Stiftung Schweizerischer Bankenombudsman
Fondation Ombudsman des banques suisses
Fondazione Ombudsman delle banche svizzere
Swiss Banking Ombudsman Foundation

Organisational Regulations

1. Basis and purpose

1.1 The purpose of these regulations is to set out the rules that ensure the functioning of the Ombudsman's office as well as the requirements for institutions to be affiliated.

1.2 Details shall be regulated within the framework of the regulatory requirements in the form of internal directives.

A. Function of the Ombudsman Office

2. Management and Organisation

2.1 The Ombudsman heads the Ombudsman Office and carries out his activities in accordance with the Foundation Charter, the Rules of Procedure, regulations and resolutions issued by the Board of Foundation, as well as the provisions on Ombudsman's Offices contained in the Federal Act on Financial Services.

2.2 He organises the Ombudsman Office according to consistent principles and issues the necessary directives.

3. Personnel

3.1 The Ombudsman hires the necessary staff within the framework of the staffing plan approved by the Board of Foundation and instructs his staff.

3.2 He can make use of suitable external experts.

4. Accounting

4.1 The Ombudsman maintains books of account. He submits an annual financial statement and a budget to the Board of Foundation.

4.2 He may request additional funds from the Board of Foundation if necessary.

5. Competences

The allocation of competences is regulated in a separate competence regulation issued by the Board of Foundation.

6. Authorisation to sign

6.1 The persons authorised to sign for the Foundation and the type of signature are designated by the Board of Foundation.

6.2 General correspondence and documents drawn up in connection with the handling of enquiries and complaints from clients are signed by the Ombudsman or by his staff within the scope of their competence with single signatures.

B. Affiliation of institutes

7. General principles

7.1 The affiliation of institutes to the Ombudsman Office operated by the Swiss Banking Ombudsman requires membership with the Swiss Bankers Association or an affiliation to the Association for this purpose.

7.2 Those institutes are affiliated with the Ombudsman Office for whose clients the Swiss Banking Ombudsman acts as an information and mediation office pursuant to the Statute of the Swiss Banking Ombudsman Foundation and the Rules of Procedure for the Swiss Banking Ombudsman.

7.3 The affiliation of an institute ends without formality with the termination of the relevant membership with the Swiss Bankers Association or the end of the affiliation to the Association for this purpose.

8. Special provisions for financial service providers under the FinSA

8.1 The Swiss Bankers Association shall notify the Ombudsman of those institutes covered by a membership with it as well as of those institutes that are affiliated for this purpose which are obliged to join an Ombudsman institution pursuant to Article 77 of the Federal Financial Services Act, as well as of the end of the affiliation of such institutes pursuant to section 7.3.

8.2 The Board of Foundation decides on the exclusion of an institute within the meaning of Article 82 of the Federal Law on Financial Services at the request of the Ombudsman.

Decided by the Board of Foundation on 18 November 2021 and put into effect as of 1 January 2022.