

From: Carolyn Bruns
To: [Adjudication](#)
Cc: [Michelle Kumarich](#)
Subject: Consultation: AA1000432 - Mortgage and Finance Association of Australia's Disciplinary Rules
Date: Tuesday, 7 January 2020 2:57:50 PM
Attachments: [Picture \(Device Independent Bitmap\) 1.jpg](#)
[AA1000432 - Mortgage and Finance Association of Australia - Draft Determination - 10.12.19 - PR.pdf](#)
[AA1000432 - Mortgage and Finance Association of Australia - ACCC to Interested Parties re Draft Determination - 10.12.19 - PR.pdf](#)

Dear Ms Black

Thank you for inviting the Australian Financial Complaints Authority to participate in this consultation.

The Disciplinary Rules include provisions for complaints about the conduct of MFAA members. Customers with such complaints could also make complaints, seeking redress, using the MFAA members' internal dispute resolution (IDR) processes or the external dispute resolution (EDR) services provided by AFCA.

AFCA's jurisdiction to consider complaints is specified in the AFCA Rules and explained in our [Operational Guidelines](#). A complaint is within our jurisdiction if it meets the requirements set out in Section B of the AFCA Rules, unless the complaint is outside jurisdiction due to a provision in Section C.

One of AFCA's priorities is to ensure people can access our services easily. We have an ongoing program of work to provide information about the rights individuals and small businesses have to EDR.

We believe the Disciplinary Rules could provide more support to customers of MFAA members. They could ensure that customers who pursue a complaint under the rules are alerted to their rights to also make a complaint to seek redress using IDR processes or taking their complaint directly to EDR provided by AFCA. We ask the ACCC to take this into account when formulating the authorisation of the Disciplinary Rules.

If you would like us to clarify any of the matters raised above or provide further information, please feel free to email or call me.

Kind regards

Carolyn Bruns

Policy & Liaison Advisor

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