

# QUESTIONNAIRE

## FOR THE NATIONAL AUTHORITY FOR CONSUMER PROTECTION (ANPC) AND THE ROMANIAN ASSOCIATION FOR CONSUMERS' PROTECTION (APC)

### Introduction

*This questionnaire is part of the Background Study that will be conducted on the Establishment of the Banking Ombudsman in Romania. This project is taken under the auspice of the SPI public-private partnership for Romanian financial sector modernization set up by the Ministry of Public Finance, the National Bank of Romania and the Romanian Banking Association with the support of Convergence Program. The purpose of this questionnaire is to help analyze the current status of consumer protection in the banking industry.*

*The questionnaire answers are strictly confidential. For any question, please contact Ramona Bratu ([Ramona.bratu@convergence-see.eu](mailto:Ramona.bratu@convergence-see.eu)) or Oana Nedelescu ([oana.nedelescu@convergence-see.eu](mailto:oana.nedelescu@convergence-see.eu)).*

### SECTION I.

1. What is the total number of complaints you have received from banking industry customers in your organization in the past two years?

# of complaints	2005	2006	Total

### Out of which:

1.1. Please indicate in how many cases the problem has arisen for the first time, (referring to customers' statements)?

1.2. How many of these have been addressed first to the bank (i.e. before contacting the ANPC)?

1.3. Has the customer received an answer from the bank? Yes  No

1.4. What was your perception of bank's response to customers' complaint?

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1.5. In how many cases from those you are aware of, have the complainant and the bank agreed on a mutually acceptable settlement?

1.6. If the bank has awarded compensation to the client for the damages occurred or resolved the issue amicably, how long did it take to settle?

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1.7. What was the percentage of complainant's claimed amount compensated by the bank?

1.8. Was the customer happy with the compensation?  Yes  No

1.8.1. If no, did he/she pursue the matter further?  Yes  No

1.8.2. If yes, please specify:

- a) *with NBR*
- b) *with ANPC*
- c) *with the court*
- d) *no idea*

1.9. Has the customer provided clear evidence of the complaint and supporting documents?

*Could you specify the percentage of cases when the customer had:*

- a) *sufficient supporting documents & evidence*
- b) *insufficient documents*
- c) *no documents*

**SECTION II**

**2.1. From the total number of complaints received how many of these:**

Have been processed with the court:

*out of which:*

a) *Are still in court proceedings:*

b) Are closed:

2.2. From those closed, how many have been

i) Resolved in favor of banks

ii) Resolved in favor of customer

2.3. How long does it generally take for the customer to resolve litigations through court procedures?

• 1 - 6 months

• 6 -12 months

• over 1 year

2.4. Does the customer generally hire a lawyer/solicitor to take legal action in the court?

Yes

No

2.5. Who has paid the lawyers/court proceedings cost? \_\_\_\_\_

2.6. What is the estimated cost of litigation for the customer until resolved in the court? How costly is it to the customer to find the solution? Can you express it on average in Romanian lei? \_\_\_\_\_

**SECTION III:**

3.1. Please fill out the following table with information of complaints broken down by subject matters:

	<b>Complaint breakdown by subject matter:</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>% change</b>
	<b>a</b>	<b>b</b>	<b>c</b>	<b>d</b>	<b>e</b>
1.	Deposits/savings				
2.	Payment instruments (delay, poor instructions)				
3.	Guarantees				
4.	Investments				
5.	Lending Products				
6.	Debit/Credit cards				
7.	ATMs				
8.	Internet banking				
9.	Personnel negligence				
10.	Interest miscalculations				

11.	Unfair treatment				
12.	Misleading advertising				
13.	Improper advice				
14.	Fees & charges				
15.	Transaction errors				
16.	Breach of privacy				
17.	Breach of contract				
18.	Bad administration				
19.	Lack of information				
20.	Other				
	<b>TOTAL</b>				

3.2. Please provide information on cases by type of complainants:

	Type of Complainants	2004	2005	2006
1.	Individuals			
2.	Small businesses			
3.	Medium size and large companies			
	<b>Total</b>			

3.3. What has been the main request of the customer in these complaints?

Please specify in the box the number of cases.

- a. *Contract cancellation*
- b. *Proper service delivery*
- c. *Honoring of bank commitment*
- d. *Reimbursement of costs and damage incurred*
- e. *Guarantee enforcement*
- f. *Information or advice*
- g. *Other*


Please specify \_\_\_\_\_

3.4. Please specify the average time-taken to resolve a complaint:

- a. 0-1 month
- b. 1-3 months
- c. 3-6 months
- d. 6-12 months
- e. 1 year - up

**SECTION IV:**

**4.1.** In your opinion, as a general evaluation of the last three years complaints, the cause of complaint was the fault of:

- The bank
- Consumer's lack of banking knowledge/information
- Or both

*You can write a percentage in each box according to your judgment.*

**4.2.** Do you know any banks in Romania that have established an internal complaint resolution system?

Yes  No

*If your answer to 4.2. is yes, please proceed with questions 4.2.1. and 4.2.2.*

**4.2.1.** Please mention some of the names of these banks:

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**4.2.2.** Please provide comments on the efficiency of these systems.

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**4.3.** Have you ever approached any bank to seek resolution on behalf of consumers?

Yes  No

If yes, what has been the result?

positive  negative  deadlock

**4.4.** Have you ever sought assistance and collaboration from the Romanian Bankers' Association or the National Bank of Romania?

Yes  No

If yes, please describe this experience

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## SECTION V

**5.1.** What is your general perception of bank's image in terms of customers' satisfaction with their service?

a) very good  b) good  c) satisfactory  d) not very good

if you have answered yes to c and d, then please respond to 5.1.1.:

**5.1.1.** Please specify the reason for your answer

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**5.2.** How do you consider court solutions to customers' litigations?

Partial  transparent  no comment

**5.3.** Have you ever conducted any survey on customers' satisfaction in banking industry?

**5.3.1.** If yes, when \_\_\_\_\_ and what have been the main findings. Could you please provide a summary of the main findings as an attachment to this completed questionnaire.

**5.3.2.** According to this survey, what has been the main complaint from the customers to the banking industry:

a) Bureaucracy  b) lack of response  c) delay  d) partial solution