

Store/Credit Card Request

Quick Note (*DON'T SEND THIS PAGE*)

[all advice and templates from www.consumeractiongroup.co.uk]

[The information provided is Also Freely available in the public domain]

This letter invokes your right to receive data which is held about you from your bank - "The Data Controller"

- The request is not valid until it is properly received at the bank and is accompanied by the maximum statutory payment of £10.
- You should ensure that the bank has all the information about you which it needs to identify you in its records and also to be satisfied that it is you who is requesting the data disclosure.
- If the request is incomplete in any way then the bank has a valid reason for not complying.
- The bank has 40 days in which to comply with your request. You would be well advised to follow the request up with regular chasers - by telephone if possible but also by letter - especially if you have not received any acknowledgement of your request. Keep a diary of all calls and copies of all letters. You are urged to record telephone conversations if possible.
- When your data arrives, if you consider that it is incomplete then complain immediately to the bank and tell them that the 40 days is still running.
- Some people have received their data inadequately packaged or is damaged and in some cases it is clear that some data has fallen out of the package. If this is the case, then you should photograph the package before you open it, then try to assess what may be missing. Send an immediate letter of complaint to the bank together with some of the photos. You may also feel that your security has been compromised by the bank. In this case you should contact your branch immediately and insist on new account numbers, cards etc.
- If the bank fails to supply you with your data then you should complain to the bank. Give them 7 days to comply and tell them that you will begin a complaint to the Information Commissioner and also that you will begin a County Court action under the Data Protection Act.

If the bank does not respond to your 7 day warning then begin your complaint and start your action.

[their address]

[your address]

[DATE]

LETTER BEFORE ACTION

Dear Sir/Madam,

CARD/ACCOUNT NUMBER: 0000 0000 0000 0000

I now understand that the regime of fees which you have been applying to my account in relation to late fees and over limit charges, are unlawful at Common Law, Statute and recent Consumer regulations.

I would draw your attention to the terms of the contract which you agreed to at the time that I opened my account. It is an implied term of that contract that you would conduct yourselves lawfully and in a manner which complies with UK law.

I am frankly shocked that you have operated my account in this way as I had always reposed confidence in your integrity and expertise as my fiduciary.

I calculate that you have taken £XXXXXX plus £XXX which you have charged me in interest for the sums which you have taken. Total £XXXXXX.
Additionally, you have entered a default notice against my credit record. This default occurred merely in respect of unlawful charges levied by you, or was the result of lack of funds caused directly by the taking by you of penalty charges which you had applied unlawfully to my account.

In addition to full payment of the sum mentioned above, I require that you remove the default entry from the register. Please note that mere correction or amendment to the entry will not be acceptable.

I require repayment in full of this money and removal of the default notice. If you do not comply fully within 14 days, I shall begin a claim against you for the full amount plus interest, plus my costs, without further notice.

Yours faithfully,

[name]