Appendix 4
PROTOCOL FLOW CHART - COMPLAINTS

This flow chart illustrates the flows of information related to and the handling of a complaint from members and beneficiaries of pension schemes operated by IORPs engaging in cross-border activity.

Step 1
The MSCA that receives the complaint has to establish the competent body for dealing with the complaint (para 4.2.1).

Step 2
The MSCA is competent to deal with the complaint
The MSCA is not competent to deal with the complaint

Step 3
The MSCA informs the complainant asap of applicable national procedures (para 4.2.2).

Step 4
If the complaint contains issues relevant for supervision of an IORP, the host MSCA shall asap and if legally possible provide the home MSCA with relevant information on the complaint (para 4.2.5).
If it is legally possible, the MSCA passes the complaint directly to the competent body and informs the complainant of the referral and explains to him why it considers itself not to be competent and why it considers the other body to be competent (para 4.2.6).
If it is not legally possible to pass on the information directly, the MSCA will provide the complainant with information on the competent body and explains to him why it considers itself not to be competent (para 4.2.6)

Step 5
The MSCA informs the complainant asap of applicable national procedures (para 4.2.2).
The MSCA will inform the CA of the other MS of the complaint and informs the complainant of the referral and explains to him why it considers itself not to be competent (para 4.2.6)
The home MSCA provides the host MSCA with information on the complaint, if it contains issues relevant to the supervision by the host MSCA (para. 4.2.7)