

## COMPLAINT HANDLING PROCESS

### INTRODUCTION

XMR Markets (Pty) Ltd ("XMR Markets", "us" or "we") is authorized and regulated by the Financial Services Conduct Authority ("FSCA") in South Africa as a financial services provider (FSP).

The Financial Advisory and Intermediary Services Act, 2002 ("the FAIS Act") requires that all FSP's must maintain and manage an internal complaints resolution system and procedure in the event that a complainant complains about a financial service rendered by the FSP. Each FSP has a responsibility to conduct itself with integrity, fairness and dignity and must act in an ethical manner in all its dealings with the public, clients and other industry participants.

It is XMR Markets' policy to provide the highest possible level of service to our customers. It is inevitable from time to time some customers may be dissatisfied with aspect(s) of the service XMR Markets provides and we acknowledge the right of customers to have any expression of dissatisfaction dealt with courteously, professionally and in a timely manner.

In the unlikely event that you have any reason to feel dissatisfied with any aspect of our service, in the first instance you should contact our customer services team, as the vast majority of issues can be dealt with at this level, via: <https://xmrmarkets.com/contact/>

Very often issues may arise as a result of misunderstandings and can be easily resolved by our customer services team.

### COMPLAINTS UNDER THE FAIS ACT

In terms of the FAIS Act, a "complaint" means, a specific complaint relating to a financial service rendered by a financial services provider or representative to the complainant on or after the date of commencement of this Act, and in which complaint it is alleged that the provider or representative:

- Has contravened or failed to comply with a provision of the FAIS Act and that as a result thereof the complainant has suffered or is likely to suffer financial prejudice or damage;
- Has wilfully or negligently rendered a financial service to the complainant which has caused prejudice or damage to the complainant or which is likely to result in such prejudice or damage;
- Has treated the complainant unfairly.

### HOW TO SUBMIT A COMPLAINT

If a complainant has a complaint against XMR Markets, the complainant must complete a Complaint Form

and submit it to XMR Markets' Complaints Department via email to [Support@xmrmarkets.com](mailto:Support@xmrmarkets.com). The complaint should contain sufficient detail and must include:

- The full name, ID/registration number and contact details of the complainant;
- The full name, ID/registration number and contact details of the client (if different to the complainant);
- Proof of authority for the complainant to act on behalf of the client;
- Specific details about the nature of the complaint, which would include sufficient facts;
- Dates and supporting documentation to enable XMR Markets to deal with the complaint quickly and fairly.

## RECEIPT OF COMPLAINT

The complaint will be entered into our Complaints Register on the same day that it is made, and written confirmation of receipt will be forwarded to you within 5 business days of receipt of the complaint. We will keep record of the complaint and maintain such record for 5 years as required by legislation.

The complaint will immediately be brought to the attention of the officer in charge of the relevant department for allocation to a trained and skilled person who is able to properly respond to your complaint.

After receipt and recording of the complaint, the officer will forward the complaint as soon as practically possible to the relevant staff appointed to consider its resolution and ensure that:

- The complaint receives proper consideration;
- Appropriate management controls are available to exercise effective control and supervision of the consideration process; and
- The complainant is informed of the results of the consideration.

The Complaints Department must inform the complainant of the results of the consideration process within 40 business days of the date of receipt of the initial complaint from the complainant:

- Where a complaint is resolved in favour of the complainant, XMR Markets must ensure that a full and appropriate level of redress/compensation is offered to the complainant without any delay;
- Where the complaint is not resolved in favour of or to the satisfaction of the complainant, the complainant can approach the FAIS Ombudsman

## OFFICE OF THE OMBUDSMAN FOR FINANCIAL SERVICES PROVIDERS

The Office of the Ombudsman for Financial Services Providers (FAIS Ombud) is appointed by FSCA to act as an adjudicator in disputes between clients and financial services providers. The referral to the Ombud must be done in accordance with the provisions of section 27 of the FAIS Act and the rules promulgated in terms of that section.

If you cannot settle your complaint with us, you are entitled to refer it to the FAIS Ombud. The complainant should do so within 6 months of the date of notification by XMR Markets that it was unable to resolve the complaint, failing which, it will fall outside the Ombudsman's jurisdiction.

You may contact the FAIS Ombud with the following details:

**Physical address:** Kasteel  
Park Office Park, Orange  
Building, 2nd Floor, 546  
Jochemus Street, Erasmus  
Kloof, Pretoria, 0048

**Tel:** 012 762 5000

**Email:** [info@faisombud.co.za](mailto:info@faisombud.co.za)

**Website:**  
<https://www.faisombud.co.za/>