LLOYD'S

Lloyd's Australia – July 2026

Guidance for dealing with AFCA

AFCA Membership

1. All Coverholders and DCAs located in Australia must be a member of the Financial Complaints Authority ("AFCA"), unless the classes of business dealt with are outside of AFCA's jurisdiction.
2. AFCA members can log into the AFCA portal via the AFCA website: Members | Australian Financial Complaints Authority (AFCA). AFCA portal guides are available in AFCA member resources AFCA members resources | Australian Financial Complaints Authority
3. When dealing with AFCA it is expected that Coverholders and DCAs are factual, respectful, honest and efficient.
4. AFCA's jurisdiction is outlined in AFCA's Rules and Guidelines. More information can be found here: AFCA Rules and Guidelines | Australian Financial Complaints Authority

Complaints Outside AFCA's Jurisdiction

5. Please read AFCA's Jurisdictional submission guide before requesting a Jurisdiction Review.
6. Do not advise a Complainant that they cannot refer their complaint to AFCA or that their complaint is outside AFCA's jurisdiction. This decision is one made by AFCA and not by a Financial Firm.
7. If a complaint is outside AFCA's jurisdiction, it may still be within FOS UK's jurisdiction. FOS UK referral rights should be provided in that instance. FOS UK cases are managed by Lloyd's.
8. If a complaint is not eligible for review by AFCA, a request for Jurisdiction Review can be made via the AFCA portal. This needs to be done as soon as practicable, and during Registration and Referral.

9. To submit a Jurisdiction Review, select ‘Add Rule for Review’ and select the relevant rule.
10. Provide details of why the complaint is outside of AFCA Rules and upload relevant documents including the policy schedule/COI and policy wording/PDS.
11. Examples of Jurisdiction Review requests:
    a. **Third Party Complainant including service providers (not including uninsured third party motorist or third party beneficiary on a group policy).**

    Rule: B.2.1 No relationship giving rise to the complaint – general

    Message: *“The Complainant is a third party relating to a public liability claim. The complainant does not have a customer relationship with the Financial Firm and there has not been a Financial Service provided by the Financial Firm to the Complainant.”*

    b. **Complaints relating to Contractors All Risks, Legal liability (including Public Liability and Products Liability), Professional Indemnity, or Industrial Special Risks***

    Rule: C.1.4.(a) Excluded general Insurance policy

    Message: *“The complaint is regarding a professional indemnity product which is not within the definition of a Small Business Insurance Product.”*

    *Please note that while AFCA excludes Industrial Special Risks cover as a Small Business Insurance Product, AFCA will often consider a complaint on an ISR policy if it relates to a type of cover within the definition, such as Loss of Profits/Business Interruption, Fire, Accidental Damage, General Property etc.

EDR Responses

12. AFCA’s website includes guides, resources and templates for preparing EDR Responses. [AFCA publications | Australian Financial Complaints Authority]
13. If you are using an AFCA template to write your EDR response, please remove AFCA’s branding and instructions.

14. Commonly used AFCA resources include:

    a. Factsheets

        - How AFCA will assess the information you give us
        - How we resolve complaints and our Rules

    b. EDR response guides

        - Claims delays
        - Fraud
        - Denial of claim (General Insurance)
        - Hail damage claims
        - Premium increases
        - Travel insurance complaints

    c. AFCA Approaches

        - Awarding interest in insurance
        - Duty to make reasonable care not to make a misrepresentation
        - Non-financial loss claims
        - Proximate cause of damage
        - Pre-existing medical condition
        - Section 54

15. Reviewing previous AFCA Determinations can assist in understanding how AFCA may consider a similar complaint. AFCA Determinations are published on the AFCA website. Search published AFCA decisions | Australian Financial Complaints Authority. AFCA Determinations do not create precedence.

Conciliation

16. AFCA may request the Financial Firm attend a Conciliation call with AFCA and the Complainant. More information can be found here: Attending a conciliation | Australian Financial Complaints Authority (AFCA)

Determinations and Resolution

17. If a Complainant accepts an AFCA Determination it is binding on the Financial Firm. The Financial Firm must implement the decision in the Determination by the specified date, or within 14 days, whichever is first. The Financial Firm should have a process in place to ensure this occurs.
18. If a Complaint is resolved at AFCA at another stage including via negotiation, the Financial Firm must implement the decision by the specified date, or within 14 days, whichever is first.