

BCM Markets Ltd

Complaint Handling Policy and Procedures

## **1. Introduction**

This Complaint Handling Policy and Procedures (the “Policy”) regulates effective, clear and fast handling of complaints submitted to BCM Markets Ltd (the “Company”) in relation to the performance and procedures of the Company. The Company maintains records of complaints and measures taken for expedient complaint resolution.

## **2. Definitions**

For the purposes of this Policy,

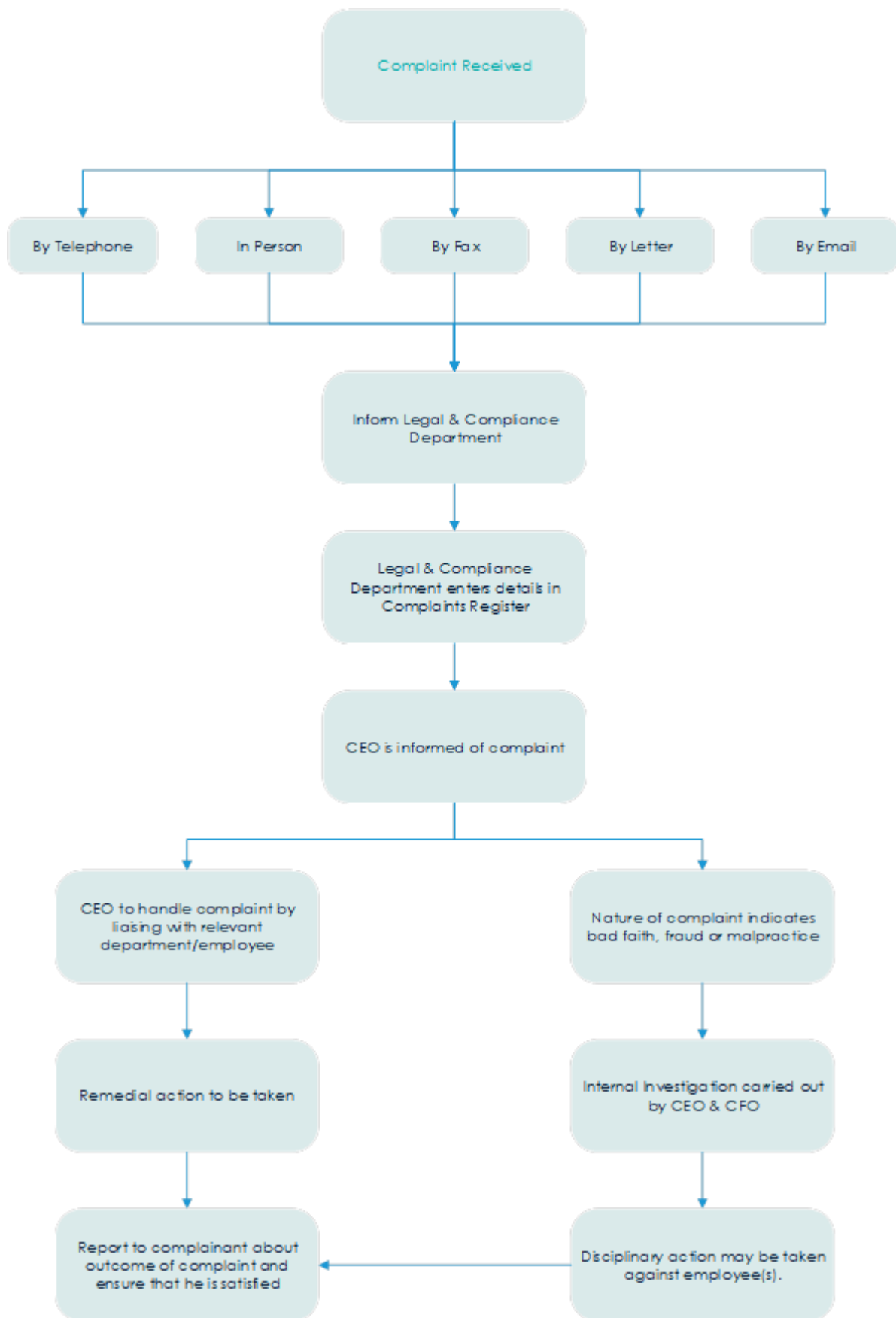
### **A. Complaint:**

- i. Complaints are defined as specific requests or claims related to the performance or services of the Company, which objects the performance or expresses negligence of the Company and lodges a relevant, specific and clear demand.
- ii. Asking an opinion or position about any specific case or requesting general information about the operation and services of the Company shall not constitute a complaint.

### **B. Complainant:**

- i. The complainant could be a natural or legal person, a company without legal entity or other organization that requires services of the Company or the addressee of information or offer related to the service.
- ii. When the Complaint is submitted by a representative or other duly authorized person, the Company will investigate the legal basis of the submission, which must be presented by the Complainant. If no authorization is available, the Company will approach the Complainant directly in order to accelerate the procedure.

### **3. Submitting a Complaint**



The Complainant, if possible, should report the event or the date of the occasion subject of the complaint to the Company as soon as possible. This is necessary to enable the Company to investigate the complaint as efficiently as possible.

The following opportunities are available for submitting a complaint to our Company:

- i. by mail,
- ii. by e-mail,
- iii. in writing, or
- iv. verbally, both delivered personally.

The Company shall receive and manage complaints within the Company and shall assist the Complainant with compiling and submitting the Complaint.

The Complainant must submit complaints related to services rendered on the basis of the online trading agreement entered into by the Complainant to the Legal & Compliance Department of the Company.

The e-mail address for complaint should be available on the website of the Company. If the complainant send an e-mail to another e-mail address of the Company to submit his/her complaint, he/she will be redirected to the correct one.

If the client wish to submit his/her complaint personally, he/she may visit the registered office of the Company in office hours (08:00 -17:00 hours on working days).

If the client wish to submit his/her complaint in writing, he/she needs to attach copies of relevant documents, if any, to support the complaint to the application. The Company receives complaints submitted by e-mail on an ongoing basis.

#### **4. Registration of Complaints**

The Company shall register all complaints until they are dealt with. This register shall record, inter alia, the following information:

- i. description of the complaint,
- ii. description of the event or fact subject of the complaint,
- iii. date of submitting the complaint,
- iv. measures implemented to settle or solve the complaint,
- v. in case of rejection, the reasoning of the rejection,

- vi. deadline of managing the complaint,
- vii. name of the person responsible for the execution,
- viii. date of responding to the complaint.

The Company pays special attention to avoid collection of data about the Complainant with the exception of recording data aimed to settle the complaint. All personal particulars obtained in relation of managing the Complaint shall be deleted from records or made unsuitable for identification.

The Company manages Complaints within a transparent system – the Complaints could be traced and administered in each and every stage of the procedure.

Unless settled on the spot, the Company records a written memorandum on all verbally submitted complaints. For this purpose, the Company is entitled to use a complaint format or to register the Complaint electronically. The Company hands over or sends one copy of the Complaint by post to the Complainant.

## **5. Managing Complaints**

The Company manages all complaints and Complainants equally, without any discrimination, in harmony with the procedure regulated by this Policy.

The Complaints are handled by:

### **A. Legal & Compliance Department**

The Company will use reasonable efforts to settle all complaints without delay. If immediate settlement of a verbal complaint is not possible, or the Complainants rejects the solution offered immediately, the employee of the concern department of the Company shall record the Complaints and the Company's position in a memorandum, and forward them to the head of department, unless the complaint was submitted directly to the head. Employees shall be responsible for settling complaints. The employee in charge of the department will inform the Complainant of the appropriate process to be followed.

If the client is contacting us on behalf of another person, we may ask them to provide a proof of that person's consent to his/her handling of their Complaint. We aim to resolve the matter within ten (10) business days, depending on the nature of the complaint and ensure that the maximum time to respond to complaints do not exceed 30 days.

## B. Directors of the Company

Within the organization of the Company, directors of the Company represent the highest level of authority in deciding the settlement of Complaints. Directors of the Company shall settle those complaints which cannot be managed using the above procedures, and they shall take into account the opinion of the compliance officer of the Company.

The employee of the Company who is involved in the measures taken related to the Complaint, or makes any decision in regards to the Complaint, must not participate in making any decision related to the complaint. Such employee shall however provide every reasonable help to the Company in the procedure aimed to settle the Complaint as soon as possible and in the interest of the Complainant.

## 6. Response to Complaints and Processing Time

The Company follows the outlined procedures to ensure that the Complaint is, as far as possible, resolved within a period of thirty (30) business days. The response to the Complaint and reasoning thereof shall always be sent by post to the Complainant. Some Complaints can be resolved more quickly depending on the facts and nature of the Complaint. If the Complaint is more complex and takes longer than thirty (30) business days to resolve, we will communicate the reasons of the delay. The Company may request the Complainant to supply additional information required for investigating the Complaint, in which case the Company expects the Complainant to respond at their earliest convenience.

When the Complaint is submitted a person other than the Complainant or using a method unsuitable for establishing proper authorization of the submission, the Company may ask the person authorized to submit the Complaint to confirm the complaint in question.

The Company adds a correct, clear and unanimous reasoning to every decision brought down in order to settle complaints, which are sent by to the Complainant in writing. In parallel with informing the Complainant about the decision in question, the Company shall inform the Complainant of the opportunities of appeal and possible damage compensation.

## 7. Monitoring of Complaints

After settling the procedure, the Company shall preserve every written or electronic

documents related to complaints for a period of 7 years. The Company shall be entitled to use the Complaints to prepare statistics and reports about complaints, which will be aimed at improving the efficiency of administering complaints.

## **8. Settlement of Disputes**

When disputes between the Company and the Complainant cannot be settled by the official procedures described in this Policy, such disputes shall be settled under Arbitration Rules of the Mediation Centre of the Mauritius Chamber of Commerce and Industry (MARC) by one or more arbitrators appointed in accordance with the said Rules. When the Complaint is rejected, the Complainant may lodge an appeal at the Financial Services Commission (Mauritius).