

Insurance after a Disaster – Insurer Decision

I do not agree with my Insurers' decision:

Step 1 – Internal Review

- If you do not agree with the insurer's decision you can ask for an 'internal review'. This means an independent person within the insurer will undertake fresh review your claim.
- The insurer has 30 days from the date that you request an internal review to complete their assessment.
- Tips for drafting your submissions for review can be found on the Australian Securities and Investment Commission (**ASIC**) website.
- If you are First Nations, you can get help making your complaint by contacting ASIC on 1300 365 957 or here: [Supporting First Nations people with money matters - Moneysmart.gov.au](#).

Step 2 – External Review

If you do not agree with the insurer's internal review, or the insurer has not resolved your complaint within 30 days, you can escalate your complaint to the Australian Financial Complaints Authority (**AFCA**).

- AFCA is intended to provide an independent and fair dispute resolution process for you and your insurer;
- You must lodge your complaint with AFCA **within 2 years** of the date of the internal review decision;
- AFCA will generally try to resolve the dispute informally through conciliation and negotiation before moving to formal adjudication.
- In appropriate cases, such as financial hardship, AFCA may proceed directly to a formal determination. For this to be considered you will need to lodge a statement of financial position with AFCA: [Statement of Financial Position | AFCA](#).
- AFCA's decisions are binding on your insurer.
 - They can award remedies such as monetary compensation or other remedies that are necessary for a fair outcome in all the circumstances.
 - If AFCA decides that your insurers' original decision was fair and reasonable in the circumstances, then they will uphold your insurers' decision.

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You can find instructional videos on making a complaint to AFCA here: [Consumer portal resources | Australian Financial Complaints Authority \(AFCA\)](#).

AFCA can be contacted by:

- E: info@afca.org.au
- Ph: 1800 931 678

Step 3 – Accept or reject AFCA’s decision

AFCA will either uphold the insurer's decision or award you a remedy, such as compensation. You have **30 days** to accept or reject AFCA's decision. If you require more time, you should request an extension.

Accept: If you accept AFCA's Determination, your insurer is bound by the decision. They must action the remedy within the specified time frame. You will likely be required to sign a binding release with the insurer. Once accepted, you cannot change your mind.

If your insurer does not comply with AFCA's Determination, the insurer will be reported to the Australian Securities and Investment Commission (**ASIC**) and may be expelled from membership.

Reject: If you do not accept AFCA's Determination, you can apply to the Court for remedy, such as breach of contract. If you accept AFCA's Determination you cannot also apply to the Court.

The Northern Rivers Community Legal Centre provides free legal advice relating to insurance after a disaster.