

FDRS Application Form (Financial Institutions)

Financial Dispute Resolution Centre (FDRC) Financial Dispute Resolution Scheme (FDRS) Application Form

(For Financial Institution (“FI”) Claim / FI Counterclaim and/or a Claim of its Customers)

Our Ref: _____

Date Received:

(For FDRC’s Official Use Only)

Please put a “√” in where appropriate.

I. Date of Application: _____ (dd/mm/yyyy)

II. Particulars of Applicant (FI)

1	Business Name		
2	Contact Details	Contact Person 1	Contact Person 2 (if any)
	Name of Contact Person (* Delete where appropriate)	*Mr/Ms/Mrs/Miss	*Mr/Ms/Mrs/Miss
	Title of Contact Person		
	Telephone No.		
	Fax No.		
	Email Address		
	Correspondence Address		

III. Particulars of the customer(s) with consent

[See Note (1)]

signed consent by the customer attached (Annex X)

		(1)	(2) (For joint-account only)
1	Name of the customer(s) (* Delete where appropriate)	*Mr/Ms/Mrs/Miss or a company	*Mr/Ms/Mrs/Miss or a company
2	Contact Person (if the customer is a company)		
3	Telephone No. of the Contact Person		
4	Correspondence Address		

IV. Details of the Dispute

1	Nature of claim and amount in dispute <i>(Please provide separate form for each claim.)</i> [See Note (1)]	<input type="checkbox"/> (a) Claim of a customer against FI	<input type="checkbox"/> (b) FI claim against its customer	<input type="checkbox"/> (c) FI counterclaim in relation to a claim by its customer
	Amount claimed	<input type="checkbox"/> HK\$		
		<input type="checkbox"/> Other currencies		

[Note (1): Please note that a claim of a customer of an FI, an FI claim or an FI counterclaim (provided that the FI counterclaim is lodged in relation to a claim by its customer, which has been or was accepted by the FDRC, and it may or may not arise from the same occurrence, transaction, or subject matter as the individual claim from the customer) can be brought by an FI with signed consent by the Parties pursuant to the Terms of Reference of the FDRC.]

2	Nature of the financial service from which the dispute arises (e.g. financial product, service, or advice about a financial product or service provided by or via an FI)	
3	Name of the financial product(s) involved	
4	Reference or Account No.	
5	Date of purchase of the financial product or rendering of the service/ advice	
6	Date of knowledge about monetary loss	

V. Actions taken in respect of the Dispute

(a) Claim of a customer against FI (To fill in if applicable)		
1	Application Form signed by the customer attached:	<input type="checkbox"/> FDRS Application Form (For Individuals / Sole Proprietors) (Annex III-A of the Terms of Reference) <input type="checkbox"/> FDRS Application Form (For Small Enterprises(SE)) (Annex III-B of the Terms of Reference)

(b) FI claim against its customer (To fill in if applicable)				
1	Have FI lodged a claim request to its customer?	<input type="checkbox"/> No <input type="checkbox"/> Yes. The date: The amount in dispute: Please describe in separate sheet(s) or attach a copy of documents related to the complaint.		
2	Has the customer responded to FI's request?	<input type="checkbox"/> No <input type="checkbox"/> Yes. The date: Please describe in separate sheet(s) or attach a copy of the response.		
(c) FI counterclaim against its customer (To fill in if applicable)				
1	Have FI lodged a counterclaim request to its customer?	<input type="checkbox"/> No <input type="checkbox"/> Yes. The date: The amount in dispute: Please describe in separate sheet(s) or attach a copy of documents related to the complaint.		
2	Has the customer responded to FI's request?	<input type="checkbox"/> No <input type="checkbox"/> Yes. The date: Please describe in separate sheet(s) or attach a copy of the response.		
Court action(s), if any, for the above claim(s)		<input type="checkbox"/> No	<input type="checkbox"/> Yes, please fill in below.	
	If court action has been taken, please provide information. [See Note (2)]	(a) Claim of a customer against FI	(b) FI claim against its customer	(c) FI counterclaim in relation to a claim by its customer
1	The court file ref.:			
2	(i) Stay of the court proceedings; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(ii) Proper notification to the court; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	(iii) Decided judgment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
[Note (2): FDRC does not have jurisdiction to handle a claim where there has been a decided judgment in court proceedings; or the court has not ordered a stay of the proceedings or has not been provided with proper notification.]				
Insurance Complaints Bureau (ICB)		<input type="checkbox"/> Yes. The file ref.:		
Have the customer lodged a complaint with the ICB? [See Note (3)]		<input type="checkbox"/> No		
[Note (3): FDRC does not have jurisdiction to handle a claim which is currently under the ICB's consideration.]				

VI. Supporting Documents
(copy only)

<input type="checkbox"/> Yes (_____ set of documents, _____ pages)	<input type="checkbox"/> No
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VII. Language Preferences

1	Written communication	<input type="checkbox"/> Chinese	<input type="checkbox"/> English
2	Mediation	<input type="checkbox"/> Cantonese	<input type="checkbox"/> English <input type="checkbox"/> Putonghua

VIII. Application Fee

HK\$200.- (Non-refundable)	<input type="checkbox"/> By cash
	<input type="checkbox"/> By cheque payable to “Financial Dispute Resolution Centre”
	<input type="checkbox"/> By Bank Transfer/Telegraphic Transfer <i>(all bank charges are to be borne by the remitting party)</i> Account No: 848-218731-838 Name: Financial Dispute Resolution Centre Bank: The Hongkong and Shanghai Banking Corporation Ltd, 1 Queen’s Road Central, Hong Kong Swift Code: HSBC HK HHH KH <i>Please notify us once payment has been made with proof of transfer / remittance by email fdrc@fdrc.org.hk or by fax +852 2565 8662.</i>

IX. Notice to the Gathering of Personal Data

The personal data provided by the Applicant and its representatives (collectively known as “We” in the **Declaration** below) under this Form is for the purpose of processing the dispute in the procedures as prescribed in the Terms of Reference of the FDRC. The personal data so provided will be handled by or revealed to the personnel of the FDRC.

X. Declaration

1.	<input type="checkbox"/> We agree <input type="checkbox"/> We do not agree to give consent to the FDRC to provide the information in this Form to the customer.
2.	We know that the application fee (HK\$200.-) is non-refundable even if our Application is not successful.

3.	We acknowledge that the FDRC reserves the right at its full discretion, to discontinue considering the Application or the FDRC procedures with immediate effect if it comes to the knowledge of the FDRC anytime that the customer is not an Eligible Claimant as defined under the Terms of Reference of the FDRC.
4.	We agree to cooperate with the personnel of the FDRC by providing all relevant documents and information, when requested, including information that may be personal data, for the FDRC to assess whether the Application may be accepted under the FDRS administered by the FDRC. The consequence of not providing some or all of the requested personal data may be that FDRC is unable to process our Application.
5.	We agree that the information and personal data we have voluntarily provided in this Form is for the purpose of processing our Application under the Terms of Reference of the FDRC. The information and personal data provided will be handled by or revealed to the personnel of the FDRC and may be used for research, evaluation and educational purposes, provided that the FDRC shall not use information which reveals, or is likely to reveal, directly or indirectly, our identities.
6.	We are aware that we have the right to request access to and correction of our personal data submitted for this Application and for processing the dispute under the FDRS. Formal requests under the Personal Data (Privacy) Ordinance should be submitted in writing to the Data Protection Officer at the FDRC at Room 408-409, 4/F, West Wing, Justice Place, 11 Ice House Street, Central, Hong Kong. Such personal data will be retained until the end of the following calendar year after our Application is rejected or until the end of the 6th calendar year after the dispute has been processed by FDRC through Mediation, Arbitration or otherwise.
7.	We agree to inform the FDRC if, after this Application has been made, a claim has been lodged with the ICB and/or legal proceedings have been commenced.
8.	We agree to abide by the Terms of Reference of the FDRC.
9.	We confirm that the information provided in this Application Form is true, complete and accurate.
(Please provide the name and title of the person who signs in Block Letters)	<hr/> <p style="text-align: center;">(Name and Title)</p>
Signature(s) for and on behalf of the Applicant (stamped with company chop)	<hr/> <p style="text-align: center;">(Signature)</p>