

First Choice Credit Union Limited

Please read the attached Complaints Procedure before completing this form.

To: The Credit Union Complaints Sub-Committee

Name/address of Complainant: _____

Membership No. of Complainant: _____

DESCRIPTION OF COMPLAINT:

(Continue on the back of this sheet if necessary)

(Please attach copies of any relevant documentation. Please retain a copy of this form and any relevant documentation for your own records.)

Signature of Complainant

Date: _____

MEMBER COMPLAINTS PROCEDURE

It is the aspiration of your credit union that any complaint against the credit union will be resolved in a fair and equitable manner. In order that this is accomplished the following is the procedure which you should follow in order to have your complaint/dispute, in your capacity as a member, settled. For a full description of this procedure, please see Rule 108 of the Standard Rules 2016 of the Credit Union.

Step 1. The complainant discusses the complaint with the complaints officer of the credit union who will, where possible, resolve the complaint.

The complaints officer is/are: Board of Directors

If the complaint is not resolved to the satisfaction of the complainant:

Step 2. The complainant completes the “Complaints Form” (see overleaf) which is pre-addressed to the complaints sub-committee. The complainant will have the right to be heard by this sub-committee who will investigate, discuss and, wherever possible, resolve the complaint.

If the complaint is not resolved to the satisfaction of the complainant:

Step 3. The complainant should request the secretary of the credit union to forward the complaint to the board of directors. The complainant will have the right to be heard by the board, which will investigate and, wherever possible, resolve the complaint.

Note: Nothing in Rule 108 shall prevent the Financial Services Ombudsman from investigating and adjudicating a complaint made against a credit union about the provision of, or failure to provide, a financial service, so long as the complaint:

(a) falls within the jurisdiction of that Ombudsman, and

(b) does not relate to a matter that involves only the governance of the credit union.

In accordance with the Credit Union Act, 1997 (“the Act”), because the Rules of the credit union give directions as to the manner in which disputes are to be decided, every dispute to which the credit union is a party shall be decided in that manner. Thus a dispute by a member against the credit union under a contract constituted by the Rules of the credit union may not normally be referred to the courts and

must be dealt with in accordance with the complaints procedure. Where no decision is made on a dispute within 50 days from the date on which the Complaints Form is submitted to the credit union, any party to the dispute may apply to the District Court which may hear and determine the matter in dispute.

An application for the enforcement of a decision made under the scheme may be made to the District Court. As an alternative to availing of this scheme, the complaining member and the credit union may by consent refer a dispute to the Registrar of Credit Unions who shall hear and decide the dispute. If a dispute is referred to the Registrar in this way, it will not be heard under this scheme.

The Member Complaints Procedure is drawn up in accordance with the Rules and the Act. It is a standard scheme for all credit unions in the Republic of Ireland affiliated to the Irish League of Credit Unions and applies to the credit union following registration of its amended Rules under the Act. It will be appreciated this guide only contains the principal features of the scheme and is not intended as a full legal analysis nor should it be relied on as such. Full details of the scheme are contained in Rule 108 of the Rules of the credit union, a copy of which will be available to the member on request from the credit union. The legal basis for the scheme is contained in Part VIII of the Act.

Rule 108 Standard Rules 2016

All disputes shall be decided upon in accordance with Rule 108 of the Standard Rules 2016 in the following manner:

(a) For the purposes of this rule the complaining party or parties described under paragraph (1) shall be referred to as the complainant. The credit union shall ensure that this procedure and the names of officers designated under paragraph (3)(b) are notified to all members and are displayed in a prominent position in the public office of the credit union.

(b) The board of directors shall appoint:

(i) a complaints officer whose duty it shall be to receive complaints forms under paragraph (3)(d) and to investigate, discuss and wherever possible resolve such complaints;

(ii) a complaints sub-committee, whose membership shall not include the officer appointed under paragraph (3)(b)(i) above, whose duty it shall be to investigate, discuss and wherever possible resolve complaints.

(c) The complainant shall discuss the complaint with the complaints officer appointed by the credit union under paragraph (3)(b)(i).

(d) In the event that the complaint is not resolved to the satisfaction of the complainant under paragraph (3)(c), the complainant shall complete a complaints form which shall be readily available in the public office of the credit union and pre-addressed to the complaints sub-committee.

Following receipt of the complaints form, the complaints sub-committee shall investigate, discuss and wherever possible resolve the complaint. The complainant shall have the right to be heard by the sub-committee.



(e) In the event that the complaint is not resolved to the satisfaction of the complainant under paragraph (3)(d), the complainant shall request the secretary of the credit union to forward the complaint to the board of directors. The board of directors shall investigate, discuss and wherever possible resolve the complaint. The complainant shall have the right to be heard by the board of directors.