Authorised Push Payment Fraud Reimbursement Rules FAQs

These questions and answers have been gathered from our presentations on the new APP Fraud Reimbursement rules in December 2024.

If you have any questions on the new rules please email scamsteamadmin@surreycc.gov.uk.

Question: What if the account the payment made to is overseas but the offender has hidden that fact?

Answer: Overseas payments aren't covered.

Question: If a genuine payment has been completed but the person is fraudulently signed up to a subscription, is this example not covered by the new rules?

Answer: Subscriptions aren't covered. However you can get this refunded under the continuous payment regulations.

Question: Our vulnerable lady has paid a deposit by cheque so could we still try and claim this back?

Answer: Unfortunately, not as cheques are not covered.

———

Question: How will the banks report to Police, via NFIB or SARs?

Answer: Reporting system is the same as before, onto the police system via City of London.

———

Question: Can you explain a bit more about this £100 excess please?

Answer: Banks have a right to put a £100 excess to any refunds made under the new rules. If a claim is under £100, banks can put a £100 excess so there wouldn't a point for a consumer to put in a claim for less than £100. If the consumer is vulnerable then the excess will not be applied.

———

Question: Can you provide a list of contact details for the banks?

Answer: NTS Scams team has to act as a single point of contact. We can't share banking contact lists because then you would have too many people contacting the banks at once.

———

Question: Do you have any standard letters that we can use to help word letters to the bank?

Answer: We're currently producing a standard information pack for consumers to be able to put in these claims and send letters to the bank. Stay posted for this.

———

Question: Vulnerable Victim Fraud Notification (Bank Referrals) - Is the same process as before being followed - i.e. Trading Standards Officer need to fill out the form and submit to NTS Scams Team who will submit to the Bank or should consumers be going direct to the bank?

Answer: Please continue the same process as before by filling out the form and sending to us. We are looking at a more permanent system where we would be able to get people to log into the system and give us that information about consumers as well. But that will come in the future if we get some funding.

———

Question: Is there anything going to be put in place for scam victims that have sent money in the post?

Answer: No, because the victims are sending cash which is not covered by the new rules.

———

Question: Can victims claim under these rules if the fraud happened before the changes came in? (October 7th 2024)

Answer: No, payments made before October 7th 2024 must be claimed under the old Contingent Reimbursement Model.

———

Question: What is the route to recover money paid to a company overseas?

Answer: Money paid overseas is not covered by the APP reimbursement rules. In this situation the consumer needs to make a complaint to the Financial Ombudsmen Service.

———

Question: What protections are there for cheque payments made by vulnerable persons?

Answer: Cheques aren't covered by the new rules. The average person uses one cheque a year so high cheque usage and the person's vulnerabilities can be highlighted to the person's financial institution via our Vulnerable Victim Notification forms. Please note: not all banks have signed up to receive these – at the moment there are 21 banks signed up.

———

Question: When dealing with a case on behalf of someone I'm often met by the bank not willing to discuss a case with me as I'm not the customer. Does the code make any of this easier or have you got any advice around this?

Answer: You will likely have to get written permission from the consumer to actually talk to the bank directly because they won't discuss it with anyone else due to data protection.

———

Question: If a person incurs charges for payments not made until the money is reimbursed, can the charges be reimbursed as well?

Answer: The charges aren't usually refunded as part of this scheme. However, it doesn't mean that you can't claim for those and see whether the bank would be willing to reimburse those or not.

———

Question: Do claims have to come via NTS Scams Team or can Local Authorities do it themselves?

Answer: They do not come to us. Consumers can do it directly themselves with their banks or you can do it on the consumer's behalf. The banks are advertising that they should automatically refund so consumers shouldn't have to put in a claim.

———

Question: What criteria for banks exist to ensure they can conform to new legislation?

Answer: There's not anything specific as far as we've seen, but there is a duty that they have to provide a refund within 5 days of the claim reaching the bank. Or they have to "stop the clock" which then allows them to investigate cases where they're not sure whether they should refund or not, which is then a 35 day decision making process.

———

Question: Is it possible to raise with banks to ask a few more questions to consumers - further checks during online banking with follow ups?

Answer: This is a potential upcoming project.

———

Question: Are payments made via money transfer services also protected?

Answer: No. It is only the faster payments system via bank accounts that are covered. Organisations like Western Union are not covered and should be aware of that fact.

———

Question: Vulnerable Fraud Victim Notifications (Bank Referrals) - I know colleagues have gone direct to UK Finance previously with claims – what scenario suits this best?

Answer: Come by us if possible, so we can collate all that information as a single point of contact.

———

Question: Vulnerable Fraud Victim Notifications (Bank Referrals) - Is this only for new enquiries. If a person's already raised it with their bank, can we still go along that route or does it have to be new?

Answer: Put the referral through as we'll keep flagging to the banks the fact that the consumers are potentially vulnerable.