

Bailiwick of Guernsey

Financial Services Ombudsman (Bailiwick of Guernsey) Law 2014 [the Law]¹

Financial Services Ombudsman (Case Fee and Levies) (Bailiwick of Guernsey) Order 2015 [the Order]²

Financial Services Ombudsman

Fee Scheme (Bailiwick of Guernsey) 2023

- 1 This fee scheme is made:
- on 23 December 2022;
 - by the Office of the Financial Services Ombudsman (OFSO) established by the Law; and
 - in accordance with Article 1 of the Order.

- 2 This scheme:
- is for 2023 and subsequent years (until any subsequent fee scheme is made);
 - will be published on 23 December 2022; and
 - will come into effect on 1 January 2023 for all chargeable complaints.

It will be published at www.ci-fo.org – the website of the Channel Islands Financial Ombudsman (CIFO), which is the joint operation of OFSO and the equivalent financial services ombudsman in the Bailiwick of Jersey.

- 3 In this scheme:
- ‘providers’ means financial services providers within OFSO’s jurisdiction;
 - ‘registered providers’ has the same meaning as defined in the Order;
 - ‘ombudsman’ means any CIFO ombudsmen;
 - ‘levy’ means the levy payable under the relevant levy scheme made by OFSO under the Order; and
 - ‘chargeable complaint’ means a complaint for which a case fee is payable as shown in paragraph 4.
- 4 Each provider must pay to OFSO a case fee for each complaint against the provider that is referred to OFSO, unless, in the opinion of an ombudsman:
- on receipt of the complaint, it is apparent that it is not eligible or should be rejected; or
 - at any time, the complaint is rejected as frivolous or vexatious.

¹ <http://www.guernseylegalresources.gg/article/115617/Financial-Services-Ombudsman-Bailiwick-of-Guernsey-Law-2014>

² <http://www.guernseylegalresources.gg/CHttpHandler.ashx?id=95899&p=0>

- 5 The amount of the case fee for each complaint received on or after 1 January 2023 will be:
 - Nil for Guernsey Community Savings LBG;
 - £850 for any registered provider that is liable to pay a levy; and
 - £1,350 for any other provider.

- 6 OFSO will invoice any case fees quarterly in arrears, in respect of the quarters ending 31 March, 30 June, 30 September and 31 December each year.

- 7 The quarterly invoicing of case fees will begin with the quarter ending 31 March 2023.

- 8 Any case fee invoice (including any interim case fee invoice) is due and payable within 28 days of the date of the invoice. If it remains unpaid, OFSO may add interest at 6% per annum from the due date until paid plus any debt collection costs incurred by OFSO.

- 9 The board of OFSO may reduce, remit or refund all or part of a case fee if:
 - the provider by which it is payable applies to the Principal Ombudsman in writing, with its reasons, before paying the case fee or within 1 month after paying it; and
 - in the opinion of the board of OFSO it would be inequitable to charge or retain the case fee because of exceptional circumstances.

- 10 This scheme may be cited as the Financial Services Ombudsman Fee Scheme (Bailiwick of Guernsey) 2023.

David Thomas

Chairman of the Board of OFSO
