

COMPLAINANTS PROCEDURE

PURPOSE OF THIS DOCUMENT

Atossa Financial Services (Pty) Ltd is an authorised Financial Services Provider, and as such we have certain specific duties towards you – our valued client. One of these duties is the establishment of a formal complaint management and resolution framework, which will enable you to exercise your rights as provided for in the Financial Advisory and Intermediary Services Act.

The purpose of this document is to inform you of the procedure which will be followed in order to provide a resolution for the complaint which you have submitted.

COMPLAINT MUST BE RELEVANT

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 this Act and that as a result thereof the complainant has suffered or is likely to suffer financial prejudice or damage;
- has willfully 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; or
- has treated the complainant unfairly;

The financial services environment is complex. We will endeavor to address all reasonable requests from our clients but may also refer you to a more appropriate facility. Where the complaint relates to any aspect of our service, or any disclosures that ought to be made by us, we will endeavor to address those complaints in writing, within the timeline explained below.

In instances where the complaint relates to any matter that is not within our control, such as product information or investment performance, we will forward the complaint to the product supplier concerned.

NB: Please be advised that we reserve the right to recover costs or damages that we may suffer as a result of clients making frivolous, vexatious, or unreasonable claims.

PROCEDURE

Our internal complaints resolution process is intended to provide for the fair and effective resolution of complaints. The time periods set out in this procedure will be adhered to as strictly as possible but may be varied if necessary. The following step by step guideline sets out the procedures we will adopt and demonstrates how a complaint will be dealt with, once received by us:

- Your complaint and all communications in connection with your complaint must be submitted using the complaint form attached to this document. All verbal communications made in connection with the complaint must be confirmed in writing within **3 (three) working days** of the communication.
- 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. We will keep record of the complaint and maintain such record for **5 (five) years** as required by legislation. Please take into consideration that the method of communication chosen by you will determine how quickly we will respond to your complaint.
- The complaint will immediately be brought to the attention of the Complaints Officer via complaints@atossacapital.com, for allocation to a trained and skilled person who is able to properly respond to your complaint.
- The complaint will be investigated, and we will revert to you with our preliminary findings **within 7 (seven) working days** from the date of receipt of the complaint. In all instances we will advise you of the reasons for our decisions.
- The preliminary findings will be discussed with all internal parties concerned, and a proposed solution will be communicated to you **within 14 (fourteen) working days of receipt**. In all instances we will advise you of the reasons for our decisions.
- If you are not satisfied with our solution, you may refer the complaint to the Complaints Committee of our Business. The Complaints Committee may amend the solution or confirm it. Please be informed that certain decisions may have to be approved by the management committee of the FSP. In such a case we will communicate that fact to you, as well as the date on which a decision relating to your complaint will be taken.
- If, after having referred the complaint to the Complaints Committee, you are still not satisfied with the outcome, we will regard the complaint as being unsatisfactorily resolved. In such a case, you may approach the office of the Ombud for Financial Services Providers or take such other steps as may be advised by your legal representative.
- In instances where we have not been able to arrive at a resolution **within 6 (six) weeks** after you have submitted your complaint, you may refer the matter to the **Ombud**. The **Ombud** acts independently and objectively and has jurisdiction in respect of complaints relating to advice or intermediary services, which has arisen after 15 November 2002.

- Unresolved complaints may be reported directly to the **Ombud** (contact details below) who is appointed by the Financial Services Conduct Authority (the “FSCA”) to act as an adjudicator in disputes between clients and financial services providers. The referral to the offices of the **Ombud** must be done in accordance with the provisions of section 27 of the Financial Advisory and Intermediary Services Act 2002 and the rules promulgated in terms of that section.
- You must, if you wish to refer the matter to the **Ombud**, do so **within 6 (six) months** from the date of the notice in which we inform you that we are unable to resolve your complaint to your satisfaction. The **Ombud** will not adjudicate in matters exceeding a value of R800 000.
- The **Ombud** may be contacted at his/her offices in Pretoria at the following address:

Physical Address:

Menlyn Central Office Building
11th Floor
125 Dallas Avenue
Waterkloof Glen
Pretoria

Telephone: +27 12 762 5000 / +27 12 470 9080

Postal Address: P.O. Box 74571, Lynwood Ridge, 0040

Email Address: info@faisombud.co.za

Website: www.faisombud.co.za

COMPLAINTS FORM

By completing this Complaint Form you are submitting a formal complaint to Atossa Capital in relation to your trading account.

“Complaint” – shall mean an expression of dissatisfaction by a Client regarding the provision of investment and/or ancillary services provided to him/her by Atossa Capital.

ONLY A DULY COMPLETED COMPLAINT FORM, ACCOMPANIED BY ADEQUATE SUPPORTING EVIDENCE (AS NECESSARY) SUBMITTED TO COMPLAINTS@ATOSSACAPITAL.COM WILL BE RECORDED AS A FORMAL COMPLAINT.

PERSONAL INFORMATION OF COMPLAINANT

PERSONAL INFORMATION OF COMPLAINANT	
Full Name	
Trading Account No.	
Passport/ID No.	
Nationality	
Occupation	

CONTACT DETAILS OF COMPLAINANT

CONTACT DETAILS OF COMPLAINANT	
Email	
Phone No.	
Address	
Country	

COMPLAINT DETAILS

3.1 Please tick a Category that best Describes your Complaint in General:

Please choose

- 3.1.1. Execution of orders (e.g., delay in execution, re-quotes, slippage, erroneous trades etc.)
- 3.1.2. Quality or lack of information provided
- 3.1.3. Terms of contract/fees/charges (including withdrawal problems, cancelation of profits etc.)
- 3.1.4. General admin/customer services (including custody/safekeeping services)
- 3.1.5. Technical/Platform/Registration/Website issues/bugs
- 3.1.6. Unauthorised business being offered or carried out
- 3.1.7. Other (if this option is used then a short and detail description is expected)

If other:

3.2 Tick your Complaint cause precisely:

Please choose

- 3.2.1 Technical/Platform/Registration/Website issues/bugs
- 3.2.2 Withdrawal issues (e.g., delay/cancellation)
- 3.2.3 Deposit issues (e.g., third-party deposit/amount/rejection)
- 3.2.4 Bonus issues (e.g., non-receipt of bonus/breach of bonus terms)
- 3.2.5 Breach of Client Agreement
- 3.2.6 Cancellation of Trading/Bonus profits
- 3.2.7 Execution of margin alerts/calls/closure of positions
- 3.2.8 Rate discrepancies
- 3.2.9 Stolen Credit Card

If other:

3.3 Date when you noticed the problem:

3.4 Dispute amount (please specify the currency):

3.5 Have you communicated with the Customer Support as to the problem? If yes, include date(s), name of person and outcome:

3.6 Description of the facts and the reasons for your Complaint, and how this affected you:

If possible, please provide us with supporting evidence necessary to support your claims (such as screenshots from the Atossa Capital Platform, communication with the Customer Support, etc.).

3.7 Section(s) in the Terms and Conditions* which, in your opinion, have been breached:

3.8 Section(s) in the Risk Disclosure Statement* which, in your opinion, have been breached

***The latest Terms and Conditions and Risk Disclosure Statement are accessible in the legal documents section of our website.**

3.9 Describe what remedy measure(s) can be taken to resolve your Complaint:

Consents and Acknowledgments

4.1. I hereby acknowledge and agree that

- 4.1.1. My Complaint cannot be considered unless the submitted Complaint Form is duly completed with all the required information and it is accompanied by adequate supporting evidence (as necessary) for my claims.
- 4.1.2. Atossa Capital will issue a holding response in writing within five (5) days from the day of receipt of my Complaint, indicating that my Complaint is acknowledged and that my Complaint is being investigated.
- 4.1.3. Atossa Capital will provide you with a regular written update on the progress of the investigation of my complaint at intervals of not greater than 20 business days.
- 4.1.4. A Final Response and supporting reasoning will be provided to me as soon as practicable or within 40 business days of having received the complaint. If Atossa Capital is unable to resolve my Complaint within 40 business days, Atossa Capital will inform me of the anticipated timeframe within which Atossa Capital hope to resolve the complaint.
- 4.1.5. My Complaint will be deemed as resolved or settled on receipt of the Final Response in writing from the Company. There will be no further communication as my Complaint will be considered closed.
- 4.1.6. Atossa Capital shall process and deal with my Complaint based on the facts and circumstances related to its occurrence.

4.2. I confirm that all information disclosed above is complete, true, and accurate and I agree to promptly notify the Company of any changes in this information or if the said information ceases to be true and accurate.

4.3. I give my consent and authorise Atossa Capital, to store and process personal information

solely for the purpose of investigation of the Complaint I submit with this form.

Complainant's Full Name:	
Complainant's Email:	
Date:	

For Internal Use Only

Date of receipt of complete Complaint Form:	
Received by [name of Complainant and email address used]:	
Confirmation of Trading Account No.	
Entity the Complainant is a client:	
Final Response to be sent by:	