

## HOW TO FILE A COMPLAINT

If the bank refuses access to a basic payment account or closes it without just cause, you can complain.

### Where?

At the bank **branch**, asking for a customer complaint form or presenting a letter.

You can also complain over the phone, by post or electronically through the digital tools that the bank has made available for its customers or the Municipal Consumer Information Office (OMIC).

If we have not received a response within the period of one month or our complaint is rejected, in full or in part, we can take the matter to the **Bank of Spain** ([www.bde.es](http://www.bde.es)).



Finally, if none of these routes works, there is the option to take it to the courts.



If the claim does not exceed €2,000, there is no need for a lawyer or a barrister. If it does, you can apply for legal aid to cover the fees (lawyer and barrister).



Please contact your consumer association should you have any questions.

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## BASIC PAYMENT ACCOUNTS

VULNERABLE CONSUMERS

FREE BASIC PAYMENT ACCOUNTS

ASYLUM SEEKERS AND PEOPLE  
WITHOUT A RESIDENCY PERMIT  
BUT WHO CANNOT BE DEPORTED



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## WHAT IS A BASIC PAYMENT ACCOUNT

It is a standard product that banks and building societies must offer and that allows holders to perform the standard banking procedures: direct debits, payments, transfers, deposits, cash withdrawals and use of a debit card, all at a **maximum cost of €3/month**.

### Who can apply for one?

- ❖ Any person legally residing in the EU.
- ❖ Asylum seekers.
- ❖ People without a residency permit but who cannot be deported for legal or practical reasons.

**Basic payment accounts are not available** to anyone who has a payment account that allows them to perform the same procedures as a basic payment account, to people who do not provide the appropriate documentation and for national security or public order reasons.

People who are at **risk of financial exclusion and victims of trafficking or sexual exploitation** may request a **free basic payment account**. In the first case, their income must not exceed the following thresholds:

- ❖ People who are not part of a family unit, **2x Spain's Multiplier for the Public Income Index (IPREM in Spanish) of 12 payments** ([www.iprem.es](http://www.iprem.es)).
- ❖ People who are part of a family unit with fewer than four members, **2.5x that index**.
- ❖ People who are part of a family unit with four or more members, a legally recognised large family or a family unit where someone has a disability equal to or greater than 33%, **3x that index**.

In addition, none of the members of the family unit may own or have in rem rights over any properties (except the main residence) or be the beneficial owner of any companies.

» **Victims of trafficking or sexual exploitation do not need to comply with any financial requirements.**

## ASYLUM SEEKERS AND PEOPLE WITHOUT A RESIDENCY PERMIT BUT WHO CANNOT BE DEPORTED

Before they can provide a basic payment account, the banks must be able to **confirm the identity** of the applicant through the documentation presented and apply the necessary measures to allow them to check their professional activity, the transactions performed and the source of the income.

These measures must be **flexible, proportionate and adapted** to the risk profile of the applicant or holder of the account and their personal situation, to avoid relatively unimportant behaviour or omissions preventing them from obtaining a payment account.

The following are valid documents that foreigners can use to prove their identity:



- ❖ **Residency Card.**
- ❖ **Foreigners' Identity Card (TIE).**
- ❖ **Passport.**
- ❖ **Official identity document of the country of origin, in the case of citizens of the EU and the EEA.**
- ❖ **And the identity documents issued by a government authority.**



- When processing applications for a basic payment account, the banks may not:
  - ❖ **Reject** documentation presented if it has been issued by the government authorities, unless there is just cause.
  - ❖ **Request information/documentation in addition to or different to** that established in the regulations, nor impose additional requirements.
  - ❖ **Discriminate** on the basis of the nationality of the customer.
  - ❖ Demand that they sign up for **other products** or charge additional commission or fees.

The institutions must accept documents such as those expressing a wish to apply for international protection; certificate of application for international protection (White Doc.) and the document demonstrating their status as an applicant, being processed, for international protection (Red Card.), among others.

- » **Their identification can also be checked through an affidavit.**
- » **The banks must accept different identification options.**

