

Cash ISA to Cash ISA Transfer Guidelines Inc. Cash JISA to Cash JISA transfers¹

We recommend that ISA providers adopt the procedures below, devised by representatives of the industry. They are recommendations only and not prescriptive.

The process below is based on the assumption that the customer approaches the new ISA provider to effect the transfer. On the rare occasion that the customer contacts his/her existing provider, s/he should be asked to go direct to the new ISA provider.

This guideline is effective for Cash ISA to Cash ISA transfers initiated on or after October 2012, until such time that this guideline is updated.

Note:

- a) *the term 'BACS System' refers to the electronic messaging system developed and managed by BACS*
- b) *the term 'days' refers to working days². If any instruction is received after normal working hours then it is treated as having been received at the following day.*

Process

Step	Action	Timescale	Max. no. of days
1	<p>New ISA provider asks the customer to confirm the request to transfer by completing a Cash ISA Transfer Authority Form with a wet signature, unless an alternative agreement (e.g. both parties use the BACS system) is in place between ISA providers.</p> <p>The customer must also complete a transfer application/instruction, where required, which is validated by the new ISA provider.</p>	<p>The process starts on the day the new ISA provider receives the Cash ISA Transfer Authority Form from the customer, wherever this is received in the organisation.</p> <p>The new ISA provider has 5 working days to process the customer's instruction and send on to the old provider.</p>	5

¹ Any reference to an ISA applies equally to a JISA

² Weekends and national bank holidays are excluded and the calendar which applies for bank holidays should be the calendar in operation where the operations centre is based

	New ISA provider forwards the original Cash ISA Transfer Authority Form/transfer request message to the old ISA provider (If paper-based, see Transfer Acceptance section on Model Form below)	First class post or equivalent (e.g. electronic message) should be used.	
1a	In the post/messaging system		1
2	<p>Production of Transfer History Form and Payment:</p> <p>For paper this includes the production and despatch of the cheque together with the Cash ISA Transfer History Form³. For electronic this includes the initiation of the electronic payment following receipt of the "Acceptance of Transfer" and "Ready for Payment" message from the New Party.</p> <p>The date on the cheque must match the first day where interest no longer accrues on the funds being transferred.</p> <p>Similarly, if funds are transferred electronically then the payment must be initiated on the first day on which interest no longer accrues on these funds.</p> <p>The transfer of funds must not be made by electronic means (unless where both parties are using the BACS system) or bulk payment by cheque unless agreement has been reached between the ISA providers</p> <p>Where information supplied by the new ISA provider and information held by the old ISA provider differ, the transfer should go ahead subject to the old ISA provider having matched the data to a sufficient degree to identify the correct customer and is satisfied which ISA account, or part of the account, is to be transferred.</p>	<p>The maximum timeframe for actioning Step 2 should be 5 working days, where day 1 is the first day the request is received in the organisation.</p> <p>First class post or equivalent should be used.</p> <p>As soon as the old ISA provider recognises that a delay beyond 5 working days is likely to occur, (pending cases excepted⁴) it is their responsibility to notify the new ISA provider and the customer of the reasons for the delay and a likely timetable for resolution.</p>	5

³ This is the Transfer Form (or its equivalent) as covered in HMRC Guidance 11.18

⁴ See below for the circumstances in which cases can be pending.

2a	In the post/messaging system		1
3	Once a Transfer has been received by the new ISA provider, it should not be rejected without first contacting the old ISA provider using the contact details on TISA database 1.	<p>The new ISA provider should apply the transferred funds to the customer's account .</p> <p>Interest on the transferred funds should be backdated <u>either</u> to the date on the cheque, inclusive, <u>or</u> to the date which represents 'day 16' of the transfer process, inclusive – <u>whichever is earlier.</u></p> <p>For electronic payments, interest on the transferred funds should be backdated <u>either</u> to the date the payment was initiated, inclusive, <u>or</u> to the date which represents 'day 16' of the transfer process, inclusive – <u>whichever is earlier.</u></p>	3 ⁵
	<u>TOTAL DAYS</u>		<u>15</u>

Chase-up Process between steps 1 & 2 if required

If the new ISA provider has not heard anything from the old ISA provider within 10 working days after sending the Cash ISA Transfer Authority Form/Transfer request message, it is the responsibility of the new ISA provider to check the progress.

Providers should use the most appropriate medium of communication in the prevailing circumstances.

Pending Cases

Cases should be pended where:

- the customer has expressly requested the transfer to take place at some future date, or
- a customer's account has a restriction on it (i.e. notice account / fixed rate) where to transfer immediately would cause the customer to incur a financial charge & the customer has NOT indicated that they are willing to pay such a charge, or
- the terms & conditions restrict access and therefore do not permit the transfer to another provider [prior to] [until] a future date.

Transfers can not be pended due to errors/omissions on the transfer form or where additional information (i.e. passbooks) is required from customers or the other provider involved in the transfer.

⁵ Unless PSR/FSA rules dictate that the money is applied earlier.

The day a pending case is actioned (pending) by the old provider does not count in the timescales for either provider.

The first day the money becomes "free to move" does count towards the timescales for both providers.

The old provider MUST inform the new provider of pending a case in an agreed format, this is assumed to be letter/'Notification of Transfer Pend' electronic message in the absence of any other agreement. This communication must include, **the date on which the case was pending** (which is not counted by either provider) and **the first date the account is free to move**.

Where a customer's account is free to move within just a few days of the transfer request being received by the old provider, the provider has discretion not to pend the case but to simply process the case when it is free to move, so long as they still complete the transfer out within the 5 working days requirement (with no days permitted as pending). This is to remove the need for costly and time-consuming communication between organisations for cases that can be completed within 15 working days, even though the funds may not be free to move for a day or so.

It is at the individual provider's discretion as to whether they notify customers that their transfer has been pending. However, it is recommended that the old provider informs the customer, except where the customer has specifically stated that they do not want the transfer to take place before a certain date or event.

Data Security

ISA providers should liaise with one another to establish secure transfer channels in accordance with their obligations under the Data Protection Act.

Resolution

TISA maintains two secure databases containing the contact details of ISA providers as well as the Service User Number (SUN) details for electronic messaging. These databases are for access only by other ISA providers, for the purpose of resolving and escalating protracted transfer issues. All ISA providers should keep their contact details up to date **at all times** on both databases to support the correct direction of transfers and other communications between providers. Contact details should include telephone, e-mail and address and office working hours, for telephone contact in particular.

The TISA databases should also be populated with contact details of where to refer Transfer Out / Transfer In correspondence – as this can distinguish between where ISA providers want the initial request correspondence to be directed (e.g. central address or branch) and any ongoing correspondence.

Providers should inform TISA of a change in contact details at least **2 working days** prior to this change becoming effective via the following e-mail address - isatransfers@tisa.uk.com

Case Abandonment

A case can only be abandoned where the customer is the primary cause for the delay. Cases where the old Provider is the primary cause for delay would not be abandoned and the new Provider would continue to pursue the case through the cross-industry chaser and resolution procedures.

Where the new provider is only willing to accept a transfer by a given date and funds are received after this date the new provider may choose to make contact with the customer to consider possible alternatives to returning the funds. The new provider would retain the right to repatriate the funds if no alternative solution can be agreed.

If the new provider is unable to accommodate the transfer or is unwilling to accept it due to the current year ISA limit being exceeded as a result of ISA subscriptions made to both ISA providers, then the old provider could use one of the following remedies, as set out in HMRC ISA Guidance Notes 11.33a:

- reinstate the original ISA, or
- offer another product to the customer and effect an internal transfer, or
- allow the customer to transfer to another provider.

A case can be abandoned 2 months post the expiry of the initial 15 working day transfer timescale.

On abandoning a case the new provider must inform the customer that they have abandoned the case citing a reason.

Providers should review what action to take where funds are received post case abandonment, they can either accept, decline or contact the customer to arrange a new account for the funds to be put in (if for example the previous fixed rate is no longer available).