



Complaint Handling Policy and Procedure

September 2021

1. Introduction

Following the implementation of the Markets in Financial Instruments Directive 2014/65/EU ("MiFID II") and in accordance to the provisions of the Financial Services and Activities and Regulated Markets Law 87(I) 2017 (the "Law") Conotoxia Ltd (the "Company") is required to establish, implement and maintain effective and transparent procedures for the reasonable and prompt handling of complaints received from retail clients or potential retail clients, and to keep a record of each complaint and the measures taken for the complaint's resolution.

2. Definitions

Query - is a request for data or information or assistance.

Dispute - is a disagreement between two or more parties and it can arise over different issues.

Complaint - is an expression/statement of dissatisfaction addressed to the Company by a client (natural or legal person) relating to the provision of investment and/or ancillary services.

Complainant - is any person, natural or legal, who has opened a trading account with the Company, has agreed to the Terms and Conditions of the Company and has submitted a Complaint

3. Queries and Disputes

In case that a client is displeased with the Company's services or if has any query with regards to his/her account or activity with the Company, he/she may contact the **Customer Support Department** via:

- a) Email: support@cy.conotoxia.com
- b) Telephone: +357 250 300 46
- c) live chat [www: forex.cinkciarz.pl](http://www.forex.cinkciarz.pl) or forex.conotoxia.com.

The Company's Customer Support Department will determine if the client's query can be resolved immediately or whether it will require further investigation. If the client's query cannot be resolved immediately, the Company will remain committed in addressing and/or resolving it promptly.

If the Client is unsatisfied with the response to the query, then he/she may raise this further with the Compliance Officer following the process indicated in the following section.

Clients of the Branch may contact Business Development representative at the Branch through the following communication channels:

- a) Email: poland@cy.conotoxia.com
- b) Telephone: 0048 224639988
- c) live chat [www: forex.cinkciarz.pl](http://www.forex.cinkciarz.pl) or forex.conotoxia.com
- d) Post: Aleje Jerozolimskie 123A, 02-017 Warszawa.

4. Official Complaint

All complaints made by clients (or potential clients) either directly to the Company or indirectly through the Commission, in relation to the way in which the Company conducts its business must be fully investigated by the Compliance Officer and where possible appropriate action taken to resolve the situation.

Even a seemingly minor complaint, which is mishandled or left unchecked could lead to serious and damaging consequences for the Company. Any apparent complaint, whether written or oral, must be immediately referred to the Compliance Officer.

5. Procedure

When a client is proceeding with a complaint, it will be free of any charges.

A complaint must not include offensive language towards the Company, or towards an employee of the Company.

Complaints may be submitted in writing using Client Complaint Form (Appendix 1), by post or by email only at the contact details provided below:

- a) Postal Address: Chrysorroiatis 11, 3032 Limassol, Cyprus (Attention to: Compliance Officer)
- b) By email: compliance@cy.conotoxia.com

Once a complaint is received, it will be registered in the Company's "Internal Registry" under a unique reference number. This reference number will be comprised of ten (10) digits made up by the Company's TRS code (2 digits), the year (4 digits) and the complaint number for the year (4 digits). This unique reference number will be communicated to the complainant, who shall be using it in any future contact with the Company, the CySEC and/or the Financial Ombudsman.

All complaints of the Company shall be dealt by the Compliance Officer in accordance with the procedures set below:

- a) All complaints must be acknowledged in writing within **five (5) business days** of being received. The written acknowledgment sent by the Company to the complainant will include the complaint's unique ten (10) digit reference number, as well as details of the name and capacity of the person dealing with the complaint.
- b) The Complaint Handling Officer will investigate the complaint and respond, within two (2) months, to the Complainant about the outcome/decision. Throughout the investigation process, the Company shall inform the complainant of the handling process of his/hers complaint(s) and if needed request for further information in order to facilitate the resolution of the complaint.
- c) In case the investigation is not concluded within two (2) months following the submission of the complaint, the complainant will be informed in writing of the reasons for the delay and

when he should expect completion of the investigation process (this period will not exceed three (3) months from the submission of the complaint).

- d) Finally, the Company will inform the complainant that he/she may refer the complaint, if not satisfied with the Company's final response, to the Cyprus Securities and Exchange Commission (electronically: <http://www.cysec.gov.cy/en-GB/complaints/how-to-complain/>) for further investigation or the Financial Ombudsman of Cyprus.
- e) A complaint to the Financial Ombudsman should be filled within three months from the receipt of the response from the company.

Please note, that the complaints of the Conotoxia Ltd. Branch in Poland clients shall be dealt by the Compliance Officer in accordance with the procedures set below:

- a) All complaints must be acknowledged in writing within five (5) business days of being received. The written acknowledgment sent by the Branch to the complainant will include the complaint's unique ten (10) digit reference number, as well as details of the name and capacity of the person dealing with the complaint.
- b) The Complaint Handling Officer (Compliance Officer) will investigate the complaint and respond without undue delay within 30 (thirty) days of the complaint's receipt, to the complainant about the outcome/decision. Throughout the investigation process, the Branch shall inform the complainant of the handling process of his/hers complaint(s) and if needed request for further information in order to facilitate the resolution of the complaint. The Branch provide the response to the complainant on paper or in another durable medium. The response may be provided by e-mail only upon request of the complainant.
- c) In particularly complex cases which make it impossible to handle a complaint and give an answer within the time limit referred to in letter b), the Complaint Handling Officer shall contact the complainant in order to:
 - a. explain the reason for the delay;
 - b. indicate the circumstances which need to be established in order to resolve its complaint;
 - c. specify the expected time limit for handling the complaint and providing the response, which may not exceed 60 days from the day of receiving the complaint.
- d) The response to a complaint should include in particular:
 - a. the factual and legal grounds, unless the complaint has been dealt with in accordance with the complainant's request;
 - b. comprehensive information on the Branch's standpoint on the objections raised, including the indication of the relevant parts of the agreement;
 - c. the name and surname of the person providing the response indicating his/her position;
 - d. indication of the time limit within which the claims raised in the complaint will be met (if the complaint is accepted), not longer than 30 days from the date of drafting of the reply.

- e) In the event of failure to respond the time limit specified in letter b), and in specified cases the time limit specified in letter c), the complaint shall be deemed considered in accordance with the client's request.
- f) Finally, the Branch will inform the complainant that he/she may refer the complaint, if not satisfied with the Branch's final response, to the Cyprus Securities and Exchange Commission (electronically: <http://www.cysec.gov.cy/en-GB/complaints/how-to-complain/>) for further investigation, the Financial Ombudsman of Cyprus or Financial Ombudsman in Poland, presenting the information on how to lodge the complaint. The Branch will inform the complainant that he/she may file use mediation or arbitration by the Financial Ombudsman in Poland or file a law suit, with an indication of the entity which should be sued (i.e. CONOTOXIA Sp. z o.o. oddział w Polsce, Aleje Jerozolimskie 123A, 02-017 Warszawa, KRS: 0000854474) and the court with jurisdiction to hear the case.
- g) A complaint to the Financial Ombudsman of Cyprus should be filled within three months from the receipt of the response from the Branch.

The details of the Financial Ombudsman of the Republic of Cyprus are:

Address: P.O. Box 25735, 1311 Nicosia

Phone: +357 22848900

Facsimile (Fax): +357 22660584, +357 22660118

Complaints: complaints@financialombudsman.gov.cy

Financial Ombudsman: fin.ombudsman@financialombudsman.gov.cy

Website: www.financialombudsman.gov.cy

The details of the Cyprus Securities & Exchange Commission are:

Address: 19 Diagorou Street, 1097 Nicosia

Telephone: +357 22506600

Fax: +357 22506700

E-mail: info@cysec.gov.cy

Website: www.cysec.gov.cy

In addition, clients of the Conotoxia Ltd. Branch in Poland may refer their complaint to the Financial Ombudsman in Poland (by using the form of the appendix 2) of which they are informed in accordance with point f, which is at the same time, an entity authorized to conduct out-of-court proceedings for the amicable settlement of disputes, and to which the clients may request the initiation of such proceedings after unsatisfactory results. The contact details of the Financial Ombudsman are as follows:

Biuro Rzecznika Finansowego

Al. Jerozolimskie 87 02-001 Warszawa

Tel. +48 22 333 73 26

Email: biuro@rf.gov.pl

Website: www.rf.gov.pl

6. Complaints record and register

A full record of each complaint, including all relevant documents, and of the action taken in response must be kept by the Company for seven (7) years after the date of the last response.

The Compliance Officer is responsible for entering all complaints onto the Complaints Register and recording the outcome. The following information should be noted:

- the identity of the complainant (name and surname of the client)
- internal account number (given to the Client over account opening)
- the Company's employee to whom the complaint was made
- the Company's employee responsible for that client relationship and his department
- the date on which the complaint was received and filed
- a summary of the complaint
- the value of the complainant's portfolio
- the approximate value of any loss which the complainant claims to have suffered
- the date and a summary of the Company's reply to the complaint
- a note of any other relevant correspondence with the complainant, which should be kept in the appropriate client file

The Complaints Record and Register should be available for inspection by the supervisory authority at any time.

7. Complaints Reporting

On a monthly basis, irrespective of whether a complaint has been received or not, the Company will submit to the Commission Form COMP-CIF. If a complaint has been received, the said Form must include information about the complaints it has received and how these have been handled. The reporting in the Branch is made in accordance with the Reporting Calendar.

Appendix 1
CLIENT COMPLAINT FORM

You are kindly requested to fill the information below. Please note that the Complaint form is only indicative and not exhaustive, therefore the Company may request further clarification and evidence for the efficient investigation and resolution of your complaint.

Client Information	
Name and Surname	
ID / Passport Number	
Trading Account Number	
Country of Residence	
Nationality	
Phone Number	
Email Address	
Conotoxia' s Representative Name	
Conotoxia' s Representative Email Address	
When the incident you are complaining about occurred?	
Complaint Details	
Please provide a Summary of your complaint below. We kindly request to justify the disputed amount and to include any information that will facilitate the Company in the investigation of your complaint.	
Have you contacted the authorities with regards your complaint?	<input type="checkbox"/>
If you answered yes, which financial authority you have contacted?	
In order to facilitate the resolution of the complaint, we kindly ask you to provide any relevant evidence supporting your complaint such as screenshots or email communication supporting your complaint.	
Signature:	
Date:	

Appendix 2

.....
(miejscowość, data)

.....
(imię i nazwisko)

.....
.....
(adres zamieszkania)

Rzecznik Finansowy
Wydział Klienta Rynku
Bankowo-Kapitałowego
Al. Jerozolimskie 87
02 – 001 Warszawa

WNIOSEK

**o podjęcie interwencji z podmiotem rynku finansowego,
w związku z nieuwzględnieniem roszczeń w trybie reklamacyjnym**

Wnoszę o podjęcie interwencji wobec

.....
(podać nazwę podmiotu rynku finansowego, którego sprawa dotyczy)

w sprawie

(krótko określić kwestionowane działania podmiotu rynku finansowego, lub wskazać rodzaj/nazwę produktu finansowego, numer umowy, numer polisy, numer szkody)

Uzasadnienie

W uzasadnieniu wniosku należy wskazać:

- stan faktyczny sprawy, tzn. czego ona dotyczy, w tym chronologiczny opis zdarzeń.
- co budzi sprzeciw lub wątpliwości wnioskodawcy w stanowisku/zachowaniu podmiotu rynku finansowego – wskazać zastrzeżenia oraz podać argumenty potwierdzające ich słuszność.
- kiedy wnioskodawca złożył **reklamację** skierowaną do podmiotu rynku finansowego, oraz czy otrzymał na nią odpowiedź (**należy załączyć jej kserokopię lub wskazać okoliczności uniemożliwiające załączenie**).
- jeżeli wnioskodawca występuje w czyimś imieniu powinien dołączyć pełnomocnictwo, które upoważnia do reprezentowania danej osoby.

.....
(podpis wnioskodawcy lub pełnomocnika)

Załączniki:

- 1) posiadane dokumenty na poparcie opisanego stanu faktycznego, w tym kopie umów wraz z załącznikami, korespondencję prowadzoną z podmiotem, inne dokumenty istotne dla sprawy.
- 2) **dokument potwierdzający zakończenie postępowania reklamacyjnego** lub wskazanie okoliczności, które uniemożliwiają jego dołączenie.
- 3) pełnomocnictwo, jeżeli wniosek wnosi pełnomocnik. Wzór pełnomocnictwa znajduje się w zakładce Wzory pism.