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**EAGLE FORD**  
Eagle Four (Pty) Ltd Reg. No.2012/028656/07  
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# **Eagle Four Complaints Policy and Procedure for the FAIS ACT FSP 48484**

**Version (1)  
2018**



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## Purpose of this document

Eagle Four is a licensed Financial Services Provider with the authority to provide financial advice and intermediary services in terms of the Financial Advisory and Intermediary Services act,37 of 2002.(FAIS).One of our obligations according to this act, is to implement a formal complaints resolution policy and procedure.

## Definition of a complaint

A complaint can be defined as an event where you are of the opinion that we or any of our representatives has provided the client with financial advice or any other intermediary services and the client feels:

- That we or our representatives did not comply with the FAIS Act.
- That he/she suffered financial prejudice or damage as a result
- That we intentionally or negligently gave financial advice or rendered an intermediary service to the client which caused prejudice or damage or is likely to cause damage; and
- That we treated the client unfairly

## Our Obligations

- Our complaints policy and procedure will be made available to our clients at their request.



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- We will attend to, and resolve any complaint timeously and fairly.
- All relevant staff will be trained with regard to the resolution of complaints in accordance with the relevant provisions of FAIS.
- Record of all complaints will be kept for a minimum period of 5 years.
- In the event of us not being able to resolve the complaint or if the client is not satisfied with our reponse, we will advise the client that the complaint may be persued, within a six (6) month period, with the FAIS Ombud and we will supply appropriate contact details.

### **Obligations of our Representatives**

- Representatives must adhere to the requirements of FAIS at all times; and
- Representatives must ensure that all complaints received are forwarded to the Group Risk and Credit manager.

### **Procedure when submitting a complaint**

#### **Complaint has to be in writing**

In order for a complaint to receive the attention it deserves, we request that your complaint is submitted to us in writing. Please ensure, that where the complaint is, delivered, by hand or by any other means, that you retain proof of delivery.



All complaints need to be addressed to:

- Group Risk Manager/ Key Individual

MR PIETER STEYN

Telephone (011) 5313007

Email PIETERS@EAGLEFORD.CO.ZA

### **Complaint has to be relevant**

The Financial Services environment is complex. We will endeavour to address all reasonable requests from our clients, but may also refer you to a more appropriate facility. Where the complaint pertains to any aspect of our service, or any disclosures that ought to be made by us, we will endeavour to address those complaints in writing, within seven working days.

In instances where the complaint pertains to something not within our control, such as product information or claim repudiations we will forward the complaint to the product provider concerned.

### **Conditions applicable to Ombudsman complaints**

- If the complainant already instituted action in a court of law relating to a matter forming the subject of the complaint submitted to the Ombudsman, the Ombudsman will not consider the complaint.
- We must have been given the opportunity to resolve the complaint first before the complaint is



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taken to the Ombudsman.

**Determination by the Ombudsman and its legal status**

- If the complaint was not resolved through conciliated settlement, the Ombudsman will make a determination which has the same legal status as a civil court judgment.
- An award of costs may be made against the person complained against.
- An award of costs may be made against a complainant if the conduct of the complainant was improper or unreasonable, or if the complainant caused an unreasonable delay in the finalization of the investigation.

The following is a step - by - step guideline of how a complaint will be, dealt with once received by us:

1. The complaint will be lodged in our central complaint register within 24 hours of receipt and confirmation forwarded to you.
2. The complaint is immediately, brought to the attention of the Group Key Individual for allocation to a trained and skilled person who specializes in that type of complaint. We will endeavour to acknowledge receipt within 7 working days and possibly ask for additional information.



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| <p>3. The complaint will be investigated, and we will revert to you with our findings within three weeks as per the ACT</p>  |
| <p>4. In the event that the outcome is not favourable to you, we will supply you, in writing, with the reasons.</p>  |
| <p>5. The compliant may be referred to our compliance officer for additional advice.</p>   |
| <p>6. If, after having referred the complaint to the Group Key Individual 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 representatives. The referral to the office of the OMBUD; must be done in accordance with the Provisions of Section 21 of the FAIS Act and the rules promulgated in terms of that section.</p> |
| <p>7. In instances where we have not been able to arrive at a solution within six weeks after you have lodged your complaint, the matter may, automatically be referred to the OMBUD.</p>  |
| <p>8. You must, if you wish to refer the matter to the OMBUD, do so within a period of six months. The OMBUD will not adjudicate in matters exceeding a value of R800 000.</p>   |



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9. The OMBUD may be contacted at the offices in Pretoria, at the following address:

OFFICE OF THE FAIS OMBUD

[www.faisombud.co.za](http://www.faisombud.co.za)

Telephone (012) 4709080

Email [info@faisombud.co.za](mailto:info@faisombud.co.za) Fax Number (012) 3483447.