

**HOUSE OF REPRESENTATIVES STANDING COMMITTEE ON ECONOMICS**

**REVIEW OF THE FOUR MAJOR BANKS**

**CBA**

**CBA19QW:** A copy of the bank's model litigant standards applied to legal proceedings.

**Answer:** See attached.



## DISPUTE RESOLUTION PRINCIPLES

The following Dispute Resolution Principles set out the Commonwealth Bank of Australia's (CBA's) commitments in relation to our conduct of claims brought by or against retail and small business customers.

CBA is committed to managing complaints, disputes and litigation with its retail and small business customers in a fair, timely and transparent way, by:

- Apologising promptly where we become aware that CBA or its employees have acted wrongfully or improperly.
  - Dealing with claims promptly and not causing unnecessary delay.
  - Acting honestly, consistently and fairly in the handling of claims.
  - Making an early assessment of our prospects of success or potential liability in a claim, and acting accordingly.
  - Paying legitimate claims without litigation, including making partial settlements of claims or interim payments, where it is clear that our liability is at least as much as the amount to be paid.
  - Endeavouring to avoid legal proceedings wherever possible, including by giving consideration to alternative dispute resolution before initiating litigation and by participating in alternative dispute resolution processes where appropriate.
  - Where it is not possible to avoid litigation, keeping the scope and costs of litigation to a minimum, including by:
    - Not requiring the other party to prove a matter that we know to be true.
    - Not contesting liability if we know the dispute is really about quantum.
    - Monitoring the progress of the litigation and using appropriate methods to resolve the litigation, including settlement offers and alternative dispute resolution.
    - Ensuring that any employees representing us at settlement negotiations participate fully and effectively and have the authority to settle the claim in the course of negotiations.
  - Acting fairly towards claimants who lack the resources to litigate a legitimate claim.
  - Not undertaking or pursuing technical defences or appeals unless we believe that we have reasonable prospects for success.
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