

# MARKET BULLETIN

REF: Y4364

<b>Title</b>	Appointment of a Customers' Ombudsman in Portugal
<b>Purpose</b>	To inform market participants of the requirement for Lloyd's to appoint a Customers' Ombudsman in Portugal and the procedure for Portuguese complaints.
<b>Type</b>	Event
<b>From</b>	Cameron Murray, Senior Manager, International Regulatory Affairs General Counsel's Division
<b>Date</b>	15 January 2010
<b>Deadline</b>	With immediate effect
<b>Related links</b>	

## Background

Portuguese Regulation 10/2009-R stipulates that insurers providing insurance policies in Portugal must appoint an independent Customers' Ombudsman in Portugal. The function of the Ombudsman is to review complaints from policyholders, beneficiaries and third parties in Portugal and to issue recommendations.

## Appointment of a Consumers' Ombudsman

In accordance with Regulation 10/2009-R Lloyd's has appointed the following Portuguese law firm as Ombudsman:

Belzuz Abogados SLP, Sucursal em Portugal  
Mr. Nuno Gonçalves da Cunha  
Rua Aurea, 40-48  
1100- 063 Lisbon  
Portugal

Fax: +351 21 3478452  
Email: [ngc@belzuz.com.pt](mailto:ngc@belzuz.com.pt)

## Complaints procedure

Portuguese regulations state that Portuguese policyholders, beneficiaries or third parties of any type of Portuguese policy (including policies issued on a freedom of services and establishment basis) may refer the matter to the Ombudsman for review if a complaint is not responded to within twenty days, or if having received a response, the concerned party does not agree with it.

The Ombudsman will review the complaint within thirty days of receipt (or forty-five days in exceptional cases) and issue a recommendation accordingly. The recommendation is not binding on underwriters, however, the Ombudsman must be advised of whether the recommendation has been accepted within twenty days. If the recommendation is not accepted the Ombudsman will inform the complainant accordingly.

It should be noted that all recommendations issued by the Ombudsman will be made public on the Portuguese regulator's website. The Ombudsman is also obliged to provide a report to the Portuguese regulator detailing all complaints received in the previous year.

Lloyd's Iberia will act as the liaison point between the Ombudsman and Lloyd's underwriters.

This procedure has also been documented in an operative manual agreed between Lloyd's and Belzuz. The manual is available from Lloyd's International Trading Advice (contact details below) should underwriters wish to view it.

## Obligation to inform

It is a requirement of Portuguese regulations that details of the complaints procedure including the contact details for the Ombudsman are included in the pre-contractual information and the insurance documentation.

## Fees

A fixed annual fee will be payable to the Ombudsman by Lloyd's centrally. In addition, the Ombudsman will charge a fee for each complaint received, at an hourly rate of €100. This fee shall be payable by the appropriate underwriter(s). If possible, the Ombudsman will provide the underwriter(s) with an estimate in advance of the investigation via Lloyd's Iberia.

## Market enquiries

If you have any questions relating to this bulletin or global trading please contact:

### ***Lloyd's International Trading Advice***

Tel: 020 7327 6677

E-mail: [LITA@lloyds.com](mailto:LITA@lloyds.com)

Onsite: Lloyd's Desk, Ground Floor, Underwriting Room

Online: [www.lloyds.com/crystal](http://www.lloyds.com/crystal)