

# COMPLAINTS POLICY Ssc Smart FX

October 2023

VERSION 1.5

## 1. Introduction

The purpose of this Policy is to set out the procedure to be followed and the appropriate action required to be taken by SSC Smart FX. (“SSC SMART FX”, the “Company”, “we”, “us”, “our”) in the case of a complaint by any client to ensure the Company’s compliance with paragraph 13 of Directive DI 1442007-01 of the Cyprus Securities and Exchange Commission for the Authorisation (hereinafter “CySEC”) and Operating Conditions of the Cyprus Investment Firms.

### Definitions

“Complainant” means any person, natural or legal, which is eligible for lodging a complaint to the Company and who has already lodged a complaint.

“Complaint” means a statement of dissatisfaction addressed to the Company by a complainant relating to the provision of investment services.

The Company shall establish, implement and maintain effective and transparent procedures for the reasonable and prompt handling of complaints received from retail or potential retail clients, and to keep a record of each complaint and the measures taken for the complaint’s resolution.

In addition, the Company is required to:

- Apply a complaints management policy, which is defined and endorsed by the senior management and the board of directors, who will be responsible for its implementation and for monitoring the Company’s compliance with it.
- Ensure that it has a complaints management function, which enables complaints to be investigated fairly and possible conflicts of interest to be identified and mitigated.

## 2. Complaint Submission

A complainant shall complete the Complaint Form provided by the Company (available on Appendix 1 of this Policy). Once completed, it should be sent either in a hard copy along with a copy of the complainant's identification document and any additional documentation that would be relevant to

the complaint to the Company's head offices which are situated at [36 Pafou Street, 1<sup>st</sup> floor, Office 101, Limassol, 3052, Cyprus](#) or by e-mail to [compliance@smartfx-cy.com](mailto:compliance@smartfx-cy.com). Complaints made by the Clients cannot be considered unless the Complaint Form is duly completed with all the required information and it is accompanied by adequate supporting evidence (as required) for the Client's claims.

### 3. Complaint Handling

Upon receipt of a duly completed Complaint Form, the matter will be recorded as an official Complaint. The Company shall send a written acknowledgement letter/email (within five working days) from the day of receipt of the complaint to inform the complainant that the complaint is under investigation, providing complainant with unique reference number which shall be quoted in all communications with the Company regarding the complaint.

The Company will attempt to resolve the Complaint within two (2) months from the time received. During the investigation of a Client Complaint, the Company takes into account the subject matter of the Complaint, the contents of the duly completed and signed Complaint Form, the evidence the Client has provided, and the evidence in our records. In the event that the Company is unable to respond within the two (2) months period, it will inform the complainant of the reasons for the delay and indicates an estimated period to complete the investigation, which will be no longer than three (3) months from the submission of the complaint.

As part of our investigation we may share and receive information (including personal, financial and trading data) regarding a Client complaint with/from third parties (e.g. with the CySEC, the Financial Ombudsman of Cyprus, our legal advisors or with another subsidiary company) in line with our Privacy Policy and the client Agreement, if applicable.

Further clarifications and information relating to the Complaint may be requested from the Client within the three (3) months' time-frame, as necessary. In the event that the Client takes more than seven (7) working days to respond to a communication, the three (3) months' timeframe might be extended by the number of days in addition to the seven (7) working days that the Client took to respond.

Once a Complaint's investigation is completed, a Final Response shall be issued to the Client with the investigation's outcome(s) together with any required explanations and any remedy measures the Company intends to take.

A Final Response is a written response from the Company which either:

- (a) accepts the Complaint and, if appropriate, offers redress (appropriate redress may not involve financial redress, in accordance to the Company's policy to resolve complaints in amicable and good business terms);
- (b) offers compensation without accepting the Complaint, as a gesture of goodwill and in accordance to the Company's policy to resolve complaints in amicable and good business terms; or
- (c) rejects the complaint and gives reasons for doing so.
- (d) Further clarifications on the Final Response may be provided following Client's subsequent communication with the Company.

A Complaint will be deemed as resolved or settled where the Company has sent in writing a Final Response and/or further clarifications on the Final Response to the Client.

Moreover, should a Client fail to reply to any communication from the Company (including the Final Response) for a period of greater than one (1) month, the Company will issue a final response on the basis of the available data and information and consider the complaint resolved.

If the Company is unable to resolve a Complaint within two(2) months, the Company will update the Client on the status of his/her Complaint and will continue to do so until such time as the investigation is complete.

According to applicable regulatory obligations, the Company has maximum three (3) months from the day of the Complaint to response/resolve the complaint. It is understood that the Client's right to take legal action remains unaffected by the existence or use of any complaints procedures referred to above.

In addition, if the Client remains dissatisfied with the Final Response of the Company or in case of no Final Response within the three (3) months' time-frame, he/she may be entitled to take his/her

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complaint to the Financial Ombudsman of Cyprus, by quoting his/her Complaint's unique reference number.

#### 4. Disclosure and Update of the Policy

The Complaint Form is accessible to clients and potential clients online at all times. The form can be viewed and downloaded from the Company's website through the path: Menu > Legal Documents > Complaint Form.

This Policy shall be regularly reviewed and updated by the Compliance Function in consultation with the Complaints Department and in line with applicable legislation updates, and each updated version shall be approved by the Company's Board of Directors, as needed.

#### 5. Records and Reporting

The Company is required to keep and continuously update records of all the Complaints received by Clients with details of the investigation conducted, the final outcome of these, any remedy measures undertaken and all the communication with the Clients.

The Complaints Department shall maintain the appropriate records in this respect and the Compliance Function shall regularly monitor and review the Company's compliance with the applicable regulatory requirements for handling Client Complaints and the record-keeping held by the Compliance .

Moreover, the Compliance Function shall report on monthly basis to CySEC information regarding Client complaints filed with the Company. Department.

#### 6. Appendix 1-Complaint form (Next page)

Appendix 1  
Complaint Handling Form

<b>SSC SMART FX</b>		<b><u>COMPLAINT FORM</u></b>		
<b>Client details</b>				
<b>Name:</b>			<b>Surname:</b>	
<b>Legal Entity Name:</b>				
<b>Account Number:</b>				
<b>Address:</b>				
<b>Post Code:</b>		<b>City:</b>		<b>Country:</b>
<b>Telephone Numbers:</b>	<b>Home:</b>	<b>Work:</b>	<b>Mobile:</b>	<b>Fax:</b>
<b>Email:</b>				
<b>Brief Summary of the complaint</b> <b>Description of product or service and/or department and/or employee you are complaining about (description, evidence, magnitude of damage and suggested way to be solved):</b>				
<b>Please enclose any other relevant documentation that may help us to handle the complaint.</b>				
<b>Signature:</b>			<b>Date:</b>	

**For internal use only**

**Complaint received by:**

**Date of reception: / /**

**Reference number:**

**Department involved: Employee involved: Initial response to client: \_Yes, \_No Date: / /**

**Initial Action Taken:**

**Informed client of initial action taken: \_\_\_\_\_Yes,\_\_\_\_\_ No Date: / /**

**Further Action Taken: \_\_\_Yes, \_\_\_No Date: / /**

**Further Action Taken:**

**File handed on to Compliance Officer: \_\_\_\_\_Yes, \_\_\_\_\_No Date: / /**

**Settlement of complaint: \_\_\_Yes, \_\_\_No Date: / /**

**Summary of how the complaint was settled:**

**Signature of responsible Officer: Date: / /**