

Pensions

OMBUDSMAN

Fear an Phobail um Pinsin



Explanatory Notes

on Completing the

Personal Retirement Savings Account (PRSA) Complaint Form

We recommend that, before completing the form, you read the booklet

“What can the Pensions Ombudsman do for you?”

Section A1 The complaint form would normally be completed by the complainant, who can be a PRSA holder, former PRSA holder, widow or widower of the PRSA holder, or an actual or potential beneficiary under the PRSA.

Section A2 Alternatively the complaint form could be completed by an “appropriate person”, who may be:-

- (a) A person nominated by the complainant to assist them with the complaint/dispute.
- (b) A representative of a complainant who is under age 18 or is incapable of acting for him/herself.
- (c) The legal personal representative or administrator of a deceased complainant's estate.

Sections B1 & B2

Generally, the Pensions Ombudsman cannot investigate a complaint/dispute if:

- (a) more than 6 years have passed since the date of the act or event giving rise to the complaint/dispute or
- (b) more than 3 years have passed since the complainant became aware **or should have been aware** of the act or event giving rise to the complaint/dispute.

Section B6 The Ombudsman cannot investigate all types of complaints/disputes.

He can investigate:

- (a) A complaint of financial loss due to maladministration under a PRSA.
- (b) A dispute of fact or law in relation to a PRSA.
- (c) He cannot investigate complaints or disputes relating to Social Welfare pensions,
- (d) Personal Pension Plans, Approved Retirement Funds (ARFs) or Approved Minimum Retirement Funds (AMRFs).

Section C2 Under Part X1 of the Pensions Act 1990, all PRSA providers must operate an *Internal Disputes Resolution* procedure, whereby complaints/disputes from PRSA holders can be referred to the providers for their determination. The Pensions Ombudsman cannot, as a rule, investigate a complaint/dispute until the matter has been fully considered under that procedure. PRSA providers have three months within which to consider a complaint/dispute and to issue a Notice of Determination of their decision. If the PRSA holder is unhappy with the outcome of this procedure the complaint/dispute can then be referred to the Pensions Ombudsman.

Additional Information

There is no charge for referring a complaint/dispute to the Pensions Ombudsman. If, however, you engage a professional person to make the complaint/dispute on your behalf, you must pay any fees charged by them. Any such fees will not be reimbursed by the Pensions Ombudsman regardless of the outcome of your complaint/dispute.

The complaint form should be completed as fully as possible

Should you require any assistance with the completion of the complaint form, the staff at the Office of the Pensions Ombudsman would be pleased to help.

The contact details for the Office are:

Telephone number: **01-6471650**

Email: **info@pensionsombudsman.ie**