

The complaint

Mr A has complained that National Westminster Bank ("NatWest") didn't fairly or reasonably deal with claims under the Consumer Credit Act 1974 ("CCA") in relation to a holiday product bought using his credit card.

What happened

I issued my provisional decision on 17 October 2023 where I set out my preliminary findings. I explained that I was minded to reach the same overall outcome as the investigator, but for different reasons.

My provisional decision should be read in conjunction with this decision as it forms part of my final decision.

I gave both parties an opportunity to respond to my provisional decision. The deadline for responses has now passed.

Neither Mr A nor his representatives responded, and NatWest responded to say it had nothing further to add.

What I've decided – and why

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Having reconsidered the available evidence in this complaint, I see no reason to depart from my provisional decision.

I can't fairly say that NatWest can be held responsible for Business D's alleged misrepresentations when the law doesn't impose such a liability. It follows that I don't think NatWest need to answer the section 75 claim.

So, I won't be asking NatWest to do anything further.

My final decision

For the reasons given in my provisional decision, I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr A to accept or reject my decision before 28 December 2023.

Ross Phillips
Ombudsman