



**BMW Group South Africa**  
**Financial Services**

**FAIS Customer Complaints Resolution Policy**

**Effective Date: 01 November 2018**



## Contents

<b>1. Definitions</b> .....	3
<b>2. Introduction</b> .....	4
<b>3. Customer Impact</b> .....	4
<b>4. Scope</b> .....	4
<b>5. Complaint Procedure</b> .....	4
<b>6. Referral to the Ombudsman</b> .....	5
<b>7. Contact details</b> .....	5



## 1. Definitions

- 1.1 **Alphera Financial Services** is a division of BMW Financial Services (South Africa) (Pty) Ltd.
- 1.2 **BMW Financial Services (South Africa) (Pty) Limited** is an Authorised Financial Services (FSP no. 4623) and a Registered Credit Provider NCRCP2341, hereinafter referred to as **“BMW Finance”**. BMW Finance holds a Category 1 licence and is authorised to render financial services for short term insurance personal lines.
- 1.3 **Complaint** means an expression of dissatisfaction by a person to BMW Finance or, to the knowledge of BMW Finance or to BMW Finance’s service provider relating to a policy or service provided or offered by BMW Finance or insurer which indicates or alleges, regardless of whether such an expression of dissatisfaction is submitted together with or in relation to a customer query, that
- a) BMW Finance or the Insurer or its service provider has contravened or failed to comply with an agreement, a law, a rule, or a code of conduct which is binding on the insurer or to which it subscribes;
  - b) BMW Finance or the Insurer or its service provider’s maladministration or wilful or negligent action or failure to act, has caused the person harm, prejudice, distress or substantial inconvenience; or
  - c) BMW Finance or the Insurer or its service provider has treated the person unfairly.
- 1.4 **Complainant** is a person who has submitted a specific complaint to a regulated institution and who is a customer or a potential customer of the institution concerned.
- 1.5 **Financial Advisory and Intermediary Services Act** (“FAIS”).
- 1.6 **Insurer** means a person or company that underwrites an insurance risk or means a person licensed to conduct insurance business under the Insurance Act of 2017. Insurance is underwritten by Guardrisk Insurance Company Ltd an Authorised Financial Services Provider Licence No.75
- 1.7 **MINI Financial Services** is a division of BMW Financial Services (South Africa) (Pty) Ltd.
- 1.8 **Treating Customers Fairly** (“TCF”).
- 1.9 **Service Provider** means a party appointed by BMW Finance for the rendering of administrative and underwriting services.
- 1.10 **What is not a complaint in terms of this Policy** - The Policy only deals with complaints regarding financial services as envisaged under the FAIS Act and does not deal with any complaints that relate to credit financial products as envisaged under the National Credit Act.



## **2. Introduction**

As an authorised financial services provider, BMW Finance is required to comply with the rules and regulations relating to FAIS and TCF framework, including any other applicable legislation impacting the business operations.

The FAIS General Code of Conduct for Authorised Financial Services Providers, 2003 (“General Code”) requires financial services providers to implement an internal complaints procedure and a resolution system to enable clients to lodge complaints with BMW Finance without having to approach the FAIS Ombudsman.

Accordingly, the Customer Complaints Resolution Policy (“the Policy”) has been established.

## **3. Customer Impact**

### **Company statement on Treating Customers Fairly**

Fair treatment of Customers is central to the development and continuing success of our business, this is to the benefit of all our stakeholders including present, prospective and future customers, associates, business partners and shareholders. Accordingly, we hold our customer values at the core of our decision making.

### **Customer impact of this Policy**

The impact of this policy is to ensure effective management and handling of customer complaints within BMW FS.

## **4. Scope**

The Policy is intended to handle complaints in respect of services provided under FAIS and specifically the insurance products provided under the BMW Insurance, Alphera Insurance and MINI Insurance brands.

## **5. Complaint Procedure**

Complaints against BMW Finance must be submitted in writing. The form of submission may be by letter or email.

5.1 BMW Finance will acknowledge receipt of the complaint in writing to the complainant within 48 hours or two working days of receipt.



5.2 The complaint should contain sufficient details and must include:

- i. the full names, ID and contact details of the complainant
- ii. the full names, ID and contact details of the client (if different from the complainant as well as proof of authority to act on behalf of the client)
- iii. Specific details about the nature of the complaint, which would include sufficient facts, dates and supporting documentation to enable BMW Finance to deal with the complaint quickly and fairly.

5.3 Once the complaint has been made, it will be allocated to the responsible person to investigate and address.

5.4 BMW Finance will attempt to resolve the complaint within reasonable period and advise the complainant, in writing, of the outcome of the complaint.

5.4 In event that the complaint cannot be resolved, BMW Finance will advise the complainant in writing of the reasons why the complaint could not be resolved and what further steps are available to the complainant.

5.5 BMW Finance will keep a record of the complaint and maintain such record as required by legislation.

## **6. Referral to the Ombudsman**

In the event that the complaint has not been resolved to the complainant's satisfaction, the complainant has between six weeks and six months within which to refer the matter to the relevant Ombudsman for resolution. The complainant may also seek legal advice from an attorney regarding any legal action that may be taken.

It is important to note that, should the complaint be referred to an Ombudsman, the correct body is selected and subject to their relevant jurisdiction.

## **7. Contact Details**

### **BMW Financial Services (South Africa) (Pty) Ltd**

Postal address: P O Box 2955, Pretoria, 0001

Tel: 0800 600 555

Fax: +27 11 522 2447

E-Mail: [Complaints@bmwfinance.co.za](mailto:Complaints@bmwfinance.co.za)

### **FAIS Ombudsman**

Postal Address: PO Box 74571, Lynwood Ridge, 0040

Tel: +27 12 470 9080

Fax: +27 12 348 3447

E-Mail: [info@faisombud.co.za](mailto:info@faisombud.co.za)



**Ombudsman for Short-term Insurance**

Postal Address: P.O. Box 32334 Braamfontein 2017

Tel: 0860 726890 / (011) 726 8900

Fax: (011) 726 5501

E-mail address: [info@osti.co.za](mailto:info@osti.co.za)

**FSCA (Financial Sector Conduct Authority)**

Postal Address: P.O. Box 35655, Menlo Park, 0102

Tel: (012) 428 8000

Fax: (012) 346 6941

E-mail address: [info@fsca.co.za](mailto:info@fsca.co.za)