



MAX NAJAR

Masterclass Travel and Lifestyle specialist
 Professionally certified and accredited since 1978

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SUBMISSION to FINANCIAL SERVICES ROYAL COMMISSION

Date 26 Oct 2018

From : Max Najar, Manager of Axis Travel Centre-Priority Portfolio Travel Pty Ltd since 1978

Email: [REDACTED]

PH: [REDACTED]

Made by Max Najar as a citizen and consumer and also as a business director

I confirm that you can publish this submission

OVERALL ISSUE and SERIOUS PROBLEM with the generic BANKING CODE OF CONDUCT and also individual Bank internal procedures pertaining to REVERSING cleared monies from an Account , at any time within 10 work days (say 2 weeks) WITHOUT ANY NEED TO CONTACT their receiving client to verify that this reversal is legitimate or bonafide and WITHOUT trusting their clients that such a reversal was or was not fair, reasonable, justifiable or warranted.

I have been advised by our bank [REDACTED] that they can revers any credit within 10 days and they (the Bank who we bank with) can "investigate this transfer" and "make their own internal decision as to the voracity of this reversal .." without even contacting the person or business that the money came into.

This is UNKNOWN by every business person I have spoken to in past 2 years and I HAVE NOT placed this concern in the consumer arena or in Media as it can open a huge can of Fraud and activity that will bury businesses, [REDACTED] and others.

- **Simple solution : Each Bank MUST, without question, make contact with the accepting Account holder and ask them-in writing-if a reversal is acceptable to be done. We all make errors but the simple business logic is to ask first then proceed with the reversal if that Business is at fault or have not delivered a service or whatever.DO NOT take it upon the BANK to revers anything without question.**

- They should treat the customer they have with respect, intelligence and trust that the (the BANK) are not privy to or aware of the circumstances when a reversal should or should not take place.

- I have given examples below in letters to [REDACTED] who have been very dismissive and uncaring in their attitude and have hidden behind "OH! That is a Banking Code of conduct that we all abide by..."
- Businesses and consumers think TODAY that when they see "cleared or available:" funds in their account that is what it means.
- They are unaware that some Banks can -internally-extract that same monies 10 days plus later and that is it!
- No questioning. No logic, No Business accument involved
- This is absolutely unconscionable behavior and full of gaps,.

- My example is simple-.
- A Travel client pays us \$30,000 for 2 First class tickets to LONDON.
- They transfer monies.
- They fly out a few days later AFTER [REDACTED] acknowledges in printed statement an ONLINE that "funds are available" and "cleared". *Everybody accepts this as gospel, as correct as OK!*
- *Nobody reads that GUIDELINES or is advised of each banks internal policies!*
- Traveller then travels to LONDON.- even changing dates to get there faster!
- Client rings bank to say either "I sent it to wrong Travel Agency" or "I did not get the tickets I paid for " or.....

- BANK , without contacting Travel Agency, reverses the charge.
- Traveller is overseas.
- Traveller si not contactable.
- Travel Agency loses \$30,000, dismisses staff, goes broke and CBA are happy !

It is as simple as that. I believe that

Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry

needs to consider thai soon BEFORE other businesses or consumers or Media reveal this major gap.

Last communication with [REDACTED] was with a man called [REDACTED] on 19 July 2018 (Taped call on their end in [REDACTED] who also state that "we abode by the Banking Code of Conduct....." and was again dismissive about it all and ended by saying that our business is taking a commercial risk in its dealings....." which is absolute rubbish when we are not able to process or control any such business dealings –as the bank does, and the BANK decides to reverse charges at will !

LETTERS SENT are below :

=====15th Dec 2017

To ; [REDACTED]

Cc: [REDACTED]

Re : Complaint Reference [REDACTED]

I am disappointed that you have not bothered to return my Phone calls in Oct, Nov and also today being Dec 15th 2017.

I understand that [REDACTED] have other important issues to address that [REDACTED] are accountable for , but I repeat here what I asked in August 2017 letter to you.

I will now refer our valid complaint to the necessary Government legal Authorities as aske of me and also the newly formed Federal Government Banking Royal Commission now sanctioned by our Prime minister Malcolm Turnbull.

I think the Banking Industry should be answerable for their wrongly directed focus on monetary profits that are overriding business logic and community standards and also the noticeable employment of staff who are lacking communication skills and possibly not maintaining a "duty of care" in responding and rectifying legitimate business practice failings.

These concerns are not only mine but extracted from other Business leaders and will be tabled in my reports to the Commission.

My previous letter text are still directed to you for answers.....

I did not receive the notes that [REDACTED] subscribes to for BPAY/MIP which includes what you stated of having "10 days" notification period that you said you would email to me. Please do that.

- 1. What protocols did you engage and act upon to reach your determination that "we are satisfied after completing an investigation that the request is valid "**
- 2. What methodology did this "investigation" include ? please detail.**
- 3. How did [REDACTED] determine " that the request is valid " ?**

4. *Why is it not "Bank process to make contact " if we are your customer for over 25 years and you are correct we indeed did not receive any contact from [REDACTED] prior to you agreeing to and reversing this charge ?*

Your letter , was dated 8th August 2017 and received via Australia post suggests that we have "six months from the date of this email..." , but you did not email me this letter with what we discussed but you sent it by postal service. I think an update on your standard format word document would be more apt.

I await your responses to my questions above please.

MAX NAJAR

Director- Axis Travel Centre/ Priority Portfolio Travel Pty Ltd

[REDACTED]

HISTORICALS:

[REDACTED]



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24th August 2017



I received your letter that I think was to be addressed to myself. *Unsure who [REDACTED] is though.*

I did not receive the notes that [REDACTED] subscribes to for BPAY/MIP which includes what you stated of having "10 days" notification period that you said you would email to me. Please do that.

1. **What protocols did you engage and act upon to reach your determination that "we are satisfied after completing an investigation that the request is valid"**
2. **What methodology did this "investigation" include? please detail.**
3. **How did [REDACTED] determine "that the request is valid"?**
4. **Why is it not "Bank process to make contact" if we are your customer for over 25 years and you are correct we indeed did not receive any contact from [REDACTED] prior to you agreeing to and reversing this charge?**

Your letter, was dated 8th August 2017 and received via Australia post suggests that we have "six months from the date of this email..." but you did not email me this letter with what we discussed but you sent it by postal service. I think an update on your standard format word document would be more apt.

My letter is emailed as it does require a priority response from [REDACTED] please.

I await your responses to my questions above please.

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