

22 May 2023

Executive General Manager Jurisdiction  
Australian Financial Complaints Authority

Via email: [consultation@afca.org.au](mailto:consultation@afca.org.au)

Dear Ms Kumarich

**Consultation on AFCA's proposed amendments to AFCA Rules and Operational Guidelines**

COBA appreciates the opportunity to contribute to AFCA's consultation on its proposed amendments to the AFCA Rules and Operational Guidelines.

COBA is the industry association for Australia's customer owned banks (mutual banks, credit unions and building societies). Collectively, our sector has over \$160 billion in assets and is the fifth largest holder of household deposits. Customer owned banks account for around two thirds of the total number of domestic Authorised Deposit-taking Institutions (ADIs) and deliver competition and market leading levels of customer satisfaction in the retail banking market.

COBA supports AFCA taking appropriate and reasonable steps towards implementing the recommendations of the 2021 Independent Review of AFCA Report. We broadly support the proposed amendments as appropriate for implementing the Report.

We raise the following points of feedback for AFCA's consideration for future rules revisions:

- **Extending timeframes for determinations:** It is unclear when AFCA can extend the timeframe for making a determination at the request of the complainant. We have received feedback from members indicating instances where AFCA has extended the timeframe of a determination multiple times due to the complainant not being satisfied with the outcome of their complaint.
- **Changes between the preliminary and final determination:** The process when AFCA changes the outcome between the preliminary assessment and the final determination is unclear. We have received feedback from members indicating instances where the outcome made in AFCA's preliminary assessment was completely different to that made in the final determination. In these instances, AFCA failed to provide an adequate explanation on why this change has occurred.

We thank you for taking our views into account. Please do not hesitate to contact Robert Thomas, Senior Policy Adviser ([rthomas@coba.asn.au](mailto:rthomas@coba.asn.au)) if you have any questions about our submission.

Yours sincerely



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