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1. INTRODUCTION

The Office of the Banking Ombudsman was established in 1999 and, over its first three years of operation, has followed an ascending course, as the number of the telephone calls increased from 1,621 in 1999 to 3,420 in 2000 and up to 3,998 in 2001, and the number of written complaints increased from 171 to 348 and up to 618 respectively.

In 2001, 76% of the cases were closed in favour of the complainants. The Banks themselves settled 56% of the cases, most of them in favour of the complainants. As for the cases that were settled by the Banking Ombudsman, 55% were in favour of the Banks and 45% in favour of the complainants.

In the distribution of complaints by type of products and services, “plastic money” holds the first place, followed by loans, which showed a significant increase compared to these of the two previous years. Deposits rank third over the 3-year operation of the scheme, while securities are in the last place, presenting a decrease in absolute numbers in 2001.

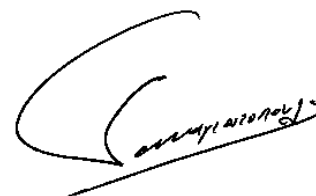
A new category of complaints is the cross-border disputes examined within the FIN-NET framework.

The main causes of these disputes are the following:

- Consumers are insufficiently informed about the terms under which banks provide their products and services and, therefore, cannot adequately enjoy the advantages of market competition.
- Bank employees cannot dedicate enough time to give advice and direction to consumers as they have a huge workload to deal with.

In conclusion, I would like to thank the bank customers who entrusted us with the settlement of their cases. I would also like to thank our

Office personnel for having handled all these cases in the most conscientious and responsible manner possible. Special thanks are due to the Banks’ Customer Service Departments and to the Liaison Officers in particular for their fruitful cooperation, which is reflected in the high rate (76%) of the customers’ requests that were met, as well as in the high rate (56%) of cases that were resolved after referral to the Banks.



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Banking Ombudsman

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2. STATISTICAL INFORMATION

2.1 TELEPHONE CALLS

The following table shows the evolution of the number of telephone calls our Office received over a 3-year period (1999-2001):

a) Table 1 depicts the distribution of telephone calls by category of complaint in 2001.

YEAR	NUMBER	% VARIATION FROM THE PREVIOUS YEAR
2001	3,998	16.9
2000	3,420	111.0
1999	1,621	-

TABLE 1
Categories of telephone calls

CATEGORIES	YEAR 2001		YEAR 2000
	NUMBER	PERCENTAGE %	PERCENTAGE %
Banking Issues			
• <i>Within our rules</i>	2,245	56.1	43.5
• <i>Outside our rules</i>	1,189	29.8	42.3
• <i>Information about the B.O.</i>	49	1.2	5.7
Other categories (other schemes, general information etc.)	515	12.9	8.5
Total	3,998	100.0	100.0

TABLE 2
Telephone Calls Outside our rules (by cause of exception)

CATEGORIES	YEAR 2001		YEAR 2000
	NUMBER	PERCENTAGE %	PERCENTAGE %
General banking practices or information	596	50.1	52.9
Complaints regarding events before the B.O.'s establishment	22	1.9	4.1
Complaints regarding professionals or legal entities	306	25.7	24.7
Other	265	22.3	18.3
Total	1,189	100.0	100.0

b) Table 2 presents telephone calls concerning issues outside the rules of the Banking Ombudsman by cause of exception.

c) Table 3 shows the distribution of telephone calls by product/service, for which information was supplied.

d) Table 4 presents the distribution of telephone calls within our rules by cause of complaint.

“Transactions/Calculations” include disputes over debits to bank accounts following

TABLE 3
Telephone Calls within our rules (by type of product/service)

CATEGORIES	YEAR 2001		YEAR 2000
	NUMBER	PERCENTAGE %	PERCENTAGE %
Payment systems	860	41.9	49.5
Loans	771	37.6	29.1
Deposits	302	14.7	14.3
Securities	58	2.8	5.1
Other	60	3.0	2.0
Total	2,051*	100.0	100.0

*(In 2,051 of the 2,245 calls within our rules, full details regarding the products or services are provided).

fraudulent transactions conducted by the means of the

complainant's stolen or lost card (625 out of 953 cases).

2.2 WRITTEN COMPLAINTS

Written complaints increased 80% in 2001 over 2000 and amounted to 618, with 504 cases within the

Banking Ombudsman's jurisdiction and 114 cases outside its jurisdiction.

a) Table 5 presents the main categories of cases outside the

jurisdiction of the Banking Ombudsman.

b) Table 6 depicts the number and the percentage of written complaints within the Office's

TABLE 4
*Telephone calls within our rules
(by cause of complaint)*

CATEGORIES	YEAR 2001		YEAR 2000
	NUMBER	PERCENTAGE %	PERCENTAGE %
Transactions	953	46.2	51.0
Calculations	840	40.8	33.6
Quality of service	231	11.2	13.7
Banking practices	37	1.8	1.7
Total	2,061	100.0	100.0

TABLE 5
Distribution of cases outside our rules (by cause of exception)

CATEGORIES	YEAR 2001		YEAR 2000
	NUMBER	PERCENTAGE %	PERCENTAGE %
Business transactions conducted by individuals	32	28.1	15.9
Bank business practices	36	31.6	18.2
Events before the B.O.'s establishment	6	5.3	25.0
Other (including 5 cases pending before Courts and 12 cases submitted after the due date)	40	35.0	40.9
Total	114	100.0	100.0

TABLE 6
*Distribution of cases within our rules
(by type of product/service)*

CATEGORIES	YEAR 2001		YEAR 2000
	NUMBER	PERCENTAGE %	PERCENTAGE %
Payment systems	253	50.2	46.9
Loans	154	30.6	24.4
Deposits	69	13.7	17.5
Securities	21	4.1	8.9
Other	7	1.4	2.3
Total	504	100.0	100.0

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jurisdiction by type of product/service.

c) Table 7 shows the distribution of written complaints falling within our rules by cause of complaint, as described by the customers.

d) Table 8 refers to the cases closed in 2001, listed by the organization that brought about a resolution and the type of resolution provided (in favour of the complainant, in favour of the Bank, and conciliation).

TABLE 7
Distribution of cases (by cause of complaint)

CATEGORIES	YEAR 2001		YEAR 2000
	NUMBER	PERCENTAGE %	PERCENTAGE %
Quality of service	176	35.0	31.0
Transactions			
Calculations	265	52.6	59.3
Banking practices	51	10.1	7.8
Other	12	2.3	1.9
Total	504	100.0	100.0

TABLE 8
Closed Cases

Closed by	Outcome			
	In favour of the complainant	In favour of the bank	By conciliation	Total
The Banks (after mediation by the Banking Ombudsman)	136	-	96	232
The Office of the Banking Ombudsman	82	100	-	182
Total	218	100	96	414

Cross-border disputes

Within the framework of the Consumer Complaints Network for Financial Services in the European Union (known as FIN-NET), which has been operating

since 1.2.2001, the following cases were examined:

In the first case, the concerned parties were directed to the Ombudsman of the country

where the transaction was conducted, while in the second case, the disputes were examined by our Office, according to the procedures followed for the domestic market.

Cross-border disputes where the B.O. acts as the "nearest scheme"	21
Cross-border disputes where the B.O. acts as the "competent scheme"	20
Total	41

3. TYPES OF BANKING PRODUCTS / SERVICES

3.1 PAYMENT SYSTEMS

A. TELEPHONE CALLS

Table 9 presents the distribution of telephone calls that fall within our rules by type of payment

systems.

Table 10 shows the distribution of telephone calls within our rules in 2001 by cause of complaint, for which information has been supplied.

TABLE 9
Telephone calls within our rules (by type of payment systems)

CATEGORY	NUMBER		VARIATION%
	2001	2000	
Cards	626	596	5.0
ATMs	108	54	100.0
Cheques	62	31	100.0
Bills of exchange	15	11	36.4
Other	49	19	157.9
Total	860	711	21.0

TABLE 10
Telephone calls within our rules (by cause of complaint)

	CARDS	ATMs	CHEQUES	OTHER	TOTAL
Banking practices	53	2	6	1	62
Transactions					
Calculations	394	98	17	16	525
Quality of Service	176	6	35	45	262
Miscellaneous	3	2	4	2	11
Total	626	108	62	64	860

B. WRITTEN COMPLAINTS

Table 11 displays the number of written complaints in 2001 by type of payment systems, as compared to 2000 data.

Table 12 describes the distribution of written complaints by cause of complaint and type of payment systems.

C. CLOSED CASES

The number of closed cases increased from 94 in 2000 to 214 in 2001, and their distribution is displayed in Table 13.

D. CONCLUSIONS

The critical factor for the proper use of credit cards and other

TABLE 11
Distribution of cases (by type of payment systems)

CATEGORY	NUMBER		VARIATION%
	2001	2000	
Cards	177	86	105.8
ATMs	51	26	96.2
Cheques	9	3	200.0
Remittances	5	6	-16.7
Other	11	-	-
Total	253	121	109.1

means of payment, is the constant and persistent effort to inform customers and familiarise them with the products and procedures involved. Providing

support to the customer means streamlining the procedures and adopting foreign models that have proved effective (e.g., a 4-digit standard phone line for

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cancelling all lost or stolen cards).

It is noted that since the 1st of May 2001 is in effect the newly adopted legislation concerning the limitation of the cardholder's liability to 150 euros, under the condition he did not act with extreme negligence or fraudulently.

TABLE 12
Distribution of written complaints
(by cause of complaint and type of payment systems)

	CARDS	ATMs	OTHER	TOTAL
Banking practices	11	1	2	14
Transactions				
Calculations	122	47	10	179
Quality of Service	40	3	11	54
Miscellaneous	4	-	2	6
Total	177	51	25	253

TABLE 13
Closed Cases

Closed by	Outcome			
	In favour of the complainant	In favour of the bank	By conciliation	Total
The Banks (after mediation by the Banking Ombudsman)	66	-	48	114
The Office of the Banking Ombudsman	50	50	-	100
Total	116	50	48	214

CASE 561 **DISPUTE OVER TRANSACTIONS** **CONDUCTED THROUGH A CREDIT CARD** **REPORTED LOST OR STOLEN**

The complainant protested that her account was debited for a total amount of 854.00 Euros from unauthorized transactions that were conducted through her credit card and took place after the loss of her card and before she reported the event to the Bank. The complainant asked the Banking Ombudsman to intervene in order to attain the chargeback of the dept.

Police authorities affirmed that the complainant had reported that she had been robbed in a public transport vehicle at 12.30 a.m., and that she had lost her identity card, her credit cards and other official documents. She immediately took all necessary steps to cancel the disputed card: she went to the central branch of the Bank involved and attempted to contact the competent service with the help of the Bank staff. She managed to get through the service with a 20-minute delay.

However, between the loss and the cancellation of the card, three unauthorised transactions were conducted on her card account in nearby shops. In the course of the investigation by the Banking Ombudsman, it was established that there were significant differences between the signature on the relevant receipts and the sample signature of the complainant, who

formally declared that she had put her signature on the card.

The Banking Ombudsman proposed that the complainant's liability was restricted to 150 Euros. Both Bank and the complainant accepted the Banking Ombudsman's assessment of the complainant and the case was resolved.

CASE 701 **DISPUTE OVER CREDIT CARD DEBITS**

The complainant's credit card was stolen from the place of her work. The woman noticed her card was missing after 1½ hours and notified her Bank. Checking her monthly Bank statement, she discovered that between the theft and the cancellation of the card, the unknown person who had stolen her card had performed a transaction of 939.10 Euros.

In the course of the investigation, the Banking Ombudsman found out that: a) the complainant did not exercise due diligence in keeping her credit card safe, according to the terms of the contract she had signed, b) the authorized person of the shop did not show the appropriate care while comparing the signatures of the cardholder and the user of the card. It is noted that, instead of the complainant's signature, the receipts bore initials.

The Banking Ombudsman decided to recommend the amicable settlement of the dispute by dividing equally the disputed amount between the Bank and the complainant.

3.2 LOANS

Table 14 displays the distribution of telephone calls and written complaints by type of loan.

The distribution of phone calls and

written complaints by cause of complaint is listed in Table 15.

Table 16 shows the distribution of cases by cause of complaint and type of loan.

C. CLOSED CASES

D. CONCLUSIONS

Most complaints about loans are related to the inadequate information of bank customers, the cursory assessment of the credit standing of borrowers by bank employees, and the incomplete communication and cooperation between the Banks and their customers at the bank branch. As a result, the Banking Ombudsman is often faced with cases that could be settled at branch level.

TABLE 14
Distribution of telephone calls and written complaints (by type of loan)

CATEGORY	NUMBER		VARIATION %
	2001	2000	
Telephone calls			
Consumer credit	418	203	105.9
Housing loans	339	201	68.6
Other	14	15	-6.7
Total	771	419	84.0
Written complaints			
Consumer credit	80	33	142.4
Housing loans	70	28	150.0
Other	4	2	100.0
Total	154	63	144.4

TABLE 15
Distribution of telephone calls and written complaints (by cause of complaint)

CATEGORY	NUMBER		RATIO %	
	2001	2000	2001	2000
Telephone calls				
Banking practices	99	-	12.8	-
Transactions/Calculations	290	-	37.6	-
Quality of Service	370	-	48.0	-
Miscellaneous	12	-	1.6	-
Total	771	-	100.0	-
Written complaints				
Banking practices	24	6	15.6	9.5
Transactions/Calculations	57	31	37.0	49.2
Quality of Service	70	26	45.5	41.3
Miscellaneous	3	-	1.9	-
Total	154	63	100.0	100.0

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TABLE 16
Distribution of cases (by type of loan and cause of complaint)

CATEGORY	Number of Written Complaints			
	Housing loans	Consumer credit	General	Total
Banking practices (unilateral action on behalf of the Bank, non-observance of verbal instructions)	11	11	2	24
Transactions/Calculations (general errors in calculation, wrong debits etc.)	20	37	-	57
Quality of Service (delays, lack of information, administrative oversights).	38	30	2	70
Miscellaneous	1	2	-	3
Total	70	80	4	154

TABLE 17
Closed Cases

Closed by	Outcome			
	In favour of the complainant	In favour of the bank	By conciliation	Total
The Banks (after mediation by the Banking Ombudsman)	40	-	36	76
The Office of the Banking Ombudsman	21	22	-	43
Total	61	22	36	119

CASE 688
READJUSTMENT OF MORTGAGE LOAN
INTEREST RATE

The complainant obtained a mortgage loan at fixed annual interest rate of 5.25% for the first 12 amortization instalments, according to the contract signed by both parties.

However, the Bank calculated an interest rate of 6.37% for the first instalment, claiming that the above-mentioned 5.25% interest rate was mistaken.

Following the Banking Ombudsman's view that the contract should have been implemented, even if it was mistaken, the Bank met the complainant's request and recognized the content of the above-mentioned loan agreement.

CASE 771
REIMBURSEMENT OF BANK CHARGES
AFTER THE REJECTION OF A MORTGAGE
LOAN APPLICATION

The complainant submitted an application for a mortgage loan amounting to 35,216.43 Euros, which was granted preliminary approval within a month, and paid 586.94 Euros for bank charges.

Three months later, he was informed over the telephone that his application had been rejected because, according to the Bank, he would not have been able to service the loan.

The Banking Ombudsman decided that his complaints were plausible; given the fact that the Bank should first examine the complainant's financial status (income, instalments, financial servicing of the loan) and then perform a real estate appraisal (civil engineer, lawyer) and collect the relevant bank charges.

Finally, the Bank decided to meet the complainant's request and reimbursed the bank charges he had paid.

3.3 DEPOSITS

A. TELEPHONE CALLS

Table 18 displays the distribution of telephone calls in 2001, by type of deposit.

Table 19 contains the distribution of telephone calls within our rules, by cause of complaint and type of deposit.

B. WRITTEN COMPLAINTS

Table 20 lists the distribution of written complaints by type of deposit.

TABLE 18
Distribution of telephone calls within our rules (by type of deposit)

CATEGORY	NUMBER		VARIATION %
	2001	2000	
Savings accounts	187	131	42.7
Foreign currency deposits	55	34	61.8
Joint accounts	15	12	25.0
Time deposits	29	10	19.0
Current accounts	15	10	50.0
Other	1	8	-87.5
Total	302	205	47.3

TABLE 19
Distribution of telephone calls within our rules (by cause of complaint)

CATEGORY	Number of Written Complaints					
	Savings accounts	Time deposits	Foreign currency deposits	Joint accounts	Other	Total
Banking practices (non-observance of verbal instructions)	22	8	12	1	2	45
Transactions/Calculations (credit/debit error, general errors in calculations, wrong debits)	91	8	15	5	3	122
Quality of Service (delays, lack of information, administrative oversights)	70	13	26	8	11	128
Miscellaneous	4	-	2	1	-	7
Total	187	29	55	15	16	302

The distribution of the above cases by cause of complaint is displayed in Table 21.

C. CLOSED CASES

D. CONCLUSIONS

The examination of the written complaints within our rules concerning deposits has shown that they are mainly due to interventions in savings accounts by bank employees, in order to correct erroneous entries, without prior consent of the account holder.

TABLE 20
Distribution of written complaints (by type of deposit)

CATEGORY	NUMBER		VARIATION %
	2001	2000	
Savings accounts	34	24	41.7
Time deposits	10	4	150.0
Joint accounts	3	6	-50.0
Foreign currency deposits	11	4	175.0
Current accounts	8	5	60.0
Other	3	2	50.0
Total	69	45	53.3

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TABLE 21
Distribution of written complaints (by cause of complaint)

CATEGORY	Number of Written Complaints					
	Savings accounts	Time deposits	Joint accounts	Foreign currency deposits	Other	Total
Banking practices (non-observance of verbal instructions)	3	2	1	3	-	9
Transactions/Calculations (credit/debit error, general errors in calculations, wrong debits)	17	3	1	2	2	25
Quality of Service (delays, lack of information, administrative oversights)	14	3	1	6	9	33
Miscellaneous	-	2	-	-	-	2
Total	34	10	3	11	11	69

CASE 505

NO CHECKING OF TRANSACTION RECEIPTS

The complainant went to the Bank with his wife to transfer the amount of 4,402.05 Euros from his wife and son joint account to his individual savings account.

The relevant withdrawal and deposit were completed without him or his wife checking the transaction receipts.

Ten days later, the complainant went to the Bank to withdraw 1,907.56 Euros. Checking the balance, he realized that the previous deposit (account to account transfer within the same Bank) was performed for the amount of 2,934.70 Euros, instead of 4,402.55 Euros.

A month later, he confirmed the deposit by checking the corresponding bank receipt and asked the Bank to examine the case.

After examining the complaint, the Bank notified the customer that there was no evidence that his claims were well-founded, nor was there any cash overage on that specific date. Moreover, from the disputed transaction to the reporting of the incident to the Bank, the complainant conducted several transactions with his bankbook without complaining about false entries.

From the above, it becomes evident that the complainant a) neglected to check his transaction receipts after the transaction's completion, and b) delayed a month to report the incident to the Bank, although he conducted several transactions with his bankbook after the disputed transaction, without ever complaining about the relevant entries.

The Banking Ombudsman concluded that there was no evidence to substantiate the complainant's claims and justify his request.

CASE 592

OFFSETTING ENTRY IN SAVINGS ACCOUNT WITHOUT PRIOR NOTIFICATION OF THE CUSTOMER

Upon updating his savings account bankbook, the complainant noticed a withdrawal of 586.94 Euros made without his bankbook, a transaction he denied having made. The Bank branch replied that the money was taken off his account to offset a pending debt that resulted from an ATM withdrawal, two years before, not debited to his account.

The customer complained that the Bank branch had not informed him before they interfered with his account. The Bank's reply did not convince him and he asked for the reestablishment of his account. As a result of this incident, he disputed several other debit entries made into his account, and requested the Bank to provide him with the vouchers of some other withdrawals he also disputed.

Our Office contacted the Bank's appropriate Service, which finally informed the complainant in writing that, although the Bank persisted in their position, they credited his account with 586.94 Euros, with retrospective interest, and asked him to visit their branch in order to receive the requested vouchers and pay the relevant bank charges.

3.4 SECURITIES

Securities, as shown in table 23, are the only product that presented a decrease in 2001, even in absolute numbers, compared to the previous year's data, both in telephone calls and written complaints. Table 24 presents the distribution of securities-related cases, by type of product and cause of complaint.

TABLE 22
Closed Cases

Closed by	Outcome			
	In favour of the complainant	In favour of the bank	By conciliation	Total
The Banks (after mediation by the Banking Ombudsman)	22	-	10	32
The Office of the Banking Ombudsman	7	17	-	24
Total	29	17	10	56

TABLE 23
Distribution of telephone calls and written complaints within our rules

CATEGORY	NUMBER		VARIATION %
	2001	2000	
Telephone Calls			
Transactions in securities	26	36	-27.8
Buying & selling shares	10	22	-54.5
Investment advisory service	18	10	+80.0
Other	4	6	-33.3
Total	58	74	-21.6
Written Complaints			
Transactions in securities	11	8	+37.5
Buying & selling shares	3	8	-62.5
Investment advisory service	4	4	-
Other	3	3	-
Total	21	23	-8.7

CASE 812 **COMPLAINT ABOUT INVESTMENT IN** **MUTUAL FUNDS (M/F) WITHOUT PRIOR** **NOTIFICATION OF THE CUSTOMER**

The complainant, who resided abroad, protested against the conversion of her investment (5,869.41 Euros) from fixed income mutual funds into mutual funds equity, in September 1999, which, a year later, led to the reduction of her capital to the amount of 2,493.78 Euros.

The complainant claimed that the above-mentioned conversion was conducted without her consent, given that she went to the Bank in order to reinvest her money in the same type of investment as the previous one. She also

claimed that the Bank's employees made the conversion without her prior notification and that she herself did not check the document she was given to sign, because she thought that it was the usual renewal procedure carried out by the Bank each year.

During the investigation of the case, the Bank brought forward written evidence, such as the participation application form signed by the complainant and stating that "MUTUAL FUNDS' YIELD IS NOT GUARANTEED AND ANY PAST PERFORMANCE IS NOT A RELIABLE INDICATOR OF FUTURE PERFORMANCE", as well as the investment quarterly statements, which were sent by the Mutual Fund Management Company and stated the type of the investment.

Taking into consideration all the above, the complaint was not upheld.

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TABLE 24
Distribution of cases (by cause of complaint)

CATEGORY	Number of Written Complaints				
	Buying/ selling shares	Investment advisory service	Transactions in securities	Other	Total
Banking practices (non-observance of verbal instructions)	1	1	1	1	4
Transactions/Calculations (incorrect debits/credits, return is smaller than expected)	-	-	5	1	6
Quality of Service (administrative oversights, inadequate information, unfair treatment, incorrect decision, delay)	2	3	5	1	11
Miscellaneous	-	-	-	-	-
Total	3	4	11	3	21

TABLE 25
Closed Cases

Closed by	Outcome			
	In favour of the complainant	In favour of the bank	By conciliation	Total
The Banks (after mediation by the Banking Ombudsman)	7	-	2	9
The Office of the Banking Ombudsman	2	10	-	12
Total	9	10	2	21

3.5. OTHER BANKING TRANSACTIONS

A. TELEPHONE CALLS

Phone calls are distributed by category as follows:

B. WRITTEN COMPLAINTS

Written complaints within our rules are distributed as follows:

C. CLOSED CASES

CATEGORY	NUMBER
Safe Deposit boxes	3
Transactions on customer's behalf	7
Investment advisory service (generally)	5
Standing orders for immediate debit	10
Bankassurance	3
Black list information	8
Legalisation documents	8
General information	11
Information on Euro (cheques and bills of exchange validity)	5
Total	60

CATEGORY	NUMBER
Safe Deposit boxes	1
Bankassurance	2
Transactions on customer's behalf	1
Black list information	1
Legalisation documents	1
Information service	1
Total	7

TABLE 26
Closed Cases

Closed by	Outcome			
	In favour of the complainant	In favour of the bank	By conciliation	Total
The Banks (after mediation by the Banking Ombudsman)	1	-	-	1
The Office of the Banking Ombudsman	2	1	-	3
Total	3	1	-	4

CASE 584 LOSS OF VALUABLES IN THE BANK'S SAFE DEPOSIT AREA

The complainant came to the Bank branch where she hired a safe deposit box. She claimed that although she had placed her jewellery on the table by the box, she has forgotten to put them back into the deposit box.

She realised her jewellery loss only a month later, and she concluded that she had forgotten to put them back into the deposit box during her visit to the bank.

After reporting the case, the Customer Service Department replied that the complainant had significantly delayed to report the loss to the Bank, and informed her that, as soon as a customer leaves the safe deposit area, the authorized personnel checks the place for left objects and the customer is immediately informed.

The complainant asked the Banking Ombudsman for

the return of her jewellery or a compensation for the loss (the jewellery was worth 1.761 Euros).

According to the Bank, as far as the safe deposit boxes operation is concerned:

- There is a video camera at the entrance of the safe deposit area.
 - All customers help themselves individually within this area.
 - The area check is performed as soon as the customer leaves the area, and the exit door is locked.
 - Similar cases have never occurred in that branch.
- and confirmed that the above practice was followed in the case of the complainant.

Moreover, due to the long time having elapsed between the loss and its reporting, it was not possible to further investigate the case, since all relevant information recorded on video tape was not available (information is kept for about a month and then is deleted). Therefore, the complainant's claims could not be substantiated, and the Banking Ombudsman decided that the complaint could not be upheld.

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3.6 COMPLAINTS ABOUT CROSS- BORDER TRANSACTIONS

In 2001, there was an increase in the number of complaints about cross-border transactions concerning P.D. 33/2000 «Cross-border credit transfers» (97/5/EC).

These complaints concern non-compliance with time limits, providing inadequate information to customers, and non-compliance with the principal's

instructions regarding the payment of bank charges. It should be noted that 21 of the 41 complaints concerned permanent residents of Greece who had performed transactions with Banks located in another EU member-state.

In all these cases, the complainants were given instructions as to what to do in order to have their disputes examined within the framework of FIN-NET and, where necessary, were provided

assistance in contacting the competent Banking Ombudsman.

These 21 cases mainly concerned:

- Delayed remittances.
- ATMs transactions (account debits after unsuccessful withdrawal attempts).
- Delayed monthly statements.
- Inadequate information about the payment of instalments through the Post in order to avoid interest charges.

CASE 796 COMMISSION FOR CASHING A TRAVELLERS' CHEQUE

The complainant – not a resident of Greece – claimed that, during her summer holidays in Greece, she went to the Bank to cash a travellers' cheque of 50 Euros. The Bank collected a commission of 4.99 Euros, which the complainant considered excessive.

Our Office, after examining the case, found out that the teller had informed the complainant in advance about the commission, and that there was a transaction fee table set up in the branch, which, among other things, quoted that "for exchanging travellers cheques amounting up to 293.47 Euros a commission of 4.99 Euros is charged".

The complainant was thus not upheld.

CASE 926 TRAVELLERS' CHEQUES

The complainant –who lives abroad– wrote to our Office in order to report that, during his summer holidays in Greece, a Bank refused to cash five travellers' cheques of 100 USD each.

In addition, he reported that the Bank's employee refused to cash the cheques, after he had stamped the front side of the cheques, which made difficult for the complainant to cash the cheques at another Bank.

Our Office contacted the Bank, which replied that the reason they did not conduct the transaction was that the signatures on the cheques did not match the signature of the complainant at the teller.

The complainant claimed that the above cheques had been issued ten years earlier and that his signature had probably changed since then.

In our correspondence with the complainant, we suggested that he should cash the disputed cheques at the issuing Bank and that, if he had any difficulties in doing so, since they were stamped on the front side, we would recommend the Greek Bank to solve the matter.

Finally, he cashed them at an exchange office in his country without any problem at all.

TELEPHONE CALL 6933 DISTANCE SELLING

The complainant ordered some goods from a foreign company, giving his credit card number. The company replied that the card could not get approval. It must be noted that, in the past, he had conducted similar transactions with the same company twice, without facing any problem. He contacted our Office and we suggested that he should ask the company for a written reply, which he then submitted to the Bank that had issued his card. The Bank (issuer) contacted the foreign bank branch (acquirer) by telex and phone and found out that the foreign company had used an invalid "channel" through which could not receive approval. The foreign bank claimed that the said card was never presented, and immediately approved the transaction. The complainant thanked our Office for the prompt and successful way we handled his case.