

### Features of FDRC

- The Financial Dispute Resolution Centre (FDRC) is a non-profit making company limited by guarantee.
- FDRC administers the Financial Dispute Resolution Scheme (FDRS) to resolve financial disputes between a financial institution and individuals or sole proprietors (Eligible Claimants).
- The maximum amount of claim is HK\$500,000 (including any interest on any alleged to be a loss) or the foreign currency equivalent.

### Vision of FDRC

- Being the leading provider of financial dispute resolution processes to deal with differences between financial institutions and their customers constructively before they escalate.
- Supporting Hong Kong as an international financial centre by extending our processes and engaging stakeholders of the financial industry.

### Mission of FDRC

- Providing independent and impartial “Mediation First, Arbitration Next” processes of dispute resolution to facilitate the resolution of monetary disputes between individual customers and financial institutions in Hong Kong.

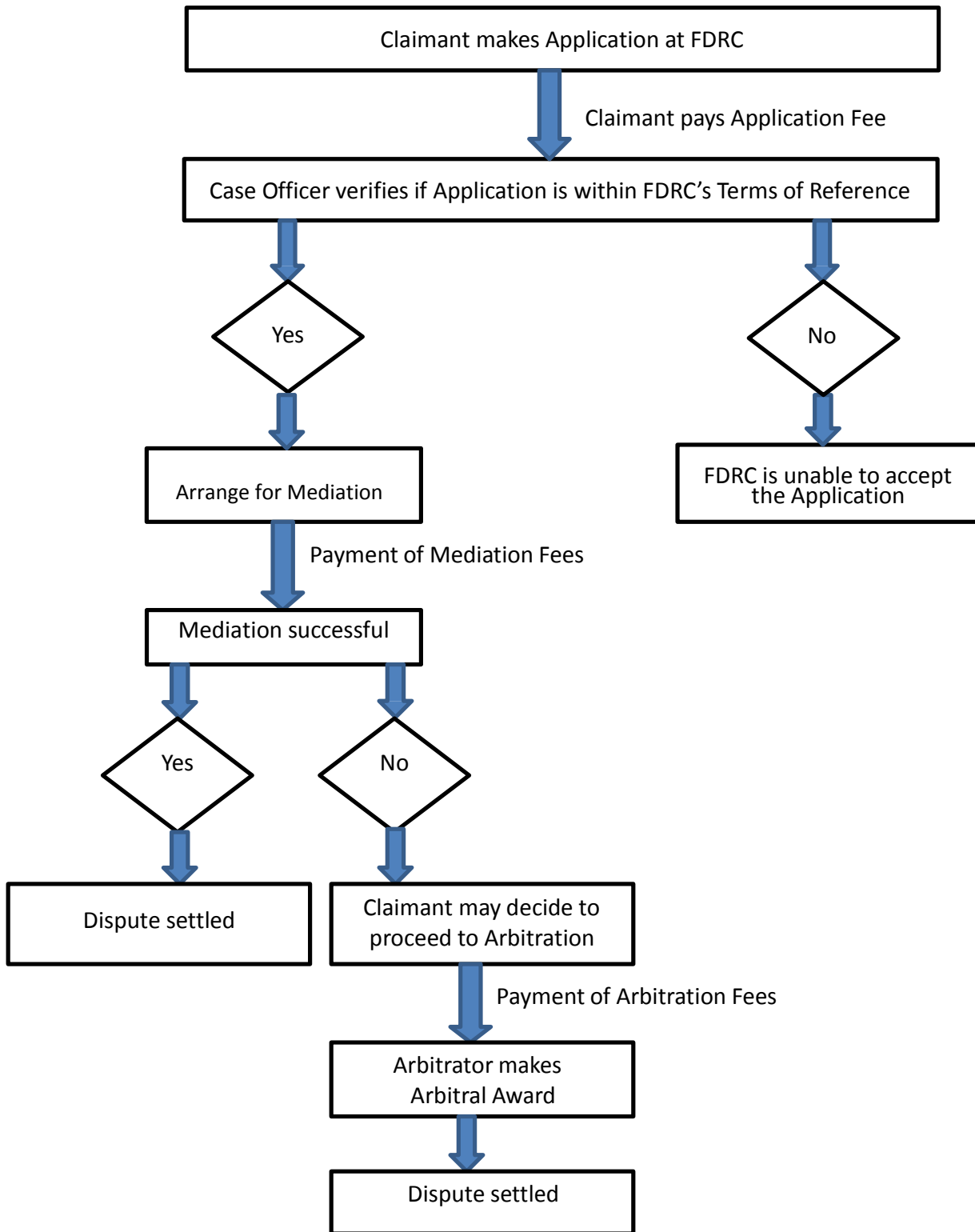
### Advantages of FDRS

- One-stop avenue for dispute resolution. Affordable for Eligible Claimants who do not have the resources to go to court.
- All the financial institutions who are members of the FDRS are obligated to participate in the FDRS.
- Dedicated List of Mediators and List of Arbitrators to provide high quality services.
- Trained Case Officers to administer the mediation and arbitration processes.

### Guiding Principles of FDRC

- **Independence:** Set up and operate an independent FDRS without external interference.
- **Impartiality:** Ensure both the financial institutions and their customers are treated in an impartial way.
- **Accessibility:** Establish dispute resolution processes which are straight forward, clear and easy to understand.
- **Efficiency:** Ensure that financial disputes are settled in a timely and efficient manner.
- **Transparency:** Being transparent whilst also acting in accordance with confidentiality and privacy obligations.

Work Flow of Financial Dispute Resolution Centre (FDRC)



## Application

- Before he / she can file an application with the Financial Dispute Resolution Centre (FDRC), the individuals or sole proprietor (Eligible Claimant) must have filed a **written complaint** concerning the disputes with the relevant financial institution (FI).
- Call Hotline: **3199 5199** for enquiries
- Attend a **briefing session**

## Vetting Stage

- Submit an application form and **fees** with all **relevant information**
- The Case Officer would accept or reject the application regarding to the *Financial Dispute Resolution Scheme Guidelines*.
- The Applicant may request the FDRC to review its decision by making representations to the FDRC within 21 days from the date of receipt of the Case Officer's decision.
- The FDRC shall review the decision of the Case Officer and make the final decision where necessary.

## Mediation Stage

- If the amount of claims: –
  - is within HK\$100,000, the FDRC shall normally assign the case to an in-house Mediator; or
  - is beyond HK\$100,000, the Eligible Claimant and FI (Parties) may agree on the appointment of the Mediator from the List of Mediators. Failing agreement, the FDRC will appoint a Mediator from the List.
- The Mediator shall ensure that the Parties sign an **Agreement to Mediate** prior to the substantive mediation session between the Parties.
- No legal representatives are allowed to attend the mediation session.
- The Mediator shall file the *Mediation Certificate* at the conclusion of the Mediation.

### Arbitration Stage

- The Eligible Claimant may request for Arbitration after the Mediation is terminated within 60 days from the date of the Mediation Certificate by serving a **Notice to Arbitrate** to the FDRC.
- The FI shall send a response to the Notice to Arbitrate within 21 days.
- The Eligible Claimant's **final submissions** (if any) on the Claim shall be provided within 21 days after receipt of the FI's response, submissions and documents.
- Upon receipt of the Notice to Arbitrate, response to the Notice to Arbitrate, submissions and documents from the Parties, the FDRC shall appoint a single Arbitrator from the List of Arbitrators if the Parties failed to agree on one.
- The appointment of the Arbitrator takes effect upon confirmation in writing by the FDRC.
- The Arbitration may be commenced on a "documents-only" basis.
- The Arbitrator shall give notice to the Parties of his intention to proceed with the rendering of Arbitral Award and will so proceed unless either Party within 7 days requests, and is thereafter granted, leave to serve further submissions.
- Under exceptional circumstance, the Arbitrator can call for in-person hearing.

### Fees

|  | Eligible Claimant (HK\$) |
|--|--------------------------|
| <b>Making Enquiries</b>  | Nil                      |
| <b>Filing an Application</b>   | \$200                    |
| <b>Mediation</b>   | Per case                 |
| <b>Specified Mediation Time (4 hours)</b>  |                          |
| For claimable amount -   |                          |
| -less than HK\$100,000   | \$1,000                  |
| between HK\$100,000 and HK\$500,000  | \$2,000                  |
| <b>Extended Time</b>   | Per hour or part thereof |
| For claimable amount -   |                          |
| -less than HK\$100,000   | \$750                    |
| -Between HK\$100,000 and HK\$500,000   | \$1,500                  |
| <b>Arbitration</b>   | Per case                 |
| (For claimable amount up to HK\$500,000)   |                          |
| - Documents-only   | \$5,000                  |
| - In-person hearing (in addition to the fees payable for documents-only Arbitration) | \$12,500                 |

*\*All Fees are non-refundable*

*\*References to days mean calendar days*