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**THE OFFICE OF THE CZECH
FINANCIAL ARBITRATOR**

**ANNUAL REPORT ON THE ACTIVITIES OF THE
FINANCIAL ARBITRATOR
2016**

June 2017

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I. FINANCIAL ARBITRATOR'S FOREWORD

The annual report on the activities of the Financial Arbitrator for year 2016 contains basic information about the Financial Arbitrator as an out-of-court dispute resolution body for selected consumer disputes on the financial market, the summary of the Financial Arbitrator's activities and information about the expenditures for the Financial Arbitrator and the Office of the Financial Arbitrator's activities during the followed period.

Since the introduction of the Financial Arbitrator in 2003, and at the time deciding only some disputes arising from the providing of payment services, the Financial Arbitrator has gradually become an out-of-court dispute resolution body, deciding disputes between individuals and specific financial institutions across the entire financial market. In 2016, the competence of the Financial Arbitrator was significantly extended. The Financial Arbitrator no longer decides disputes between payment services providers and entrepreneurs. Instead, the Financial Arbitrator now deals with disputes arising from mortgage loans and any other loans or credits excluded from the scope of the Consumer Credit Act, buildings savings and retail investments. Also, the Financial Arbitrator is now competent to cover disputes between consumers and financial institutions (providers and intermediaries) arisen in connection with providing payment services, with issuing and reverse exchange of the electronic money, with the offering, providing or mediation of the consumer credit or other credit, loan or other financial service, with collective investment, with the offering, providing or mediation of the life insurance, with the money exchange, with the offering, providing or mediation of the building savings or with the providing of investment services or with other activities according to the Act on Investment Companies and Investment Funds.

In 2016, another extension of the Financial Arbitrator's competence was legislatively enacted (effective from 1. 3. 2016). It concerns disputes arisen from non-payment account and bankbooks. The only matters staying uncovered by the Financial Arbitrator's competence remain disputes from non-life insurance and pension insurance.

During the followed period, the Financial Arbitrator received 1951 complaints and responded to 4,000 queries raised by the public. The number of initiated proceedings has increased annually by 100%.

The object of most complaints and queries remains life insurance and consumer credit. Disputes from life insurance share a common denominator; this are the fees (the commission of the intermediary) charged by the insurance company during the first years of the insurance duration. Thus, the Financial Arbitrator has to carefully consider the validity of the negotiated fees in question. Unfortunately, the amount of disputes arising from life insurance prevents their early resolution (the Financial Arbitrator received hundreds of complaints from the consumers, who were approached and let themselves represent by representatives which promised them the recovery of the embedded funds into insurance contracts and elaborated a model complaint, although each consumer had contracted a life insurance under particular circumstances and, in most cases, does not even know why is engaged into the dispute).

In most heard disputes, the Financial Arbitrator manages to reach to an amicable settlement of the dispute. As far as the court review of the decisions of the Financial Arbitrator is concerned, the institutions contested a couple of decisions of the Financial Arbitrator in court. The hitherto finished court reviews upheld the Financial Arbitrator's decisions.

The Financial Arbitrator continued to publish his decisions in the online Collection of Decisions. Thereby the Financial Arbitrator kept on fulfilling the main goal of the Collection of Decisions,

which is to inform the general public about the resolved cases and to contribute to the predictability of the Financial Arbitrator's decision-making.

The increasing number of complaints and queries indicates the public disposes of information about the Financial Arbitrator and that he is interested in an eventual settlement of the dispute through the Financial Arbitrator. However, giving satisfaction or helping the consumer is not always possible, people do often come late, or, because of their own imprudence and indifference, they do make their life and the eventual resolution of the dispute complicated. According to the response of the overwhelming majority of the consumers submitting a complaint to the Financial Arbitrator, the consumers show to have confidence in the institution and, in a positive way, they do appreciate how the State, through the Financial Arbitrator, protects the consumer on the financial market.

The Financial Arbitrator updated for the public the paper entitled "The Financial Arbitrator in 10 points", so any person may understand it:

1. the Financial Arbitrator is an out-of-court decision-making public authority constituted by law and competent to decide specific consumer disputes;
2. the Financial Arbitrator is competent to decide only disputes initiated by a consumer against a financial institution or an intermediate financial institution providing payment services, electronic money, consumer credit, collective investment, investment, life insurance, building savings, a devise exchange or the intermediation of such services;
3. the Financial Arbitrator is not competent to decide the dispute if court or arbitration proceedings have been initiated or if such proceedings have already been decided;
4. the proceedings before the Financial Arbitrator are free of charge;
5. a complaint may be filed only by a consumer, the relevant form or the guide of filing a complaint is at disposal;
6. the complainant needn't be represented by an attorney or anybody else in the proceedings;
7. the financial institution has a duty to participate in the proceedings;
8. the Financial Arbitrator seeks the amicable settlement of a dispute;
9. the decision of the Financial Arbitrator may be further contested by a lawsuit;
10. provided it shall not be contested by a lawsuit, the decision of the Financial Arbitrator is legally binding and has the same effect as an enforceable judicial decision.

As for the charges of the State for the Financial Arbitrator's activities, the tasks associated with the professional, organisational and technical arrangements of the Financial Arbitrator's activities are still performed by the Office of the Financial Arbitrator as a government body and a separate accounting entity, whose revenues and expenditures fall into the budget chapter of the Ministry of Finance. The Financial Arbitrator manages his/her financial resources sparingly. As well as in the preceding years, only the inevitable costs were spent on the activities of the Financial Arbitrator and of the Office of the Financial Arbitrator. With regard to the overall budget of the Office of the Financial Arbitrator, none public payment of greater scale, which might arise from a public contract, comes into consideration. In 2016, with a prevision of 10 more recruited employees in the following period, the number of employees grew to 45, which is, compared to the previous period, an increase of 10 employees. The large majority of the employees of the Office of the Financial Arbitrator are graduates in law.

Even in 2016, the Deputy Financial Arbitrator intensively cooperated on the international and particularly on the European scale with the representatives of similar foreign institutions united in the European network of the financial ombudsmen FIN-NET and the worldwide INFO Network. Since January 2016 the Financial Arbitrator is a notified body according to the European Directive on alternative dispute resolution for consumer disputes and since February 2016 is connected to the European platform for the on-line resolution of consumer disputes. At the forefront of the Deputy

Financial Arbitrator activity remains the financial education and the raising of the expert and non-expert public awareness.

The outlook for the following periods are more than clear; settle fairly the most of disputes in the shortest length of time.

In Prague on 30th June 2017

Mgr. Monika Nedelková v. r.
The Financial Arbitrator

II. COMPETENCE OF THE FINANCIAL ARBITRATOR

On 28th December 2015, Act No. 378/2015 Coll., Amending Act No. 634/1992 Coll., On Consumer Protection, as amended, and some other acts (hereinafter the "Amendment of the Act on Consumer Protection"), including with effect from 1st February the Financial Arbitrator Act, Act No. 229/2002 Coll., On the Financial Arbitrator, as amended (hereinafter the "Financial Arbitrator Act").

The Amendment of the Act on Consumer Protection complements the implementation of European union legislation, namely the Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market and amending Directives 84/450/EEC, 97/7/EC, 98/27/EC and 2002/65/EC and Regulation (EC) No 2006/2004 (Unfair Commercial Practices Directive), and implements other European union legislation, namely the Directive 2013/11/EU of the European Parliament and of the Council of 21 May 2013 on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Directive on consumer ADR) and the Regulation (EU) No 524/2013 of the European Parliament and of the Council of 21 May 2013 on online dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Regulation on consumer ODR).

Following from the explanatory report concerning the Amendment of the Act on Consumer Protection, the Czech Republic is obliged, in the interest of ensuring of high level of consumer protection as well as in the interest of uniforming conditions for the pan-European consumer market, to ensure, in accordance with Art. 25(1) of the Directive on consumer ADR, the operation of an out-of-court dispute resolution system that meets prescribed conditions relating to excellence, independence, impartiality, transparency and legality on its territory not later than 9th July 2015.

In the field of provision and intermediation of financial services, the Amendment of the Act on Consumer Protection preserves the institute of the Financial Arbitrator as the body responsible for resolving consumer disputes; there are only minor amendments to the Financial Arbitrator Act, in order to meet the requirements of the Directive on consumer ADR.

The amendment provides, in particular:

- extension of the Financial Arbitrator's competence to cover all types of credits (notably the so-called mortgage loans, but also any other loans, credits and other similar financial services excluded from the scope of the Consumer Credit Act – e.g. cash loans lower than CZK 5,000), and further the area of offering, providing or mediation of the building savings and the area of investment services;
- limitation of the competence of the Financial Arbitrator in resolving exclusively consumer disputes, i.e. disputes in which the complainant is a person who is acting outside the scope of his/her business activity or the independent exercise of his/her profession and who enters into a contract or a deal with an entrepreneur;
- extension of the authority of the Financial Arbitrator to demand explanation or submission of evidence from the natural or legal person, not only from those who are parties to the proceedings under the Financial Arbitrator Act;
- adjustment of the length of the period of the Financial Arbitrator to deliver a decision up to a period of 90 days from the collection of all the documentation necessary to make the decision; if necessary, this period may be adequately extended in particularly complex cases by no more than 90 days;
- more detailed requirements on the content of the annual report of the Financial Arbitrator and the information provided on the website of the Financial Arbitrator.

With effect from 1st February 2016, the Financial Arbitrator is authorized, subject to further conditions and provided that a Czech court is otherwise competent to decide the dispute in question, to decide disputes between the consumer and:

- a) payment service provider arisen in connection with *offering* and providing payment services,
- b) electronic money issuer arisen in connection with issuing and reverse exchange of the electronic money,
- c) creditor or intermediary arisen in connection with the offering, providing or mediation of the consumer credit or other credit, loan or other financial service,
- d) person managing or administering a collective investment fund, or offering an investment in the collective investment fund or in a comparable foreign investment fund arisen in connection with managing or administering the collective investment fund, or with offering an investment in the collective investment fund or a comparable foreign investment fund,
- e) insurer or insurance intermediary arisen in connection with the offering, providing or mediation of the life insurance,
- f) money exchange provider arisen in connection with the money exchange,
- g) building savings bank or intermediary arisen in connection with the offering, providing or mediation of the building savings,
- h) security trader, tied agent, collective investment fund or foreign collective investment fund manager or investment intermediary arisen in connection with the providing of investment services or the activities under sec. 11(1)(c) to (f) of the Act on Investment Companies and Investment Funds.
- i) person administering a non-payment account arisen in connection with administering such account,
- j) receiver of a one-off deposit arisen in connection with the acceptance and the reimbursement of such deposit;

As of 15th February 2016, complaints may be submitted through the pan-European on-line platform. Provided the object of the dispute falls into the Financial Arbitrator competence, the Financial Arbitrator shall have the duty to rule the proceedings as it were initiated by standard mean and thereafter to record the issue of the proceedings. The Financial Arbitrator shall register the complaint submitted through described way and shall continue to use such communication channel.

The Financial Arbitrator is authorised to decide following disputes in connection with providing payment services:

- malfunction of the ATM – failure to dispense cash,
- money presented to the bank via ATM or personally by the client have not been credited to the account,
- termination of the payment account contract,
- deduction of charges from the amount of the payment transaction made by the payment services intermediary,
- non-execution of a payment transaction initiated by the payee (or a refusal to execute it),
- malfunction of the ATM – money debited from the account twice (or several times),
- ATM withdrawal or payment with a credit card made by a third party (misappropriation of a credit card),
- misappropriation of a payment instrument (online banking),
- delayed execution of a payment transaction,
- incorrect exchange rate used for a cross-border wire transfer,
- incorrect fee for providing a payment service,
- payment transaction made without consent of the payment service user.

The Financial Arbitrator is authorized to decide disputes arising in connection with consumer credits or any other credit, loan or other financial service between a consumer and a creditor or an intermediary, contracted within the scope of Consumer Credit Act:

- incorrect amount of compensation for early repayment,
- validity of the withdrawal of the credit agreement or intermediary agreement,
- assessment of creditworthiness of the debtor,
- validity of declaring the whole credit payable,
- fees following from the credit agreement or intermediary agreement,
- validity of the credit agreement, of the provision on penalty for non-compliance with the agreement, or of another provision of the credit agreement,
- amount of debt following from the credit agreement,
- right to a discount interest rate set by the Czech National Bank (after being claimed with the creditor),
- right of early repayment,
- annual percentage rate of charge (APRC).

The Financial Arbitrator is authorized to decide disputes arising in connection with collective investment:

- dispute between and an investment company or an investment fund regarding the proper settlement of the purchase / redemption / exchange of units,
- dispute between an investment company or an investment fund regarding the value of units,
- proper execution of the order to purchase / redeem / exchange units by security trader,
- proper execution of the order to purchase / redeem / exchange units by investment intermediary,
- damages for an investment advice provided by a security trader or an investment intermediary in connection with collective investment ,
- fee charged for purchase / redemption / exchange of units,
- information duties of an investment company or an investment fund.

The Financial Arbitrator is authorized to decide disputes arising from providing investment services, for example in the following cases:

- proper execution of the order to buy or sell a financial instrument,
- damages for an investment advice provided by a security trader or an investment intermediary,
- fee charged for purchase or sell of financial instrument,
- validity or termination of an investment services agreement.

The Financial Arbitrator may decide disputes arising in connection with money exchanges, particularly:

- fee charged for currency exchange,
- validity of a currency exchange contract,
- amount of the exchange rate,
- damages for violation of pre-contractual information duties when providing exchange of currencies.

Financial Arbitrator is authorized to decide disputes arising in connection with life insurance, particularly:

- damages for violation of the pre-contractual duties by insurer or insurance intermediary,
- validity of the insurance contract or its provision,
- amount of surrender value.

The Financial Arbitrator may decide disputes not only from already concluded contracts on building savings, but also disputes that arise during the pre-contractual stage or in the mediation of building savings, in particular:

- validity of the building savings contract or its provision,
- validity of withdrawal or termination of the building savings contract,
- validity of an unilateral change of the building savings contract (e.g. decrease of the interest on deposits or increase of the fee for keeping the building savings account),
- fee charged by the building savings bank,
- amount of state contribution to the building savings contract,
- damages for violation of duties in connection with the mediation of the building savings contract.

Whether the Financial Arbitrator is competent to decide the dispute or not always depends on the assessment of the individual circumstances of each case.

However, there is to be pointed out that some seemingly conceptually related disputes do not fall within the scope of the Financial Arbitrator at all, as they are not covered by any of the areas enumerated by the Financial Arbitrator Act. These are essentially disputes concerning:

- non-life insurance (property insurance, accident insurance, liability insurance, injury insurance, etc.),
- supplementary pension scheme or supplementary pension savings,
- protection of personal data indirectly connected with financial services.

The Financial Arbitrator also cannot decide a dispute if the complaint does not meet other requirements set by the Financial Arbitrator Act; therefore the Financial Arbitrator is not authorized to hear the dispute if:

- the Financial Arbitrator is not competent to decide the dispute,
- the dispute was decided in merits by the court of competent jurisdiction or the dispute is currently being heard by the court,
- the dispute is currently being heard or was decided by the Financial Arbitrator,
- the dispute was decided in merits in the arbitration proceedings or the dispute is currently being heard by the arbitrator.

III. FINANCIAL ARBITRATOR, DEPUTY FINANCIAL ARBITRATOR – ORGANIZATIONAL ARRANGEMENT OF THE OFFICE OF THE FINANCIAL ARBITRATOR

Financial Arbitrator

As of 1 July 2011 the Financial Arbitrator and the Deputy Financial Arbitrator is appointed or dismissed by the Government on a proposal of the Minister of Finance. The Financial Arbitrator is responsible to the Government for the exercise of his/her duties. Only irreproachable, fully legally capable persons of good reputation, sufficient qualifications and experience may be appointed Financial Arbitrator or Deputy Financial Arbitrator. A prerequisite for the appointment of the Financial Arbitrator and the Deputy Financial Arbitrator is also a university degree obtained in the master's program in law at a university in the Czech Republic and proving of five years' experience in the financial market or in the area of consumer protection in the financial market. The employment relationship and remuneration of the Financial Arbitrator and the Deputy Financial Arbitrator shall be governed by the Labour Code.

Monika Nedelková was appointed the Financial Arbitrator by the Government on 27th July 2016 for her second term of office.



Monika Nedelková graduated from the Faculty of Law of Charles University in Prague. Since 1995 she has been working almost exclusively in the public administration with the focus on the financial market area. She started her career in the Department for Capital Market Supervision at the Ministry of Finance. She also worked as an associate in a leading Czech law firm. At the Czech Securities Commission, she held the positions of the Head of the Legal Division and the Director of the Enforcement Department. After dissolution of the Czech Securities Commission she took the position of the Director of Enforcement in the Czech National Bank. Prior to being appointed the Financial Arbitrator, she had governed the Financial Market Supervision Department at the Ministry of Finance.

Deputy Financial Arbitrator

Lukáš Vacek was appointed the Deputy Financial Arbitrator by the Government Arbitrator for the term of office of 5 years on 14th January 2015.



Lukáš Vacek graduated from the Faculty of Law of Charles University in Prague and a joint degree program at the Law Faculty of Masaryk University in Brno and Nottingham Trent University (MPA). In the years 2004-2013 he worked at the Ministry of Finance, out of which for more than 7 years he held the position of the Head of the Retail Financial Services and Consumer Protection in the Financial Market Unit. He was mainly responsible for the preparation of legislation in the area of consumer credits, for the enactment of the Financial Arbitrator Act, but also for the area of insurance of bank deposits or distribution of financial services. On behalf of the Czech Republic, he negotiated the EU legislative proposals within the EU Council working groups, including e.g. the Mortgage Credit Directive, the revision of

the Insurance Mediation Directive and other legislation. He was a member of the Platform for Out-of-court Resolution of Consumer Disputes at the Ministry of Industry and Trade. He has been actively engaged in financial education and in resolving the problems following from over-

indebtedness. He regularly publishes articles in professional journals (Jurisprudence, Law and Family, Commercial Law Revue) and he is a lecturer as well.

Office of the Financial Arbitrator

The tasks associated with the professional, organizational and technical arrangements of the Financial Arbitrator's activities are performed by the Office of the Financial Arbitrator, which shall form a government agency, an accounting entity, and its revenue and expenditure shall form a part of the budget chapter of the Ministry of Finance. The office of the Financial Arbitrator was established on 1st July 2011 by Act No. 180/2011 Coll., amending Act No. 229/2002 Coll., on the Financial Arbitrator, as amended, and some other acts.

Organizational structure of the Office of the Financial Arbitrator is formed by its organizational units:

- Financial Arbitrator,
- Deputy Financial Arbitrator,
- Department of Payment Services, Money Exchanges and Building Savings,
- Department of Credits,
- Department of Investment
- Department of Life Insurance,
- Department of Administrative Support,
- Internal Auditor,
- Secretary of the Financial Arbitrator.

Levels of management are:

- Financial Arbitrator and, in his/her absence, Deputy Financial Arbitrator,
- Deputy Financial Arbitrator, if authorized by the Financial Arbitrator to the permanent exercise of his/her decision-making powers,
- Department headed by the Head of Department (a department provides a comprehensive support in the specific area of the scope of the Financial Arbitrators activities, i.e in activities that are usually directly related to each other and build on each other, except for decision-making:

To ensure the operation of the Office of the Financial Arbitrator, alongside the Financial Arbitrator and Deputy Financial Arbitrator, following job positions are established:

- Head of Department,
- Lawyer,
- Methodist,
- Administrative Officer,
- Internal Auditor,
- Accountant,
- PR Mannager,
- Clerk.

Development of job positions since the establishment of the Office of The Financial Arbitrator (including the Financial Arbitrator and the Deputy Financial Arbitrator):

year 2011	14 systemised posts
year 2012	14 systemised posts
year 2013	14 systemised posts
year 2014	35 systemised posts
year 2015	35 systemised posts

year 2016
year 2017

45 systemised posts
55 systemised posts

IV. SUMMARY OF THE FINANCIAL ARBITRATOR'S ACTIVITIES

During the year 2016, the Financial Arbitrator received 1951 complaints and commenced 12 proceedings to impose fines due to non-cooperation of the institutions, i.e. 1963 in total. As of 30 June 2012, the Financial Arbitrator already received 702 complaints.

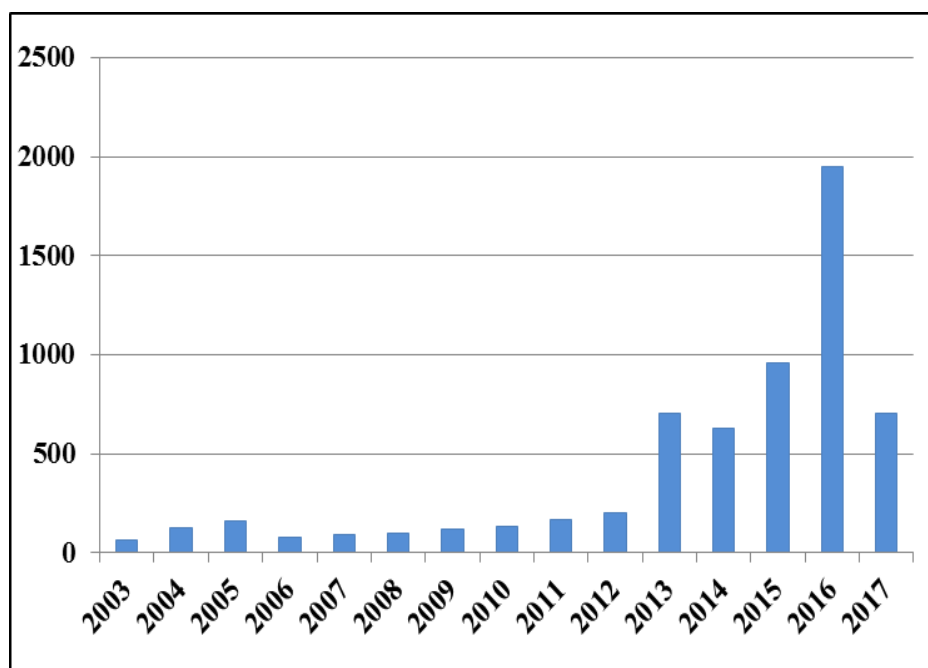
Where the consumer's claim is justified, the Financial Arbitrator's primary objective is to achieve an amicable settlement so the consumer has not to bring his claim before court and bear the costs of the proceedings, for the proceedings before the Financial Arbitrator is free of any charge. Thus, the Financial Arbitrator has to consider the dispute in principle according to the legislation in force and shall not act in favour of any of the parties of the dispute. When the dispute cannot be amicably settled, The Financial Arbitrator delivers a decision that is reviewable by court, provided one of the parties shall not agree with it. In the case the court estimates the Financial Arbitrator has unjustifiably decided in favour of one of the parties of the dispute, the court shall invalidate the decision of the Financial Arbitrator and it is also very probable that he shall impose the costs of the proceedings on the unsuccessful party in the dispute.

The Financial Arbitrator leads the proceedings according to the Financial Arbitrator Act and Act No. 500/2004 Coll., Administrative proceedings, as amended, unless otherwise provided by the Financial Arbitrator Act.

The proceedings shall be governed by the investigation principle. In other words, the Financial Arbitrator shall collect all the relevant evidence to be able to decide the dispute upon his/her best knowledge and belief, impartially, fairly, without undue delays and only on the basis of the facts established in accordance with the Financial Arbitrator Act and other legislation. Therefore, the complexity of the case and the need of cooperation of the parties as well as third institutions or persons in the proceedings shall always be taken into account.

Comparison of the proceedings commenced in the individual years (2003 – 2016)

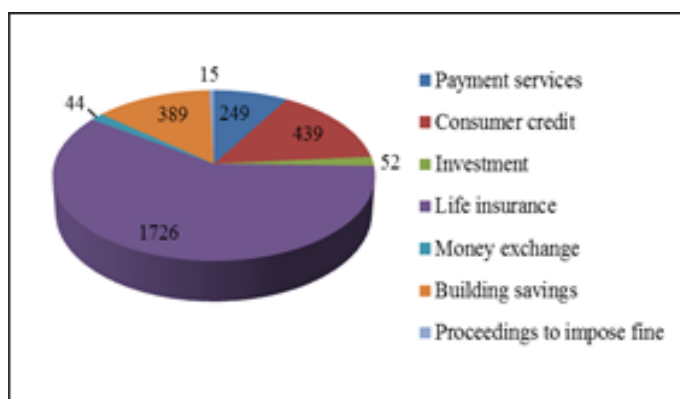
Year	Total
2003	66
2004	130
2005	160
2006	77
2007	95
2008	99
2009	118
2010	135
2011	167
2012	204
2013	706*
2014	629
2015	962
2016	1951
1-6/2017	702



* In 2013, the Financial Arbitrator decided 93139 complaints filed jointly concerning fee for credit administration (information about settlement of the disputes contained the report on the activities of the Financial Arbitrator 2014)

Proceedings commenced in 2016 divided into specific areas

Area	Proceedings
Payment services	117
Consumer credit	233
Investment	47
Life insurance	1132
Money exchanges	33
Building savings	389
Proceedings to impose fine	12
Total	1963

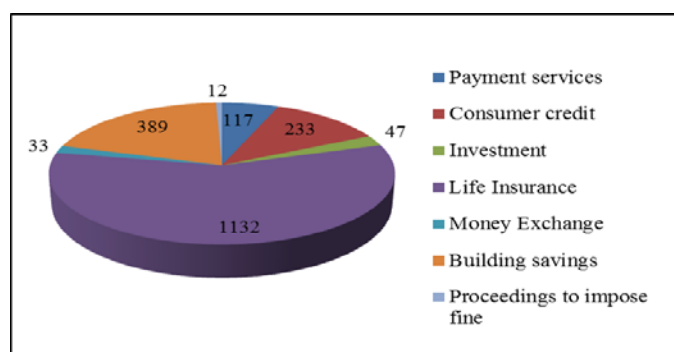


Of course proceedings commenced in the previous years went on in year 2016, in addition to the proceedings commenced in year 2016, 951 proceedings are still going on, for a total of 2 914 ongoing proceedings.

Ongoing proceedings refer to proceedings that were suspended for legal reasons, or at the request of the complainant, or based on recommendations of the Financial Arbitrator. Other ongoing proceedings commenced in previous periods that were not finally settled by 31th December 2016 are those, in which the collection of all the documentation necessary for the decision took place, negotiation on amicable settlement were underway or the objection proceedings was commenced.

Ongoing proceedings divided into specific areas in 2016

Area	Proceedings
Payment services	249
Consumer credit	439
Investment	52
Life insurance	1726
Money exchanges	44
Building savings	389
Proceedings to impose fine	15
Total	2914



Summary of the Financial Arbitrator activities

The Financial Arbitrator shall decide the dispute upon its best knowledge and belief, impartially, fairly, without undue delays and only on the basis of the facts established in accordance with the Financial Arbitrator Act and other legislation. The Financial Arbitrator shall proceed so the facts can be established beyond any reasonable doubt in order to issue an objective decision in the matter.

The Financial Arbitrator continuously examines the collected evidence and, where it is appropriate and the claim of the complainant justified, leads discussions about the case with the complainant or the institution or both parties, so an amicable settlement of the dispute can be reached.

When an amicable settlement of the dispute can not be reached in the proceedings for some reason on the complainant or the institution's side, The Finance Arbitrator shall issue a decision in the

matter. The issue of the decision is preceded by the familiarisation of both parties with the collected evidence, either by consulting the file or by the sending of the evidence on request of any party of the dispute by post, e-mail, ev. per data mail.

The Financial Arbitrator shall settle the dispute by a decision. The complexity of the case should be assessed considering the subject of the dispute and evidence collected (particularly of the contractual documentation), having regard to the assertions of the parties and the reliability thereof.

The Financial Arbitrator has the duty to deliver his/her decision without undue delay, not later than in a period of 90 days from the day he has collected all the necessary evidence for the deliverance of his/her decision, so the term does not apply from the day the proceedings were initiated; Provided the Financial Arbitrator is unable to settle the dispute in such term, considering the particular complexity of the dispute with regard to the nature of the matter, the term may be reasonably extended to another maximum period of 90 days.

Any of the party of the dispute may oppose the decision of the Financial Arbitrator. Again, the Financial Arbitrator shall decide upon the objections. The decision of the Financial Arbitrator is final, against which can be no appeal, and the decision becomes enforceable.

At the end of the term for the fulfillment of the obligation laid down by the decision, the decision of the Financial Arbitrator becomes enforceable and has the same effects as it were a court decision. The complainant may submit an application for the enforcement of the decision, provided the institution shall not fulfill the obligation the Financial Arbitrator has laid down on her in its decision.

Any of the party of the dispute may bring an action on replacement of the decision of the Financial Arbitrator according to Part V of Act No. 99/1963 Coll., Code of Civil Procedure, as amended, before the competent court against the final decision of the Financial Arbitrator. The complainant and the institution constitute the sole parties of the procedure, and bear the costs of the procedure as it shall be determined upon court discretion.

Therefore, it is appropriate the complainant provides a proper assistance, not only when the Financial Arbitrator collects the evidence for its decision, but also an amicable settlement of the dispute is discussed.

Simpler proceedings, in which both sides of the dispute provide the Financial Arbitrator with assistance and the subject of the dispute is clear from the beginning of the proceedings and legal issues related to the dispute the Financial Arbitrator solved in the past, and furthermore applicable jurisprudence is available, lasts, while preserving all procedural rights and obligations, roughly four months. The length of proceedings in more complex cases moves around six months. In particularly difficult cases, in terms of assessing of legal aspects, the complexity of the gathering of necessary documents and the subsequent seeking of an amicable settlement is even longer; these proceedings are most frequent. In addition, disputes with a similar subject of claim and waged against the same financial institution, are first heard by the Financial Arbitrator separately within the frame of single proceedings. When the acceptable conditions of an amicable settlement for both the financial institution and the Financial Arbitrator are reached in the proceedings, and then the reached amicable settlement is discussed and adjusted to other proceedings with regard to individual conditions of each dispute.

Current status of proceedings in 2017 by 31 March 2017

	No.
Finally completed proceedings as of 31/12/2016	1023
Decision delivered in first instance as of 30/6/2017	212
Interrupted due to insolvency procedure, ongoing court proceedings with an identical object of dispute or criminal proceedings	206

As far as the results of the disputes in competence of the Financial Arbitrator are concerned, in more than three quarters (79%) of the total number of cases an amicable settlement was reached; it means that financial institutions satisfied wholly or in part the consumer's claim in the proceedings before the Financial Arbitrator. Such proceedings were consequently terminated by the Financial Arbitrator on the basis of the withdrawal of the complaint or due to reasons that the dispute ceased to exist; in total it concerned in 2016 (in total as of 31. 3. 2017) 809 proceedings (910).

Where the parties to a dispute did not find willingness to reach an amicable settlement, the Financial Arbitrator upheld wholly or in part a complaint, if the complaint was justified. In 2016 (as of 31. 3. 2017), The Financial Arbitrator delivered his/her decision in only 53 proceedings (65) – 6,4%; from these proceedings, the claim were rejected in 40 cases (49) and the Financial Arbitrator upheld wholly or in part the consumer's complaint in 13 cases (16).

Unfortunately, in some cases it happened the consumers (the complainants) did not provide the Financial Arbitrator with the assistance necessary to deliver the fair and lawful decision. And this is so, even though the Financial Arbitrator repeatedly encourages and instructs complainants what evidence to present to support their claims or how to articulate their claims made against the financial institution. In consequence, The Financial Arbitrator had to terminate a total of 88 proceedings (113) – 8, 6%.

Targeted complaints out the Financial Arbitrator's competence or suffering from a legal procedural impediment have to be refused as inadmissible. In 2016, The Financial Arbitrator has done so in 65 cases (77) – 6%.

Proceedings to impose fine or penalty

Under section 17a of The Financial Arbitrator Act, if the Financial Arbitrator upholds the complainant's complaint, even partially, he/she shall impose a penalty of 10% of the amount which the financial institution is, pursuant to the decision, obliged to pay to the complainant, not less than CZK 15,000, however. The penalty shall be part of the State budget revenue. In addition, under section 23 of the Financial Arbitrator Act, the Financial Arbitrator is authorized to impose a penalty if a financial institution breaches the duty to submit documents necessary to deliver a decision; the fine may be imposed up to the limit of CZK 1,00,000 and is part of the State budget revenue. Pursuant to section 17a of the Financial Arbitration Act, the Financial Arbitrator imposed penalties on financial institutions in the total amount of CZK 195,000 in 2016 and fines according to section 23 in the total amount of CZK 75,000 the same year.

Queries

The Financial Arbitrator shall respond to any query received, including those deciding of which the Financial Arbitrator is not competent to. Where appropriate, the Financial Arbitrator at least instructs an inquirer to a competent authority. When the Financial Arbitrator is competent to decide a dispute, he/she shall provide the inquirer with the detailed information of requirements for filing a complaint and with a list of evidence needed to be attached.

The Financial Arbitrator received more than 4000 queries in 2016 (including telephonic queries). The queries were answered without undue delay, usually in a couple of day.

V. FINANCIAL ARBITRATOR OFFICE'S EXPENDITURES

In the state budget, the Office of the Financial Arbitrator's expenditure formed in 2016 a part of the Expenditure Block – Expenditure on Ensuring the Activities of the Office of the Financial Arbitrator; in terms of the sectorial budget classification it was included in Section 5471.

Revenues

The approved budget of the revenue of the Financial Arbitrator Office in the amount of CZK 0 was not in 2016 further adjusted. Neither the Financial Arbitrator nor the Office of the Financial Arbitrator has regular or guaranteed revenues. The proceedings before the Financial Arbitrator are free of charge and since the primary objective of the Financial Arbitrator is reaching an amicable settlement of disputes and in such a case without sanction being imposed.

The real total revenue of the Office of the Financial Arbitrator reached in year 2016 CZK 359,000 and included:

- a) imposed sanctions (penalties and fines), the imposed persons paid in 2016 penalties and fines in the total amount of CZK 135,000;
- b) the receipt of a penalty payment in the amount of 42,000 for the late delivering of desktop computers according to the contract for the purchase of desktop computers, accessories included;
- c) the reimbursement of business trips abroad of the Deputy Financial Arbitrator in the years 2015 and 2016 in the amount of CZK 53,500;
- d) the receipt an overpayment for services associated with the use of commercial premises in the amount of CZK 53,000;
- e) another non-funding contribution or reimbursement in the amount of CZK 15,000 as reimbursed penalty for the annulment of the decision of the Financial Arbitrator;
- f) transfers from own funds amounted to CZK 60,500 represented the returned wage funds from the deposit account, namely unpaid compensation for illness in December 2015.

Expenditures

The total expenditures of the Office of the Financial Arbitrator of CZK 43,138,000 were approved under the 2016 State Budget, including current expenditures amounted to CZK 42,088,000 and capital expenditures amounted to CZK 1,050,000. The budget of expenditures on salaries and other payments was CZK 28,311,000 CZK, of which CZK 27,715,000 on salaries and CZK 596,000 on other payments; the compulsory insurance premium amounted to CZK 9,626,000 and the financial allocation for the cultural and social needs fund was CZK 416,000.

On the basis of the Resolution of the Government No. 831 adopted on 21 September 2016 to the draft budget law for 2017 the budget on salaries was raised in order to insure the 5% raise of the salaries in November and December 2016. As of 1/11/2016 the budget on salaries was adjusted to CZK 27,946,000 and the budget on compulsory insurance premium to CZK 9,704,000.

The expenses under the system of programmed financing amounted to CZK 1,814,000. The unused resources from the preceding budget periods of CZK 12,139,392 were included in the 2015 Financial Arbitrator Office's Budget.

The Office of the Financial Arbitrator did release CZK 10,751,000 from entitlements on undrawn expenditures from previous periods, of which CZK 2,260,000 on capital expenditures and CZK 9,541 on current expenditures. The expenditures on salaries and other payments constituted in the overall 2016 budget CZK 29,500,000, of which CZK 28,722,000 on salaries and CZK 800,000 on other payments.

The final budget of expenditures of the Office of the Financial Arbitrator was consumed up to 76,8%, of which the capital expenditures were not withdrawn in their entirety and the current expenditures to 80,1% in the amount of 41,607,000.

Thus, funds on salaries were used to 97,8% of the final budget on salaries and 74,2% of the funds on other payments were drawn from the final budget of funds on salaries and other payments for performed works. Funds on salaries and other payments were used in the total amount of CZK 28,671,000, of which the amount of CZK 28,078,000 on salaries and CZK 593,000 on other payments. Compulsory insurance was consumed in the amount of CZK 9,719,000, thus to 93,4%, and the allocation to the cultural and social needs fund was consumed up to CZK 410,000, thus to 97,7% from the final budget of the allocation for the cultural and social needs fund.

The total number of systemized positions was 45 and the average calculated number of employees, in terms of natural persons, was 45 in the relevant budget period and the average calculated number of employees in full-time equivalent units was 44. The average salary in 2016 was CZK 53,000.

The amount of CZK 1,814,000 from the approved budget of total expenditures in 2016 constituted the budget on financing programs – Program 012V41- Development and renewal of material-technical base KFA (Office of the Financial Arbitrator), of which CZK 764,000 on current expenditures and CZK 1,050,000 on capital expenditures. After drawing CZK 3,420,000 from entitlements from undrawn expenditures from previous periods, the final amount of expenditures on financing programs was CZK 5,234,000. The Office of the Financial Arbitrator used only CZK 948,000 on current expenditures in the followed period, as expenditures to the purchase of desktop computers, the operation of mobile and fixed phone lines and the operation of the economic information system and the payroll information system.

To the date of 1/1/2017 the Office of the Financial Arbitrator recorded the total amount of CZK 12,595,000 CZK as entitlements from undrawn expenditures from previous periods, of which CZK 4,285 as expenditures on financing programs, CZK 851,000 as other payments for performed works, CZK 7,459,000 as other current expenditures.

The reason of non-profiling budget expenditures and entitlements from undrawn expenditures in the financing programs comes from the conclusion of the contract on delivering an information system for the management of the file service and proceedings before the Financial Arbitrator, dated 25/10/2016, though according to the timetable of the achievements, as outlined in the contract, the reimbursement of the expenditures for the acquisition of the information system shall take place in the first quarter of year 2017. In the area of current expenditures lower operating costs were reported, for the Financial Arbitrator had in 2016 as well his/her seat in a building of State property, to which the Ministry of Finance has a management right, and the Office of the Financial Arbitrator just contributed for its operation to the costs for services related with the use of commercial premises. The Office of the Financial Arbitrator did not use any consulting, advisory and legal services provided by external entities in year 2016. In the same time, the work load from the increased number of initiated disputes did not allow to entirely spend the budget funds on the training of employees.

VI. INFORMATION TO THE PUBLIC AND PUBLIC RELATIONS

Information duties of the Financial Arbitrator

The Financial Arbitrator has the duty to carry out an annual report on its activities for the general public. The Financial Arbitrator is obliged to publish the annual report on its activities, containing particularly detailed information on the number of heard disputes, the way he/she settles the disputes, including description of selected heard disputes, in an appropriate manner once a year and no later than June 30 of the following calendar year.

All the annual reports on the activities of the Financial Arbitrator are published and accessible on the web pages of the Office of the Financial Arbitrator, at the address <http://www.finarbitr.cz/cs/informace-pro-verejnost/vyrocnizpravy.html>.

The Financial Arbitrator also informs the public by providing annually information in accordance with Act no. 106/1999 Coll., on Free Access to Information, as amended (and hereinafter referred to as „the Free Access to Information Act“) via press releases, through information published on its website and through information provided to the media.

If needs be, the Financial Arbitrator informs about identified shortcomings the competent authorities supervising or controlling the financial institutions, against which proceedings are pending on the basis of a consumer complaint.

The Financial Arbitrator presents the annual report on its activities, including information on the expenditures for the Financial Arbitrator's activities and about heard disputes, to the Chamber of Deputies and to the Government every year.

The Financial Arbitrator fulfils its obligation to inform the complainants through individual acts in individual proceedings, by answering to the queries of the public and particularly through the website operated by the Financial Arbitrator, about the possibility of being assisted in the proceedings before the Financial Arbitrator and the steps of the procedure when deciding in compliance with Financial Arbitrator Act and heard disputes.

The Financial Arbitrator's website

The Financial Arbitrator uses its website operated by the Office of the Financial Arbitrator in order to comply with its obligation of information and to further inform the layman and the specialist about its activities.

During 2015, further adjustments were made to the website in order to allow for simple orientation in information on the Financial Arbitrator and to simplify the inquiry or filing of the complaint to commence proceedings.

New adjustments were made in the information document The Financial Arbitrator in 10 points, so it can be truly intelligible to the largest public. A focus has been given on the explanation of their spirit when they have been formulated:

1. the Financial Arbitrator is an out-of-court decision-making public authority constituted by law;
2. the Financial Arbitrator is competent to decide only disputes initiated by a consumer against a financial institution or an intermediate financial institution providing payment services, electronic money, consumer credit, collective investment, investment, life insurance, building savings, a devise exchange or the intermediation of such services;
3. the Financial Arbitrator is not competent to decide the dispute if court or arbitration proceedings have been initiated or if such proceedings have already been decided;

4. the proceedings before the Financial Arbitrator are free of charge;
5. a complaint may be filed only by a consumer, the relevant form or the guide of filing a complaint is at disposal;
6. the complainant needn't be represented by an attorney or anybody else in the proceedings;
7. the financial institution has a duty to participate in the proceedings;
8. the Financial Arbitrator seeks the amicable settlement of a dispute;
9. the decision of the Financial Arbitrator may be further contested by a lawsuit;
10. provided it shall not be contested by a lawsuit, the decision of the Financial Arbitrator is legally binding and has the same effect as an enforceable judicial decision.

A lexicon of frequently used terms or frequently asked questions, falling into the Financial Arbitrator's competence is also at disposal. Recommendation where to address recourse when the Financial Arbitrator is not competent is also at disposal.

Other changes were reflected on the Financial Arbitrator's website in connection with extending the scope of the Financial Arbitrator competences since 1 February 2016. On the home page visitors can easily obtain information about individual areas and types of disputes which the Financial Arbitrator is competent to decide, including references to legislation and Collection of Decisions.

To send out press releases, news and information about the publication of anonymised decisions in the Collection of Decisions, the Financial Arbitrator established a service named "Subscribe to newsletter". Those interested can subscribe to the newsletter by entering their email address to which the information is to be sent.

Collection of Decisions

Following numerous inquiries and requests under the Free Access to Information Act, the Financial Arbitrator began to publish the full text of selected decisions in the Collection of Decisions, which is located on the website (<http://www.finarbitr.cz/cs/reseni-sporu/sbirka-rozhodnuti.html>).

The published decisions are essentially those in which the Financial Arbitrator decides a dispute in merit, i.e. by an award or a decision on objections. The Financial Arbitrator also publishes decisions imposing fines on financial institutions for not providing assistance in proceedings. The Financial Arbitrator does not publish decisions on the termination of proceedings due to the withdrawal of the complaint. Decisions on the termination of proceedings due to an inadmissible complaint are published only when holding the information value for the public.

The published decisions in the Collection of Decisions are identified by the type of decision (i.e. award, decision on objections, ruling), case number, register number, date of issue and the name of the financial institution against which the complaint was filed. In accordance with section 8a of the Free Access to Information Act and in accordance with the provisions of section 21 (6) of the Financial Arbitrator Act the published decisions do not contain personal or other identifying data. Decisions can be searched according to the specific areas or keywords in the form of full-text search.

The Financial Arbitrator continued to publish his/her decisions to the online Collection of Decisions and published all its essential decisions in full (without mentioning identifying data of the complainants). The Collection allows tracing the predictability of the Financial Arbitrator's decision-making, which it has to serve not only to the institutions or their representatives, but also to the complainants themselves or their representatives. Those started to refer more often to the Collection of Decisions and to cite from the decisions of the Financial Arbitrator when filling a complaint or when submitting their observations during the proceedings.

Publications, articles, interviews

The Financial Arbitrator Office continued in 2016 its successful cooperation with the Czech Radio as a public service medium, when the Deputy Financial Arbitrator gave several interviews on the extension of the Financial Arbitrator's competence, the proper use of credit card, mortgage loans and their early repayment, the risk of loan for free, to what be aware of in an exchange office and others.

Besides public media, the Financial Arbitrator continued its closer cooperation with commercial media. An example of such cooperation is the publication of several articles relating to the competence of the Financial Arbitrator and to the specific problems faced by consumers. For example, in the area of credit mediation, in the national bestselling tabloid, Blesk, the Deputy Financial Arbitrator discussed the matter also on the chat service operated by the Blesk. The Financial Arbitrator also communicated with commercial medial as, for example Lidové noviny, Mladá fronta Dnes or Právo, the extension of its competence to disputes arisen from building savings and the principles governing the proceedings before the Financial Arbitrator as, for example, the principle the proceedings before the Financial Arbitrator is free of charge.

At the occasion of the Czech Statehood Day, the 28th September 2016, the Financial Arbitrator participated at the one-day event during which the Ministry of Finance opened its premises in Letenská Street in Prague to the public. The Financial Arbitrator presented its activity to the visitors, distributed information leaflets with information about the principles of the proceedings before the Financial Arbitrator and, if the visitors were interested, helped with the filing of a complaint. 1322 visitors participated to the event.

The Financial Arbitrator publishes information also through the social network Facebook (<https://www.facebook.com/FinArbitr>) and the social network Twitter: (@Finarbitr; <https://twitter.com/Finarbitr>).

VII. INTERNATIONAL COOPERATION, FINANCIAL EDUCATION

International Cooperation with the foreign out of court dispute resolution bodies

Under the Financial Arbitrator Act¹, the Financial Arbitrator shall cooperate, on a mutual basis, with corresponding authorities in other Member States of the European Union and in other countries that constitute the European Economic Area and with the European Union authorities.

ADR/ODR

Since January 2016, the Financial Arbitrator is notified by the Ministry of Industry and Trade from the European Commission as a notified body according to the Directive on consumer ADR and since February 2016 is connected to the European platform for the on-line dispute resolution for consumer disputes, operated by the European Commission within the limits of Regulation on consumer ODR at the address <https://ec.europa.eu/consumers/odr/main/index.cfm?event=main.home.show&lng=CS>.

FIN-NET

The Financial Arbitrator has been a long-standing member of FIN-NET, the European network of dispute resolution bodies dealing with an out-of-court resolution of disputes related to the financial market. The network, founded in 2001, brings together the so called financial ombudsmen from the majority of the European Union Member States, or from other countries that constitute the European Economic Area. Its mission is to share experience originating from the dispute resolution practice of its members and to assist in resolution of the cross-border disputes. The Deputy Financial Arbitrator is a member of the FIN-NET Steering Committee, who is in charge of planning the prospective orientation of the network and preparation of the plenary session's agenda. In December 2015, the European Commission repeatedly appointed the Deputy Financial Arbitrator to this function for the years 2016-2017.

INFO Network

The Financial Arbitrator is a member of the INFO Network (the International Network of Financial Services Ombudsman Schemes), the international network of dispute resolution bodies dealing with an out-of-court resolution of consumer disputes related to the financial market. In this network, founded in 2007, out-of-court dispute resolution bodies dealing with consumer disputes related to the financial market from virtually every continent are represented.

Foreign travels

In 2016, the Deputy Financial Arbitrator, who had been authorized by the Financial Arbitrator to act on her behalf in the matters of cross-border cooperation, made foreign travels to participate in:

1. FIN-NET Steering Committee meeting (Brussel, Belgium);
2. Annual FIN-NET plenary meeting (Berlin, Germany);
3. Annual INFO (International Network of Financial Services Ombudsman Scheme) 2016 (Yerevan, Armenia);
4. Meeting of the Consumer Complaints Expert Group (Brussel, Belgium);
5. Workshop European Securities and Markets Authority (ESMA) on the topic *The MiFID and MiFID II framework for investor protection* (Paris, France);
6. Conference Second European Forum on Consumer ADR (Madrid, Spain).

¹ Under section 20 Financial Arbitrator Act

All realized business trips were beneficial for the activities of the Financial Arbitrator, with regard to the information obtained on the activities of foreign financial ombudsmen and prepared and implemented amendments to European legislation.

Financial Education

The Financial Arbitrator and the Deputy Financial Arbitrator are particularly interested in the activity of the financial education of the citizens. The Deputy Financial Arbitrator is a member of the Work group for the Financial Education with the Ministry of Finance. In 2016, the Deputy Financial Arbitrator participated on the ground of the Law Faculty of the Masaryk University to a panel discussion related to the government bill on consumer credit and to a workshop about the transposition of Directive 2014/17/EU on contracts on consumer credit for home purchases.

The Financial Arbitrator is a partner of the project “Financial Compass” and the “Family Finances Alphabet” projects.

In 2016, the Deputy Financial Arbitrator lectured in academia – at the Police Academy of the Czech Republic in Prague, at the Faculty of Economics and Administration and the Faculty of Law of Masaryk University.

Neither the Financial Arbitrator nor the Deputy Financial Arbitrator could participate as members of in the evaluation committee of the final level of the 7th Financial Education Competition for Primary and High Schools. Nonetheless, the Deputy Financial Arbitrator actively cooperated at the elaboration and arrangement of the questions for this final round in order to improve the level of this competition and to eliminate recurrent deficiencies.

As in the previous year, the Deputy Financial Arbitrator participated in the European Financial Systems 2016 international conference under the auspice of the Faculty of Economics and Administration of Masaryk University in Brno.

The Deputy Financial Arbitrator repeatedly and actively took part in 2016 at the meetings of the under-group for competence in financial literacy established within the Work group for the Financial Education, which goal is to revise, in connection with the revision of the National Strategy for the financial education, the Standards of the financial literacy for the pupils of elementary and students of high schools and the creation of wholly new competences for the adults.

Great attention, not only during its educational activities, the Office of the Financial Arbitrator devoted to activities regarding the prevention of indebtedness or its solution. The Deputy Financial Arbitrator is a member of the organizing committee of the Alliance against debts, which brings together a wide range of experts, specialized in the issue of household debt. The Financial Arbitrator, precisely the Deputy Financial Arbitrator, is also an active member of the Platform for responsible finance, which serves as a forum for the discussion of the pressing social issues such as unethical practices in the consumer credit market, the issue of usury, fair enforcement issues or financial literacy of the public. The Deputy Financial Arbitrator seeks mutual cooperation and supports both of these platforms, or their members, in solving specific problems associated with over-indebtedness. In February 2016, the Deputy Financial Arbitrator participated on the ground of the Law Faculty of Charles University in Prague at the panel discussion “Czech Republic in the time of debts”. In October 2016, the Deputy Financial Arbitrator appeared at the conference of the Alliance against debts.

VIII. FUTURE OUTLOOK

As in previous years, the main activity of the Financial Arbitrator will be deciding individual disputes.

Steps that should lead to the awareness-raising of the Financial Arbitrator in the circle of the public, shall be: an active communication with the public and media, the presentation, publishing of press releases and annual reports, information posts on the website (actualities, recommendations, publications, decisions) on the social networks.

Achieving effective solution to every dispute is ongoing task that the Financial Arbitrator solves and will continue to do so. The Financial Arbitrator will seek the maximum shortening of the length of proceedings.

Appendix no. 1 – Summary of the decisions published in the Collection of Decisions ²

The Financial Arbitrator hitherto published the bellowstated decisions in the Collection of Decisions from the period 1. 1. 2016 – 30. 6. 2017, which is accessible via The Financial Arbitrator Office's website. The Financial Arbitrator publishes decisions upholding a complaint, as well as decisions dismissing a complaint. Every published decision contains arguments and objections of both parties, detailed legal assessment of the dispute and the settlement of a petitioner's and a financial institution's objections. Of course, it contains also quotations and references to case law, on which the Financial Arbitrator based its decision.

Searching a concrete decision in the Collection of Decisions may be carried out via full-text, by entering the appropriate file number or key words. All the referred decisions are accessible in anonymised form at this address: <http://www.finarbitr.cz/cs/reseni-sporu/sbirka-rozhodnuti.html>.

Case number	Financial Institution	Key word / subject of the dispute	The Outcome of Proceedings
FA/PS/140/2015	Fio Banka, a.s.	Failure to execute payment transaction, damages, interest on late payments	Complaint dismissed
FA/PS/127/2015	Fio Banka, a.s.	Misappropriation of online banking	Complaint dismissed
FA/PS/516/2015	UniCredit Bank Czech Republic and Slovakia, a. s.	Incorrectly executed payment transaction	Complaint dismissed
FA/PS/333/2015	mBank, S.A.	Unauthorized payment transaction	Complaint dismissed
FA/PS/744/2015	Československá obchodní banka, a.s.	Parties of the proceedings before the Financial Arbitrator, procedural capacity	Termination – Lack of competence
FA/PS/752/2015	GE Money Bank, a.s.	Foreign currency payment transaction fee	Complaint dismissed
FA/PS/334/2015	Citybank Europe plc, organizační složka	Unauthorized payment transaction, misappropriation of credit card	Complaint dismissed
FA/PS/1452/2016	Česká spořitelna, a.s.	Competence of the Financial Arbitrator, strong box	Termination – Lack of competence
FA/PS/79/2016	Československá obchodní banka, a.s.	Unauthorized payment transaction, misappropriation of credit card	Complaint dismissed
FA/PS/646/2015	Fio Banka, a.s.	Damages for account blockage	Complaint dismissed
FA/PS/836/2016	Česká spořitelna, a.s.	Unauthorized payment transaction – signature, preclusion	Complaint dismissed
FA/PS/190/2016	mBank, S.A.	Unauthorized payment transaction – signature, preclusion, juridical in error	Complaint dismissed
FA/PS/361/2016	Česká spořitelna, a.s.	Unauthorized payment transaction, misappropriation of online banking	Complaint dismissed
FA/PS/341/2016	Fio Banka, a.s.	ATM withdrawal, failure to dispense cash, incorrectly executed payment transaction	Complaint dismissed
FA/PS/525/2015	Fio banka, a.s.	Blank authorization of payment transactions	Complaint dismissed
FA/PS/358/2016	Fio banka, a.s.	Card payment, blockage of payment instruments, rate loss	Complaint dismissed

² The Collection of Decisions is located on the Financial Arbitrator's website: <http://www.finarbitr.cz/cs/reseni-sporu/sbirka-rozhodnuti.html>

FA/SU/916/2015	Česká spořitelna, a.s.	Unauthorized payment transaction, misappropriation of online banking, facebook	Complaint dismissed
FA/PS/1392/2016	Komerční banka, a.s.	Assessment of creditworthiness, validity of contract	Complaint dismissed
FA/PS/1397/2016	Československá obchodní banka, a.s.	Account execution, debit of money from account, fee for account administration	Complaint dismissed
FA/SM/284/2015	Chequepoint, a.s.	Cancellation of currency exchange, order recovery	Complaint dismissed
FA/SM/773/2015	Claymore capitel s.r.o.	Fee for currency exchange	Complaint dismissed
FA/ST/250/2016	Wüstenrot – stavební spořitelna a.s.	Amendment of contract on building savings, increase of target amount	Complaint dismissed
642/SU/2013	Česká spořitelna, a.s.	Parties to the proceedings procedural capacity	Termination – not providing assistance
FA/SU/640/2015	FORAKOM INVEST s.r.o	Competence of the Financial Arbitrator – res iudicata	Termination – Lack of competence
FA/SU/84/2015	BNP Paribas Personal Finance SA, odštěpný závod	Credit limit increase, unauthorized payment transactions	Complaint partially upheld
FA/SU/651/2014	PROFI CREDIT Czech, a.s.	Validity of consumer credit contract	Complaint partially upheld
FA/SU/422/2015	BNP Paribas Personal Finance SA, odštěpný závod	Information duty, penalties, APR	Complaint dismissed
FA/SU/522/2014	1 1 Nejlepší autopůjčka s.r.o.	Information duty, penalties, APR	Complaint partially upheld
FA/SU/1052/2016	PROFI CREDIT Czech, a.s.	Competence of the Financial Arbitrator – lis pendens and res iudicata	Termination – Lack of competence
FA/SU/430/2016	Česká spořitelna, a.s.	Entrepreneur credit	Termination – Lack of competence
FA/SU/198/2016	Provident Financial s.r.o.	Determination of the debt amount	Complaint dismissed
FA/SU/10/2016	ESSOX s.r.o.	Agreement on debt acknowledgement, notarial act	Complaint dismissed
FA/SU/114/2016	BNP Paribas Personal Finance SA, odštěpný závod	Information duty, penalties, APR	Complaint dismissed
FA/SU/319/2016	MONETA Money Bank, a.s.	Objection of prescription	Complaint dismissed
FA/SU/352/2016	Home Credit a.s.	Objection of prescription	Complaint dismissed
FA/SU/188/2016	Česká spořitelna, a.s.	Information duty, penalties, APR	Complaint dismissed
FA/SU/204/2014	ESSOX s.r.o.	Information duty, penalties, APR	Complaint partially upheld
FA/SU/45/2016	Quick Finance s.r.o.	Contract validity, disproportionate arrangements	Complaint partially upheld
FA/SU/525/2016	EvPe GROUP s.r.o.	Mediation of consumer credit, contract requirement, contract invalidity	Complaint partially upheld
FA/SU/647/2016	Simply Money s.r.o.	Mediation of consumer credit, contract requirement, contract invalidity	Complaint wholly upheld
FA/SU/98/2016	MONETA Money Bank, a.s.	Information duty, penalties, APR	Complaint dismissed

FA/SU/880/2015	COFIDIS s.r.o.	Information duty, penalties, APR	Complaint dismissed
FA/SU/1823/2016	PROFI CREDIT Czech, a.s.	Competence of the Financial Arbitrator, debtor - entrepreneur	Termination – Lack of competence
FA/SU/1904/2016	Hypoteční banka, a.s.	Competence of the Financial Arbitrator – lis pendens and res iudicata	Termination – Lack of competence
FA/SU/164/2016	Milan Karička	Mediation of consumer credit, entitlement of remuneration	Complaint wholly upheld
FA/SU/165/2016	ACEMA Credit Czech, a.s.	Contract validity, disproportionate arrangements	Complaint partially upheld
FA/SU/1942/2016	Česká spořitelna, a.s.	Competence of the Financial Arbitrator – lis pendens and res iudicata	Termination – Lack of competence
FA/SU/374/2015	ACEMA Credit Czech, a.s.	Prescription of the claim on damages and unjust enrichment	Complaint wholly upheld
FA/SU/178/2016	Sberbank CZ, a.s.	Information duty, penalties, APR	Complaint dismissed
704/ZP/2013	AIG Europe Limited	Competence of the Financial Arbitrator, accident insurance	Termination – Lack of competence
FA/ZP/17/2016	Generali Pojišťovna a.s.	Damages	Termination – Lack of competence
FA/ZP/410/2015	Pojišťovna České spořitelny, a.s., Vienna Insurance Group	Claim on insurance benefits	Complaint wholly upheld
FA/ZP/1334/2016	ZFP akademie, a.s.	Competence of the Financial Arbitrator, pension schemes	Termination – Lack of competence
FA/ZP/1187/2016	Allianz pojišťovna, a.s.	Competence of the Financial Arbitrator, incapacity/disability coverage	Termination – Lack of competence
FA/ZP/908/2016	Allianz pojišťovna, a.s.	Competence of the Financial Arbitrator, health insurance	Termination – Lack of competence
FA/ZP/774/2016	ČSOB Pojišťovna, a.s., člen holdingu ČSOB	Competence of the Financial Arbitrator, third-party insurance	Termination – Lack of competence
FA/ZP/566/2015	NN Životní pojišťovna N.V., pobočka pro Českou republiku	Execution of a claim from life insurance	Complaint dismissed
FA/ZP/173/2015	Kooperativa pojišťovna, a.s., Vienna Insurance Group	Prescription of the claim on damages and unjust enrichment	Complaint dismissed
FA/ZP/141/2016	MetLife Europe Limited, pobočka pro Českou republiku	Competence of the Financial Arbitrator, accident insurance	Complaint dismissed
FA/ZP/25/2016	NN Životní pojišťovna N.V., pobočka pro Českou republiku	Prescription of the claim for damages and unjust enrichment	Complaint dismissed
FA/ZP/543/2015	MetLife Europe d.a.c.	Time of contract conclusion	Complaint dismissed
FA/ZP/547/2014	Generali Pojišťovna a.s., Swiss Life Select Česká republika, s.r.o.	Prescription of the claim on damages and unjust enrichment	Complaint dismissed

FA/ZP/633/2016	Česká podnikatelská pojišťovna, a.s. Vienna Insurance Group	Prescription of the claim on damages and unjust enrichment	Complaint dismissed
FA/ZP/642/2014	AEGON Pojišťovna a.s.	contract invalidity, juridical act in error, damages	Complaint dismissed
FA/ZP/1943/2016	AXA ASSISTANCE CZ, s.r.o.	Competence of the Financial Arbitrator, third-party insurance	Termination – Lack of competence
FA/ZP/2/2017	Kooperativa pojišťovna, a.s. Vienna Insurance Group	Competence of the Financial Arbitrator, motor insurance	Termination – Lack of competence
FA/ZP/45/2017	Česká podnikatelská pojišťovna, a.s. Vienna Insurance Group	Competence of the Financial Arbitrator, accident insurance	Complaint dismissed
FA/ZP/61/2017	M.B.A. Finance s.r.o.	Competence of the Financial Arbitrator, motor insurance	Termination – Lack of competence
FA/ZP/81/2017	AXA pojišťovna a.s.	Competence of the Financial Arbitrator, motor insurance	Termination – Lack of competence
FA/ZP/1598/2016	Allianz pojišťovna, a.s.	Competence of the Financial Arbitrator, incapacity/disability coverage	Termination – Lack of competence
FA/ZP/1727/2016	Česká pojišťovna, a.s.	Competence of the Financial Arbitrator, third-party insurance	Termination – Lack of competence
FA/ZP/1897/2016	Fincentrum a.s.	Competence of the Financial Arbitrator, accident insurance	Termination – Lack of competence
FA/ZP/1922/2016	AEGON Pojišťovna, a.s.	Competence of the Financial Arbitrator, accident insurance	Termination – Lack of competence
FA/ZP/1500/2016	Allianz pojišťovna, a.s.	Prescription of the claim on damages and unjust enrichment	Complaint dismissed
FA/ZP/572/2015	NN Životní pojišťovna N.V., pobočka pro Českou republiku	Contract amendment, juridical error in act, insurance benefits	Complaint dismissed
FA/ZP/359/2014	NN Životní pojišťovna N.V., pobočka pro Českou republiku	Incorrect administration of the payment account, insolvency	Complaint dismissed
FA/RI/118/2016	U.D.R. United Development Resources Establishment	Competence of the Financial Arbitrator, foreign security trader	Termination – Lack of competence
FA/KI/99/2016	Česká spořitelna, a.s.	Transfer of securities	Complaint dismissed
FA/KI/405/2016	Partners Financial Services, a.s.	Settlement agreement in connection with providing investment services	Complaint dismissed
FA/PS/791/2015	Fio banka, a.s.	Credit for purchase of securities, penalties, fees	Complaint dismissed
FA/KI/710/2016	Česká spořitelna, a.s.	Validity of contract amendment on investment services, contract withdrawal	Complaint dismissed
FA/P/1288/2016	Simply Money s.r.o.	Failure to provide assistance to the Financial Arbitrator	Fine for not providing assistance
FA/P/835/2016	KVB Finance s.r.o.	Failure to provide assistance to the Financial Arbitrator	Fine for not providing assistance

Explanatory notes:

Case number .../PS/...	payment services dispute
Case number .../SM/...	money exchange dispute
Case number .../SU/...	consumer credit dispute
Case number .../ZP/...	life insurance dispute
Case number .../KI/...	collective investments dispute
Case number.../RI/...	Investment services disputes
Case number .../P/...	Fine for not providing assistance by financial institutions

Appendix No. 2 – Access to information in accordance with Act No. 106/1999 Coll., on free access to information, as amended

Annual report on the activities of the Office of the Financial Arbitrator, a government body, in the area of access to information for year 2016, carried out in accordance with Act No. 106/1999 Coll., on free access to information, as amended

An internal rule as of 30/12/2013 regulates the procedure the Financial Arbitrator follows when fulfilling his/her mission resulting from the law.

Information provided on request

a) number of request on access to information	9
b) number of provided information	9
c) number of decisions rejecting requests	0
d) number of appeal against rejecting decisions	0
e) copy of the essential parts of the judgement in matter of revision of the legality of the decision of the required entity rejecting the request on access to information and overview of all the expenditures the required subject engaged in connection with court procedures on the rights and obligations according to the designated law	0
f) list of provided exclusive licences	0
g) number of complaints	0
h) other information related to the application of the designated law	0