

THE RESERVE BANK OF VANUATU EXTERNAL DISPUTE RESOLUTION (EDR) GUIDELINE



APRIL 2026

(Based on Section XII of the Financial Consumer Protection Guideline, RBV, July 2025)

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1. Background

The Reserve Bank of Vanuatu (RBV) has established a formal External Dispute Resolution (EDR) guideline to strengthen its financial consumer protection framework, guided by Section 5(1)(i) and Section 6(1) of the Reserve Bank of Vanuatu Act Cap 37 of 2025 and its Financial Consumer Protection Guideline, and National Financial Consumer Protection Policy. This procedure offers consumers a free, fair, independent, and efficient non-court mechanism to resolve disputes with RBV-regulated financial institutions after attempting Internal Dispute Resolution (IDR).

2. Purpose

This guideline establishes the External Dispute Resolution (EDR) framework administered by the Reserve Bank of Vanuatu (RBV) to provide consumers with an independent out of court avenue to resolve financial disputes when they are dissatisfied with the outcome of a Financial Institution's (FI) Internal Complaints Process.

Reference: *Section XII (2) – External Dispute Resolution (Financial Consumer Protection Guideline, RBV, 2025)*

“Consumers who are dissatisfied with an FI response to a complaint should have access to a dispute resolution system which is external to the FI and operates outside the courts (EDR).....”

3. Objectives

The EDR mechanism aims to serve the best interests of consumers and deliver just outcomes, in doing so:

- a. Ensure that financial consumers have access to a free, fair, impartial, and timely process for resolving complaints.
- b. Enhance consumer confidence and trust in the financial system by ensuring accountability of Financial Institutions (FIs).
- c. Support RBV's mandate under the Financial Consumer Protection Guideline to promote fair treatment, transparency, and recourse for all financial consumers.

4. Scope

This procedure applies to complaints that:

- a. Have been first lodged with the concerned Financial Institution (FI) and have received either:
 - I. No response within the expected timeframe (10 business days per Section XI (5)), or
 - II. A response deemed unsatisfactory by the consumer.

- b. Concern financial products or services regulated by RBV, including:
 - I. Banking, credit, deposit, payment, and remittance services.
 - II. Digital financial services (including mobile money, agent banking, etc.) where applicable.
 - III. Other financial products and services that may be brought under the scope of this guideline over time, in line with Section IV (4) — such as insurance products, mobile money, mobile banking services, and domestic and international remittances.

5. Guiding Principle

The EDR process shall follow the core principles of the *Financial Consumer Protection Guideline*:

- a. Fairness & Impartiality – all parties are treated equitably (Section VI “Fair Treatment Principle”).
- b. Accessibility – available free of charge, simple to use, and open to all consumers, including those in rural areas as stipulated under (Section VI (2)) and conforms to Section 5 subsection (1)(e) of the Reserve Bank Act Cap 37 of 2025.
- c. Timeliness – disputes must be resolved promptly within set timelines (Section XI (5)).

- d. Transparency – procedures, timelines, and decisions are clearly communicated to the parties.
- e. Confidentiality – personal and financial data are protected as per *Section 32 (1) of the RBV Act Cap 37 of 2025*

6. Step-by-Step Dispute Resolution Process

Step 1 – Lodging a Complaint

Consumers may lodge an external complaint with RBV if:

- a. The FI has failed to acknowledge or resolve the complaint within 10 business days (per Section XII (2) of the Financial Consumer Protection Guideline), or
- b. The FI's response is deemed unsatisfactory.

Submission Channels:

- a. Email: complaints@rbv.gov.vu
- b. Postal Mail: *Department of Financial Development & Consumer Affairs, Reserve Bank of Vanuatu, PMB 9062, Port Vila, Vanuatu*
- c. Walk-in: RBV Head Office Reception, Port Vila, Efate
- d. Web Form: (when available)

Information Required:

- a. Consumer's full name and contact details
- b. Name of financial institution involved
- c. Description of the issue, product/service concerned, and relevant documents
- d. Evidence of the FI's response (if any)

Step 2 – Acknowledgment

RBV shall acknowledge receipt of the complaint within 2 business days, confirming:

- a. That the complaint has been received;
- b. That it meets the criteria for external review; and
- c. The expected timeframe for resolution.

Reference: *Section XI – Internal Complaints Handling (acknowledgment within 2 business days)*

Step 3 – Preliminary Assessment

The RBV Department of Financial Development & Consumer Affairs shall:

- a. Confirm jurisdiction (i.e., the FI is licensed/regulated by RBV).
- b. Verify that the consumer first attempted resolution through the FI.
- c. Classify the complaint by type and risk level.

If the complaint is outside RBV's jurisdiction, the consumer will be referred to the appropriate agency (e.g., Vanuatu Financial Intelligence Unit, Vanuatu Financial Services Commission, Ombudsman, or Telecommunications, Radio-communications and Broadcasting Regulator).

A complaint may also be struck off where the FI provides clear and sufficient evidence that the matter giving rise to the complaint was caused by unforeseeable circumstances beyond its control, and that it has acted reasonably and in accordance with its legal and regulatory obligations.

Step 4 – Investigation and Mediation

RBV shall facilitate a fair review by:

1. Requesting written responses and supporting documents from the FI.
2. Engaging both parties for clarifications or mediation where appropriate.
3. Assessing whether the FI has complied with the *Financial Consumer Protection Guideline* and relevant legislation.

Indicative Timelines:

- a. Investigation and mediation shall be completed within ten (10) business days from the date the complaint is acknowledged.
- b. Complex cases may be extended up to 20 business days, with reasons provided in writing.

Step 5 – Decision and Resolution

Following investigation, RBV shall issue a written determination, which may include:

- a. Directing the FI to provide a remedy (refund, correction, apology, or policy change).
- b. Recommending corrective actions or sanctions if systemic issues are identified.
- c. Closing the case if the complaint is unsubstantiated.

Both parties shall be notified in writing of the outcome and any required follow-up.

Step 6 – Appeal

If either party is dissatisfied with the decision of the Reserve Bank of Vanuatu, they may:

- a. Submit a written request to the Governor within ten (10) business days of receiving the outcome, outlining the reasons for the request and any new or previously unconsidered information. Any review conducted by RBV will be administrative and advisory only, and parties may seek legal redress through the courts or other appropriate avenues.
- b. The review will be conducted based on the information on record, together with any additional evidence submitted, to determine whether:
 - I. there was an error in the application of the EDR procedures
 - II. relevant evidence was not properly considered, or
 - III. new material information has become available.

Step 7 – Reporting and Monitoring

- a. RBV shall maintain a Consumer Complaints Register detailing all EDR cases, outcomes, and timelines.
- b. Annual reports on dispute trends shall be produced by the FI.

- c. Systemic issues identified shall inform policy or regulatory review.

Reference: *Section XIV – Review and Monitoring (“Guidelines will be reviewed at least every 3 years”)*

7. Public Awareness

RBV shall publish on its website and social media:

- a. Summary of EDR process and timelines
- b. Contact details for submitting complaints
- c. Annual statistics on consumer complaints received and resolved

8. Confidentiality and Data Protection

All complaint records and communications will be handled in compliance with:

- a. Data Protection and Privacy Principle of the Guideline,
- b. National Payment System Act No. 8 of 2021
- c. Financial Institutions Act Cap 254 of 1999
- d. Credit Union Act No. 10 of 2010
- e. Insurance Act No. 54 of 2005

- f. the Reserve Bank of Vanuatu Act Cap 37 of 2025

9. Continuous Improvement

- a. RBV shall review this procedure annually to reflect evolving consumer needs, legal developments, and feedback from stakeholders.

- b. Recommendations from complaint trends shall inform supervisory actions or amendments to the Financial Consumer Protection Guideline.