EDR Response Guide – Chargebacks (consumer)

This guide has been prepared to assist financial firms in preparing a quality external dispute resolution (EDR) response for complaints about a chargeback by a complainant. This is a **guide only**.

It is important to note the following:

* All issues raised in a complaint should be addressed. If there are multiple issues, please refer to the additional EDR response templates available or consider addressing them in a separate section as it is important that all issues are addressed.
* This is your EDR response. As such it is to be sent to both AFCA and the complainant. It is to the benefit of all parties for the complainant to understand the reason for your position.
* AFCA will generally seek more information if a complaint does not resolve at Registration & Referral. AFCA still expects a response to any subsequent requests for information.

This guide may change over the time to reflect any feedback.

To ensure a comprehensive response for complainant chargeback complaints, an EDR response should include the sections outlined below.

## Complaint details

* Name of the complainant(s): [consumer or business name]
* Name of the financial firm:
* Financial firm reference:
* AFCA reference:

## Standard information request – chargebacks (consumer)

This information request applies to cases where the complainant’s claim(s) relate to chargeback rights or obligations. AFCA has published a [Chargebacks Factsheet](https://www.afca.org.au/about-afca/publications/factsheet-chargebacks) which provides more information about chargeback obligations.

1. Please confirm the bank’s understanding of the complaint and the bank’s position on the issues raised.
2. For each disputed transaction, provide a table listing:
   * the date, amount and recipient of the transaction
   * the current status of any chargeback attempt.
3. Please provide copies of all your supporting documentation, including:
   * account statements for the relevant account showing each of the disputed transactions and any successful chargebacks processed
   * the account terms and conditions
   * copies of any transaction dispute forms completed by the complainant
   * the card transaction logs, showing all transactions (attempted and successful) made using the card for the period the disputed transactions were made
   * all system, contact, file notes, call recordings and correspondence with the complainant in relation to the disputed transactions
   * any responses to the complainant.
4. How were the disputed transactions conducted (card + PIN or MOTO)?
5. Has the bank raised chargebacks for all disputed transactions?
   * If not, why not?
     + If the bank says there are no chargeback rights available, please provide further information and supporting documents
   * If yes, please provide:
     + the chargeback reason code used
     + all correspondence between the bank and the merchant / merchant’s bank
     + all documentation the bank relied on for its decision
   * Please provide a copy of the applicable scheme rules and highlight any sections the bank relies on to support that it raised a chargeback using the most appropriate reason code.
6. Is the bank willing to make any offers in resolution of this complaint? If yes, please provide details of the bank’s offer.
7. Any other information you would like AFCA to consider.

## Additional information requested for information/documents subject to a non-exchange request

Generally, AFCA cannot rely upon information when reaching a decision that has not been shared with the other party(s) to a complaint, unless special circumstances apply. This is in line with sections A.10.4 and A.10.5 of our Rules, which you can find [**here**](https://www.afca.org.au/about-afca/rules-and-guidelines).

For us to assess whether special circumstances apply, please provide the following information in relation to any information the bank requests not to be exchanged:

1. Which part(s), of the document(s) are you concerned about? Please be specific.
2. What are the reasons for your concern? Where possible, provide supporting information.
3. Why should AFCA take the information into account without exchanging it? Explain why the information is significant.
4. Suggest ways in which you might be able to provide the information in an alternative format so that the other party can see and respond to it. For example, you may be able to block out a witness’s name and details, but still leave the majority of the information intact.

## Jurisdictional issues?

Include the details of any jurisdictional issues the financial firm wishes to raise. Ensure you refer to the AFCA Operational Guidelines and any relevant approach documents.

Full details of the section of the AFCA Rules must be included to ensure that AFCA and the complainant understand the jurisdictional issue(s) being raised.

## Other issues raised?

If other issues are raised, we offer a range of resources in the member resources section of the Secure Services portal. These include other EDR response guides, specific complaint topic guides and the Complaint Information Documentation guide.