

- b) By post to the office of the Secretary to the Bank, P. O. Box 2939, Dar es salaam.
- c) By electronic mail: complaints-desk@bot.go.tz
- d) By facsimile: +255 22 2234067
- e) By phone: +255 22 2233265/ +255 22 2233246

Our Complaints resolution process

There are various stages in our process that your complaint may go through after you lodge it with the Desk.

Receipt of Complaints

Upon receipt of your complaint, it is assessed to determine whether it falls within the remit of the Desk as prescribed by the BOT Guidelines for Banking Consumers Complaints, 2015.

If your complaint is deemed ineligible, you will be notified immediately. If it falls within our remit, it will continue to the next stage of our process.

Acknowledgement of receipt

Within four working days you will be notified of receipt of your complaint by the Desk.

Assessment of your complaint

Upon receipt of your complaint and after establishing that it is eligible, the Desk notifies your banking institution of your pending complaint and requires it to submit its response to the Desk within 10 working days.

Where the banking institution fails to respond, the Desk may send a reminder of 5 working days. Where, after the reminder, it fails to respond the Desk may conduct its own investigation and determine the matter without the banking institution's representation.

Resolving complaints

The Desk delivers its decision on the matter within 90 days from the date of lodging the complaints with the Desk. In resolving your complaint, the Desk is guided by provisions of applicable law, case law, underlying agreement, industry practices and the TBA Code of Banking Practice, 2014.

The Desk is not bound by the legal principles of handling complaints such as rules of evidence but adheres to the general principles of natural justice.

Remedies awarded

The function performed by the Desk is different from that performed by courts. The Desk is enjoined not to have regard to technicality and legal form but resolve complaints using criteria that would not usually be used by courts; for instance whether an explanation for the conduct was not given when it should have been given. A banking institution may be required to issue an apology, change its practices, effect payment or compensation as the case may be.

When aggrieved by Desk decision

Either party may request the Desk to reconsider any of its decision.

Each party also has a right to seek redress before a competent court when it is not satisfied with the decision given by the Desk.



BANK OF TANZANIA



**BANK OF TANZANIA BANKING
CONSUMERS' COMPLAINTS
RESOLUTION DESK
"THE DESK"**

Contact Us

Secretary to the Bank
2 Mirambo Street,
11884 Dar Es Salaam
Phone : 255 22 2233265/
+255 22 2233246

Email: complaints-desk@bot.go.tz

Introduction

The Complaints Resolution Desk (the Desk) has been established by the Bank of Tanzania (the Bank) as a cost effective and efficient mechanism to resolve complaints between banking institutions and their customers. The Desk, which is fully funded by the Bank, is intended to resolve complaints (small claims) whose monetary value in respect of both the claim amount and remedy awarded does not exceed fifteen million Tanzania shillings (15,000,000). Complaints shall be lodged with the Desk from 9.00 AM to 12.30 Pm (Monday to Friday).

Location

The Desk is located at the Bank of Tanzania Head Office, 2 Mirambo Street, Post Code 11884 Dar Es Salaam, Ground floor, Middle building.

Desk objectives

To resolve banking consumer complaints amicably.

To resolve complaints in an informal, objective, expeditious and cost effective manner.

To promote public confidence and integrity of the banking industry in the country.

To ensure consistency in resolving consumer complaints.

Desk Mandate

The Bank has issued Guidelines on Complaints Resolution under the provisions of Section 71 of the Banking and Financial Institutions Act, 2006. The Guidelines requires banking institutions to set up complaints handling mechanisms within their institutions, and mandate the Desk to resolve complaints if they are not resolved at the level of banking institution. The Tanzania Bankers Association Code of Banking Practice, 2014 also recognizes the mandate of the Desk to resolve banking consumers' complaints.

Free Service

Resolution of banking consumers' complaints is free of charge as the Desk does not charge any fee whatsoever.

Medium of Communication

The medium of communication is both English and Swahili.

Eligible Complaints

Only the following categories of complaints are eligible for submission to the Desk;

A complaint against a banking institution which is either a member of the Tanzania Bankers Association or regulated by the Bank.

A complaint which is lodged within 14 days after a banking institution has delivered its decision or has failed to respond.

A complaint in respect of an incident which occurred less than two (2) years ago.

Ineligible Complaints

In terms of the Guidelines issued, the Desk considers the following complaints as ineligible:

A complaint which has been the subject of legal proceedings before a Court or Tribunal.

Where the complainant has not suffered any financial loss, material inconvenience or distress.

A complaint which would be more suitably dealt with by a Court or under other dispute resolution arrangement.

A complaint whose resolution would prejudice the rights of other parties who have not consented to the resolution by the Desk.

A complaint which is vexatious or frivolous or not in good faith.

A complaint which was not first reported to the banking institution concerned.

A complaint which is lodged more than 14 days after a banking institution has delivered its decision or failed to resolve the complaint.

A complaint which is beyond the pecuniary jurisdiction of the Desk.

Step-by-step guide to help you lodge a complaint with the Desk

Contact your banking institution first.

Before lodging your complaint with the Desk, you are required to exhaust your bank internal complaints resolution mechanism. Your complaint must be lodged before expiry of two years after the cause of action arose. Each banking institution has put in place a

complaint resolution mechanism capable of efficiently and promptly resolving complaints.

Your banking institution will keep you updated throughout the process. It will resolve your complaint within 21 days from the date of lodging your complaint.

In exceptional circumstances, if your banking institution is unable to resolve your complaint within 21 days, it will immediately inform you of its inability and reasons for such inability and what measures are being taken to resolve the complaint urgently and in any case not more than 14 days thereafter.

Lodging a complaint with the Desk

When you are dissatisfied with the decision of your banking institution or you have not received a response from your banking institution within 21 days from the date you lodged your complaint, you may within 14 days lodge your complaint with the Desk.

In exceptional circumstances and upon showing good cause, the Desk may extend the duration for lodging a complaint but such extension shall not exceed an additional 14 days.

Information you must include in the complaint

- a) Your name and address.
- b) The name and address of the banking institution against which the complaint is made.
- c) Details of what your complaint is about including exactly what the bank did that it shouldn't have done or what it didn't do that it should have done.
- d) What you have lost in terms of personal injustice, financial loss, hardship or inconvenience.
- e) What you would like the Desk to do to put things right and details of what you have done so far to try to resolve the complaint
- f) Include documentary evidence, if any.

How to lodge your complaint

Your clear and concise complaint can be lodged in any of the following ways:

- a) By hand to the Office of the Secretary to the Bank, at 10 Mirambo Street, Dar Es Salaam.