is the trustee aware of their EDR disclosure obligations, detailed in the disclosure part of this toolkit? |        |

If the answer is “NO” to any of the questions in the checklist above, the trustee may wish to reconsider the issue and determine whether they should provide a positive response to the issue.

## 10. Disclosure






The following checklist can assist the trustee in assessing whether its approach to disclosure of information complies with minimum legislative disclosure obligations set out in the Corps Act, Corps Regs and ASIC requirements.

The obligations generally do not require the disclosure to contain the contact details of applicable EDR schemes, however the trustee may wish to consider including this information to improve the experience for complainants.

| <b>INTERNAL DISPUTE RESOLUTION</b>  |  | <b>YES/NO</b> |
|---|--|---------------|
| <b>FINAL RESPONSE LETTERS</b>   |  |               |
| (a)  Has the trustee ensured that final response letters issued to complainants:   |  |               |
| i. Inform the complainant they have a right to pursue their complaint with an EDR scheme?   |  |               |
| ii. Provide details about how to access the relevant EDR scheme?  |  |               |
|  ASIC expects that letters issued on or after 21 September 2018 but before 1 November 2018, refer to both the SCT and AFCA.  |  |               |
| (b) Is the trustee aware ASIC has provided trustees the following options regarding final response letters issued to complainants between 1 November 2018 and 1 February 2019?  |  |               |
| i. The letters can be updated to only refer to AFCA   |  |               |
| ii. The letters can continue to refer to both the SCT and AFCA provided it is clear that only AFCA can receive complaints after 1 November 2018   |  |               |
| (c) Is the trustee aware that from 1 February 2019, ASIC expects final response letters issued to complainants only refer to AFCA?  |  |               |
| <b>EXTERNAL DISPUTE RESOLUTION</b>  |  | <b>YES/NO</b> |
| <b>GENERAL CONSUMER COMMUNICATIONS</b>  |  |               |
| (d) Has the trustee considered that leading practice may involve:   |  |               |
| i. Updating the following to include information about AFCA and how to access it, by 1 November 2018:   |  |               |
| a. The trustee's website?   |  |               |
| b. Complaint fact sheets?   |  |               |
| c. Emails from funds to complainants acknowledging correspondence?  |  |               |
|  The trustee may wish to consider developing their website in such a way that it is clear to readers how the dispute resolution framework will operate, including the likely process, as well as who the appropriate EDR entities are. |  |               |
| <b>MANDATORY LEGISLATIVE DISCLOSURE</b>   |  |               |
| (e)  Has the trustee ensured their financial services guide has been updated to include information about the dispute resolution systems that cover complaints and how that scheme can be accessed by 1 July 2019?                     |  |               |
| (f)  Has the trustee ensured their product disclosure statement has been updated to include information about the dispute resolution systems that cover complaints and how that scheme can be accessed by 1 July 2019?                 |  |               |



## AIST TOOLKIT

|   |  |
|---|--|
| <p>⚠ The CA does not specifically state what information about AFCA must be included in the documentation.</p> <p>⚠ The disclosure obligation would cover both EDR and IDR systems.</p>   |  |
| (g)  Has the trustee ensured their short-form product disclosure statement has been updated, by 1 July 2019, to include:   |  |
| i. As a minimum, an explanation of how to make a complaint, including relevant contact details?   |  |
| ii. As an option, more detailed information about complaints and dispute resolution?  |  |
| <p>⚠ The CR states relevant contact details must be included in the statement.</p> <p>⚠ The disclosure obligation would cover both EDR and IDR systems.</p>   |  |
| (h)  Has the trustee ensured periodic statements that will be issued on or after 1 July 2019 have been updated to include a statement informing the product holder:  |  |
| i. That there is a dispute resolution mechanism covering complaints by holders of the product; and  |  |
| ii. The means by which a product holder can access that mechanism.  |  |
| <p>⚠ The CA does not specifically state what information about AFCA must be included in the documentation.</p> <p>⚠ The disclosure obligation would cover both EDR and IDR systems.</p>   |  |
| (i)  Has the trustee ensured their periodic statements, issued on the death of a product holder, on or after 1 July 2019 have been updated to include a statement: |  |
| i. Containing a summary of details of the arrangements that the product issuer has made to deal with inquiries and information about the dispute resolution system that covers complaints, or a statement that these are available on request?        |  |
| (j)  Has the trustee ensured that statements about superannuation interests under the Family Law Act issued on or after 1 July 2019, include:                      |  |
| i. Information about the dispute resolution system that covers complaints by holders of the product and how it may be accessed?   |  |
| <p>⚠ The CA does not specifically state what information about AFCA must be included in the statement.</p>  |  |
| (k)  Is the trustee aware that they will not have to issue significant event notifications regarding the transition to AFCA?                                       |  |

If the answer is “NO” to any of the questions in the checklist above, the trustee may wish to reconsider the issue and determine whether they should provide a positive response to the issue.

# 11. Disclosure examples

The following checklist contains examples of disclosure relating to dispute resolution.

| INTERNAL DISPUTE RESOLUTION  | YES/NO  |   |   |   |  |
|--|---|---|---|---|--|
| FINAL RESPONSE LETTERS   |   |   |   |   |  |
| <p>(a) For trustees that are FOS members:</p> <p style="padding-left: 20px;">i. Has the trustee considered using the following text in their final response letters?</p> <div style="border: 1px dashed gray; padding: 10px; margin-top: 10px;"> <p>If you are not satisfied with our response, you may lodge a complaint:</p> <p><b><u>For superannuation complaints, including insurance</u></b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>a) With the Superannuation Complaints Tribunal <b>if lodged before 1 November 2018:</b></p> <p>Mail:<br/>Locked Mail Bag 3060<br/>Melbourne, VIC, 3001<br/>Phone: 1300 884 114<br/>Website: www.sct.gov.au</p> </td> <td style="width: 50%; vertical-align: top;"> <p>b) With the Australian Financial Complaints Authority <b>if lodged after 1 November 2018:</b></p> <p>Mail:<br/>Australian Financial Complaints Authority<br/>GPO Box 3 Melbourne VIC 3000<br/>Phone: 1800 931 678<br/>Website: www.afca.org.au<br/>Email: info@afca.org.au</p> </td> </tr> </table> <p><b><u>For financial advice complaints</u></b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>a) With the Financial Ombudsman Service <b>if lodged before 1 November 2018:</b></p> <p>Mail:<br/>Financial Ombudsman Service Limited<br/>GPO Box 3 Melbourne VIC 3001<br/>Phone: 1800 367 287<br/>Website: www.fos.org.au/<br/>Email: info@fos.org.au</p> </td> <td style="width: 50%; vertical-align: top;"> <p>b) With the Australian Financial Complaints Authority <b>if lodged after 1 November 2018:</b></p> <p>Mail:<br/>Australian Financial Complaints Authority<br/>GPO Box 3 Melbourne VIC 3000<br/>Phone: 1800 931 678<br/>Website: www.afca.org.au<br/>Email: info@afca.org.au</p> </td> </tr> </table> </div> | <p>a) With the Superannuation Complaints Tribunal <b>if lodged before 1 November 2018:</b></p> <p>Mail:<br/>Locked Mail Bag 3060<br/>Melbourne, VIC, 3001<br/>Phone: 1300 884 114<br/>Website: www.sct.gov.au</p>   | <p>b) With the Australian Financial Complaints Authority <b>if lodged after 1 November 2018:</b></p> <p>Mail:<br/>Australian Financial Complaints Authority<br/>GPO Box 3 Melbourne VIC 3000<br/>Phone: 1800 931 678<br/>Website: www.afca.org.au<br/>Email: info@afca.org.au</p> | <p>a) With the Financial Ombudsman Service <b>if lodged before 1 November 2018:</b></p> <p>Mail:<br/>Financial Ombudsman Service Limited<br/>GPO Box 3 Melbourne VIC 3001<br/>Phone: 1800 367 287<br/>Website: www.fos.org.au/<br/>Email: info@fos.org.au</p> | <p>b) With the Australian Financial Complaints Authority <b>if lodged after 1 November 2018:</b></p> <p>Mail:<br/>Australian Financial Complaints Authority<br/>GPO Box 3 Melbourne VIC 3000<br/>Phone: 1800 931 678<br/>Website: www.afca.org.au<br/>Email: info@afca.org.au</p> |  |
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|---|--|--|--|
| (b) For trustees that are not FOS members:  |  |  |  |
| <p data-bbox="220 331 1098 360">i. Has the trustee considered the following text in their final response letters?</p> <div data-bbox="129 389 1254 804" style="border: 1px dashed black; padding: 10px;"><p data-bbox="129 405 903 434">If you are not satisfied with our response, you may lodge a complaint:</p><table data-bbox="129 461 1254 804"><tr><td data-bbox="129 461 699 804"><p data-bbox="129 461 616 562">a) With the Superannuation Complaints Tribunal <b>if lodged before 1 November 2018:</b></p><p data-bbox="204 591 480 757">Mail:<br/>Locked Mail Bag 3060<br/>Melbourne, VIC, 3001<br/>Phone: 1300 884 114<br/>Website: <a href="http://www.sct.gov.au">www.sct.gov.au</a></p></td><td data-bbox="699 461 1254 804"><p data-bbox="699 461 1230 562">b) With the Australian Financial Complaints Authority <b>if lodged on or after 1 November 2018:</b></p><p data-bbox="762 591 1219 792">Mail:<br/>Australian Financial Complaints Authority<br/>GPO Box 3 Melbourne VIC 3000<br/>Phone: 1800 931 678<br/>Website: <a href="http://www.afca.org.au">www.afca.org.au</a><br/>Email: <a href="mailto:info@afca.org.au">info@afca.org.au</a></p></td></tr></table></div> | <p data-bbox="129 461 616 562">a) With the Superannuation Complaints Tribunal <b>if lodged before 1 November 2018:</b></p> <p data-bbox="204 591 480 757">Mail:<br/>Locked Mail Bag 3060<br/>Melbourne, VIC, 3001<br/>Phone: 1300 884 114<br/>Website: <a href="http://www.sct.gov.au">www.sct.gov.au</a></p>  | <p data-bbox="699 461 1230 562">b) With the Australian Financial Complaints Authority <b>if lodged on or after 1 November 2018:</b></p> <p data-bbox="762 591 1219 792">Mail:<br/>Australian Financial Complaints Authority<br/>GPO Box 3 Melbourne VIC 3000<br/>Phone: 1800 931 678<br/>Website: <a href="http://www.afca.org.au">www.afca.org.au</a><br/>Email: <a href="mailto:info@afca.org.au">info@afca.org.au</a></p> |  |
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⚠ These examples were derived from the example text contained in RG165

## 12. Dictionary

**AFCA** means the Australian Financial Complaints Authority

**APRA** means the Australian Prudential Regulation Authority

**ASIC** means the Australian Securities Investment Commission

**EDR** means external dispute resolution

**FOS** means the Financial Ombudsman Service

**IDR** means internal dispute resolution

**RSA Act** means *Retirement Savings Account Act 1997*

**RSE Licensee** means Responsible Superannuation Entity Licensee

**SCT** means the Superannuation Complaints Tribunal

**SIS Act** means the *Superannuation (Industry) Supervision Act 1993*


**Trustee** means the trustee of a regulated superannuation fund within the meaning of the *Superannuation Industry (Supervision) Act 1993* and, if under the AFCA scheme, an exempt public-sector superannuation scheme.


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