

Financial Consumer Protection and Ageing Populations



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Please cite this publication as:

OECD (2020), *Financial Consumer Protection and Ageing Populations*

www.oecd.org/finance/Financial-consumer-protection-and-ageing-populations.pdf

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Foreword

This report sets out key findings, conclusions and policy considerations relating to financial consumer protection approaches in response to the issues associated with ageing populations. It sets out detailed analysis of inputs provided by members of the G20/OECD Task Force on Financial Consumer Protection and the International Financial Consumer Protection Organisation (FinCoNet). This report is a complementary piece to the *G20 Fukuoka Policy Priorities on Ageing and Financial Inclusion*, produced by the GPF and the OECD for the Japanese G20 Presidency 2019 and published in June 2019.

The OECD wishes to acknowledge with thanks the contribution of the members of the G20/OECD Task Force on Financial Consumer Protection and FinCoNet in providing input and case studies.

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Executive summary

Demographic trends are important drivers of change for societies and economies around the globe. In the twenty first century, the ageing of the population is a major demographic trend globally, with significant impacts for many developed and developing economies alike.

The ageing of the population is a global phenomenon, with almost every country in the world experiencing an increase in the number and proportion of older people as a share of the population. UN data predicts that the number of people aged 60 or over will be over 2.1 billion by 2050, more than double the number in 2017 of 962 million (which itself was more than double the number in 1980 of 382 million).

An ageing population has many positives and opportunities, as well as challenges and risks. Opportunities include greater social and economic activity and value associated with longer life spans and healthier, more active older people (often referred to as the “longevity economy”). Challenges and risks arise, among other things, from factors such as increased likelihood of physical and cognitive decline, longer term and unplanned financial needs and decision-making as well as lower levels of digital and financial literacy.

Given the importance of financial markets, products and services in the functioning of everyday life for most people, whether borrowing, saving, spending or investing, they play a key role in relation to the ageing population in terms of ensuring that there are appropriate financial products and services that meet the needs of older people. Issues arise in many jurisdictions relating to such matters as physical access to bank branches, the availability of financial products that meet the needs of older people, and barriers arising from lower digital capability of older people in an increasingly digital environment. Given the issues faced by some older people, and the factors that make some of them vulnerable, it is essential that appropriate financial consumer protection arrangements are in place, supported by related financial inclusion and financial literacy initiatives.

Thus the ageing population presents issues and challenges for policy makers responsible for financial inclusion, financial consumer protection and financial literacy. In 2019, the Japanese Presidency of the G20 highlighted ageing as a priority for financial inclusion, culminating in the release of the *G20 Fukuoka Policy Priorities for Ageing and Financial Inclusion* developed by the GPF and the OECD.

To complement and build on that work, this report sets out the issues and the approaches relating to financial consumer protection, in place or being adopted in G20 and OECD countries around the world. The findings are based on analysis of data collected from members of the G20/OECD Task Force on Financial Consumer Protection and the International Network on Financial Consumer Protection (FinCoNet) and other research. It is clear that many policy makers and oversight authorities around the world share similar concerns and are responding to the issues facing older financial consumers in a number of ways. The report is illustrated by examples from individual jurisdictions; in this way, it provides a source of effective and emerging policies and practices for financial consumer protection, and therefore adds to the toolkit available to policy makers and oversight authorities.

Financial consumer protection issues and approaches include: legal, regulatory and supervisory frameworks; disclosure requirements; measures relating to the equitable and fair treatment of older people; the role of financial institutions especially in terms of frontline services and mitigating the impact of the closure of bank branches; using both regulatory and self-regulatory approaches; measures relating to

financial advice and financial products; technology supported product and service design to meet the needs of older people; tackling financial fraud and scams; and appropriate complaints handling arrangements.

The data which informed this report were gathered before the outbreak of the COVID-19 pandemic, and this report does not seek to put forth conclusions about the longer implications of the pandemic, which are not yet known. That said, many of the general conclusions and policy considerations set out in this report are nevertheless relevant to consideration of financial consumer protection of older people in the context of COVID-19.

This report also sets out a number of policy considerations for policy makers and oversight authorities drawn from the analysis and research conducted. These policy recommendations complement the *G20 Fukuoka Policy Priorities for Ageing and Financial Inclusion*. In summary, the policy considerations are:

- Consider the development of a holistic strategy.
- Develop an evidence-based understanding of the needs, preferences, risks and vulnerabilities of older people through research and by talking and listening to older people and their representatives.
- Agree and adopt a definition of elder financial abuse to support data collection.
- Coordinate financial literacy and communication campaigns in the fight against financial scams and frauds, and consider other approaches as well.
- Consider how suitability obligations should take into account specific needs and vulnerabilities of older people.
- Consider how responsible lending obligations should take into account specific needs and vulnerabilities of older people.
- Take a consumer-centric approach to the design and distribution of financial products for older people.
- Consider the role of fintech.
- Work with financial institutions to help protect older people.
- Consider options in response to bank branch closures.
- Ensure complaints handling processes are easily accessible to older people and their representatives.

1 Introduction

Demographic trends are important drivers of change for societies and economies around the globe. In the twenty first century, the ageing of the population is a major demographic trend globally, with significant impacts for many developed and developing economies alike.

An ageing population has implications across all aspects of social and economic policy. Financial products and services play a key role, not only in terms of meeting the everyday needs of older people, but also in terms of ensuring availability and access to appropriate financial products and services to promote an inclusive financial system. Given the specific challenges faced by some older people, and the factors that make some of them vulnerable, it is essential that appropriate financial consumer protection arrangements are in place.

In light of this, the G20/OECD Task Force on Financial Consumer Protection selected the impact of demographic changes on financial consumer protection policy as one of its strategic priorities under its Programme of Work for 2019/20. The primary focus was on the ageing population, to ensure sharing of information and expertise on the topic and development of coordinated policy responses where relevant. In December 2018-January 2019, a data collection exercise was conducted among members of the Task Force and FinCoNet to gather information about financial consumer protection issues and approaches relating to the ageing population, for the purposes of informing work on this topic.

At the same time, ageing and its policy implications was a focus of the Japanese Presidency of the G20 in 2019 among the risks and challenges for the global economy under the 2019 G20 Finance Track priorities and, in particular, the importance of financial inclusion for older people in G20 and non-G20 countries. Such importance had already been recognised by the G20, in particularly through the Global Partnership on Financial Inclusion, via its Financial Inclusion Action Plan 2017. The Japanese G20 focus on ageing culminated in the release of the *G20 Fukuoka Policy Priorities* in June 2019, prepared by the GPFi and the OECD, an implementing partner for the GPFi. Among other things, the *G20 Fukuoka Policy Priorities* reflect some of the inputs gathered from the Task Force, reflecting the fact that financial consumer protection, as well as financial education, is an essential complement and input to financial inclusion. Relatedly, the policy issue of ageing populations will be a focus area of the OECD Ministerial Council in 2020.

This report summarises the detailed findings and analysis relating to financial consumer protection based on responses received and other research. It sets out the issues and risks associated with the ageing population in terms of financial consumer protection. It goes on to explore the ways in which different G20, OECD and other jurisdictions are responding to those issues. The report is illustrated by examples from individual jurisdictions, including examples of specific measures and approaches designed to address key risks and protect consumers. In this way, the report provides a source of effective and emerging policies and practices for financial consumer protection, and therefore adds to the toolkit available to policy makers and oversight authorities. The report ends with a series of conclusions and policy recommendations for policy makers globally to consider in developing and implementing financial consumer protection measures. While this report is not intended to address financial education in detail, it is referred to where relevant. The OECD/International Network on Financial Education will be taking forward detailed work relating to financial literacy programmes and related initiatives targeted at older people.

Box 1. Taking account of COVID-19: the evolving social and economic environment

The COVID-19 pandemic is impacting all aspects of society and economy around world and poses significant challenges for older people in particular. First, older people have higher risks for developing serious complications in case of infection. Second, the development of illness in old age has the potential to significantly deteriorate the functioning and health status of older people. Third, stronger confinement measures are directed at older people, changing significantly their day-to-day lives and restricting their independence. These challenges are heightened for those in poor health, living alone or in long-term care, or caring for a family member. Such challenges are also clearly relevant in the context of ageing populations.

The COVID-19 pandemic is also impacting the financial services industry and the way that people interact with financial products and services. Such impacts, which may be particularly relevant to older people, include inter alia:

- Closures of bank branches, or reduced opening hours or service levels, as a result of COVID-19 lockdowns.
- Heightened importance of digital financial transactions, including online, mobile and contactless payments, also a result of COVID-19 lockdowns and reduced usage of cash due to sanitary precautions.

Many jurisdictions have implemented measures to protect and support financial consumers who may be experiencing financial difficulty as a result of COVID-19. It will take time for the longer term implications of COVID-19 to be fully seen and understood, although in some respects they may be likely to reinforce existing trends for example towards greater digitalisation.

This report does not seek to put forth conclusions specifically about the longer implications of the COVID-19 pandemic, which are not yet known. That said, many of the general conclusions and policy considerations set out in this report are nevertheless relevant to consideration of financial consumer protection of older people in the context of COVID-19. At an international level, the G20/OECD Task Force, FinCoNet and many other international organisations are undertaking work to better understand the implications and policy, regulatory and supervisory responses that may develop as a result.

Source: OECD COVID-19: Protecting People and societies, March 2020.

2 Policy context

2.1 G20/OECD Task Force on Financial Consumer Protection

The G20/OECD Task Force on Financial Consumer Protection (the Task Force) was established in 2010 in response to the financial crisis and in recognition of the fact that an appropriate level of financial consumer protection is an essential requirement to ensuring consumer trust and confidence in the market. The Task Force comprises representation from all G20 and OECD countries.

The Task Force is the leading international forum for the development of financial consumer protection policy; it acts as a forum for the exchange of information and expertise relating to policy developments, the identification of emerging issues across jurisdictions and the development of recommendations, policy guidance or best practice. The Task Force, as in the case of the Japanese G20 Presidency focus on ageing, also conducts policy work relating to financial consumer protection issues on behalf of the G20 or the OECD.

The primary policy instrument for which the Task Force is responsible is the High-Level Principles on Financial Consumer Protection that were endorsed by G20 Leaders and adopted by the OECD Council in 2011, and included in the FSB Compendium of Standards. The Principles are designed to assist policy makers in developing comprehensive financial consumer protection frameworks and are supported by practical, non-binding guidance in the form of Effective Approaches. The Task Force is responsible for monitoring the implementation of the Principles and ensuring the Effective Approaches remain up to date.

Under its Programme of Work 2019/20, the Task Force has identified the impact of demographic changes on financial consumers and financial consumer protection policy as one of its strategic priorities. The primary focus of the Task Force under this strategic priority is the ageing population, given its significance for many G20 and OECD countries.

2.2 International Financial Consumer Protection Organisation (FinCoNet)

The Task Force collaborates with the International Financial Consumer Protection Organisation (FinCoNet) an international network of supervisory authorities with responsibility for financial consumer protection. Among other things, FinCoNet develops good practices for its members relating to supervision of conduct by market participants. The OECD supports FinCoNet by providing secretariat and technical support.

2.3 Promoting financial well-being: the inter-relationship between financial consumer protection, financial education and financial inclusion

While the focus of the Task Force and of this report is on financial consumer protection, it is relevant in the context of a policy issue such as the ageing population, to note the inter-relationship with financial education and financial inclusion in order to promote financial wellbeing.

While concepts and definitions vary, financial inclusion generally refers to the “effective and quality access to and usage of—at a cost affordable to the customers and sustainable for the providers—financial services provided by formal institutions”.¹ Levels of financial inclusion vary widely around the world, with inclusion levels higher in developed than developing jurisdictions. According to Global Findex figures, 94% of adults in high-income economies have an account at a financial institution, compared with 63% of adults in developing economies.²

Financial education may be defined as the process by which financial consumers/investors improve their understanding of financial products, concepts and risks and, through information, instruction and/or objective advice, develop the skills and confidence to become more aware of financial risks and opportunities, to make informed choices, to know where to go for help, and to take other effective actions to improve their financial well-being”.³ The focus of financial education is supporting the demand-side. The OECD is the global leader in the field of financial education and financial literacy via the OECD/International Network on Financial Education.

Financial consumer protection is focussed on the supply-side. Again, while concepts and definitions may vary slightly, financial consumer protection encompasses the laws, regulations, and institutional arrangements that safeguard financial consumers in the financial marketplace.⁴ Such laws, regulations and arrangements are concerned with such things as addressing the information asymmetry that exists between financial institutions and consumers, ensuring consumers are treated fairly and not misled or exploited, ensuring that statements and representations are not misleading and that financial products are appropriate and represent value-for-money, and providing access to efficient redress mechanisms when things go wrong.

In order to promote meaningful financial wellbeing, financial inclusion, financial consumer protection and financial education are all required. In addition to ensuring people have access to financial products and services, there must be appropriate levels of financial consumer protection to ensure consumers are treated fairly and not exploited, and financial education to support them to understand and make informed decisions about their finances. Furthermore, in jurisdictions that have achieved high or near universal levels of financial inclusion, financial consumer protection and financial education remain essential for users of financial products and services to protect and support their ongoing trust and confidence in the financial system.

2.4 Global Partnership on Financial Inclusion

The Global Partnership for Financial Inclusion (GPII) is an inclusive platform for all G20 countries, interested non-G20 countries and relevant stakeholders to carry forward work on financial inclusion, including implementation of the G20 Financial Inclusion Action Plan. The GPII's efforts include helping countries put into practice the G20 Principles for Innovative Financial Inclusion, strengthening data for measuring financial inclusion, and developing methodologies for countries wishing to set targets. The GPII is supported in its mission by a number of international organisations that act as Implementing Partners, including the OECD.

¹ 2017 Financial Inclusion Action Plan, GPII July 2017

² Demirgüç-Kunt, Asli, Leora Klapper, Dorothe Singer, Saniya Ansar, and Jake Hess. 2018. The Global Findex Database 2017: Measuring Financial Inclusion and the Fintech Revolution.

³ OECD (2013) Advancing National Strategies for Financial Education, OECD

⁴ World Bank Group (2017) Good Practices for Financial Consumer Protection, World Bank

2.5 Japanese G20 Presidency 2019

In 2019, the Japanese G20 Presidency included among other things a focus on ageing and its policy implications among the risks and challenges for the global economy under the 2019 G20 Finance Track priorities. In particular, as Chair of the GPF, Japan proposed to focus on the importance of financial inclusion for older people in G20 and non-G20 countries.

The GPF and the OECD developed the G20 Fukuoka Policy Priorities on Ageing and Financial Inclusion for the Japanese G20 Presidency, based on inputs from GPF members, sub-groups and implementing partners, the Task Force and the OECD/INFE, as well as FinCoNet, the Better than Cash Alliance and the Alliance for Financial Inclusion.

3 Scope and methodology

3.1 Scope

In terms of scope, the focus of this report is to analyse the issues for financial consumer protection relating to the ageing population and the different ways in which policy makers and oversight authorities in G20, OECD and other jurisdictions are responding to those issues. The report looks at the reported factors that may make some older people more vulnerable, elder financial abuse and financial frauds and scams targeting the elderly. The report explores financial consumer protection approaches, in place or under consideration, illustrated by examples from individual jurisdictions. In this way, the report provides a source of effective and emerging policies and practices, and therefore adds to the toolkit available to policy makers and oversight authorities.

While the scope of this report does not include financial education or financial literacy in detail, it is covered or referred to where relevant. In particular, demand side initiatives such as financial education programmes play an important role in supporting the financial literacy of older people in many jurisdictions, and form part of their overall approach in this area. Relevantly, the OECD/INFE has a working group established specifically to look at this issue.

Furthermore, an in-depth consideration of technical issues relating specifically to pensions or long-term care insurance, are out of the scope of this report.

This report can also be seen as a complementary piece to the G20 Fukuoka Policy Priorities. It contains more detailed findings and analysis of inputs from Task Force and FinCoNet members and other stakeholders (see Process below) relating to financial consumer protection, which also informed the G20 Fukuoka Policy Priorities. Such detail was not possible in the G20 Fukuoka Policy Priorities document, which was intended to be succinct so as to engage G20 Leaders and Finance Ministers.

3.2 Methodology

In October 2018, in line with its Programme of Work 2019/20 and cognisant of the priorities of the Japanese Presidency of the G20 in 2019, the Task Force decided to take forward work on the ageing population and financial consumer protection, based on inputs from Task Force members collected via a data collection exercise and other research. In November 2019, FinCoNet decided to also participate in the data collection exercise.

A data collection instrument was subsequently developed by the Secretariat in the form of an online questionnaire, reviewed by the Task Force Bureau, and circulated to Task Force members in December 2018, for completion by late January 2019.

The questionnaire sought information about the following:

- Policy, research and factors which may make some older people more vulnerable and/or increase the risk of financial exclusion.

- Information about elder financial abuse.
- Financial consumer protection approaches in particular information pertaining to older people about:
 - Legal, regulatory and supervisory framework
 - Role of oversight bodies
 - Disclosure and transparency
 - Equitable and fair treatment and responsible business conduct
 - Protection of consumers' assets against fraud and misuse in particular financial frauds and scams targeting older people
 - Complaints handling and redress.

As can be seen from the above, the information sought in the questionnaire relating to financial consumer protection approaches was largely aligned to the framework set out under the Principles.

In terms of a definition of an older person for the purposes of the questionnaire, respondents were asked to use either the accepted definition in their jurisdiction if there was one, or if not, to use 60 years and older, which is the definition generally adopted by the UN.

A copy of the questionnaire can be found at Annex A.

Recognising that responsibility for protecting older financial consumers does not rest with any one organisation in many jurisdictions, the questionnaire was designed so that it could be shared between multiple departments or agencies in a single jurisdiction.

The inputs gathered from the questionnaire both informed the development of the G20 Fukuoka Policy Priorities as they relate to financial consumer protection, and provide the basis of this report, which goes into greater depth and includes jurisdiction examples.

A total of 30 responses were received from 27 jurisdictions. A list of respondents can be found at Annex B.

4 Overview of the ageing population

The ageing of the population is a global phenomenon, with almost every country in the world experiencing an increase in the number and proportion of older people as a share of the population. This increase is a result of gains in life expectancy and long-term reductions in mortality fertility levels.⁵

UN data predicts that the number of people aged 60 or over will be over 2.1 billion by 2050, more than double the number in 2017 of 962 million (which itself was more than double the number in 1980 of 382 million). Furthermore, the number of people aged 80 or over is predicted to increase threefold between 2017 and 2050 from 137 million to 425 million.⁶ As a proportion, older people will represent 21 per cent of the world's population by 2050, compared to 12 per cent in 2015.⁷

The proportion of older people as a share of national populations is greatest in developed countries following years of significant growth, although the rate of growth is now slowing compared with other regions. Gains in life expectancy are the result of a number of factors, including increased health spending, healthier lifestyles and improving socio-economic conditions.⁸ In more than two-thirds of OECD countries, at least one quarter of the population will be over 65 years of age by 2050.⁹ Figure 1 shows the share of the population aged 65 and 80 years from 2015 projected to 2050 across OECD and partner countries.

⁵ United Nations, Changing population age structures and sustainable development, 2017

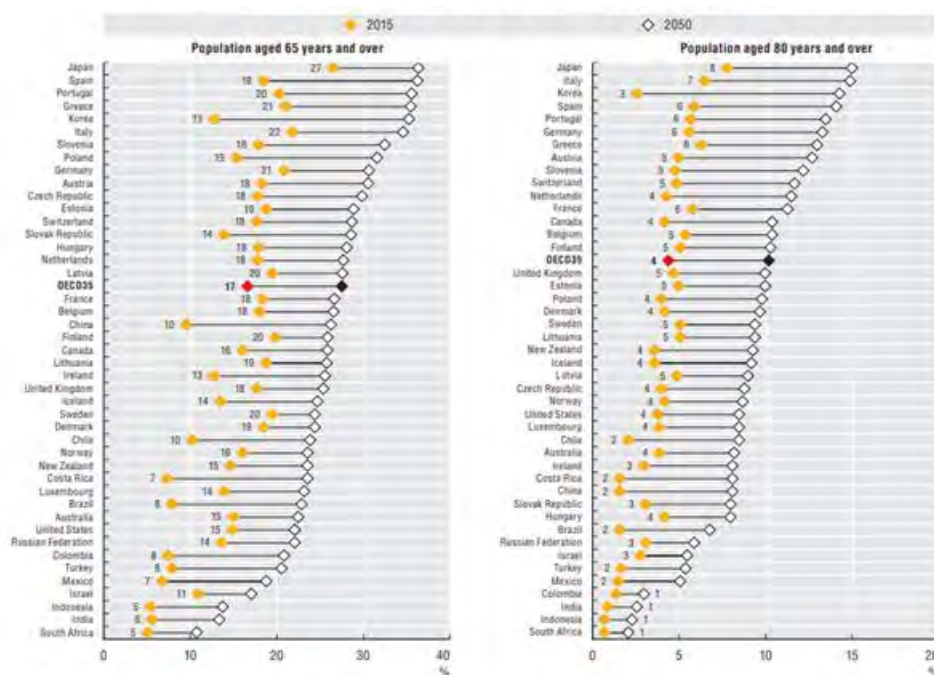
⁶ Ibid

⁷ United Nations, Promoting Inclusion through Social Protection, 2018

⁸ Health at a Glance 2017, OECD 2017

⁹ Health at a Glance 2017, OECD, 2017

Figure 1. Share of the population aged over 65 and 80 years, 2015 and 2050



Source: OECD Health Statistics 2017, OECD Historical Population Data and Projections Database, 2017.

In terms of the ratio of old-age to working-age i.e. the number of people older than 65 years per 100 people of working age (20 to 64 years), for example, this has increased by a little more than fifty per cent among OECD countries on average, from 20 in 1980 to 31 in 2020. Over the next 40 years, it will almost double to a projected 58 in 2060.¹⁰

Looking ahead, the pace of population ageing in many developing countries is substantially faster than in developed countries. The fastest growth in coming decades will occur in Latin America and the Caribbean and Asia.¹¹ By 2050, the UN predicts that 1.7 billion people aged 60 years or over, or nearly 80 per cent of the world's older population, will live in developing countries.¹²

An ageing population has many positives and opportunities, as well as challenges and risks. According to the United Nations, population ageing is poised to become "one of the most significant social transformations of the twenty-first century, with implications for nearly all sectors of society, including labour and financial markets, the demand for goods and services, such as housing, transportation and social protection, as well as family structures and inter-generational ties".¹³ Opportunities include greater

¹⁰ OECD (2019), Pensions at a Glance 2019: OECD and G20 Indicators, OECD

¹¹ United Nations, Promoting Inclusion through Social Protection, 2018, page 45

¹² United Nations, Department of Economic and Social Affairs, Population Division (2017). World Population Ageing 2017

¹³ United Nations, Department of Economic and Social Affairs, Population Division (2017). World Population Ageing 2017

social and economic activity and value associated with longer life spans and healthier, more active older people (often referred to as the “longevity economy”).¹⁴ Challenges and risks arise, among other things, from factors such as increased likelihood of physical and cognitive decline, longer term and unplanned financial needs and decision-making as well as lower levels of digital and financial literacy. At a national economic level, some countries especially in Asia are likely to experience the phenomenon of “getting old before getting rich” as a result of their rapidly ageing population and reduced demographic dividend.¹⁵ Challenges and risks are explored in more detail in Section 5.

Given the importance of financial markets, products and services in the functioning of everyday life for most people, whether borrowing, saving, spending or investing, they play a key role in relation to the ageing population in terms of ensuring that appropriate products that meet the needs of older people, and society more broadly, are available and accessible. Furthermore, given the specific challenges faced by some older people, and the factors that make some of them vulnerable, it is essential that appropriate financial consumer protection arrangements are in place. Thus the ageing population presents issues and challenges for policy makers responsible for financial consumer protection.

¹⁴ AARP and Oxford Economics, *The Longevity Economy: How People over 50 are driving Economic and Social Value in the US*, September 2016

¹⁵ Standard Chartered Global Research, *Growing Old Before Growing Rich*, February 2017

5 Issues and concerns relating to the ageing population as financial consumers

This section sets out detailed analysis of the responses received to the questionnaire and other research relating to high-level policy issues relevant to the ageing population and the key factors, issues and concerns which make some older people vulnerable as financial consumers. Where relevant, it includes selected examples from jurisdictions to illustrate key points. The next Chapter explores financial consumer protection and relevant financial inclusion responses being implemented or considered in different jurisdictions.

5.1 Ageing Population as a Public Policy issue

Respondents were asked whether the ageing population (and related issues) was a public policy issue in their jurisdiction. The majority of respondents (over 80%) confirmed that it was and even in those jurisdictions responding no, there was nonetheless a high-level awareness of issues affecting some older people at a policy level. This reflects the recognition by governments of the significance of the issue across a wide range of diverse jurisdictions.

Naturally, there were different ways in which the Ageing Population was articulated as a Public Policy issue. For example:

In **Brazil**, the ageing population became a clear public policy issue since the inception of the Elderly National Policy by law in 1994. Under this National Policy, Federal government ministries must commit financial resources for programmes for the elderly and research into the ageing population. Currently there are 16 programmes under the National Policy.

In **Canada**, at a federal level, in 2018, a new Minister of Seniors was appointed in 2018 to help the Government of Canada better understand and make decision on the needs of Canadian seniors and ensure that programmes and services are developed that respond to Canada's ageing population.¹⁶ The mandate letter for the Minister sets out a number of priority areas including the design and implementation of initiatives to better protect consumers, particularly seniors, from high-pressure sales tactics, overbilling, fraud and other potential harms in dealing with financial institutions and telecommunications companies, and measures to address crimes that target seniors including elder abuse and online financial scams.¹⁷

¹⁶ <https://pm.gc.ca/en/news/news-releases/2018/07/18/prime-minister-announces-changes-ministry>

¹⁷ <https://pm.gc.ca/en/mandate-letters/minister-seniors-mandate-letter>

Furthermore, the Government of Canada has been working to implement a seniors' agenda to advance four policy objectives, including:

- improving seniors' access to affordable housing;
- improving the income security of seniors;
- fostering the social inclusion and engagement of seniors; and,
- promoting healthy ageing and improving access to health care, including addressing dementia and advancing research and innovation related to seniors' health.

In **Costa Rica**, the *Política Nacional de Envejecimiento y Vejez 2011-2021* published by the President's Office in 2011 is designed to address policy challenges in order to:

- Promote ageing with quality and a satisfactory life.
- Improve the quality of life of older adults.
- Overcome the conditions of social exclusion.
- Reduce hunger and poverty in the elderly population, in conditions of vulnerability.
- Guarantee the protection and social security of the elderly.¹⁸

In **France**, a law relating to the adaptation of society in the context of an ageing population was adopted on 28 December 2015. In particular, this law provides for the annual allocation of 700 million euros to support the autonomy of older people. In 2018, the Ministry of Solidarity and Health published a roadmap to address the challenges of the ageing population in France in the short and medium term.

In **Germany**, there is a long-time established Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ). Providing senior citizens with the support they need is one of the key objectives in policymaking for senior citizens and there are two priority goals. The first is to support older people in need of care, help or other forms of assistance. The second is to use the potential of older women and men to foster cohesion between the generations and promote a society based on sharing and solidarity. In 2012, a comprehensive demography strategy was adopted titled *Every Age Counts*.¹⁹ A key, ongoing component of this strategy is cross-sectoral, multi-level dialogue with state (Länder) governments, local administrations, associations, social partners and other stakeholders from civil society.

In **Hong Kong, China**, a five-pronged strategy to tackle with the challenges posed by demographic changes, including ageing population, has been released by the Chief Secretary for Administration in 2015. One of the strategies is to build an age-friendly environment, promote active ageing and tap the valuable pool of elderly resources.²⁰

In **Korea**, the Presidential Committee on Ageing Society and Population Policy was established in 2004 in response to the rapid growth of the ageing population and low fertility.

In the **Slovak Republic**, a National Programme of the Active Ageing 2014-20 has been launched by the Ministry of Labour, Social Affairs and Family. The Programme covers a wide range of issues related to older people, including matters relating to financial services.²¹

¹⁸ Presidencia de la Republica (2011), *Política Nacional de Envejecimiento y Vejez 2011-2021*, https://fiapam.org/wp-content/uploads/2014/02/Prestaciones_PolNac_EnvVejez2011-2021.pdf

¹⁹ Federal Ministry of the Interior (2012), *Every Age Counts*

²⁰ https://www.hkpopulation.gov.hk/public_engagement/pdf/PPbooklet2015_ENG.pdf

²¹

http://www.nationalplanningcycles.org/sites/default/files/planning_cycle_repository/slovakia/slovakia_en_google.pdf

In the **Russian Federation**, a national-level strategy setting out actions to support senior citizens was approved by the Government in 2016. The strategy addresses a range of issues relating to the ageing population with the timeframe up to 2025.

In **Spain**, the ageing population is a very relevant issue at a public policy level across a range of public policy areas, including the sustainability of Social Security and public pensions, healthcare, market labour performance, regional and rural policies, telecommunications, older people's dependency etc. A range of laws with specific provisions relating to older people have been introduced relating these areas.

In the **United Kingdom**, the UK government has said the significant increase in life expectancy will bring both challenges and opportunities for central and local government, with impacts on a wide range of public services. The UK government's "Future of an ageing population" project provided scientific evidence intended to form the basis for a range of policies and actions to:

- maintain wellbeing throughout life, for all individuals regardless of their generation
- improve quality of life for older people and enable them to participate more fully in society
- ensure everyone can access the tools and facilities to help them live a long and healthy life.²²

In the **United States**, the US Government has made protecting the rights, dignity, and independence of older people a national priority for more than 80 years, with a wide range of laws and programmes to support the health, economic security, and social wellbeing for millions of seniors, individuals with disabilities, and their families. The focal point of older adults and ageing within the U.S. Government is the Administration for Community Living (ACL), a division of the U.S. Department of Health and Human Services (HHS). Within ACL, the Administration on Ageing (AoA) runs the majority of ageing-specific programmes, including the Older Americans Act (OAA), which relies on a philosophy of bottom-up planning by listening to older adults, their families, and communities. Through the Older Americans Act, older adults are empowered to exert greater control over their lives and choices.

5.2 Definitions of “older person”

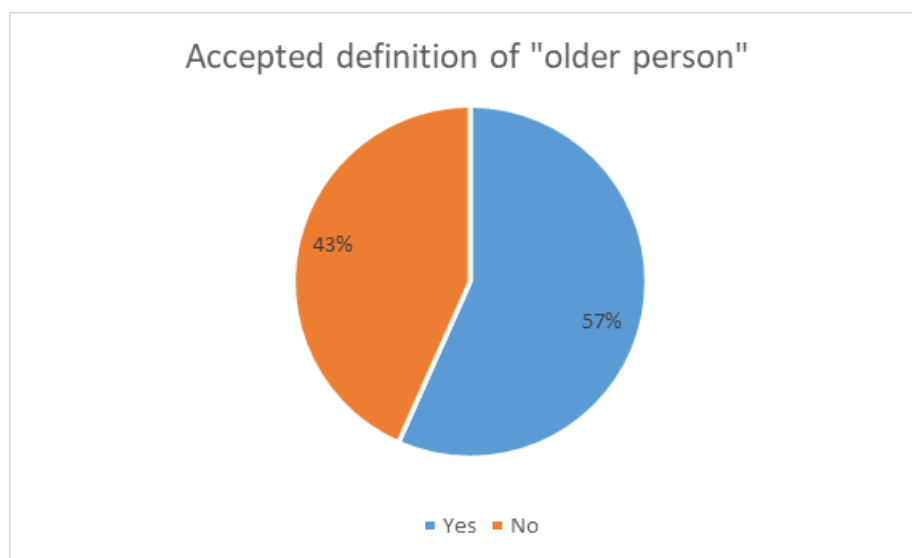
As noted above, for the purposes of the questionnaire, respondents were asked to use either the accepted definition in their jurisdiction if there was one, or if not, to use 60 years and older, which is the definition generally adopted by the UN.

Respondents were then asked if there was indeed an accepted definition of “older person”, “senior” or “elderly” in their jurisdiction and, if so, what it was. Seventeen out of thirty respondents said there was an accepted definition in their jurisdiction.

²² <https://www.gov.uk/government/collections/future-of-ageing>

Figure 2. **Q1. Is there an accepted definition of “older person”, “senior” or “elderly” in your jurisdiction?**

N=30



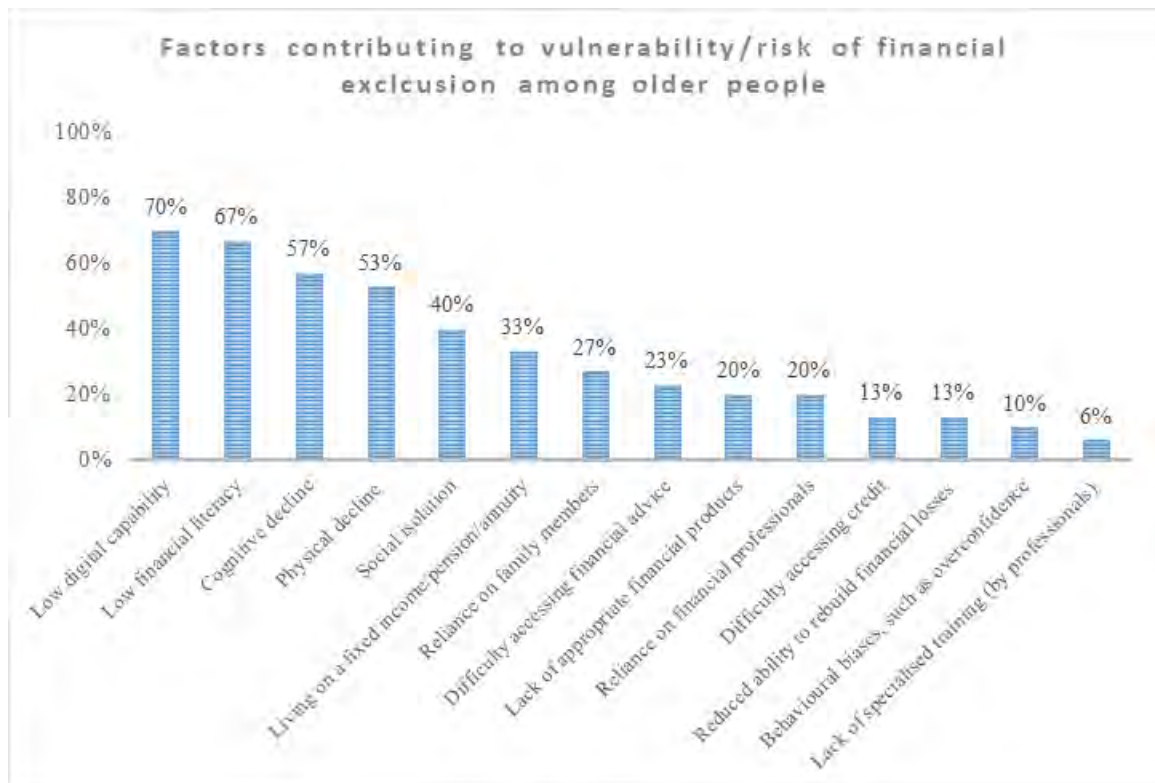
Definitions varied between countries and included different legal definitions under specific pieces of legislation, as well as commonly understood definitions. For example, in **Brazil**, the Elderly Statute (Law 10.741/2003) defines a senior as someone aged 60 years or more, which is also the definition of a “senior citizen” in **India** under the Maintenance and Welfare of Parents and Senior Citizens Act 2007. In some jurisdictions, the definition is linked to retirement age, for example, in **Israel**, a senior citizen is defined as an Israeli resident who has reached retirement age being 62 for women and 67 for men. In **Australia**, even though there is no legislative definition, many Australian Government departments refer to the terms “aged” to mean people over 65 years of age, which is the qualifying age for the Government aged pension. In **Japan**, different definitions apply in different circumstances including, for example, 70 years or more in the context of selling insurance and 75 years or more in the context of selling certain securities products. In many other jurisdictions, there is no generally accepted definition of an older person.

In light of the variations in definition and understanding, reflecting different jurisdictional and cultural circumstances and legal requirements, it is not proposed to propose a single definition of an older person. For the purposes of this report, older people encompass those defined according to jurisdictional definitions or where this does not apply 60 years and older, i.e. the same approach as for the questionnaire.

5.3 Factors which make some older people vulnerable

Respondents were asked to nominate the factors they considered most contributed to making some older people vulnerable and/or at risk of financial exclusion. The results are set out in Figure 3.

Figure 3. Q2 Which of the following factors do you think most contribute to making some older persons vulnerable /at risk of financial exclusion?



Importantly, a number of respondents pointed out that older age does not in itself make a person vulnerable in terms of financial exclusion. Nevertheless, there are factors that, because they are more likely to affect an older person, mean that older people in general are more likely to experience vulnerability as a consumer of financial products and services compared to the broader population, i.e. the factors outlined in Figure 3. Furthermore, it is recognised that often it is a combination of factors that makes an older person more at risk of vulnerability. For example, according to research conducted by the AARP Public Policy Institute, a combination of health status, cognitive ability and social isolation contribute to making older people more vulnerable to financial exploitation.²³

The factors contributing to vulnerability and financial exclusion are often greater for older women, as they tend to live longer than men and be poorer in old age. As noted in the G20 Fukuoka Policy Priorities, on average women have lower lifetime earnings, are less digitally and financially literate, use fewer formal financial services and live longer than men. Women often receive lower pension payments than men, partly because women get paid less during their working years and lose compensation when they leave the labour force for caring duties such as raising children. As a result, women often face increased challenges in covering planned and unplanned expenses in old age and are more likely than men to face poverty in old age.²⁴

²³ Banksafe Initiative: a comprehensive approach to better serving and protecting consumers, AARP Public Policy Institute, 2016

²⁴ G20 Fukuoka Policy Priorities on Ageing and Financial Inclusion, G20, 2019

Another important point to note is that older people are of course not a homogeneous group and are as diverse as regards their personal and family situation, finances, housing, employment, health status and other characteristics as any other age group. It is certainly not the case that all older people will experience all, or indeed any, of the risk factors below.

While it is beyond the scope of this report to explore the cause and effect of these factors in detail, it is relevant to briefly note the likely issues arising for older people as financial consumers generally and by extension, financial consumer protection.

The challenges for older people arising from COVID-19 are likely, in many cases, to exacerbate the impact of the factors set out below. For example, an increase in the need to conduct financial transactions via digital will be more difficult for those with lower digital capability. Furthermore, stronger confinement measures directed at older people in order to limit exposure to COVID-19 is likely to contribute to social isolation and attendant issues in many cases.

Lower digital capability

Digital capability broadly refers to the skills that a person needs to be able to function effectively in a digital environment. With the financial services industry increasingly characterised by technology driven innovation and digitalisation, digital capability is increasingly considered an essential life skill. Many older people currently lag behind other generations in terms of access to digital technology and their digital capability level. For example, according to the latest measures obtained under the OECD Programme for the International Assessment of Adult Competencies (PIAAC), there are pronounced age-related differences when it comes to proficiency in problem solving in technology-rich environments.²⁵ On average, some 45% of 25-34 year-olds scored at Level 2 or 3 in the problem solving assessment, compared to only 11% of older adults (55-65 year olds), a large share of whom skipped the problem-solving assessment because of lack of computer experience, or because they failed the ICT core test.^{26 27}

Lower financial literacy

While older people often have more experience in dealing with, and making decisions about, financial matters, generally speaking they have lower levels of financial literacy compared to other age groups in the population, as measured by OECD/INFE financial literacy and financial inclusion toolkit.²⁸ As can be seen from Figure 4, older people across G20 countries have lower average financial knowledge scores, which is one component of overall financial literacy. Lower financial literacy levels (relating to elements of numeracy or financial knowledge) may be associated with a decrease in cognition (see below).²⁹

²⁵ OECD (2016), Skills Matter: Further Results from the Survey of Adult Skills, OECD Skills Studies, OECD

²⁶ Ibid, page 79

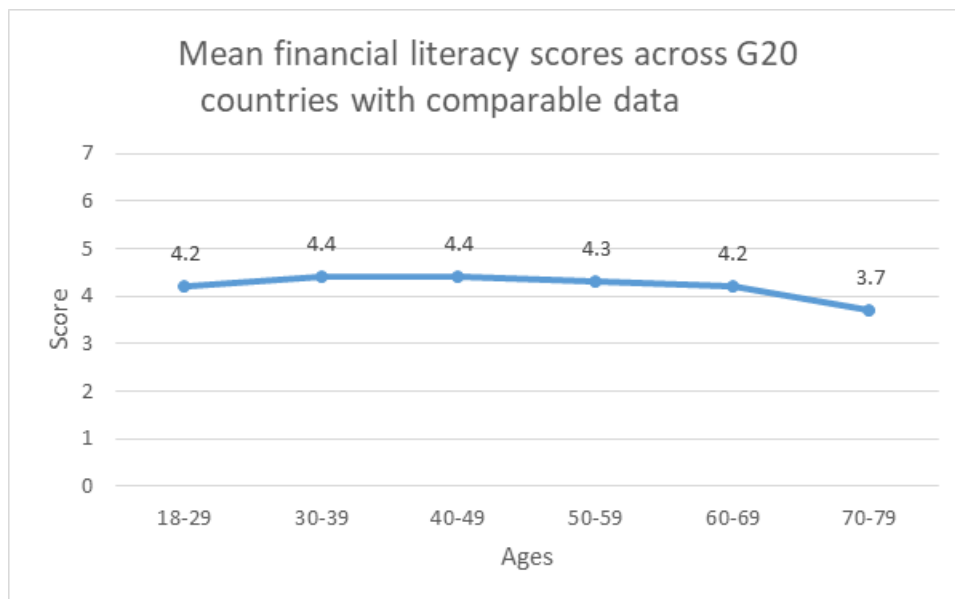
²⁷ The scale of problem solving in technology-rich environments is divided into four levels of proficiency (Levels 1 through 3 plus below Level 1). For more information and a description of the levels see OECD (2016), Skills Matter: Further Results from the Survey of Adult Skills, page 54, table 2.3.

²⁸ OECD/INFE Toolkit for Measuring Financial Literacy and Financial Inclusion, current version May 2018

²⁹ Gamble, Keith Jacks and Boyle, Patricia and Yu, Lei and Bennett, David, Aging, Financial Literacy, and Fraud (November 28, 2013). Netspar Discussion Paper No. 11/2013-066

Figure 4. Average financial literacy score

Countries given equal weight



Source: Reanalysis of available data collected for OECD (2017).

Cognitive decline

As people live longer, the prevalence of cognitive decline ranging from mild cognitive impairment to Alzheimer’s disease and other forms of dementia is increasing. According to the World Alzheimer Report 2018, there were 50 million people worldwide living with dementia in 2018, which is predicted to rise to 152 million by 2050.³⁰ Dementia is described by the Alzheimer’s Association as an overall term that describes a group of symptoms associated with a decline in memory or other thinking skills severe enough to reduce a person’s ability to perform everyday activities.³¹ Such activities evidently include dealing with financial matters and engaging with financial products and services.

Physical decline

Physical decline, for example, deteriorating eyesight, hearing and mobility, is more likely to occur among older people. For example, the UN reports that more than 46 per cent of people aged 60 or over have a disability.³² In addition to the normal effects of ageing, the World Health Organisation notes that the higher disability rates among older people “reflect an accumulation of health risks across a lifespan of disease, injury, and chronic illness”. Physical decline can have a significant impact on a person’s ability to use and engage financial products and services, e.g. visiting a bank branch.

³⁰ World Alzheimer Report 2018, Alzheimer’s Disease International, 2018,

³¹ Alzheimer’s Association

³² Ageing and Disability, United Nations, accessed at <https://www.un.org/development/desa/disabilities/disability-and-ageing.html>

Social isolation

While the situation differs widely between different countries and particularly between developed and developing countries, globally the trend is for older people to become more likely to live independently (i.e. alone or with spouse only) as compared to co-residence with children. In Europe and Northern America for example, it is estimated about 20 per cent of older persons live with children, compared to over 50 per cent in Asia, Africa and Latin America. Changes in living arrangements are important for the contexts in which older persons live their day-to-day lives, and reflect both the positive social changes taking place—for example, higher incomes, better health and longer lives—and the challenges facing families and societies as their populations age—for example, fewer family, work and community connections and potential vulnerability to social isolation and loneliness.³³

5.4 Elder Financial Abuse

One or more of the factors outlined above may contribute to an increased risk of Elder Abuse (in particularly Elder financial abuse for the purposes of this report). According to the World Health Organisation, around 16% of people aged 60 years or over are subject to some form of elder abuse. Elder abuse, which is defined as actions or lack of appropriate action which can cause harm or distress to an older person, occurring within any relationship where there is an expectation of trust, includes psychological abuse, physical abuse and financial abuse among other things. All types of elder abuse can have an impact on the health and wellbeing of the older person.³⁴

Elder financial abuse is one form of abuse of older people. The WHO estimates that 6.8% of people aged 60 years or over are subject to financial abuse. The WHO defines elder financial abuse as illegally misusing an older person's money, property or assets.³⁵ As well as occurring within relationships where there is an existing expectation of trust, including within families, communities and institutional settings, elder financial abuse can also occur via telephone and digital channels and include financial scams and frauds.

The questionnaire sought information specifically about elder financial abuse in the context of financial consumer protection.

Respondents were asked about the main challenge(s) to collecting data or doing research relating to elder financial abuse. Respondents were asked to identify up to five challenges. As can be seen from Figure 5, the main challenge identified by respondents was under-reporting of incidents, followed by there being no accepted definition of elder financial abuse, incidents going unnoticed, incidents not characterised as elder financial abuse and no clear reporting channels.

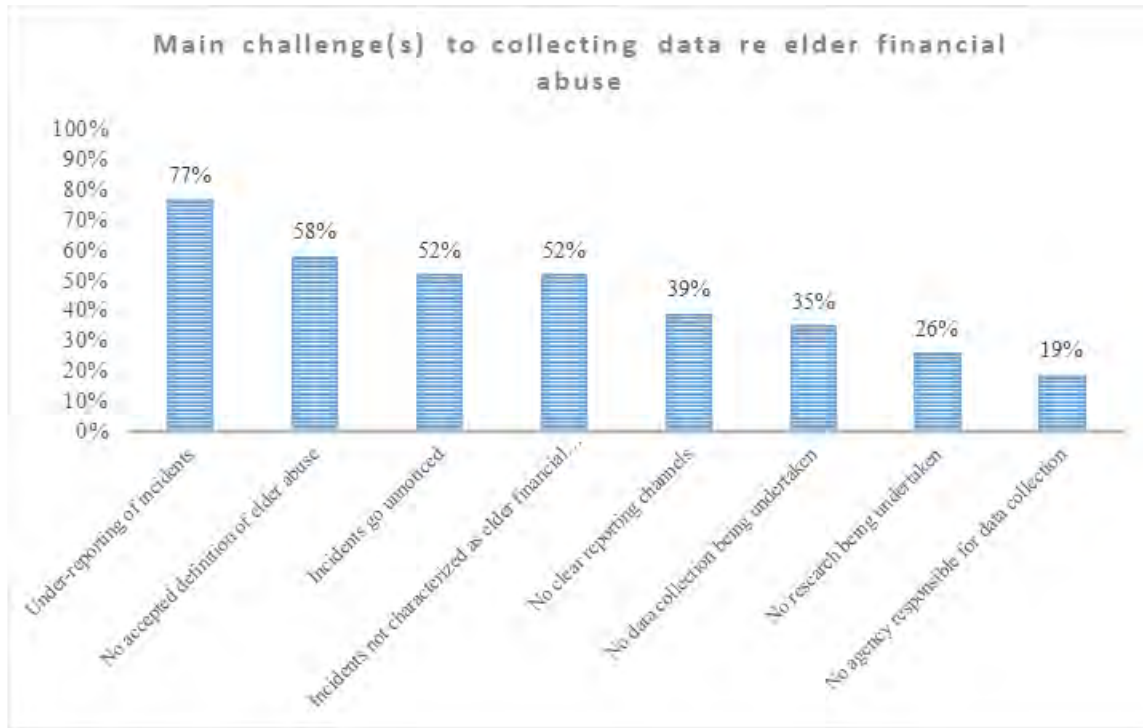
³³ United Nations, Department of Economic and Social Affairs, Population Division (2017). World Population Ageing 2017

³⁴ Factsheet on Elder Abuse, World Health Organisation, 2018 accessed at: <https://www.who.int/en/news-room/factsheets/detail/elder-abuse>

³⁵ Ibid

Figure 5. Q7: What do you consider the main challenge(s) to be in collecting data or doing research relating to elder financial abuse?

N= 30



This response is in accordance with WHO experience, which notes that reported rates of elder abuse are likely to be an underestimation and rigorous data is limited, given that only 1 in 24 cases are reported.³⁶

In terms of an accepted definition of elder abuse, respondents were also asked if there was an accepted definition of elder financial abuse in their jurisdiction, different to that used by the WHO. Nine respondents reported there was an accepted definition, while 21 reported that there was not. Again, in accordance with WHO experience, the lack of an accepted definition can make it harder to collect data or otherwise do research relating to elder financial abuse.

For example, in the **United States**, there is no single legal definition for “elder financial abuse”. While the Older Americans Act defines elder financial abuse as “the fraudulent or otherwise illegal, unauthorized, or improper act or process of an individual, including a caregiver or fiduciary, that uses the resources of an older individual for monetary or personal benefit, profit, or gain, or that results in depriving an older individual of rightful access to, or use of, benefits, resources, belongings, or assets”, there are also varying statutory definitions at a State level.

Federal efforts to collect data on elder abuse (including elder financial abuse) at the national level are compounded by these variations in state statutory definitions of elder abuse that make it difficult to identify actions that constitute elder abuse, and by the absence of a uniform reporting system across states.³⁷

³⁶ Ibid

³⁷ <https://acl.gov/programmes/elder-justice/national-adult-maltreatment-reporting-system-namrs>

Since 2016, HHS ACL has led the National Adult Maltreatment Reporting System (NAMRS): the first comprehensive, national reporting system for adult protective services (APS) programmes. NAMRS collects quantitative and qualitative data on APS practices and policies, and the outcomes of investigations into the maltreatment of older adults and adults with disabilities. The goal of NAMRS is to provide consistent, accurate national data on the exploitation and abuse of older adults and adults with disabilities, as reported to APS agencies. NAMRS is an annual, voluntary system that collects both summary and de-identified case-level data on APS investigations submitted by states.

Notwithstanding the challenges, a majority of respondents reported that there was some data or research available in their jurisdiction relating to the prevalence of elder financial abuse. And in a number of jurisdictions, financial consumer protection policy makers and oversight authorities are part of Government-led strategies to tackle elder abuse.

For example, in the **Netherlands**, in 2015 the Government established an Action Plan to tackle elder abuse, including financial abuse. The Action Plan brought together relevant organisations including banks, police, local government and organisations representing older people. The aims of the Action Plan included:

- To provide local governments with tools to prevent and address financial abuse.
- To give volunteers working with older people tools to prevent financial abuse.
- To improve the process of reporting financial abuse to the police.

In **Quebec, Canada**, the Government has issued a Governmental Action Plan to counter Mistreatment of Older Adults 2017-2022.³⁸ The AMF is taking an active role as a partner of the Action Plan to Counter Elder Abuse, with responsibility for five of the 52 measures set out, i.e.:

- Draft and publish a guide for the industry that is overseen by the AMF, setting out guidelines on good practices for people in vulnerable situations.
- Design, make available and distribute to financial sector stakeholders a checklist pointing out the signs and risk factors that can help identify situations of financial mistreatment among older adults.
- Develop and provide financial sector stakeholders with an information session on preventing, detecting and intervening in situations of the mistreatment of older adults.
- Continue to offer talks on the prevention of financial fraud among older adults, through senior associations and to stakeholders in the financial sector working with this clientele.
- Develop and publish web content on preventing financial mistreatment, addressed to retirees, older adults and their friends and families, as well as to stakeholders in the financial sector working with seniors. The AMF also collaborates actively on many other measures of the action plan.

The AMF sits on the Advisory Committee on Material and Financial Abuse and is party to the provincial framework agreement to fight elder abuse with a number of other ministries and government agencies, which establishes a process to intervene more efficiently in cases of elder abuse. This agreement, signed on 7 February 2018, facilitates the collaboration and coordination of the health professionals, police forces and other government agencies in their efforts to help and support a victim of financial exploitation and stop the abuse.

³⁸ <http://publications.msss.gouv.qc.ca/msss/en/document-002210/>

5.5 Issues for older people relating to access to specific financial products and services

In order to better understand the environment in which many older people operate as financial consumers, respondents were asked about issues or concerns in their jurisdiction relating to three particular areas. These were:

1. access to and availability of bank branches;
2. access to financial products; and
3. access barriers due to low digital capability.

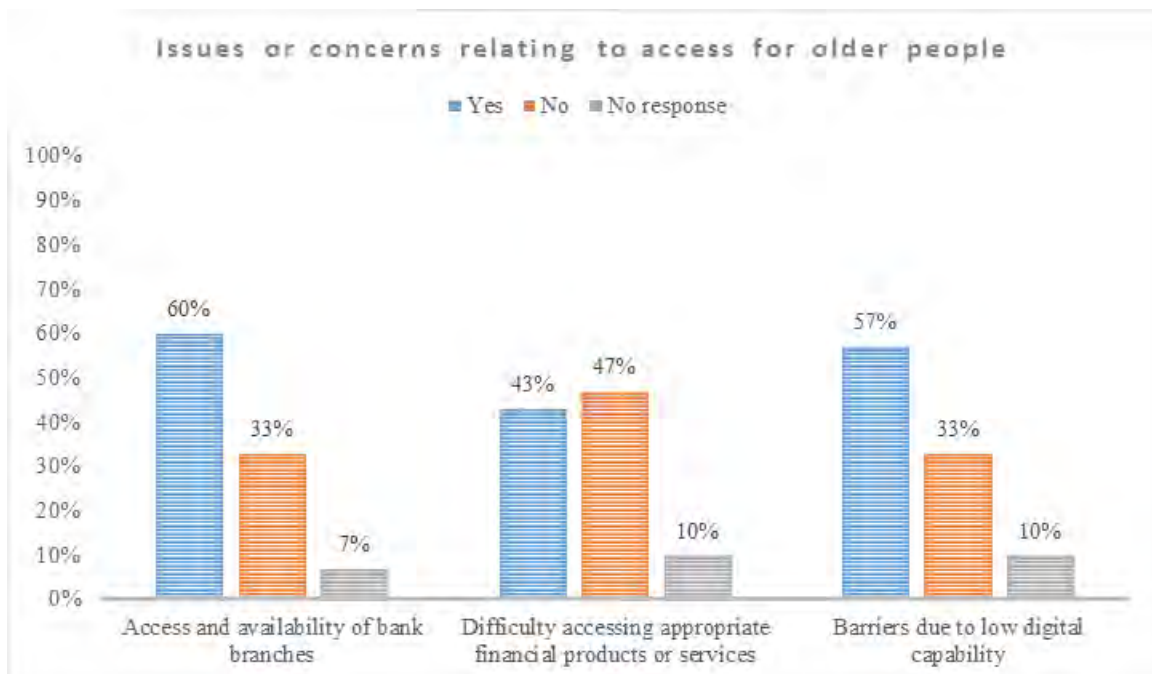
These issues raise financial consumer protection, financial inclusion and financial literacy considerations, and often involve responses beyond solely the competence of financial consumer protection policy makers and oversight authorities.

As can be seen from Figure 6, in relation to both bank branches and digital capability, more than half of responding jurisdictions reported that there were issues or concerns relating to access for older people. And while 47% of respondents indicated that there were not issues or concerns relating to access or availability of financial products and services, a significant minority of 43% indicated there were.

Details of specific measures and initiatives which have been deployed in various jurisdictions, both regulatory and industry-led, to address these issues are described in Section 6.

Figure 6. Q19: Are there issues or concerns in your jurisdiction relating to the following types of access to financial products and services by older persons?

N=30



Access and availability of bank branches

Globally, the physical networks of bank branches have been in decline for several years. For example, across the European Union, the European Central Bank reported that in 2018 the number of branches of domestic credit institutions as a whole declined by 7.5% (where data was available), following an overall decline of 3.9% in 2017.³⁹ Similarly, according to data released by the New York Federal Reserve, US banks closed 4,821 branches between 2009 and 2014, a five percent reduction overall.⁴⁰ Among other things, this has resulted in the emergence of “banking deserts” or areas with no bank branch within 10 miles of a populated area.

One of the key drivers of this decline is the trend towards digitalisation, particularly the rapid uptake of online and mobile banking. Developments in digital banking, such as these, represent greater convenience and security for many bank customers. For example, according to data gathered across 20 countries by GlobalData, on average, 42% of online consumers with a current account used mobile banking on a daily or weekly basis in 2018, up from 39% in 2017.⁴¹ Technological innovations such as app-enabled payment systems, mobile wallets, artificial intelligence and voice banking as well as the emergence of new players such as mobile-only banks and fintech companies, mean that fewer bank customers need to visit a physical branch to conduct their everyday banking business. The resultant costs of maintaining large-scale physical branch networks serving fewer customers is also a significant factor.

On the other hand, according to a 2016 report by AGE UK, many older people have a strong preference for in-branch banking as compared to online or mobile banking for example. Reasons cited for this include a preference for face-to-face service, the chance to talk to people and the security of seeing their banking transaction take place and receiving a paper record to prove it. Additionally, for many older people, going to the bank is part of a routine that gets them out of the house, into their town centre and passing time with other people as they go about their business.⁴²

It is important to balance commercial imperatives with the access needs and preferences of a large customer segment.

The COVID-19 pandemic has affected banking operations around the world as a result of lockdowns and disruptions to business activities. In terms of access and availability of bank branches, many branches have been temporarily closed as a result of COVID-19 lockdowns while others have been operating with reduced levels of service or opening hours.

Access to financial products

As the number of older financial consumers, and their longevity, increases their need to spend, save, borrow, protect and invest, as part of everyday financial management also increases. They also have specific needs from financial products, for example retirement income planning, access to credit in the

³⁹ <https://www.ecb.europa.eu/press/pr/date/2019/html/ecb.pr190604~03b3c570c5.en.html>;
https://www.ecb.europa.eu/press/pr/date/2018/html/ecb.pr180523_1.en.html

⁴⁰ <https://libertystreeteconomics.newyorkfed.org/2016/03/banking-deserts-branch-closings-and-soft-information.html>

⁴¹ <https://www.globaldata.com/global-mobile-banking-usage-highest-india-sweden-sees-fastest-growth-says-globaldata/>

⁴² Age UK. (2016). Age Friendly Banking. Retrieved from https://www.ageuk.org.uk/documents/en-gb/for-professionals/policy/money-matters/report_age_friendly_banking.pdf?dtrk=true

absence of regular employment income, long-term care and available insurance despite greater risk of age-related health problems.

Age-related limits on particular financial products can act as a barrier to access for older people. Such limits commonly operate on such products as credit facilities particularly mortgages and insurance products including life insurance, travel insurance and motor insurance. For example, in France, the Observatory for Banking Inclusion, chaired by the Governor of the Banque de France, highlighted in its 2017 annual report that access to credit reduced with age. One of the reasons for this situation is the difficulty for older consumers to obtain affordable credit life insurance, which may be required by a lender, after 70 years of age, when the credit exceeds a certain amount and a certain duration.⁴³

That said, in many countries, the numbers of older people with outstanding debt, including in particular mortgage debt, is increasing. According to a recent study in Australia, between 1987 and 2015 the real mortgage debt of older mortgagors aged 55+ increased by 600 percent.⁴⁴ In the US, 38 percent of homeowners aged 65 and older had mortgage debt in 2013, with a median value of US\$73,000, compared to only 22 percent and US\$27,300 in 1995.⁴⁵ In Canada, the percentage of retirees aged over 65 with a mortgage on their primary home increased from 15.9% in 2009 to 19.1% in 2014, and that of retirees with an outstanding credit card balance increased from 12.2% to 14.6%.⁴⁶

While in some respects this trend represents the reality of demographic changes, it also represents an increased risk of repayment difficulty and financial hardship. Increasing access to credit products, including mortgage products, therefore, involves both attention to the product features and application of appropriate responsible lending criteria.

Barriers due to low digital capability

As noted above, while there are many technologically savvy older people, in general they tend to have lower levels of digital capability compared to the rest of the population. This is due to a range of factors, including lack of familiarity and confidence, consumer preferences, security concerns as well as age-related physical issues.

In relation to financial products and services, the decrease in strength, speed of execution and hand-eye coordination more likely among older people may result in difficulty using objects effectively such as telephone keypads or ATMs as well as performing financial transactions on smartphones due to the size of screens.

These factors mean that certain older people cannot or do not wish to perform financial transactions online. For example, research conducted by the Investor and Financial Education Council in **Hong Kong, China** among older people revealed that about half of people aged 50-69 (48%) never used online banking services (60% and 84% among older individuals aged 60-64 and 65-69 respectively). Moreover, 43% of

⁴³ Questionnaire response from ACPR France, January 2019 – Banque de France Annual Report 2017

⁴⁴ Ong, R., Wood, G., Cigdem-Bayram, M. and Salazar, S. (2019), Mortgage stress and precarious home ownership: implications for older Australians, AHURI Final Report 319, Australian Housing and Urban Research Institute Limited, Melbourne, <http://www.ahuri.edu.au/research/final-reports/319>, doi: 10.18408/ahuri-8118901

⁴⁵ Joint Center for Housing Studies of Harvard University, Projections & Implications for Housing a Growing Population: Older Households 2015-35, Harvard College 2016

⁴⁶ Questionnaire response from Financial Consumer Agency of Canada, January 2019

the survey respondents said they were concerned that their choices of financial services might become limited due to their difficulties in keeping pace with technology advancement.

And, as noted in a report by Age UK, many older people often have a preference for traditional forms of transacting, such as face-to-face service, paper statements and cheques, even where they may also access bank accounts online.⁴⁷

At the same time, and as has already been mentioned above in relation to bank branches, digitalisation is transforming all aspects of the financial services industry, including the way that consumers interact with financial products and services. This ranges from developments in service and delivery channels such as new payment systems, open banking and robo-advice, to changes in the way that consumers communicate with financial institutions.⁴⁸

The COVID-19 pandemic has heightened the importance of digital financial transactions, including online, mobile and contactless payments, also a result of COVID-19 lockdowns and reduced usage of cash due to sanitary precautions. Such heightened importance also underscores the importance of digital capability in order to be able to function effectively in a digital environment.

⁴⁷ Age UK. (2016). Age Friendly Banking. Retrieved from https://www.ageuk.org.uk/documents/en-gb/for-professionals/policy/money-matters/report_age_friendly_banking.pdf?dtrk=true

⁴⁸ OECD (2018), Financial Markets, Insurance and Private Pensions: Digitalisation and Finance

6 Financial Consumer Protection and related policies and approaches

This section sets out the different ways in which jurisdictions are responding to, or considering responding to, the various issues associated with the ageing population in terms of financial consumer protection and related policies and approaches. The information includes a wide range of examples drawn from responding jurisdictions and in this way, acts as a useful source of effective policies and practices.

6.1 Legal, regulatory and supervisory frameworks

As detailed in the High-Level Principles on Financial Consumer Protection, effective financial consumer protection needs to be an integral part of the legal, regulatory and supervisory framework. Broadly speaking, members of the Task Force and many other jurisdictions have implemented such frameworks that are different according to jurisdictional circumstances

Respondents were asked whether their framework included any laws or regulations specifically relating to financial consumer protection of older people, including elder financial abuse. Forty percent of respondents said that there were such specific laws or regulation in place.

Of those jurisdictions that did not have specific laws or regulations, many explained that their financial consumer protection laws were comprehensive and flexible enough to deal with issues that may affect older people. In some cases, there were specific laws or regulations relating specifically to vulnerable consumers, which could include older people where relevant. For example, in many jurisdictions, suitability obligations jurisdictions, explored in further detail in relation to financial advice below, included requirements to obtain information about the characteristics and objectives of the consumer, and to provide advice or other services suitable to them. In some cases, there were enhanced suitability obligations for vulnerable consumers including older people.

6.2 Role of oversight authority

Irrespective of the underlying law or regulatory position, fifty eight percent of respondents said that the statutory oversight authority (or authorities) responsible for financial consumer protection had specific powers, responsibilities and/or a strategy for addressing issues relating to older people. Such strategies meant that the issue was an organisation-wide priority and often involved multiple parts of the authority working together leading to a more holistic view and approach to the issue.

In a number of cases, respondents noted that older people were a target group for their financial literacy and financial education activities, either as a standalone activity or as part of an overall strategic approach involving other parts of the oversight authority (where they performed such a role). Strengthening the demand side is critically important, particularly as respondents identified lower financial literacy as the second-most relevant factor making older people more vulnerable. Efforts to strengthen the demand side

alone however is unlikely to be a panacea, due to the impact of behavioural biases and consumers' characteristics (such as disability, remoteness or low literacy). Well-designed and targeted financial education activities are likely to be most effective when they complement actions or activities to protect financial consumers on the supply side.

Examples of strategic approaches across jurisdictions include:

In **Canada**, the Financial Consumer Agency of Canada has published a strategy to enhance the financial literacy of current and future seniors. The seniors' strategy sets out four goals as the foundation for moving forward:

- engaging more Canadians in preparing financially for their future years as seniors
- helping current seniors plan and manage their financial affairs
- improving understanding of and access to public benefits for seniors
- increasing tools to combat financial abuse of seniors.

A broad range of organizations from the public, private and non-profit sectors are contributing to the implementation of the seniors' strategy. The Financial Consumer Agency of Canada is coordinating an action plan to make progress toward these goals, building on the work begun by the Financial Literacy Leader, together with the members of the National Steering Committee on Financial Literacy.

In **Germany**, the special vulnerabilities of older people are recognised by the oversight authorities, for example, BaFin has produced a special brochure for older people with the title "Investing money during retirement".⁴⁹ In cooperation with an organisation for elderly citizens, BaFin takes part in the "digital regulars' table", an event in the form of a public webinar, which allows older people to address their questions directly to BaFin experts.

In **Japan**, the FSA is considering establishing a strategy for addressing issues relating to the ageing population, which will include the following elements:

- Promoting the development of financial products and services suitable to life stages and situations of different customers.
- Helping consumers to better understand their financial situation in retirement, including income and expenditures.
- Promoting financial services designed to smooth the inheritance of personal assets and businesses.
- Investor protection.

In the **United Kingdom**, the Financial Conduct Authority has launched a specific strategy in place to look holistically at whether financial services are working in the interests of older consumers in the UK.⁵⁰ Under the Strategy, consideration is given to older consumers (over 55s) in relation to sectors such as retail banking, mortgages, and insurance etc. Relatedly, the FCA has also published its consumer approach, which includes protecting vulnerable consumers, including older people, as well as access to financial

⁴⁹ https://www.bafin.de/DE/PublikationenDaten/Broschueren/broschueren_node.html

⁵⁰ Financial Conduct Authority, Ageing Population Strategy: <https://www.fca.org.uk/news/news-stories/ageing-population-update-fca>

services and the ageing population.⁵¹ The FCA will monitor and assess the effectiveness of industry action in response to its paper on the ageing population in 2020.

In the **United States**, the Consumer Financial Protection Bureau has a dedicated Office of Older Americans that conducts research and produces a range of resources for consumers and professionals on issues relating to financial inclusion, exploitation and vulnerability of older people.⁵²

In jurisdictions where the oversight authority did not have specific powers, responsibilities and/or a strategy, many respondents noted that, notwithstanding, they had a particular focus on vulnerable consumers which could include older people depending on the circumstances and/or their consumer protection mandate was broadly defined such that it would issues affecting older people as and when they arose.

In **France**, while the ACPR does not have a specific mandate to protect older people, it has included the protection of vulnerable people in its supervisory priorities. ACPR's strategy for the protection of the elderly is part of this work on vulnerable populations, which focuses on:

- Better understanding the notion of "vulnerable populations" (identifying specific subgroups, their difficulties and their needs)
- Identifying existing risks, difficulties and operational solutions, in particular thanks to a dialogue with the financial sector
- Suggesting courses of action (e.g. developing best practices observed, increasing communication, developing educational tools for vulnerable people, their relatives, or financial advisors)
- Sanctions for infringements.⁵³

In **Hong Kong, China**, the HKMA has worked with the industry to develop the Treat Customers Fairly (TCF) Charter for retail banks, which incorporates five high-level TCF principles, having drawn from good practices locally and overseas and from the G20 High-Level Principles on Financial Consumer Protection.⁵⁴ The Charter aims to promote a stronger corporate culture among banks of treating customers fairly, which will ensure that the interests of consumers, including that of older financial consumers, are taken into account by banks in their business dealings with customers.

In **Mauritius**, the Bank of Mauritius has a mandate to inform and educate consumers and in 2018, a national awareness campaign was rolled out, which included retired people as a target group, relating to financial risks and safe financial product to invest in.

Multi-stakeholder involvement

In order to understand how responsibility for addressing financial consumer protection and financial inclusion issues relating to older people was structured in different jurisdictions, respondents were asked whether other organisations had a role to play, in addition to the statutory oversight authority.

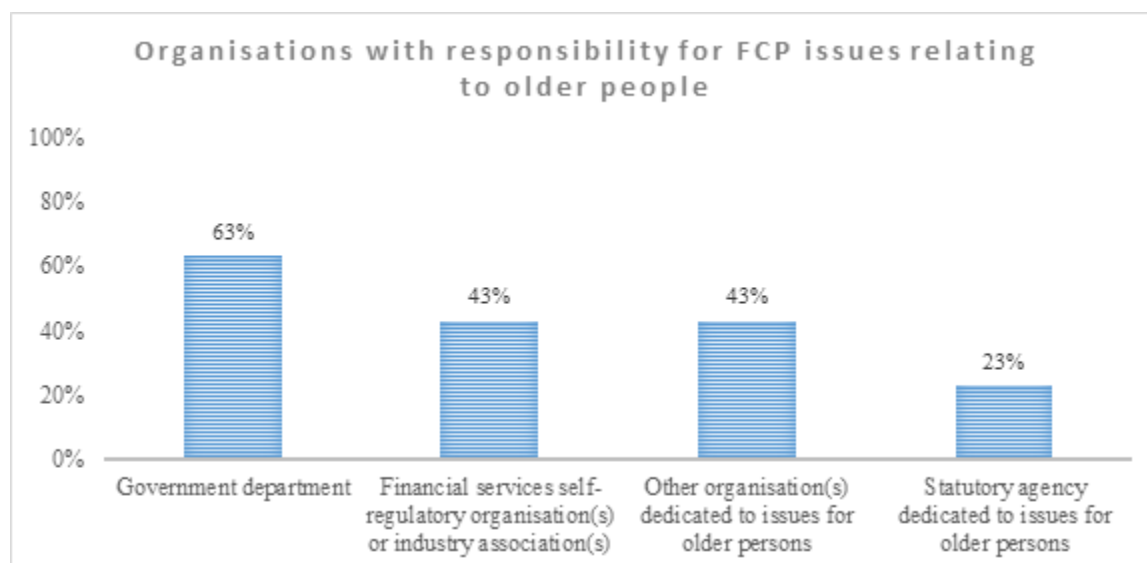
⁵¹ <https://www.fca.org.uk/publications/occasional-papers/occasional-paper-no-8-consumer-vulnerability>;
<https://www.fca.org.uk/publications/occasional-papers/occasional-paper-no-17-access-financial-services-uk>;

⁵² www.consumerfinance.gov/practitioner-resources/resrouces-for-older-adults/

⁵³ Questionnaire response from France, January 2019

⁵⁴ https://www.hkma.gov.hk/media/eng/doc/key-functions/banking-stability/consumer-corner/TCF_Charter.pdf

Figure 7. Q10: Do any of the following have a role/responsibility for addressing financial consumer protection/financial inclusion issues relating to older persons (i.e. in addition to the statutory oversight body)?



As can be seen from Figure 7, it is common across jurisdictions for responsibility is shared by a number of organisations in many cases. This is reflective of the fact that many of the issues are complex and multi-dimensional, requiring attention from multiple stakeholders. Responsibility does not necessarily have to mean formal rule-making or enforcement powers, but could also include advocacy and representation or leadership in terms of industry practices or service-levels.

In 43% of jurisdictions, respondents noted that self-regulatory organisations or industry associations have some degree of responsibility for financial consumer protection issues relating to older people. In many cases, such bodies are industry associations representing financial institutions such as banks or insurance companies. This is important because the protection of older people and ensure they can safely access financial products and services often require measures and initiatives that go beyond law or regulation including such things as product and service design and innovation, staff training, enhancing the accessibility of communication channels and promoting anti-fraud or other messages. Industry associations are well placed to show leadership on such issues by setting standards for their membership. This important role of industry including specific initiatives is explored further below.

6.3 Disclosure and transparency

Promoting transparency by providing consumers with key information relating to the fundamental benefits, risks and terms of the financial product or service, including information about any conflicts of interest, is a foundation stone of many financial consumer protection regimes.

Respondents were asked if there were specific rules or guidance relating to disclosure requirements in relation to financial transactions with older people. A small number of respondents had such specific rules or guidance in place, but the majority of respondents indicated there were no specific rules or guidance covering disclosure to older people. Respondents noted however that the regulatory requirements relating to disclosure generally, such as requirements for relevant information to be clearly explained and prohibitions on misleading representations were nonetheless applicable.

For example, in **Quebec, Canada**, the AMF has issued guidance for insurance and securities registrants setting out expectations regarding dealings with vulnerable consumers, including older people in certain circumstances.⁵⁵ The guidance sets out a number of good practices including in relation to disclosure of information. According to the guidance, registrants should communicate clearly with clients and regularly ensure their understanding of explanations and information provided, and provide clients with all the information necessary to understand the product or service in question, all in clear language, adapted to the particular needs of the client.

In **Canada**, while the Financial Consumer Agency of Canada does not have specific rules or guidance related to disclosure requirements older persons, they are covered by all market conduct and disclosure obligations, including legislation, guidance and regulatory measures. For example, FCAC has published a Bulletin on consent for new products or services, the purpose of which is to reinforce FCAC's expectations that institutions obtain consumers' express consent for a new financial product or service, including credit cards, in accordance with regulatory requirements. Among other things, the FCAC has issued a Commissioners Guidance covering Clear language and presentation principles and guidelines for the industry.⁵⁶ Under this Guidance, Canadian banks should: know their audience; make material understandable by planning their text; write clearly; use visual presentation to enhance text; and test material

In **Hong Kong, China**, while there are no specific disclosure requirements relating to transactions with older people, financial institutions and intermediaries are subject to requirements to disclose relevant material information about financial products risks, costs, monetary benefits to facilitate informed decision-making. For the securities sector, sufficient product information must be disclosed for the purposes of compliance with the Suitability Requirements.

For banks, the Code of Banking Practice and the Treat Customers Fairly Charter require banks to set out and explain clearly the key features, risk and terms of the products, fees, commissions or charges applicable to customers, including the elderly. All promotional materials and information designed for customers, including older persons, should be accurate and understandable. Misleading representations or marketing practices should be avoided.

6.4 Equitable and fair treatment and responsible business conduct

The High-Level Principles cover both Equitable and fair treatment and Responsible Business Conduct. Given the complementary nature of these Principles, information about issues and approaches have been grouped together for the purposes of this report. In terms of equitable and fair treatment, according to the High-Level Principles, all financial consumers should be treated equitably, honestly and fairly at all stages of their relationship with financial service providers. Treating consumers fairly should be an integral part of the good governance and corporate culture of all financial services providers and authorised agents. Special attention should be dedicated to the needs of vulnerable groups.

In relation to Responsible Business Conduct, among other things, financial services providers and authorised agents should have as an objective, to work in the best interest of their customers and be responsible for upholding financial consumer protection.

⁵⁵ Info-Conformité volume 6, numéro 2, <https://ofsys.com/T/OFSYS/SM2/53/2/P/F/728321/xG5vXm/741925.html>

⁵⁶ Financial Consumer Agency of Canada (2018), CG-3 Clear language and presentation principles and guidelines for the industry <https://www.canada.ca/en/financial-consumer-agency/services/industry/commissioner-guidance/guidance-3.html>

Under this broad range of topics, respondents were asked a number of questions about measures relating to dealings between financial institutions and older people, both in terms of regulatory requirements, such as rules or guidance and self-regulatory or industry-led initiatives.

Frontline services

Frontline services, such as call centres and branches involve direct and personal contact with customers. Staff working such settings have a level of interaction very different to that in the online environment, in particular, staff who deal with customers face-to-face.

The role of frontline services is particularly relevant in the context of dealings with older people. For example, many older people have a preference for in-branch banking over online or phone banking.⁵⁷ Many older people are also sensitive to the design of frontline services, particularly as it relates to accommodating physical needs, such as mobility or hearing.⁵⁸

As noted above, recognising that in many jurisdictions, the trend is for bank branches in fixed locations to close due to factors such as increased digitalisation, it is important that such trends are balanced with considerations of customers who may be vulnerable, including older people.

In addition to governments and statutory bodies, financial institutions themselves can play a significant role in responding to the issues affecting older people, especially where this involves frontline staff. As noted by the AARP's report introducing its BankSafe initiative, one of the first warning signs of dementia in older adults is the inability to manage finances. The report notes that frontline staff such as bank employees and financial advisors, can play a vital role in recognising the signs of a customer having difficulty with banking and financial transactions, and then provide appropriate customer service and referral information. Furthermore, the report also notes that some financial institutions have provided training to frontline staff to help prevent financial exploitation (or elder financial abuse).⁵⁹

Regulatory measures relating to frontline services

Respondents were asked whether there were any formal regulatory measures in place relating to the dealings of frontline staff with older people. Half of responding jurisdictions confirmed that there were such measures in place.

Many of the measures relating to frontline services are complementary to measures relating to the closure of bank branches and/or designed to offset the impact of such closures.

For example,

In **Canada**, the Bank Act (SC 1991 c46), was amended in February 2018 in order to strengthen consumers' rights and interests when dealing with their banks, and to improve the Financial Consumer Agency of Canada's ability to protect consumers. Amendments are focused on three key areas:

- requiring new internal bank practices to further strengthen outcomes for consumers,
- providing the Financial Consumer Agency of Canada with additional tools to implement supervisory best practices, and

⁵⁷ *Age-friendly banking: what it is and how to do it*, AGE UK, 2016.

⁵⁸ *Ibid*, page 11

⁵⁹ *Banksafe Initiative: a comprehensive approach to better serving and protecting consumers*, AARP Public Policy Institute, 2016

- further empowering consumers.

These amendments include a number of measures that will help protect older persons in their dealings with their banks, including:

- prohibiting banks from taking advantage of a person in any circumstance;
- prohibiting banks from communicating false or misleading information;
- prohibiting banks from imposing undue pressure in any circumstance; and
- requiring banks to have policies and procedures to ensure that products sold are appropriate for the person having regard to their circumstances, including financial needs.

In **Quebec, Canada**, the AMF is working on a Guide of good practices for vulnerable persons treatments. The main goal aims to communicate good practices, references and indicators to prevent and manage financial abuse of vulnerable persons and, in doing so, provide a toolbox for industry participants. The AMF is working on a guidance for the financial services industry on preventing financial abuse on vulnerable clients. This document also provides information and resources for the industry on preventing, detecting and responding to financial abuse of a client.

In Costa Rica, a number of financial institutions run financial education seminars, workshops and community events on a range of financial and investment topics.

In **Hong Kong, China**, in 2018, the Hong Kong banking industry launched the Practical Guideline on Barrier-free Banking Services which sets out good practices recommended for the industry to facilitate access to bank services, including bank branches, ATMs, on-line banking, telephone banking, etc. by customers with disabilities and in need, including the elderly.⁶⁰ The HKMA endorsed the Practical Guideline and issued a circular to state its supervisory expectation for all banks to implement the measures in the Practical Guideline within 3 years.⁶¹ In addition, one of the high-level principles in the Treat Customers Fairly Charter stipulates that banks in Hong Kong that engage in mass retail market should provide reasonable access to basic banking services to members of the public, paying special attention to the needs of vulnerable groups.

Regarding the sale of investment products, banks are required to allow vulnerable customers, which may include older people, to choose during the initial transaction whether they would like to bring along a companion to witness the sale process, and/or have a second front-line staff member to handle the sale.

Regarding the sale of long term insurance products to vulnerable customers of which the elderly is an example, banks are required to exercise extra care and allow the vulnerable customer to choose whether he/she would like to (i) bring along a companion to witness the sales process and/or (ii) have more than one staff member of the bank to handle the sale.

Regarding the MPF scheme, if an older person is regarded as a vulnerable client as defined in Guidelines on Conduct Requirements for Registered Intermediaries, the MPF intermediary should provide extra care and support to the vulnerable client during the MPF sales and marketing process. This may include:

- Offering the vulnerable client the opportunity to be accompanied by a companion and/or to have an additional member of staff to witness the relevant sales process and constituent fund selection process.
- Conducting a post-sale call to:

⁶⁰ https://www.hkab.org.hk/download.jsp?isTemp=N§ion_id=5&file_name=Practical+Guideline+on+Barrier-Free+Banking+Services+%28English%29.pdf

⁶¹ <https://www.hkma.gov.hk/media/eng/doc/key-information/guidelines-and-circular/2018/20180323e2.pdf>

- Confirm that the intermediary has provided the client with the offering document, explained the key features of the relevant registered scheme and constituent funds and advised the client to read carefully and understand the information contained in the offering document prior to making the key decision.
- Verify the key decision that the client has made.
- Confirm the client's understanding of the key decisions made.

In **India**, the Reserve Bank of India has issued guidelines to banks to put in place explicit mechanisms for meeting the needs of Senior Citizens so that they do not feel marginalised and can use banking services without difficulty. These include:

- Having dedicated counters in bank branches to provide priority service to older people.
- Automatic conversion of a bank account into a "Senior Citizen Account" based on the date of birth available in the bank's records.
- Submission of Life Certificates by pensioners at any branch, including a non-home branch, of the pension paying bank and prompt updating of the same by the branch.
- No requirement for physical presence on older people in order to obtain cheque books.
- For pensioners, banks have been advised to provide credit without delay and to pay interest at penalty rates in cases of delay in credit of pension/revisions made in the pension.

In **Israel**, the Bank of Israel, under a new conduct of business directive, banks and credit card companies are required to allow elderly customers (those above the age of 70) and customers with disabilities to be given priority in the wait for a human telephone response i.e. at call centres. In addition, where bank branches with teller services are discontinued and replaced with digital banking machines, banks are required to ensure dedicated human assistance at the branch so that customers of the branch may adjust to the change more easily. Banks must also train staff at the branch and give them requisite ways and means to guide and help customers.

In **Japan**, the Financial Services Agency has developed guidelines for intermediaries soliciting securities business with older customers, including requirements to monitor such activities closely to identify any problem sales and to ensure that the needs of the older customer are fully understood. There are also special measures relating to the sale of insurance products to older people, including inviting relatives or others to attend the sales meeting, keep records, and follow up contact to ensure the insurance product offered meets the needs of the older person.

In **Portugal**, since August 2016, all public and private entities that provide frontline services to the public, including financial institutions supervised by the Bank of Portugal, are required to give priority to, inter alia, people aged 64 years or over. Where this requirement is not observed, a complaint may be submitted to the relevant authority, including the Bank of Portugal where the matter relates to a financial institution.⁶²

In the **Russian Federation**, operational guidance for credit organisations produced by the Bank of Russia in 2017 sets out specific recommendations for ensuring the financial inclusion of older people, as well as people with limited mobility and other disabilities.

Self-regulatory or industry-led measures relating to frontline services

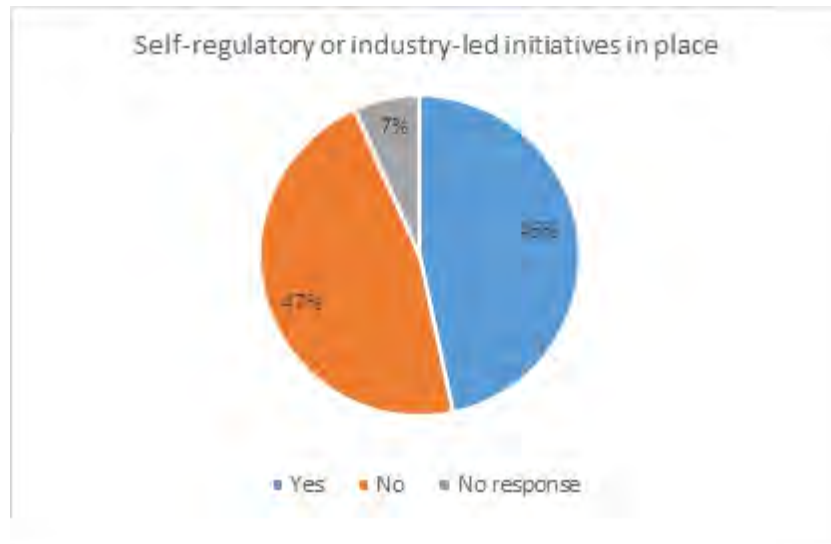
As noted, industry has an important role to play in addressing the financial consumer protection risks facing many older people. To explore this further therefore, respondents were also asked whether there were

⁶² Decree-Law No. 58/2016 of 29 August

self-regulatory or industry-led measures relating to frontline services. Half of responding jurisdictions said that there were self-regulatory or industry-led initiatives, as can be seen from Figure 8.

Figure 8. Q14: Are there any self-regulatory or industry-led initiatives (e.g. training programmes) that apply to frontline staff (e.g. bank branch staff) in their dealings with older persons?

N=30



In terms of specific applications, there was a range of self-regulatory or industry-led initiatives in place across different jurisdictions, such as training programmes for frontline staff in their dealings with older people and/or commitments in codes of conduct relating to vulnerable consumers, including older people where relevant. Self-regulatory instruments such as Codes of conduct play an important role in the overall financial consumer protection regime. Often they complement or go beyond the minimum legal requirements or provide guidance to industry participants about best practice and are developed by industry associations on behalf of their members. An important feature of such Codes of conduct is that there are effective enforcements arrangements to ensure compliance. In some cases, policy makers and/or statutory authorities work with industry associations to develop such Codes of conduct, and may even have a role to approve and/or monitor compliance with the Code.

Examples of self-regulatory or industry-led initiatives relating to frontline services include:

In **Canada**, in 2019 retail banks voluntarily agreed to a Code of Conduct for the Delivery of Banking Services to Seniors, developed in conjunction with the Financial Consumer Agency of Canada and seniors' groups.⁶³ While not a law or regulation, the Financial Consumer Agency of Canada (FCAC) oversees banks' compliance with the Code of Conduct and has some limited enforcement powers. The Code of Conduct includes a series of Principles setting out a series of commitments by banks in relation to their dealings with seniors, i.e.:

⁶³ Canadian Bankers' Association (2019), Voluntary Commitments and Codes of Conduct Code of Conduct for the Delivery of Banking Services to Seniors, <https://cba.ca/Assets/CBA/Documents/Files/Article%20Category/PDF/vol-seniors-en.pdf>

- Principle 1: Banks will establish and implement appropriate policies, procedures, and processes to support the Code
- Principle 2: Banks will communicate effectively with seniors
- Principle 3: Banks will provide appropriate training to their employees and representatives who serve seniors
- Principle 4: Banks will make appropriate resources available to client-facing employees and representatives to help them understand matters relevant to seniors' banking needs
- Principle 5: Banks will endeavour to mitigate potential financial harm to seniors
- Principle 6: Banks will take into account market demographics and the needs of seniors when proceeding with branch closures
- Principle 7: Banks will publicly disclose the steps they have taken to support the principles set out in the Code

In **France**, a number of financial institutions offer home visits by staff and/or home delivery of cash in circumstances where older people cannot access branches due to mobility issues.⁶⁴

In **Germany**, some financial institutions have undertaken a training programme (1/2 day seminar, train-the-trainer) for frontline staff who may act as “capable guardians” in the sense that they have the potential to protect older people from becoming victims of elder financial abuse. An example could be a frontline staff member spots that an older person is suddenly taking out large amounts of cash, against their routine behaviour, which could be an indication for being a victim of elder financial abuse such as a “grandparent scam”.

In **Hong Kong, China**, the Code of Banking Practice is a non-statutory Code issued on a voluntary basis (which was jointly issued by the Hong Kong Association of Banks and the DTC Association and endorsed by the HKMA)⁶⁵ requires among other things that banks and their authorized agents should have as an objective, to work in the best interest of their customers (including the elderly) and be responsible for upholding financial consumer protection. Staff (especially those who interact directly with customers) should be properly trained and qualified.

In **Israel**, banks have introduced a range of measures relating to the way that frontline staff deal with older people, including:

- A digital banking training programme for older persons, promoted by the Association of Banks and the Bank of Israel, under which banks invite customers for individual one-on-one training at the branch.
- Priority queues for customers over the age of 80 for telephone services.
- Special attendants at branches with a high proportion of older customers to assist them with digital activities that they might need to perform.
- Training for frontline staff and management of branches on how to treat older persons and adapt the service to them (for example, everything must always be written down for them; treat older persons as you would members of your own family, etc.).

⁶⁴ Questionnaire response from France, January 2019

⁶⁵ <https://www.hkab.org.hk/DisplayArticleAction.do?sid=5&ss=3>

- Some banks personally contact every customer over the age of 70 in order to explain the implications and the actions s/he is required to take.
- Computer systems alerts bank staff if the customer they are serving is over the age of 80, to ensure that they provide appropriate level of service attention.⁶⁶

In the **United Kingdom**, a UK charity, Money Advice Trust, has worked on a vulnerability programme for members of UK Finance members, the largest financial services industry association in the UK. Another UK charity, the Alzheimer’s Society conducts dementia-friendly training for communities. This is a good example of multiple stakeholders working together in response to an identified problem.

Bank branches

Bank branches are an important and familiar frontline service channel for many older people. As noted in Section 5, sixty per cent of respondents indicated that access to, and availability of, bank branches was an issue or concern in their jurisdiction.

Box 2. Striking a balance? A spotlight on measures and initiatives for financial consumers relating to bank branches

A number of jurisdictions have a variety of specific measures, both regulatory and self-regulatory to address the issue of bank branch closures which seek to balance the commercial imperatives for banks with the physical access needs of financial consumers. These measures include ensuring appropriate consultation and alternative arrangements are in place whenever a bank branch is identified for closure, and also the use of “mobile” banks delivering banking services via specially adapted vehicles that can visit multiple locations without a permanent branch.

For example:

In **Canada**, when a federally regulated financial institution, e.g. a bank, is planning to close a branch at which they serve customers and disperse cash, the Bank Act requires that clients be provided with either four or six months’ notice, depending on the branch location. The bank must also inform consumers about how to contact the bank and the Commissioner of the Financial Consumer Agency of Canada about the proposed closure. The bank is required to hold a meeting with the groups or individuals affected to exchange views about the closing or cessation of activity, if someone locally affected by the closure requests such a meeting from the FCAC, and the bank has not properly consulted the community. The meeting must also include a discussion alternative service delivery and measures to help customers adjust to change. Consumers are also encouraged to seek financial institutions and banking account packages that best meet their needs.

In **Germany**, the three-pillar structure of the German banking system with private banks, publicly owned saving banks and member-owned credit unions supports the availability of bank branches. This is because publicly owned saving banks and member-owned credit unions are rooted in the local community; in particular, publicly owned saving banks are controlled by communal parliaments that in principle support access to the banking system. New channels have also emerged, for example, consumers may make fee-free cash withdrawals at supermarkets when paying for their shopping,

⁶⁶ Questionnaire response from Israel, January 2019

subject to minimum spend requirements being met. Also, in certain rural areas, some banks offer a variety of physical banking services delivered by bus.

In **Hong Kong, China**, Principle 5 of the Treat Customers Fairly Charter provides that banks engaging in mass retail market should provide reasonable access to basic banking services to members of the public, paying special attention to the needs of vulnerable groups, such as the elderly. In addition, as part of its efforts to enhance accessibility of basic banking services by the public, especially older people, the HKMA has been actively coordinating with retail banks to further enhance the coverage of banking networks in remote areas and public housing estates. With the encouragement of the HKMA some banks have been using new technologies and operation modes, such as deploying specially equipped vehicles as mobile branches and video teller machines to enhance accessibility of banking services across the territory. Also encouraged by the HKMA, the banking industry association has introduced a scheme for the elderly to withdraw cash at participating convenience stores and all post offices without the need to make any purchases.

In **India**, pursuant to the Charter of Customer Rights issued by the Reserve Bank of India, banks have been advised to provide doorstep-banking services to older people aged over 70 years wherever feasible.

In **Israel**, the closure of bank branches and the downsizing of teller services are governed by Directive no 400 of 2017. Under this Directive, a banking corporation must base any decision to close a branch or discontinue teller services at a branch on a prior review of the potential impact on customers of the closed branch, and on developing a service-continuity plan for banking services. This requirement is intended to ensure that banking services can continue to be delivered to consumers accessibly and conveniently. In conducting this review, a banking corporation is required to consider, among other things, the age profile of the customers of the branch as well as customers who do not generally use digital banking services (e.g., elderly customers, those with disabilities, etc.). The service-continuity plan may include measures such as:

- Expanding the range of banking services provided by automated machines (e.g., paying utility bills, breaking large banknotes, depositing bundles of cheques, etc.).
- Expanding the range of banking services available online and at call centres.
- Opening mobile branches or partial-service branches.
- Providing courier services.
- Extending the business hours of branches that offer teller services in the vicinity of the closed branch or where teller services have been discontinued in order to make these services more available to the public, including on Fridays, etc.

In the scope of the plan, the banking corporation should make reference to the needs of the customers of the branch and the adequacy of the alternatives that it offers for the consumption of banking services, particularly in respect of populations who may have special needs.

In **Portugal**, where there are concerns about the reduction in the number of branches, Banco de Portugal has been working with credit institutions to find new ways of providing banking services to reach more isolated parts of the country, for example through mobile banking services delivered via buses, while at the same time, ensuring security procedures and compliance with information requirements.

In the **Russian Federation**, banking services known as Pochta Bank (Post Bank) have been made available through the national network of Russian Post in all regions of the country since 2016.

In **Spain**, some banking providers have launched a mobile banking service delivered via buses in order to mitigate the effects of bank branch closures in less-populated areas, where often more older people live.

Financial advice and financial management

Many older people often have higher levels of accumulated financial wealth than younger people, including in pension vehicles and real property, with a commensurately greater need for professional financial advice and/or financial asset management, especially in relation to retirement planning. Difficulty accessing financial advice as well as reliance on financial professionals were identified by respondents among the factors making older people more vulnerable. The other thing to note is that the impact of poor financial-decision making in relation to investing lifetime of wealth or savings, including decisions made on the advice of professionals, can have devastating consequences for older people in terms of managing their retirement. The issue of cognitive decline is relevant here, particularly where the sufferer may be responsible for a significant amount of family wealth or savings.

Regulatory measures relating to financial advice/financial management

Respondents were asked whether there were any specific regulatory measures or initiatives applicable to the giving of financial advice and/or the management of financial assets of older people.

Thirteen jurisdictions which responded to this question indicated that there were regulatory measures, such as rules or guidance, relating to the giving of financial advice or the management of financial assets of older persons.

For example:

In **Brazil**, financial intermediaries are required by the Securities and Exchange Commission of Brazil (CVM) to comply with suitability requirements relating to the financial products offered to consumers, including verification that a proposed investment is consistent with the consumer's risk profile, financial knowledge and financial wealth before it is executed.⁶⁷ Financial institutions are also required to give priority attention to older people in terms of dealing with their requests.

In **Israel**, pension advisors at banks are required to give age-appropriate advice to customers. Pension advice models include an automatic scoring mechanism in the event that the customer is over 70 years of age, which is programmed in a manner intended to reduce the level of risk for older customers in their investment. Some financial institutions have implemented specific training on the giving of advice to older customers for their investment advisers.

In many jurisdictions, including those without specific regulatory measures relating to the giving of financial advice, respondents explained that the operation of suitability requirements, best interest requirements and other measures relating to the giving of financial advice would be applicable in that the age of a customer would be one of the factors to be taken into account in giving appropriate financial advice.

In the **European Union**, EU legislation (MiFID II, IDD and PRIIPs) does focus on the specific needs of the potential consumer. While "elderly" is not identified as a specific factor, intermediaries are required to assess the individual situation of the potential consumer when disclosing information and / or providing advice. For example, under the PRIIPs Regulation a person advising on or selling a PRIIP must assess the time needed by the potential customer to consider the Product Information Document, taking into

⁶⁷ CVM Instruction 539/2013

account inter alia the complexity and the knowledge and experience of the consumer. Complying with these rules means conducting an individual assessment where of course age could be a relevant factor.

Under MiFID II, credit institutions are obliged to provide their clients with a statement of suitability after giving investment advice. The statement of suitability has to present, among other things, how the advice has been tailored to the preferences, objectives and other characteristics of the retail investor. Again, age could be a relevant factor. The same applies to insurance-based investment products.

In **Hong Kong, China**, intermediaries are subject to disclosure and conduct obligations administered by the SFC, including suitability requirements, in relation to their dealings with all clients. Intermediaries are required to exercise extra care in dealing with elderly or unsophisticated clients or those who may not be able to make independent investment decisions on complex investment products and rely on the licensed or registered persons for recommendations. Such care is particularly important when these clients invest in investment products with long maturity periods and those which will attract hefty penalty charges upon early redemption or withdrawal.

As regards the sale of long term insurance products by banks, they are required to ensure that a recommended product is suitable to a customer's circumstances including needs and affordability, and make proper disclosure of the key features and risks of the long term insurance product to the customer, including the elderly. When dealing with the elderly, banks are required to exercise greater caution and alert them to the long term nature, tenor and premium contribution period of the insurance product.⁶⁸

In relation to the sale of insurance products, the Insurance Authority has promulgated a number of codes and guidelines to set out the requirements and provide guidance to insurers and insurance intermediaries, including those that apply to financial advice/financial management of older persons.⁶⁹

In **South Africa**, the Financial Advisory and Intermediary Services Act (FAIS Act) regulates the provision of advice and provides sufficient protection for older people although there are not specific requirements relating to the elderly. The FAIS Act requires financial advisors to at all times render financial services honestly, fairly, with due skill, care and diligence, and in the interest of clients and the integrity of the financial services industry. An advisor is required to obtain from the client such information regarding the client's needs and objectives, financial situation, risk profile and financial product knowledge and experience as is necessary for the provider to provide the client with appropriate advice.

Self-regulatory or industry-led measures relating to financial advice/financial management

Again, respondents were asked about self-regulatory or industry-led initiatives in this area. In many jurisdictions, there are industry associations that represent financial advisory and management service providers. Half of responding jurisdictions confirmed that such initiatives were in place relating to the giving of financial advice and/or the management of financial assets of older people.

For example:

In **France**, a number of financial institutions have put in place measures to prevent poor marketing of financial products to older people, including the provision of guidance to financial advisers for managing

⁶⁸ Questionnaire response from Hong Kong, China, January 2019

⁶⁹ see Guideline on Financial Needs Analysis; Guideline on Sale of Investment-Linked Assurance Scheme ("ILAS") Products; Guideline on Benefit Illustrations for Long Term Insurance Policies, at https://ia.org.hk/en/legislative_framework/guidelines.html

the relationship with older clients. This can range from ensuring clients are clear about and reformulate their financial needs before executing any transaction to practical matters such as ensuring the physical environment of any appointment is appropriate.

In **Quebec, Canada**, initiatives developed by self-regulatory organisations include a member education webcast by IIROC for investment advisors working with seniors and vulnerable persons⁷⁰ and a Seniors Summit hosted by the MFDA in 2015 to provide members practical advice on dealing with the issues and challenges they will face when dealing with senior clients.⁷¹ Also, the Investment Industry Association of Canada has produced *Canada's Investment Industry: Protecting Senior Investors - Compliance, Supervisory and Other Practices When Serving Senior Investors*.⁷²

In **Japan**, the Japan Securities Dealers Association (JSDA) has issued self-regulatory requirements for its members requiring them to have internal rules regarding offering and selling financial products to elderly customers by solicitation and issued a guideline on sales through solicitation targeted the elderly to clarify the interpretation of them. This includes:

- A requirement for prior approval by an experienced manager when for solicited sales of a complex or low-liquidity investment product to a person aged 75 years and over.
- A requirement to establish a period between the solicitation and execution of a transaction with anyone aged 80 years and over to provide such customers with time to think about their investment decisions (i.e. overnight).⁷³

In **Korea**, financial industry associations have developed guidelines to protect older financial consumers, applicable to financial firms and their staff.

6.5 Financial products

Financial products for older people

As noted above, there are a range of factors which can impact on the accessibility and availability of appropriate financial products for older people, including age-based limits. Respondents were asked whether they were aware of financial products designed to address the factors that may make older people more vulnerable. Thirteen jurisdictions said that they were aware of such products, while sixteen said that they were not.

⁷⁰ http://www.iiroc.ca/Documents/2016/0853af0c-6b32-4b31-9bd7-e0093a54f66d_en.pdf

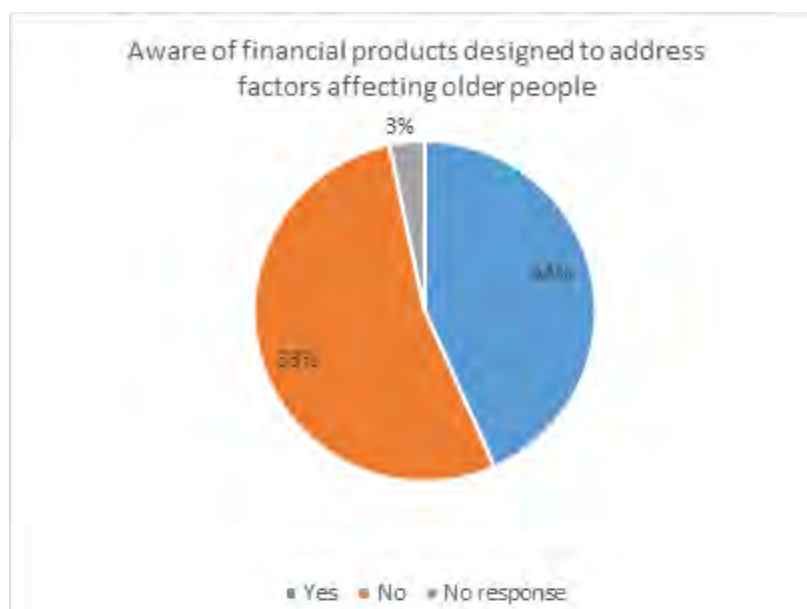
⁷¹ <http://mfda.ca/members/member-webcasts/mfda-2015-seniors-summit/> Industry-led initiatives

⁷² https://iiac.ca/wp-content/uploads/Canadas-Investment-Industry-Protecting-Senior-Investors_March-18-2014.pdf

⁷³ Questionnaire response from Japan, January 2019

Figure 9. Q18: Are you aware of any financial products designed to address factors that may make older persons vulnerable?

N=30



In **Brazil**, the age limit for mortgage finance was extended by Resolution 205/2010 enacted by the Superintendence of Private Insurance, from 75 years old to a maximum of 80 years and 6 months. Further, under the Elderly Statute, 3% of real estate loans financed by public funding must be allocated for older people.

In **Canada**, pooled Registered Pension Plans (PRPPs) were introduced as a retirement savings option for individuals, including self-employed individuals, who may face more challenges with self-directed retirement planning. Its purpose is to provide retirement income for employees and self-employed individuals who do not have access to a workplace pension. Because individuals' assets are pooled, PRPPs offer investment and savings opportunities at lower administrative costs, with investment options being similar to those available in a registered pension plan.

In **Hong Kong, China**, the Silver Bond issued by the Government of Hong Kong, China is designed for senior residents aged 65 or above in Hong Kong.⁷⁴ Silver Bonds are principal-protected and the return is linked to inflation in Hong Kong, which helps senior residents counter inflation and provides steady interest income per annum. There is no secondary market for the Silver Bond, but holders can sell their bonds back to the Government at original price before maturity and obtain the accrued interest.

The HKMC Annuity Plan (the Plan) is a life annuity scheme underwritten by HKMC Annuity Limited and is a whole life guaranteed annuity insurance product for elderly aged 60 or above.⁷⁵ The Plan is designed to address the longevity risk faced by older people by providing a steady stream of guaranteed annuity income for life after paying a single premium. The Plan allows customers to apply for special withdrawals

⁷⁴ https://www.hkqb.gov.hk/en/retail/Silver_Key.html

⁷⁵ https://www.hkmca.hk/files/hkmcap_small_banner/1/HKMCA%20brochure-EN-Full_web.pdf

for medical and dental expenses in Hong Kong, which can also help address the liquidity needs of the customer.

In **Italy**, older people have access to pension-backed loans, which are credit facilities where loan repayments are made directly by the pension authority to the credit provider. Such repayments may not amount to more than one fifth of a person's monthly pension payment.⁷⁶

In the **Russian Federation**, social cards that grant free access to public transport and other social services, and are available to older people who receive a state pension, can also be used as debit cards and allow certain fee-free transactions e.g. paying utility bills.

Box 3. Asset rich, cash poor – reverse mortgages

One financial product that was specifically mentioned by a number of respondents as a product that was designed to meet specific needs of older people was reverse mortgages. Essentially, reverse mortgages, also known as equity release loans or home income plans, operate by allowing property owners (in this case, older people who own their own homes) to borrow (or release) funds representing a portion of the value of their property, with the property as security for the loan. While rules and arrangements differ across jurisdictions, generally repayments do not need to be made during the property owner's lifetime, with the capital plus accrued interest being repaid from their estate on their death.

Reverse mortgages have advantages and disadvantages, as was evident from the responses received to the questionnaire. Given the challenges of an ageing population, with the need to fund longer lifespans, reverse mortgages can:

- Assist with meeting cash flow needs in the absence of income from employment
- Reduce pressure on social security or state pension arrangements
- Provide funds to pay for large expenses such as home repairs or modifications, new car.

In terms of potential risks associated with reverse mortgages, they include:

- Depletion of equity in the property, possibly to zero
- Value of the loan growing to greater than the value of property
- Opaque fees and charges
- Lack of understanding by financial consumers.

In terms of jurisdiction experience, including mandated product design features, regulatory actions and consumer rights, examples include:

In **Australia**, the Australian Securities and Investments Commission published a review of reverse mortgages in August 2018. ASIC reviewed data on 17,000 reverse mortgages, consumer loan files, lender policies, procedures and complaints, and conducted research among borrowers and stakeholders. The review found that reverse mortgages allowed older Australians to meet their immediate financial goals, stay in their home and improve their lifestyles in retirement, but that longer term challenges existed, such as reduced home-equity (beyond the upfront costs of aged care) and financial difficulty in later life due to the effect of compound interest over time and potential changes in the growth of property prices. In light of the review findings, ASIC decided to require lenders to improve

⁷⁶ Questionnaire response from Italy, January 2019

their practices and amend loan contracts, monitor industry initiatives to reduce the risk of elder financial abuse and update its consumer education materials.

In **Hong Kong, China**, the Reverse Mortgage Programme underwritten by HKMC Insurance Limited is a mortgage loan product insured by mortgage insurance for person aged 55 or above and is designed to address the longevity risk. The product enables a borrower to use his or her residential property in Hong Kong as security to borrow from a lender. The borrower can opt to receive monthly payments either over a fixed period of 10, 15 or 20 years or throughout his or her entire life. The borrower may also borrow lump-sum payments for specific purposes when needed. In general, the borrower does not need to repay the reverse mortgage loan during his or her lifetime (unless the reverse mortgage loan is terminated under certain specified circumstances). Finally, the borrower remains as the owner of the property and can continue to stay in the property for the rest of his or her lifetime.

In **India**, a homeowner who is above 60 years of age is eligible for reverse mortgage loan, which permits the release of equity in the home via a lump sum or periodic payments mutually agreed by the borrower and the banker.

In **Italy**, “lifetime mortgages” are available to property owners over 60 years old and do not require repayments to be made during the lifetime of the borrower, with the outstanding debt dealt by their estate.

In **Spain**, reverse mortgages are regulated by Act 41/2007 of 7 December, which modifies Law 2/1981 of 25 March together with other aspects of the mortgage and financial system. In Spain, reverse mortgages are intended to mitigate one of the most pressing socioeconomic problems in Spain i.e. meeting the increase in income needs during the later years of a person’s life. Usually, in this type of mortgages, the debtor must be over the age of 65 years old and the primary residence of the debtor should be guaranteed. The credit provider is only able to recover the credit and the accrued interests when the debtor deceases, and the debt is paid off by the heirs to the estate. In order to ensure transparency, providers are required to provide clients with independent advice, especially in connection with the financial situation of the applicant and the economic risks of reverse mortgages. In addition, the Code of Best Practices, a voluntary code, is aimed at protecting loan and mortgage borrowers who have mortgaged their primary residence and who are at risk of social exclusion. According to the Code of Best Practices, debtors over 60 are considered particularly vulnerable.

In the **United States**, the Consumer Financial Protection Bureau (CFPB) conducted a review of advertisements for reverse mortgages from a variety of lenders that appeared in five large urban US markets between March 2013 and March 2014 as well as qualitative consumer research among homeowners aged 62 and older, in three cities to explore their impressions of the advertisements. The review found, among other things, that many consumers did not understand that reverse mortgages were loans with fees, compounding interest and repayment terms, unless they saw an interest rate explicitly stated in the advertisement. The CFPB was also concerned that advertisements may lead some older homeowners to believe that reverse mortgages were a risk-free government program or benefit and that consumers were confused about messages stating that borrowers could not lose their homes, when this was not the case.⁷⁷ In 2016, the CFPB took action against three reverse mortgage companies for deceptive advertisements, including claiming that consumers could not lose their homes.

⁷⁷ Consumer Financial Protection Bureau Office for Older Americans (2015), A closer look at reverse mortgage advertisements and consumer risks

The CFPB ordered the companies involved to cease deceptive advertising practices, implement systems to ensure they are complying with all laws, and pay penalties.⁷⁸

Product Oversight & Governance Requirements

In addition to rules and regulations relating to the conduct of financial institutions and requirements relating to the disclosure of information, in recent times, there has been an increased regulatory focus across a number of jurisdictions on measures to ensure the quality and value of financial products and services themselves. Such a focus can supplement conduct and disclosure regulations and in particular, recognises the limitations of disclosure and financial literacy alone to safeguard consumer interests, given that many consumers cannot or do not read or understand potentially complex information about financial products and services.

While the High-level Principles do not currently explicitly cover product design, respondents were asked whether there were regulatory measures, such as rules or guidance, relating to the design and distribution of financial products targeted at older persons. Just over half of responding jurisdictions said that such measures were in place, although the measures were not generally specific to older people (although they would be relevant for financial products specifically designed or targeted at older people).

Figure 10. Q17: Are there any rules, guidelines or other measures relating to the design and distribution of financial products targeted at older persons?

N=30



For example, across Member States of the **European Union**, relevant EU legislation, such as MiFID II, the Insurance Distribution Directive as well as the Product Oversight & Governance guidelines of the European Banking Authority, ESMA and EIOPA, enshrine the principle of financial product governance, including taking into account the interests of the target customers from the production process to the

⁷⁸ <https://www.consumerfinance.gov/about-us/newsroom/cfpb-takes-action-against-reverse-mortgage-companies-deceptive-advertising/>

marketing phase of a financial product. Product governance does not specifically cover older people, but does include the obligation to define a target market which may reduce the risks of inappropriate or inadequate distribution.

In **Australia**, in 2019 statutory requirements have been introduced setting out design and distribution obligations for financial services firms. These obligations will bring accountability for issuers and distributors to design, market and distribute financial and credit products that meet consumer needs and require issuers to identify in advance the consumers for whom their products are appropriate, and direct distribution to that target market. The new laws also introduce a product intervention power for the Australian conduct regulator which will give it the power to intervene where there is a risk of significant consumer detriment.

Technology supported product and service design

As outlined above, financial products and services, and the ways to interact with them, are increasingly digital in nature. At the same time, lower digital capability acts as a barrier for many older people to fully engage with digital financial services. It is important that financial institutions take an inclusive approach to innovation and harness technology in a way that benefits older people (and other consumers) who may not be very digitally capable and enhance their experience with financial products and services through age-friendly design. For policy makers, it is important to ensure that policy and regulatory settings are such as to allow innovation to flourish while ensuring an appropriate degree of consumer protection.

Respondents were also asked if they were aware of technological innovations designed to help protect or support older people in their financial dealings and/or the development of financial products. Six responding jurisdictions said they were aware of such innovations.

In **Brazil**, where payroll loans are the most popular financial product among retirees, fintech companies are providing payroll loans for social security beneficiaries, including retirees and pensioners, such that they obtain loans in a digital environment along with an online learning platform that includes credit simulations.

In **Hong Kong, China**, banks have introduced Video Teller Machines, encouraged by the HKMA. Through these machines, bank staff stationed at customer service centres can engage in real-time conversations with customers through videos and provide interactive banking services to customers. Banks also set up voice navigation ATMs to enhance the accessibility of ATM services for customers with visual impairment, including the elderly. Banks also provide simplified ATM cards, which simplify the options available at the ATMs, reduce the steps needed for cash withdrawal and display larger fonts on the screen. The cards are designed to help the elderly and other customers in need to operate ATMs more easily.

Besides, the HKMA has observed some fintech services that can provide convenience to customers (including the elderly) and assist them to access basic financial services easier. For example, a major retail bank in Hong Kong launched a finger vein authentication service in its branches and ATMs, to facilitate the customer authentication process. Customers are only required to put their fingers on sensors set up at branches and ATMs for authentication. After the customers are successfully authenticated, they can perform cash withdrawals, account balance enquiries and conduct transactions. Passwords or signatures are not required during the process. This service makes it easier for the elderly who may have the difficulty in memorising passwords to access banking services, particularly via ATMs.

As to the online securities trading, the SFC introduced the two-factor authentication (2FA) in September 2017 where all licensed intermediaries, have to adopt for all online securities trading transactions. The investors have to provide their personal login ID and password as the first step of authentication. Then the investors have to input a one-time password provided by the intermediaries through SMS or security token as the second step of authentication. Other forms of authentication such as biometric authentication or

digital certificates are also accepted. The 2FA serves as a deterrent and provides security measures for online trading.

In the **United Kingdom**, the Financial Conduct Authority has run regtech “tech sprints” specifically to encourage the development of financial products and services designed to help more vulnerable consumer, such as older people.⁷⁹

Box 4. Supporting digital capability of older people

In addition to technology driven product innovation, a number of jurisdictions are supporting efforts to improve the digital capability of older people through education and training programmes, often as part of overall financial literacy efforts. For example:

In **Germany**, in cooperation with an organization for elderly citizens BaFin takes part in a “digital regulars’ table”. This event takes place as a public webinar, allowing consumers – in this case elderly people – to address questions directly to BaFin experts, for example, questions about new developments in digitalisation in the banking sector or the risks of fraudulent activities that consumers need to be aware of.

In **Israel**, an education and training programme for older people, known as E-Banking Empowerment, is an annual initiative of the Bank of Israel, in conjunction with the Ministry for Social Equality and the Association of Banks in Israel, is held around the country. The objective of the programme is to help senior citizens adjust to e-banking and to give them tools to improve their skills in using e-banking services.

In **Korea**, efforts are in place to tackle low digital capability and improve accessibility through the use of large fonts on mobile apps for example.

In **Portugal**, the Portuguese National Plan for Financial Education, which is led by the three financial supervisors with the coordination of Banco de Portugal, aims to promote the financial literacy of the Portuguese population. One of its objectives for the period 2016-2020 is to deepen knowledge and skills in the use of digital financial services, namely by raising public awareness on digital financial services and security rules and on the risks in the use of those services, such as easier access to credit and impulse buying.

In addition, the Banco de Portugal has in place a digital financial literacy strategy, included in its Strategic Plan for 2017-2020, aiming at empowering bank clients on digital financial services, enlightening them on a secure use of digital channels and raising awareness on digital financial products’ features and risks.

In the **Slovak Republic**, improving digital literacy is one of the topics covered by the National Programme of the Active Ageing 2014-20.

In the **Russian Federation**, free digital/computer lessons are available to older people throughout all regions of Russia, delivered through social services branches, state libraries and state universities and colleges, to improve digital capability.

In **Turkey**, the BRSA has taken measures to support consumers with low digital capability and financial literacy, in particular to protect them from financial scams.

⁷⁹ Questionnaire response from United Kingdom, January 2019

6.6 Financial scams and frauds

Financial scams and frauds represent one type of elder financial abuse. There are many types of scams and frauds that prey on consumers, ranging from dating and romance scams, inheritance scams to prize winning or lottery scams. The survey was concerned with “financial” scams and frauds, which broadly cover attempts to trick people into putting money into a false or fake financial opportunity.

Reported losses to financial scams and frauds are significant. For example, in Australia A\$340 million in financial losses was reported in 2017, of which investment scams was the highest reported losses of A\$64.6 million.⁸⁰

While scams and frauds target people of all ages, the risks of loss as reported tend to be greater for older people. A study into senior investor vulnerability by IOSCO in 2018 found that there was the nearly unanimous view among participating securities regulators that senior investors were at greater risk than other investors of losing money to fraud or being taken advantage of by others, with none disagreeing with the proposition.⁸¹

The same 2017 report from Australia referred to above found that the age with the highest reported losses was 55-65 years old, followed by 65+.⁸² Explanations for this include the fact that older people hold more accumulated wealth and have more to risk when presented with a convincing scam.⁸³ This accumulated wealth also includes retirement savings generally accumulated over many years in the workforce, which are attractive to fraudsters and contribute to the vulnerability of older people (not least because there is no ability to replace the accumulated savings if lost). Research by the UK Financial Conduct Authority found that 30% of people approaching retirement age received unsolicited approaches about pensions or investments in the last 12 months.⁸⁴

Similarly, a 2019 report by the US CFPB Office of Financial Protection for Older Americans looking at Suspicious Activity Reports (SARs) filed by financial institutions relating to financial exploitation of older customers by perpetrators ranging from online scammers to family members, found that:

- SAR filings on elder financial exploitation quadrupled from 2013 to 2017.
- In 2017, financial institutions filed 63,500 SARs reporting elder financial abuse.
- Older adults ages 70 to 79 lost on average \$43,300. And when the older adult knew the suspect, the average loss was even larger—about \$50,000.⁸⁵

Consistent with the other findings above, the report noted that the SARs filed were likely to represent only a small fraction of the estimated 3.5 million incidents of elder financial exploitation in 2017.⁸⁶

⁸⁰ *Targeting scams, Report of the ACCC on scams activity 2017*, Australian Competition and Consumer Commission, May 2018

⁸¹ *Senior Investor Vulnerability*, IOSCO, March 2018

⁸² *Ibid*, page 1

⁸³ *Ibid*, page 11

⁸⁴ *Financial Lives Survey*, Financial Conduct Authority, 2017

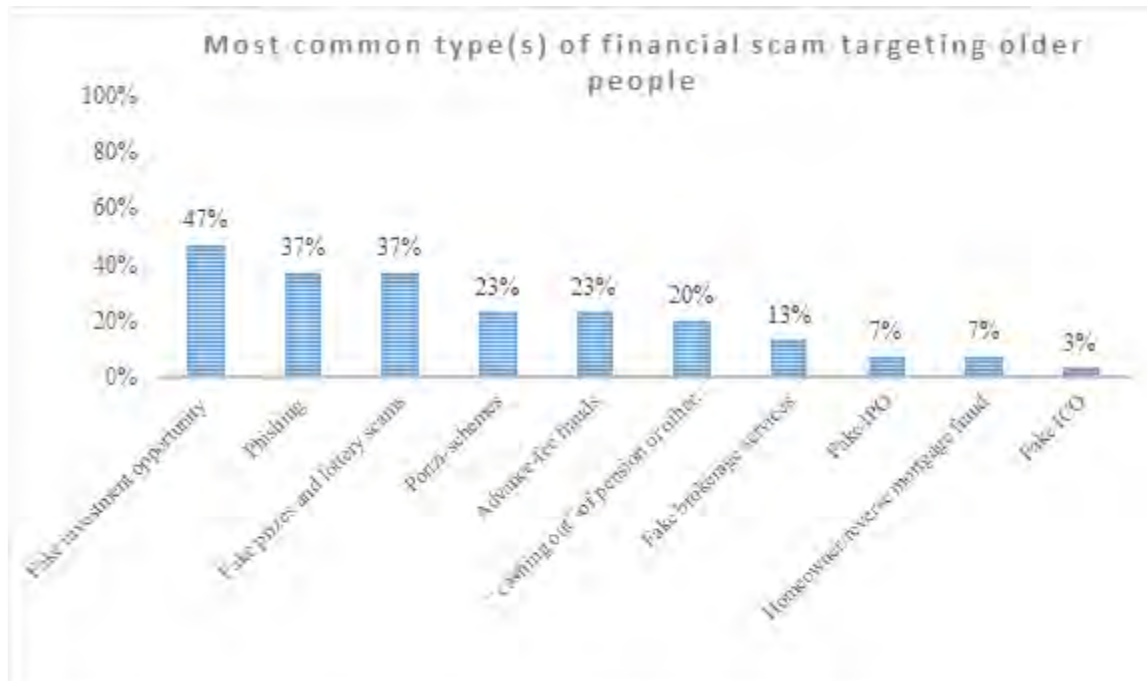
⁸⁵ *Suspicious Activity Reports on Elder Financial Exploitation: Issues and Trends*, Office of Financial Protection for Older Americans, CFPB, February 2019

⁸⁶ *Ibid*, page 12

Respondents were asked to nominate the most common types of financial scam targeting older persons in their jurisdiction (up to five). As can be seen from Figure 11, the most common type of financial scam across 29 responding jurisdictions were fake investment opportunities (47%), followed by phishing scams (37%), fake prizes and lottery scams (37%), Ponzi schemes (23%) and advanced fee frauds (23%).

Figure 11. Q22 Please indicate the most common type of financial scam targeting older persons in your jurisdiction (up to 5).

N=29



In terms of specific measures to protect older persons and tackle financial scams, 21 jurisdictions responded that there were specific measures in place in their jurisdiction, compared to six that did not. In many cases, informing and educating consumers to spot and avoid financial scams was part of an overall financial education strategy or communication campaign, often run in conjunction with other relevant organisations. In others, additional measures were in place including dedicated reporting channels, while in some jurisdictions, technological solutions to detect and intercept potentially fraudulent activity are being explored.

For example:

In **Australia**, Scamwatch is a dedicated website run by the Australian Competition and Consumer Commission, which provides information to consumers and small businesses about how to recognise, avoid and report scams.⁸⁷

In **Brazil**, the Dial-100 (Disque 100) system was established to provide a universal, easy-to-remember telephone number for older people to report abuse (as well as an email and web portal). Calls are directed

⁸⁷ www.scamwatch.gov.au

to the relevant authority responsible for the issue, without the caller having to look up specific contact information.

In **Canada**, the Canadian Anti-Fraud Centre has provided a toll free number since 1995 for older persons to call and report their victimization involving mass marketing financial fraud. When the older person calls the CAFC they are given advice, referrals, and fraud prevention and awareness education from the CAFC front line staff. The older person may receive, or can request, a follow-up call from a CAFC Senior Support Unit (SSU) senior volunteer. The SSU has been in operation since 1997 and has been honoured for its service and support. The CAFC also undertakes fraud prevention and awareness education, including presentations to senior groups in some locations.

In **Canada**, the Canadian Bankers Association provides useful fraud prevention tips on credit card fraud, debit card fraud and identify theft, which are specifically geared towards seniors.⁸⁸

In **Quebec, Canada**, in addition to participating in the Governmental Action Plan to Counter Elder Abuse, over the last 10 years, the AMF has developed partnerships with leading seniors' associations to offer fraud prevention conferences and participate in seniors' fairs throughout the province of Quebec each year.

The AMF has produced information brochures on avoiding financial scams and also provides information via its website on for consumers on preventing elder financial abuse.⁸⁹

In **Germany**, local police services run training for older people about how to spot and prevent common frauds and scams.

In **Hong Kong, China**, the Hong Kong Police Force implemented the Senior Police Call (SPC) scheme in February 2014 to enhance communication with elderly through proactive engagement and to promote crime prevention.⁹⁰ Since 2015, the Hong Kong Police Force and the Investor and Financial Education Council have trained older people under the SPC as ambassadors to disseminate educational messages on financial management and scams prevention to elderly. Through this peer-to-peer engagement, it is easier to reach out to the elderly and deliver the messages that prevent them from falling victim to financial scams. A decrease of deception-related cases involving the elderly was observed between 2014 and 2017 (a decrease from 18.8% of cases in 2014 to 7.9% in 2017).

In **Indonesia**, OJK conducts financial education programmes to improve financial literacy, including programmes targeted at older people, with the objective of raising awareness of potential financial scams and how to deal with them.

In **Italy**, the Ministero dell'Interno runs information campaigns designed to make vulnerable people, including older people, aware of the risks of financial scams.⁹¹

⁸⁸ <https://cba.ca/protecting-canadians-from-fraud>

⁸⁹ https://lautorite.gc.ca/fileadmin/lautorite/grand_public/publications/consommateurs/prevention-fraude/soyez-a-votre-affaire_an.pdf;

⁹⁰ https://www.police.gov.hk/ppp_en/11_useful_info/spc.html

⁹¹ Questionnaire response from Italy, January 2019

In **Japan**, a range of organisations, including local finance bureaux, Councils for Financial Services Information, consumer centres and police departments, provide information for older people about financial scams via lectures and websites.⁹²

In **Korea**, approaches to tackle financial scams and frauds targeting older people including introducing additional criminal penalties for voice phishing and the use of AI apps to block phone numbers and illegal websites used for purpose.⁹³

In the **Russian Federation**, banks distribute SMS alerts to customers warning them not to reveal passcodes, passwords or PINs and warnings and alerts are increasingly being displayed on ATM screens.

In the **United Kingdom**, the Financial Conduct Authority runs a communications campaign, Scamsmart, aimed at educating and warning older people against investment fraud.⁹⁴

In the **United States**, the Consumer Financial Protection Bureau offers an online Elder Fraud Prevention and Response Networks Development Guide, which is intended to help bring together local community stakeholders to collaborate in the fight against elder financial exploitation and fraud. It provides step-by-step resources to help stakeholders form or enhance existing networks and increase the community's capacity to prevent and respond to this crime. It also offers planning tools, templates, and exercises to help stakeholders complete key tasks in the creation of a new network or to refresh or expand an existing one.⁹⁵

6.7 Complaints handling and redress

Effective complaints handling and redress mechanisms are a critical part of an overall financial consumer protection framework, as set out in the High-Level Principles. Ensuring easy access to such mechanisms is an important part of their effectiveness, including for consumers who may find navigating them more difficult, for example due to impaired cognitive function. Respondents were therefore asked if there were specific measures to support older people, or those acting on their behalf, to make a complaint or seek redress relating to financial products or services. Half of respondents said that such measures were in place in their jurisdiction, as can be seen from Figure 12.

⁹² Questionnaire response from Japan, January 2019

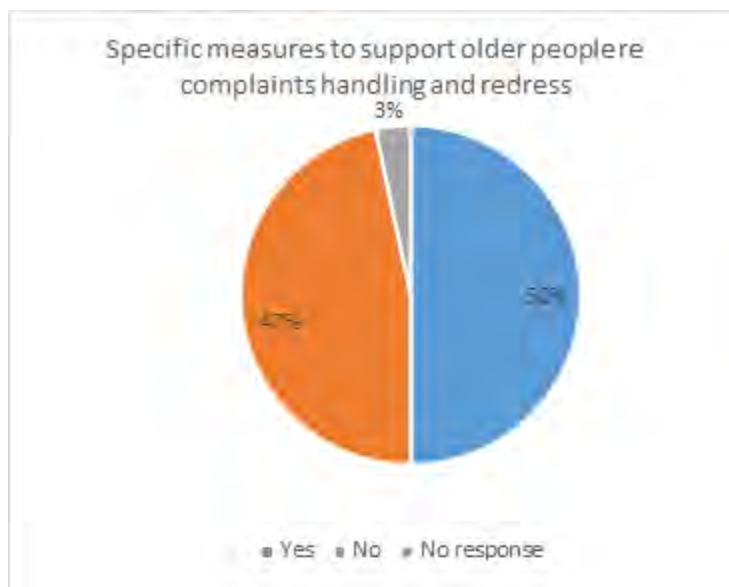
⁹³ Questionnaire response from Korea, January 2019

⁹⁴ <http://scamsmart.fca.org.uk/>

⁹⁵ www.consumerfinance.gov/ElderNetworks

Figure 12. Q24: Are there any specific measures to support older persons, or those acting on their behalf, to make complaints or seek redress relating to financial products or services?

N=30



For example:

In **Brazil**, the law provides priority for older people, or those acting on their behalf, in bringing any judicial or administrative procedure. In terms of complaints falling within its jurisdiction, the Securities and Exchange Commission of Brazil (CVM) maintains a dedicated communication channel for older investors, who receive priority attention in relation to processing their complaint.

In **Canada**, the Senior Support Unit of the Canadian Anti-Fraud Center assists older people by explaining the dispute resolution process and providing referrals to ombudsman services, external complaints bodies or other agencies that may be able to assist. And while external complaints bodies not offer specific services to older people, they are aware that they may constitute a vulnerable population.

In **Costa Rica**, the Law of the Ombudsman of the Republic, No. 7319, Article 11 provides that "the Ombudsman of the Republic shall have an official appointed for the protection of the elderly person". Among other things, the Ombudsman office must be open twenty-four hours a day, every day of the year, and be responsible for ensuring non-discrimination and preferential treatment of older people in the institutions of the State and in the provision of public services, as well as any other situation or complaint relating to this group of the population.

In **Germany**, BaFin runs a special, free-of-charge consumer helpline. Helpline staff answer consumers' questions or explain the measures available if consumers want to settle a conflict out of court with financial service entities. There is also a sign language phone service for the deaf and people with hearing difficulties. The consumer helpline offers also "co-browsing", a feature that allows consumer helpline advisers to navigate to websites together with callers.

In **Japan**, while there are no specific measures relating to older people, the FSA's Counselling Office for Financial Services Users is able to assist consumers with questions or complaints and refer them to the appropriate channel.⁹⁶

In **Mauritius**, the Welfare and Elderly Persons' Protection Unit of the Ministry of Social Security receives complaints from older people who are in need of protection or assistance.⁹⁷

In **Portugal**, the CMVM operates a dedicated area for investors on its website, where they can find support in the form of alerts, FAQs etc., as well as a helpline for investors. This helpline is often used by older people, particularly those seeking assistance with making a complaint.

⁹⁶ Questionnaire response from Japan, January 2019

⁹⁷ Questionnaire response from Mauritius, January 2019

7 Conclusions and policy considerations

Based on the analysis of the findings and research outlined above, informed by the experience and approaches of respondents to the questionnaire, this section sets out a number of conclusions and policy considerations for policy makers and oversight authorities. These policy considerations are designed to promote good outcomes for older people in relation to financial products and services, and in turn, promote trust and confidence in the financial system.

As noted above, the data which informed the development of this report were gathered before the outbreak of the COVID-19 pandemic, and this report does not seek to put forth conclusions specifically about the longer implications of the pandemic, which are not yet known. That said, many of the general conclusions and policy considerations below are still relevant to consideration of financial consumer protection of older people in the context of COVID-19.

7.1 G20 Fukuoka Policy Priorities

As noted above, the research conducted for this report also informed the development of the G20 Fukuoka Policy Priorities published by the Japanese G20 Presidency in June 2019. The Policy Priorities are therefore equally relevant in the context of this report.

The eight Policy Priorities set out aim to help policy makers, financial service providers, consumers and other actors in the real economy to identify and address the challenges associated with ageing populations and the global increase in longevity discussed above. They reflect policies and practices to improve the outcomes of both current generations of older people and future generations. The Policy Priorities:

- **Use data and evidence:** use various sources of data and evidence to show which policies are working and identify what else needs to be done.
- **Strengthen digital and financial literacy:** aim to provide everyone with practical skills and knowledge to manage in a changing financial landscape.
- **Support lifetime financial planning:** develop programmes and products to encourage long-term plans.
- **Customise - address the diverse needs of older people:** create products and services that are tailored to the range of needs of older people.
- **Innovate - harness inclusive technologies:** make the most of technologies in developing financial products, protecting consumers and delivering financial education.
- **Protect - tackle financial abuse and fraud of older people:** identify problems quickly and use multi-pronged approaches to prevent older people from becoming victims of financial abuse or fraud.
- **Encourage stakeholder engagement - a multi-sectoral approach:** work with different sectors to ensure a consistent and comprehensive approach towards financial inclusion.

- **Target key audiences - address vulnerabilities:** consider the needs of groups who may be vulnerable or underserved.

7.2 Policy considerations relating to financial consumer protection

In addition, the following additional conclusions and recommendations may be drawn relating specifically to financial consumer protection.

Consider the development of a holistic strategy

Regardless of the regulatory powers or responsibilities relating to older people, there can be significant advantages in policy makers and oversight authorities developing a holistic strategy for responding and, where relevant, proactively addressing issues impacting older people. Such a strategy allows multiple functions to be effectively coordinated, such as conduct supervision of financial intermediaries who advise or otherwise deal with older people; enforcement of breaches; and financial literacy or communications initiatives targeted at older people or those who are responsible for managing their financial affairs. Having a strategy in place also indicates that tackling the vulnerabilities of older people is a priority both within the organisation and to market participants and the public alike. Such a strategy could also extend beyond the oversight authority itself and include other stakeholders, such as industry participants, researchers and other organisations responsible for the wellbeing or protection of older people.

Develop an evidence-based understanding of the needs, preferences, risks and vulnerabilities of older people through research ...

While as noted old age is not of itself a cause of vulnerability in terms of financial exclusion, there are risk factors that are more likely to affect older people than the population in general, in particular the increased risk of physical and cognitive decline. These factors have a significant impact on consumers' ability to engage effectively with financial products and services and also their vulnerability to exploitation. It is advantageous to develop a good understanding of these risks and vulnerabilities, within the context of individual jurisdictions, based on research and expert advice, and what they mean in terms of the needs of older people. This allows regulatory and supervisory efforts to be appropriately targeted and discussions with industry about what is need to be properly informed.

... and by talking and listening to older people and their representatives

It is important that financial consumer protection authorities have mechanisms for consulting with consumers themselves so as to properly understand their needs, preferences, risks and vulnerabilities. Policy makers and oversight authorities should ensure that they hear the voice of older people in terms of their policy making and targeting of regulatory and supervisory efforts. This could involve setting up direct consultation channels such as town hall meetings or roundtables and/or including organisations representing older people in formal consultation processes such consumer panels or advisory committees. In addition, financial consumer protection policy makers and oversight authorities should liaise with other Government departments or agencies that have frontline contact with older people and can therefore provide valuable input on their needs and vulnerabilities.

Agree and adopt a definition of elder financial abuse to support data collection

As set out above, one of the main challenges in collecting data relating to elder financial abuse is the lack of an agreed definition. At the same time, in many jurisdictions there is no accepted definition. Data

collection, underpinned by consistent terminology, is essential to understanding the scope of the problem and developing evidence-based responses. Jurisdictions should therefore consider agreeing and adopting a definition of elder financial abuse that can be used consistently by all relevant agencies and organisations. Jurisdictions could either develop their own definition based on jurisdictional circumstances, or use that of the World Health Organisation which defines elder financial abuse as illegally misusing an older person's money, property or assets.

Coordinate financial literacy and communication campaigns in the fight against financial scams and frauds, and consider other approaches as well

In many jurisdictions, a major part of the response to financial scams and frauds is financial literacy and consumer communication campaigns. This is not surprising given the perpetrators of such financial scams and frauds are not licensed or authorised and may not even be based in the jurisdiction, creating challenges for law enforcement and underlining the importance of public awareness as a line of defence. Such campaigns are likely to be more effective when such campaigns are coordinated with a range of players, including other law enforcement agencies, financial services industry participants, other touchpoints for older people such as utility companies, medical services and transport providers, and community organisations for older people. Such financial literacy and consumer communication campaigns can be supplemented with other approaches to enhance the fight against financial scams and frauds. For example, dedicated and well-promoted reporting channels may aid law enforcement as well as assisting a better understanding of the prevalence and nature of such activity. There is also a role for technology and for financial institutions (see below).

Consider how suitability obligations should take into account specific needs and vulnerabilities of older people

In most jurisdictions, suitability obligations are the cornerstone of ensuring that the provision of financial and investment advice and any financial product recommended is suitable to the consumer.

These obligations generally require an assessment to be made to ensure that the financial advice meets the needs, objectives and personal situation of the consumer. In some jurisdictions, there are explicit requirements relating to taking the age of the consumer into account or enhanced requirements relating to certain products, while in others consideration of age is implicit in the suitability process. Regardless of the approach, it is recommended that policy makers and oversight authorities responsible for regulating financial advice standards, in consultation with industry, give consideration to what “good” looks like in terms of fulfilling suitability obligations in relation to financial or investment advice to older people, taking into account jurisdictional circumstances and sharing policy guidance as to these expectations.

Consider how responsible lending obligations should take into account specific needs and vulnerabilities of older people

Similar to suitability obligations for financial and investment products, responsible lending obligations, including assessment of capacity to repay, underpin many regimes governing the provision of credit to consumers.

Given longer lifespans, it is important that older people are able to access credit in order to achieve their goals and objectives. Responsible lending obligations, whether regulatory or self-regulatory in nature, should not act to unduly restrict access to credit for older people. At the same time, it is important that such credit is provided responsibly, taking into account the situation of older people, which may not include regular income from work.

Given the specific function of reverse mortgages, their role in freeing up capital for older people who may be cash-poor balanced against the potential risks arising, it is recommended that policy makers and oversight authorities consider how responsible lending requirements apply to such products.

Take a consumer-centric approach to the design and distribution of financial products for older people

As noted above, there are various measures aimed at ensuring the governance and oversight of financial products to ensure that they meet the needs of the target audience. It is important to ensure that financial products are available and accessible to older people and that they meet their needs. In some cases, this could mean reviewing age-based limits on existing financial products, such as credit facilities or insurance products, to ensure they are still appropriate in light of increasing life expectancy. In other cases, it could mean reviewing whether financial products designed for older people do not comprise intrinsic features which themselves mean the products may not be fit for purpose. For example, as described in the findings above, reverse mortgages play a potentially important role in a number of jurisdictions in terms of freeing up capital for older people who may have limited sources of income. Taking a consumer-centric approach to the design of such products could mean limits on amounts that may be borrowed, requirements relating to seeking independent advice, reviewing marketing and disclosure requirements, or considering product controls that prevent negative equity situations from arising.

Consider the role of fintech

In an environment characterised by ever-increasing digitalisation, technology has an important role to play in ensuring existing financial products and services and distribution channels meet the needs of older people, and in developing new ones. Many policy makers and oversight authorities explicitly seek to facilitate technology driven innovations in the market they regulate via regulatory sandboxes or innovation hubs. Initiatives to support digital capability of older people are important. In addition, oversight authorities could facilitate or call for tech-sprints or similar initiatives with the specific purpose of addressing the risks and vulnerabilities faced by some older people and developing age-friendly products or services that accommodate the lower levels of digital capability of many older people.

Work with financial institutions to help protect older people

As outlined in the report above, financial institutions have an important role to play in helping to ensure that the interests of older people are protected because they are closer to their experience in terms of communication and transactions. In addition to regulatory and supervisory measures, there is an important role for self-regulatory or industry-led initiatives to meet the needs of older people.

Policy makers and oversight authorities should therefore work with and encourage financial institutions and industry associations to develop responses. This could include, for example, working with industry to develop protocols for dealing with older people, ensuring that frontline staff are trained and that frontline services, e.g. branches, are designed such that they meet their needs. It could also include coordinating with financial institutions, particularly those with frontline contact with consumers, to train staff to be alert to signs of elder financial abuse, e.g. multiple unexpected withdrawals from a cash account or suspicious transactions on accounts that might be an indicator of fraudulent activity. Such self-regulatory or industry-led initiatives could take the form of Codes of Conduct, industry charters or training programmes.

Consider options to mitigate the impact of bank branch closures

The issue of the closure of bank branches is a complex one requiring competing interests to be carefully balanced. Subject to any statutory provisions relating to coverage, and recognising the commercial

imperatives, policy makers and oversight authorities could nevertheless work with financial institutions on a range of options to mitigate the impact of branch closures. Based on different responses deployed across a jurisdictions, the following options could be considered:

- Encouraging consultation with communities to understand the impact of a branch closure, the need for banking services in the area and to discuss suitable alternatives, to inform a decision about whether to close a branch.
- Encourage the use of replacement services such as mobile branches delivered via accessible vehicles such as buses.
- Work with other service providers, such as post offices or supermarkets, to develop agency banking services in regional and remote areas.
- Invest in education and training programmes to develop the digital capability of older people and teach them how to do online or mobile banking and other forms of digital transactions.

Ensure complaints handling processes are easily accessible to older people and their representatives

Easy access to complaints handling processes are an essential part of financial consumer protection. Policy makers and oversight authorities should ensure that such complaints handling processes, including complaints to firms, complaints to external dispute resolution mechanisms and complaints to regulators and supervisors, are accessible to older people. This could mean providing assistance to older people to make their complaint and ensuring that channel preferences of older people are available. It could also mean ensuring that the existence of such processes is widely promoted to older people and their representatives for example by awareness-raising initiatives.

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Annex A. Questionnaire on Financial Consumer Protection and Ageing

SECTION 1: RESPONDENT DETAILS

Authority/institution(s) responding to questionnaire:

Jurisdiction (i.e. country, economy or region):

Contact name:

Email address:

Phone number:

SECTION 2: OLDER PERSONS

2.1 Is there an accepted definition of “older person(s)”, “senior(s)” or “elderly” in your jurisdiction?

YES / NO

If YES, please provide details:

2.2 Which of the following factors do you think most contribute to making some older persons vulnerable /at risk of financial exclusion (select up to 5)?

Factor	Relevant to vulnerability?
Cognitive decline	
Physical decline (including eyesight, hearing, reduced mobility etc.)	
Social isolation	
Behavioural biases, such as overconfidence	
Low digital capability	
Low financial literacy	
Reliance on family members	
Reliance on financial professionals	
Lack of appropriate financial products for the needs of older persons	
Reduced ability to rebuild financial losses over years by earning income	
Living on a fixed income/pension/annuity	
Difficulty accessing credit	
Difficulty accessing financial advice	
Lack of specialised training or knowledge by financial professionals for dealing with older persons	
Other – please specify	

2.3 Is there any data or research in your jurisdiction relating to issues affecting older persons and financial products and services/financial inclusion of older persons?

YES / NO

If YES, please provide details. Where possible provide a link to the source(s):

2.4 Is the Aging Population (and related issues) a public policy issue in your jurisdiction?

YES / NO

If YES, please provide brief details:

SECTION 3: ELDER FINANCIAL ABUSE

3.1 Is there an accepted definition of “elder financial abuse” in your jurisdiction (i.e. different to the definition provided above)?

YES / NO

If YES, please provide details:

3.2 Is there any data or research available in your jurisdiction relating to the prevalence of elder financial abuse?

YES / NO

If YES, please provide details. Where possible, please provide a link to the source:

3.3 What do you consider the main challenge(s) to be in collecting data or doing research relating to elder financial abuse? Please select up to 5.

Challenge	
No accepted definition of elder financial abuse	
No agency responsible for data collection	
Under-reporting of incidents	
Incidents go unnoticed	
Incidents not characterised as elder financial abuse	
No clear reporting channels	
No data collection being undertaken	
No research being undertaken	
Other, please specify	

SECTION 4: FINANCIAL CONSUMER PROTECTION APPROACHES

Legal, Regulatory and Supervisory Framework

4.1 Are there any laws or regulation in place specifically relating to financial consumer protection for older persons, including elder financial abuse in your jurisdiction?

YES / NO

If YES, please provide brief details:

If NO, how are issues relating to elder financial abuse addressed in your jurisdiction's framework for financial consumer protection?

Role of Oversight Bodies

4.2 Does the statutory oversight body or bodies responsible for financial consumer protection in your jurisdiction have specific powers, responsibilities and/or a strategy for addressing issues relating to older financial consumers?

YES / NO

If YES, please provide brief details:

4.3 Do any of the following have a role/responsibility for addressing financial consumer protection/financial inclusion issues relating to older persons (i.e. in addition to the statutory oversight body)?

If YES, please provide brief details:

Body	Name	Role/responsibility
Financial services self-regulatory organisation(s) or industry association YES / NO If YES		
Government department YES / NO If YES		
Statutory agency dedicated to issues for older persons YES / NO If YES		
Other organisation dedicated to issues for older persons? YES / NO If YES		

Disclosure and transparency

4.4 Are there specific rules or guidance relating to disclosure requirements in relation to financial transactions with older persons?

YES / NO

If YES, please provide details (please provide example(s) if relevant):

Equitable and fair treatment & Responsible Business Conduct

4.5 Are there any rules, guidance or other regulatory measures that apply to frontline staff (e.g. bank branch staff) in their dealings with older persons?

YES / NO

If YES, please provide brief details. Please include one or more examples if possible, including details of why the measure is considered effective.

4.6 Are there any self-regulatory or industry-led initiatives (e.g. training programmes) that apply to frontline staff (e.g. bank branch staff) in their dealings with older persons?

YES / NO

If YES, please provide brief details. Please include one or more examples if possible, including details of why the measure is considered effective.

4.7 Are there any rules, guidance or other regulatory measures that apply to the giving of financial advice to or the management of financial assets of older persons?

YES / NO

If YES, please provide brief details. Please include one or more examples if possible, including details of why the measure is considered effective.

4.8 Are there any self-regulatory or industry-led initiatives (e.g. training programmes) that apply to the giving of financial advice to or the management of financial assets of older persons?

YES / NO

If YES, please provide brief details. Please include one or more examples if possible, including details of why the measure is considered effective.

4.9 Are there any rules, guidelines or other measures relating to the design and distribution of financial products targeted at older persons?

YES / NO

If YES, please provide brief details (including examples if relevant):

4.10 Are you aware of any financial products designed to address factors that may make older persons vulnerable?

YES / NO

If YES, please provide brief details (including examples if relevant)

4.11 Are there issues or concerns in your jurisdiction relating to the following types of access to financial products and services by older persons?

Physical access e.g. availability of bank branches?

YES / NO

IF YES, are there any measures or initiatives in place to address this concern (e.g. relating to closure of bank branches)?

Difficulty accessing appropriate financial products or services, e.g. availability of certain types of credit or insurance, financial advice?

YES / NO

If YES, are there any measures or initiatives in place to address this concern?

Barriers due to low digital capability e.g. difficulty accessing financial products or services online?

YES / NO

If YES, are there any measures in place to address this concern?

4.12 Are you aware of technological or other innovations in your jurisdiction designed to help to protect or support older persons in their financial dealings and/or the development of financial products?

YES / NO

If YES, please provide brief details (including examples if relevant):

Protection of consumers' assets against fraud and misuse

4.13 Is there any data or research available in your jurisdiction relating to financial frauds/scams targeting older persons (including comparison with the rest of the population)?

YES / NO

If YES, please provide brief details (including a link to the source if possible):

4.14 Please indicate the most common types of financial scam targeting older persons in your jurisdiction?
Please select up to 5.

Type of financial scam	Targeting older persons?
Ponzi-schemes	
Phishing	
Advance-fee frauds	
Fake prizes or lottery scams	
Fake IPO	
Fake ICO	
Fake brokerage services	
Fake investment opportunity	
Homeowner/reverse mortgage fraud	
Scams involving the release ("cashing out") of pension or other retirement savings	
Other – please specify	

4.15 Are there any measures in place to protect older persons from financial scams?

YES / NO

If YES, please provide brief details. Please include one or more examples if possible, including details of why the measure is considered effective.

Complaints handling and redress

4.16 Are there any specific measures to support older persons or those acting on their behalf, to make complaints or seek redress relating to financial products or services?

YES / NO

If YES, please provide brief details (including examples if relevant):

Other

4.17 Are there any other relevant policy issues or measures relating to financial consumer protection and older persons that are not already addressed in the questionnaire?

YES / NO

If YES, please provide brief details:

THANK YOU FOR COMPLETING THE QUESTIONNAIRE

Annex B. Respondents to Questionnaire on Financial Consumer Protection and Ageing, December 2018-January 2019

Jurisdiction (i.e. country, economy or region)	Name of Authority/institution(s) responding to questionnaire:
Australia	Australian Securities and Investments Commission
Brazil	Central Bank of Brazil
	Securities and Exchange Commission of Brazil
Canada	Department of Finance
	Financial Consumer Agency of Canada (FCAC), Employment and Social Development Canada (ESDC), Public Health Agency of Canada (PHAC), Royal Canadian Mounted Police (RCMP), Department of Justice Canada
Canada, Quebec	Autorité des marchés financiers
Costa Rica	National Council of Supervision of the Financial System
France	Autorité de contrôle prudentiel et de résolution (ACPR)
Germany	Bundesanstalt für Finanzdienstleistungsaufsicht
Hong Kong, China	Hong Kong Monetary Authority
India	Reserve Bank of India
Indonesia	Otoritas Jasa Keuangan - Consumer Protection Department
Israel	Bank of Israel, Banking Supervision Department
	Capital Markets, Insurance and Savings Authority - CMISA, The Ministry for Social Equality, Fair Trade Authority
Italy	Bank of Italy/Consob (consolidated response)
Japan	Financial Services Agency
Luxembourg	Commission de Surveillance du Secteur Financier
Mauritius	Consolidated version (Bank of Mauritius, Mauritius Bankers Association Limited, Financial Services Commission, Ministry of Social Security, National Solidarity and Environment and Sustainable Development)
Netherlands	Authority for the Financial Markets (AFM)
Peru	Superintendence of Banking, Insurance and Private Pension Funds
Portugal	Banco de Portugal
Republic of Korea	Financial Services Commission
Russian Federation	Ministry of Finance / Consumer Protection Service (Rosпотребнадзор)
Saudi Arabia	Saudi Arabian Monetary Authority
Slovak Republic	Ministry of Finance of the Slovak Republic
South Africa	Financial Sector Conduct Authority
Spain	General Secretariat of the Treasury and Financial Policy, National Securities Market Commission and Bank of Spain
Switzerland	Swiss Federal Department for Finance, State Secretariat for International Finance
Turkey	Republic of Turkey Ministry of Treasury and Finance
United Kingdom	Financial Conduct Authority
United States	US Treasury

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