

## Appendix 1

### CX5991 - Good Practice Guidance

The Banking Code Compliance Committee (BCCC) issues this guidance based on the Findings it made in relation to investigation CX4530. It sets out the BCCC's expectations for how Code-subscribing banks (banks) should ensure ongoing compliance with the relevant Code provisions.

#### Copies of documents

1. Chapter 37 of the 2019 Code requires banks to give customers a copy of certain documents upon request, including terms and conditions. This Chapter also sets a requirement that these documents will be provided to the customer within 30 days of their request.
2. Banks are expected to have appropriate processes, including storage systems to ensure that they are able to provide customers with certain documents upon request. Banks should regularly review their processes and storage systems to ensure staff can easily and efficiently comply with a customer's request.
3. Where a customer requests a copy of terms and conditions, they should be provided to the customer in their entirety. Where a bank has 'supplementary terms and conditions', the customer must be provided with all documents required to be read alongside the said document.

#### Fair, reasonable and ethical behaviour

4. The BCCC notes that clause 10 and the Guiding Principles of the 2019 Code requires banks to act fairly, reasonably and ethically towards customers.
5. The BCCC published its [Guidance Note: Clause 10 – fair, reasonable and ethical behaviour \(Guidance Note\)](#), which outlines how it will assess banks' compliance with this 2019 Code obligation, in particular having regard to:
  - a. whether the bank can demonstrate that its engagement or decision making was guided or informed by clause 10 and the Guiding Principles
  - b. community standards and expectations, and
  - c. standards set by the Australian Financial Complaints Authority (AFCA).
6. The Guiding Principles of the 2019 Code, which are to be read and applied alongside clause 10, should be the lens through which bank staff make decisions about how they help customers. Relevantly, staff will communicate with customers in a clear, timely and transparent manner.
7. Banks should ensure ongoing compliance with this provision in all their interactions with customers.