

The complaint

Mr M complains that American Express Services Europe Limited (AESEL) (Amex) provided misleading information about whether he qualified for a companion voucher.

What happened

Mr M opened a Premium British Airways American Express card on 23 August 2019. The account terms said that if Mr M spent £10,000 within the first year he would receive a companion voucher. The terms also said that only one companion voucher could be earned each year.

In January 2020 Amex sent Mr M his companion voucher. On 13 January 2020 Mr M changed his account type to the standard British Airways American Express card. The criteria for earning a companion voucher for the new card included a £20,000 minimum spend.

Mr M says that when he logged into his online account facility he saw information that showed his ongoing spending was going up and that he would qualify for another companion voucher.

In June 2020 Mr M contacted Amex to request another companion voucher after reaching a total spend of £20,000. But Amex said Mr M had already received a companion voucher and that card holders only qualify for one each year.

Mr M complained and Amex offered him 20,000 Avios points to resolve the matter. Mr M went on to refer his case to our service and it was passed to an investigator. The investigator thought Amex had dealt with Mr M's complaint fairly and didn't ask it to do anything else.

Mr M asked to appeal and said Amex promoted an offer that was misleading. As Mr M didn't accept the investigator's view, his complaint has been passed to me to make a decision.

What I've decided – and why

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

I think all parties broadly agree that the terms and conditions of the British Airways credit cards Mr M has held only allow a card holder to receive one companion voucher each year. In this case, Mr M's companion voucher was sent in January 2020 after he met the qualifying £10,000 spend limit for the premium version of the card.

Mr M says that after he switched his account type to the standard version of Amex's card his online account gave information that said he could earn another companion voucher. Mr M has pointed out that his total spend was tracked by Amex's online system which said that once he hit £20,000 another companion voucher would be issued.

Amex has advised that whilst Mr M's account spending would have been tracked, the information he saw wasn't a promotion. Amex has also pointed out that Mr M would have seen additional information about the qualifying criteria (that said only one companion voucher could be earned in a year) when he checked his online account.

Amex has sent copies of the statements it issued to Mr M each month. The information I've seen says Mr M could earn a reward flight *By spending £20,000 on your Card before your card anniversary date*. But that message is specifically qualified to say terms and conditions apply and that only one companion voucher can be earned per card membership year.

I think Amex made the nature of the offer sufficiently clear to Mr M. Whilst I agree the online and statement information did keep track of his spending in terms of qualifying for a companion voucher, it also said only one could be earned each year.

I'm sorry to disappoint Mr M but I haven't found that Amex misled him. And I'm satisfied Amex has correctly applied the terms. As I haven't found Amex made a mistake or treated Mr M unfairly, I'm not telling it to take any further action.

My final decision

My decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 19 February 2021.

Marco Manente
Ombudsman