

## **The complaint**

Mr S complains about a fee he was charged to upgrade his account with American Express Services Europe Limited (AmEx) and that the spend from his old account wasn't transferred to the upgraded account.

## **What happened**

Mr S opened an AmEx preferred rewards gold card (gold card) in September 2024.

Mr S called AmEx to discuss upgrading to a platinum card at the beginning of November 2024. He said he wanted to check that what he'd spent so far on the gold card would be transferred to a new card, and that the first year would remain free of charge. Mr S said he was unable to upgrade on the call due to an issue with AmEx's systems, but he was able to proceed with the upgrade later online.

Mr S noticed a few weeks later that he'd been charged a £650 membership fee. He complained to AmEx about this and said he'd been under the impression the first year would be free.

AmEx sent Mr S their final response to his complaint in January 2025. They said the terms and conditions Mr S agreed to on upgrading were clear about there being a £650 annual membership fee, and there wasn't any evidence Mr S had been told otherwise.

Unhappy with this, Mr S brought his complaint to this service for investigation. He said he'd been told the first year was free, and that his spend would carry over. So, he'd like the membership fee refunded and to be downgraded back to a gold card, along with compensation for the distress and inconvenience caused.

Our investigator gave their view that Mr S hadn't been told the first year of the platinum card was free, or that the spend he'd already accumulated on the gold card would be carried over and be included on the platinum card. He didn't ask AmEx to do anything more.

Mr S initially agreed to close this complaint as he'd made another complaint to AmEx about being unable to downgrade his account back to a gold card, and he intended to bring that complaint to this service. Mr S later asked for this complaint to be reviewed by an ombudsman.

Mr S's second complaint about downgrading his account is the subject of a separate complaint and so I haven't considered it here.

## **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.

Mr S said that he felt he was misled when he called AmEx to discuss the possibility of upgrading.

I've listened to the call between Mr S and AmEx. It's clear that Mr S has seen an offer online for upgrading to the platinum card, where bonus points are paid if a specific spend limit is reached in the first three months of holding the card. Mr S asked AmEx to confirm if the money he'd already spent on the gold card would contribute to this spend limit if he did upgrade.

It's not clear if AmEx clearly understood what Mr S was asking about the spend being transferred, but Mr S was not told that it would be, and he was told that he would be eligible for the bonus points subject to reaching the spend limit in the first three months.

Based on the evidence, I'm not persuaded that Mr S was misled about his spend being transferred to a new card during this call.

AmEx was unable to process an upgrade for Mr S during the call, and any membership fee for the platinum card wasn't discussed. I think it's reasonable that AmEx didn't go into the full terms and conditions surrounding the platinum card, because they couldn't proceed with the upgrade. And so, I'm not persuaded that Mr S was misled about the membership fee during this call.

Mr S later decided to upgrade online, and I can see that the membership fee and the spend limit requirements were confirmed in a summary box and within the terms and conditions for the platinum card, which Mr S confirmed that he'd read and agreed to. So, I'm satisfied that the correct information was given to Mr S during the upgrade process, and that he had the choice not to proceed with upgrading his account.

Based on the evidence, I'm satisfied that AmEx provided the correct information to Mr S about the membership fee and the spend limit to be eligible for bonuses on the platinum card, and so I'm not asking them to do anything more.

Mr S has asked AmEx to downgrade his account back to a gold card. That has been the subject of a separate complaint to AmEx and to this service, and so I haven't considered it here.

### **My final decision**

For the reasons outlined above, my final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S to accept or reject my decision before 23 October 2025.

Zoe Merriman  
**Ombudsman**