

10 June 2025

Executive General Manager Jurisdiction
Australian Financial Complaints Authority
GPO Box 3
Melbourne VIC 3001
consultation@afca.org.au

To whom it may concern,

AFCA Rules – Proposed Amendments Consultation Paper (19 May 2025)

We refer to the Australian Financial Complaints Authority's ('AFCA') Consultation Paper released on 19 May 2025. Pioneer welcomes the opportunity to provide our response to AFCA's proposed amendments to its Rules.

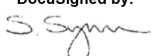
Pioneer supports the proposed amendments to AFCA's Rules, including:

- A broadening of AFCA's jurisdiction to include complaints about intermediate and receiving banks relating to scams, noting this stems from the Authorisation instrument registered by the Government in March 2025.
- Strengthened obligations for Paid Representatives, including requiring those representatives to use an appropriate communication channel to lodge complaints on behalf of customers, and not being able to represent clients where they have been found in breach of a requirement to be an AFCA member.
- Greater transparency of financial firms' compliance with AFCA's Determinations through enabling AFCA to publish the names of those firms.

Proposed amendments to the Rules appear pragmatic and aligned with AFCA's remit under ASIC Regulatory Guide 267.


Should you wish to discuss our response further, please feel free to contact us.

Yours sincerely

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Sue Symmons

Company Secretary

Signed by:

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Catarina Le Guimaraes

Head of Risk & Compliance

Key Comments on the Consultation Paper

Proposal 1: Scams

Pioneer notes that AFCA's current Rules only allow jurisdiction to deal with complaints related to the financial firm of which the scam victim is a customer, and not the financial firm(s) used by a scammer to facilitate a scam (e.g., the receiving bank and any intermediate bank(s)). The Government's Authorisation instrument registered in March 2025 and AFCA's Rules amendments aim to remove this limitation.

Pioneer considers that such amendments will improve the transparency of scam-related complaints and will enhance accountability of financial firms in preventing and detecting scams.

Proposal 2: Paid Representatives

AFCA's proposal to require Paid Representatives to submit complaints to AFCA on behalf of a complainant via a preferred communication channel is supported. Given the volume and nature of complaints received by these representatives, this will enhance the efficiency of the complaint-handling process.

Pioneer also supports AFCA's proposed Rules amendments to grant AFCA the right to cease handling a complaint if a Paid Representative:

- Is not a member of AFCA where their licence requires this.
- Fails to use the required communication channel to correspond with AFCA about the complaint.

Pioneer also notes that as per normal practice, AFCA will set out concerns in writing to the Paid Representative to obtain any reasonable justifications and will offer the complainant an opportunity to pursue the complaint directly or appoint another representative should they wish to do so.

Further proposed amendments to exclude Paid Representatives who repeatedly refuse to cooperate with AFCA's processes are supported, noting Paid Representatives should be expected to act with a level of professionalism and cooperation to enable an efficient and fair complaints-handling process.

Proposal 3: Financial Firm failure to comply with an AFCA Determination

Pioneer agrees with AFCA's proposed Rules amendment to permit the publishing of those financial firms that fail to comply with AFCA's Determinations, noting such behaviour is already considered a serious breach of AFCA's Rules and that AFCA is required to report this to ASIC. The ability for AFCA to publish such information will enhance transparency for stakeholders, and the accountability of financial firms in complying with their membership obligations.

Proposal 4: Legacy Complaints

Pioneer has no comments regarding the Rules amendment noting this section of the Rules is no longer applicable.

Appendix 1 – Response to Specific Questions

Pioneer’s responses to AFCA’s specific proposals and questions are contained below.

Proposal 1: Scams

Q.1 Do you think that the proposed Rules amendments appropriately address the requirements of the Authorisation?	Yes, Pioneer considers AFCA’s proposed amendments appropriate and adequate to address the requirements of the Government’s Authorisation.
Q.2 Do you think that there are any unintended consequences of the proposed Rules amendments?	No.
Q.3 What should AFCA take into account in implementing these proposed Rules amendments?	Privacy considerations regarding sharing the complainant’s details with the intermediate or receiving bank(s). Particularly in the case of Pioneer as a debt purchaser, this may divulge the existence of an outstanding debt to another financial firm. Suitable information sharing/disclosure statements should be made available to the complainant.

Proposal 2: Paid Representatives

Q.4 Do you think that the proposed Rules amendments are appropriate and will assist AFCA to provide a more timely, efficient and effective dispute resolution process for Complainant?	Yes, Pioneer supports the proposed amendments and believes these will enhance the efficiency and effectiveness of the dispute resolution process for complainants with Paid Representatives.
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Proposal 3: Financial Firm failure to comply with an AFCA Determination

Q.5 Do you think that this proposed Rules amendment is appropriate and will assist AFCA to provide a more effective and transparent dispute resolution process for consumers, small businesses, industry and other stakeholders?	Yes, the proposed amendment is appropriate and will enhance the accountability of financial firms.
Q.6 Do you think that the proposed Rules amendment will assist to bring transparency and fairness to the financial services sector?	Yes, the proposed amendment should increase transparency within the sector.