

BANKING AND ISLAMIC BANKING COMPLAINT/DISPUTE FORM

1. PROCEDURE ON LODGING A COMPLAINT/DISPUTE

Before you lodge a complaint/dispute with the Ombudsman for Financial Services (OFS), you must first refer your complaint/dispute to the Financial Service Provider (FSP) concerned, who is a Member of the Financial Ombudsman Scheme (FOS) with a view to finding an amicable settlement.

2. TIME LIMIT FOR LODGING A COMPLAINT/DISPUTE

- (1) You may refer your complaint/dispute to the OFS:
 - (a) within 6 months from the date of the final decision by the FSP concerned; or
 - (b) after 60 calendar days from the date of your complaint/dispute was first referred to the FSP concerned in respect of which no response has been received from that FSP.

- (2) For more information on the type of complaints/disputes that can be referred to the OFS, you can refer to OFS' website at www.ofs.org.my.

3. ELIGIBILITY TO LODGE A COMPLAINT/DISPUTE

You may bring a complaint/dispute to the OFS if you are –

- (1) a financial consumer who uses or has used any financial services or products provided by a FSP, who is a Member of the FOS –
 - (a) for personal, domestic or household purposes; or
 - (b) in connection with a small business.**

- (2) a financial consumer includes:
 - (a) a third party who is a guarantor for credit facilities granted by FSPs; and
 - (b) a nominee/beneficiary of a customer of a FSP.

** a small business refers to a small and medium enterprises (SMEs) as defined in the "Guideline for New SME Definition" issued by SME Corporation Malaysia in October 2013.

4. MONETARY THRESHOLD

Complaints/disputes that are referred to the OFS must be within the following monetary thresholds:

- (1) banking services or products or Islamic banking services or products – claims not exceeding **RM250,000.00**; and

- (2) unauthorised transactions through the use of a designated payment instruments or a Islamic designated payment instruments or payment channel such as internet banking, mobile banking, telephone banking or automated teller machine(ATM)– claims not exceeding **RM25,000.00**; and

- (3) unauthorised use of a cheque as defined in section 73 of the Bills of Exchange Act 1949 (Act 204) - claims not exceeding **RM25,000.00**.

5. COMPLAINTS/DISPUTES OUTSIDE THE SCOPE OF OFS

OFS will **not** consider the following complaints/disputes:

- (1) A complaint/dispute that is beyond the monetary limit specified in the Schedule 2 of the Term of Reference (TOR) of the OFS, save where mutually agreed in writing by the OFS, the Eligible Complainant and the Member in accordance with the TOR;
- (2) A complaint/dispute on general pricing, product features, credit or underwriting decisions, or applications to restructure or reschedule a loan or financing which are commercial decisions within the discretion of a Member;
- (3) A complaint/dispute concerning the actuarial standards, tables and principles which a Member applies to its long term insurance or takaful business (including the method of calculation of surrender values, paid up policy values and the bonus rate applicable to the policy in question) for insurance or takaful claims, except guaranteed payments which are explicitly mentioned in the terms and conditions of the policy;
- (4) A complaint/dispute relating to a contract of employment between a Member and its officers and employees or agency matters concerning a Member;
- (5) A complaint/dispute that has been filed in a court or referred to arbitration or has been decided by a court or arbitrator;
- (6) A complaint/dispute that is referred to the FOS after more than six months from the date the Member has provided its final decision;
- (7) A complaint/dispute that is time barred under the Limitation Act 1953 or Limitation Ordinance (Sabah) (Cap.72) or Limitation Ordinance (Sarawak) (Cap. 49);
- (8) A complaint/dispute that had been previously decided by the OFS (including a dispute decided under the Predecessor Scheme) unless new evidence, which are material facts that could change the earlier decision, is available for the OFS' consideration;
- (9) A complaint/dispute on investment performance of a financial product except in relation to non-disclosure of facts or misrepresentation;
- (10) A complaint/dispute on capital market services and products offered or marketed by a Member;
- (11) A complaint/dispute that involves more than one Eligible Complainant and has been referred to the FOS without the consent of the other Eligible Complainant, and the OFS is of the view that it would be inappropriate to deal with the complaint/dispute without that consent;

- (12) A complaint/dispute involving claims arising from a third party bodily injury or death; and
- (13) A complaint/dispute relating to the payment of policy moneys under a life policy and personal accident policy or payment of takaful benefits under a family takaful certificate and personal accident takaful certificate made in accordance with the provisions set out in Schedule 10 of the Financial Services Act 2013 and the Islamic Financial Services Act 2013, respectively.

Kindly send your complaint to:

The Chief Executive Officer,
Ombudsman for Financial Services
(formerly known as Financial Mediation Bureau)
Level 14, Main Block
Menara Takaful Malaysia
No. 4 Jalan Sultan Sulaiman
50000 Kuala Lumpur

Tel. No. : 03-2272 2811

Fax : 03-2272 1577

Email : enquiry@ofs.org.my



OMBUDSMAN FOR FINANCIAL SERVICES
OMBUDSMAN PERKHIDMATAN KEWANGAN

**BORANG ADUAN PERBANKAN DAN PERBANKAN ISLAM
BANKING AND ISLAMIC BANKING COMPLAINT/DISPUTE FORM**

1. MAKLUMAT PEMEGANG AKAUN/ACCOUNT HOLDER'S DETAILS		
Nama: <i>Name:</i>	No. K.P/No. Pasport: <i>NRIC No./Passport no.:</i>	
No. Tel. Rumah/ <i>House Tel. No.:</i> No. Tel. Bimbit/ <i>Mobile Tel. No.:</i>	Pekerjaan/Profesion: <i>Occupation/Profession:</i>	
Faks: <i>Fax:</i>	No. Tel. Pejabat: <i>Office Tel. No.:</i>	E-Mel: <i>E-Mail:</i>
Alamat Surat Menyurat (sertakan poskod): <i>Correspondence Address (include postcode):</i>		
Hubungan dengan Penyedia Perkhidmatan Kewangan [sila tandakan (✓)] : <i>Relationship with Financial Service Providers [please tick (✓)]</i> :		
<input type="checkbox"/> Pengguna Perkhidmatan Kewangan untuk kegunaan persendirian atau domestik atau isi rumah atau berkaitan dengan perniagaan kecil/ <i>Financial Consumer for personal, domestic or household purposes; or in connection with a small business; atau/or</i>		
<input type="checkbox"/> Pihak Ketiga yang merupakan penjamin untuk kemudahan kredit yang diberi oleh Penyedia Perkhidmatan Kewangan/ <i>Third Parties who are guarantors for credit facilities granted by FSPs; atau/or</i>		
<input type="checkbox"/> Pihak Ketiga yang merupakan penama atau benefisiari kepada pelanggan Penyedia Perkhidmatan Kewangan/ <i>Third Parties who are nominees or beneficiaries to Financial Service Providers' customers</i>		
2. MAKLUMAT PENGADU (jika bukan pemegang akaun atau bagi pihak entiti perniagaan)/COMPLAINANT'S DETAILS (if not an account holder or on behalf of business entity)		
Nama: <i>Name:</i>	Untuk entiti perniagaan, [sila tandakan (✓)]/for business entity, [please tick (✓)]	
No. K.P/No. Pasport: <i>NRIC No./Passport no.:</i>	<input type="checkbox"/> Keempunyaan Tunggal/ <i>Sole proprietorship</i>	
Pekerjaan/Profesion: <i>Occupation/Profession:</i>	<input type="checkbox"/> Perkongsian/ <i>Partnership</i>	
	<input type="checkbox"/> Syarikat/ <i>Company</i>	
Hubungan (jika bagi pihak individu): <i>Relationship (if on behalf of individual):</i>	Nama Jawatan (jika bagi pihak syarikat/perniagaan): <i>Job Title (if on behalf of company/business entity):</i>	
No. Tel. Rumah/ <i>House Tel. No.:</i> No. Tel. Bimbit/ <i>Mobile Tel. No.:</i>	No. Tel. Pejabat/ <i>Office Tel. No.:</i>	
No. Faks/ <i>Fax No.:</i>	E-Mel/ <i>E-Mail:</i>	
Alamat Surat Menyurat (sertakan poskod)/ <i>Correspondence Address (including postcode):</i>		

3. MAKLUMAT ADUAN/ DETAILS OF THE COMPLAINT/DISPUTE	
Aduan Terhadap Penyedia Perkhidmatan Kewangan [sila tandakan (✓)]: <i>Complaint Against Financial Service Providers [please tick (✓)]:</i> Kategori/ <i>Categories:</i>	
<input type="checkbox"/> Bank berlesen/ <i>Licensed Bank</i> <input type="checkbox"/> Bank Islam berlesen/ <i>Licensed Islamic Bank</i> <input type="checkbox"/> <i>Institusi Kewangan Pembangunan/Development Financial Institution</i> <input type="checkbox"/> Pengeluar Instrumen Pembayaran yang Diluluskan/ <i>Approved Designated Payment Instrument Issuer</i> <input type="checkbox"/> Pengeluar Instrumen Pembayaran Islam yang Diluluskan/ <i>Approved Designated Islamic Payment Instrument Issuer</i> <input type="checkbox"/> Penasihat Kewangan yang Diluluskan/ <i>Approved Financial Advisers</i> <input type="checkbox"/> Penasihat Kewangan Islam yang Diluluskan/ <i>Approved Islamic Financial Advisers</i>	
Nama Penyedia Perkhidmatan Kewangan: <i>Name of Financial Service Provider:</i>	
Cawangan Terlibat/ <i>Branch Concerned :</i>	No. Akaun/ <i>Account No.:</i>
Sila tandakan (✓)/please tick (✓)	
<input type="checkbox"/> Akaun Perseorangan/ <i>Individual Account</i>	<input type="checkbox"/> Akaun Perniagaan/ <i>Business Account</i>
4. JENIS AKAUN [sila tandakan (✓)]/TYPE OF ACCOUNT [please tick (✓)]	
<input type="checkbox"/> Akaun Semasa/ <i>Current Account</i>	<input type="checkbox"/> Akaun Simpanan/Akaun Simpanan-i / <i>Savings Account/ Savings Account-i</i>
<input type="checkbox"/> Insurans Berkaitan Pelaburan/Takaful Berkaitan Pelaburan/ Bankasurans/ Bancatakaful / <i>Investment-linked Insurance/ Investment-linked Takaful/Bancassurance/ Bancatakaful</i>	<input type="checkbox"/> Akaun Simpanan Tetap/Akaun Deposit Bertempoh-i / <i>Fixed Deposit Account/ Term Deposit Account-i</i>
<input type="checkbox"/> Sewa Beli/ <i>Hire Purchase</i>	<input type="checkbox"/> Kad Kredit/Debit/ <i>Credit/Debit Card</i>
<input type="checkbox"/> Pembiayaan (Perumahan/Peribadi)/ <i>Financing (Housing/Personal)</i>	<input type="checkbox"/> E-Pembayaran/ <i>E-Money</i>
<input type="checkbox"/> Pajak Gadai Ar-Rahnu/ <i>Islamic Pawn Broking</i>	<input type="checkbox"/> Lain-lain (sila nyatakan)/ <i>Others (please specify)</i> <hr/>
5. JENIS ADUAN/PERTIKAIAN [sila tandakan (✓)]/TYPE OF COMPLAINT/DISPUTE [please tick (✓)]	
<input type="checkbox"/> Pinjaman Peribadi/Perumahan & Pinjaman Sewa Beli/ <i>Housing/Personal & Hire Purchase Loans</i>	<input type="checkbox"/> Operasi Perbankan (termasuk pertikaian berhubung akaun simpanan/semasa/simpanan tetap, pengiriman wang, transaksi dilakukan melalui kaunter bank, bankasurans dan insurans berkaitan pelaburan). / <i>Banking Operations (including complaint/dispute on savings/current account/ fixed deposit, remittances, transactions performed through bank's teller/counter, bancassurance and investment-linked insurance)</i>
<input type="checkbox"/> Perbankan Islam/ <i>Islamic Banking</i>	<input type="checkbox"/> Ketakdedahan fakta/salah nyata/ <i>Non-disclosure of facts/Misrepresentation</i>
<input type="checkbox"/> Pajak Gadai Ar-Rahnu/ <i>Islamic Pawn Broking</i>	<input type="checkbox"/> Lain-lain pertikaian berhubung perbankan Internet/ <i>Other issues relating to Internet Banking</i>

<input type="checkbox"/> Mesin Pendeposit Tunai/ <i>Cash Deposit Machine (CDM)</i>	<input type="checkbox"/> Lain-lain pertikaian berkaitan E-Pembayaran/Other issues relating to <i>E-Money</i>
Pengeluaran ATM/ATM withdrawals <input type="checkbox"/> Tiada pengeluaran/ <i>Non-dispensation</i> <input type="checkbox"/> Kurang pembayaran/ <i>Short-dispensation</i>	<input type="checkbox"/> Lain-lain pertikaian berkaitan kad Kredit/Debit/Other issues relating to <i>Credit/Debit Card</i>
<p>Transaksi tanpa kebenaran yang melibatkan instrument pembayaran/instrument pembayaran Islam dan saluran pembayaran seperti perbankan internet, perbankan mudah alih, perbankan telefon atau mesin juruwang automatik dan mana-mana penggunaan cek seperti yang ditakrifkan di bawah seksyen 73 Akta Bil Pertukaran 1949 – tuntutan maksima sebanyak RM25,000.00:</p> <p>Complaint/dispute on an unauthorized transaction through the use of a designated payment instrument/Islamic designated payment instrument or payment channel such as internet banking, mobile banking, telephone banking or automated teller machine(ATM) and unauthorised use of a cheque as defined in section 73 of the Bills of Exchange Act 1949 - maximum claim amount of RM25,000.00:</p> <input type="checkbox"/> Kad Kredit/Debit/ <i>Credit/Debit card</i> <input type="checkbox"/> E-Pembayaran/ <i>E-Money</i> <input type="checkbox"/> Perbankan Internet/ <i>Internet Banking</i> <input type="checkbox"/> <i>Mesin Juruwang Automatik/Automated Teller Machine</i> <input type="checkbox"/> Perbankan Mudah Alih/ <i>Mobile Banking</i> <input type="checkbox"/> Perbankan Telefon/ <i>Telephone Banking</i> <input type="checkbox"/> Cek/ <i>Cheque</i>	<input type="checkbox"/> Lain-lain (sila nyatakan)/ <i>Others (please specify):</i>
<p>Sudahkah anda menerima surat keputusan daripada Penyedia Perkhidmatan Kewangan (PPK)?, jika ada, sila tandakan (✓) dan nyatakan tarikh surat keputusan. Jika anda belum menerima keputusan daripada PPK melebihi 60 hari dari tarikh aduan pertama anda kepada PPK, sila tandakan (✓) dan nyatakan tarikh aduan.</p> <p><i>Have you received the Financial Service Provider's (FSP) decision letter? If yes, please tick (✓) and state the date of the decision letter. If you have not received the FSP's decision after 60 days from your first complaint to the FSP, please tick (✓). State the date of your first complaint.</i></p> <input type="checkbox"/> Ya/Yes Tarikh/Date : _____ <input type="checkbox"/> Tidak/No Tarikh Aduan kepada PPK/Date of Complaint to FSP : _____	
<p>Jumlah Pertikaian/<i>Amount Disputed:</i></p>	
<p>6. SALINAN DOKUMEN DILAMPIRKAN [sila tandakan (✓)]/COPIES OF DOCUMENTS ATTACHED [please tick (✓)]</p>	
<input type="checkbox"/> Laporan polis/ <i>Police report</i>	<input type="checkbox"/> Kad Pengenalan/Pasport/ <i>NRIC/Passport</i>
<input type="checkbox"/> Surat Keputusan Penyedia Perkhidmatan Kewangan (PPK) (wajib)/Decision of the <i>Financial Service Provider (FSP) (compulsory)</i>	<input type="checkbox"/> Pendedahan Yang Dibenarkan Di bawah Akta Perkhidmatan Kewangan 2013/Akta Perkhidmatan Kewangan Islam 2013/Akta Institusi Kewangan

<p>Atau/or</p> <p><input type="checkbox"/> Aduan bertulis kepada PPK (sekiranya PPK tidak mengeluarkan keputusan akhir selepas tempoh 60 hari dari tarikh aduan pertama kali dikemukakan) (wajib) / <i>Written complaint to FSP (if the FSP has not issued a final decision after 60 calendar days from the date the complaint/dispute was first referred)</i> (Compulsory)</p>	<p>Pembangunan 2002 (wajib) <i>Permitted Disclosure Under Financial Services Act 2013/ Islamic Financial Services Act 2013/ Development Financial Institutions Act 2002</i> (compulsory)</p>
<p><input type="checkbox"/> Perjanjian Pinjaman/Surat Tawaran Pinjaman/Perjanjian Pinjaman Sewa Beli/ Penyata Akaun Pinjaman <i>Loan Agreement/Letter of Offer/Hire Purchase Agreement/ Loan Statements</i></p>	<p><input type="checkbox"/> Resit Transaksi (untuk kad kredit/debit, ATM, CDM) <i>Transaction Receipt (for credit/debit card, ATM, CDM)</i></p>
<p><input type="checkbox"/> Buku Akaun Simpanan, Penyata Akaun Semasa, Penyata Kad Kredit atau Debit/ Resit Simpanan Tetap/Polisi Bankasurans atau Sijil Bancatakaful / Savings Account Book/Current Account Statement/Credit or Debit Card Statement/Loan Statements/ Fixed Deposit Receipt/Bancassurance Policy or Bancatakaful Certificate</p>	<p><input type="checkbox"/> Sijil Penubuhan, Surat Kuasa, (untuk Syarikat & Perkongsian) & Resolusi Lembaga (untuk Syarikat) <i>Certificate of Incorporation, Letter of Authority, (for Company & Partnership) Board Resolution (For Company)</i></p>
<p><input type="checkbox"/> Penyata pelaburan/ <i>Statements of investment</i></p>	<p><input type="checkbox"/> Pelan Insurans atau Takaful Berkaitan Pelaburan/ <i>Investment-linked Insurance or Takaful plan.</i></p>
<p><input type="checkbox"/> Lain-lain (sila nyatakan)/ <i>Others (please specify):</i></p>	
<p>7. PENERANGAN MENGENAI ADUAN/PERTIKAIAN / DESCRIPTION OF COMPLAINT/DISPUTE</p>	
<p>Aduan saya adalah seperti berikut (Sila beri penerangan jelas mengenai aduan anda. Jika anda memerlukan lebih ruang, sila lampirkan keterangan aduan di dalam kertas berasingan. Anda boleh lampirkan dokumen tambahan berkaitan dengan aduan anda bersama-sama Borang ini):</p> <p><i>My complaint/dispute is as follows (Please provide a clear explanation on your complaint/dispute. If more space is required, please attach the description of the complaint/dispute on a separate sheet of paper. You may attach additional documents relevant to your complaint/dispute together with this Form):</i></p>	

Tandatangan/Signature : Tarikh/Date:

Nama Pengadu/Complainant's Name:

<p>Untuk Kegunaan Pejabat Sahaja/For Office Use Only</p>	
<p>Diuruskan Oleh/Attended to by :</p>	<p>No. Ruj./Ref. No.: OFS/.....</p> <p style="text-align: center;">(Nama Kakitangan OPK/Name of OFS Staff)</p>