

42 FINANCIAL SERVICES COMPLAINTS HANDLING PROCEDURE

1. INTRODUCTION

- 1.1.1 42 Financial Services a.s. („**42FS**“) must under the applicable regulation establish, implement and maintain effective and transparent complaints management policies and procedures for the prompt handling of clients' or potential clients' complaints. 42FS must also publish the details of the process to be followed when handling a complaint.
- 1.1.2 42FS publishes this Complaints Handling Procedure Sheet (“**Sheet**”) to meet the requirement stipulated under the previous article.

2. PROCEDURES FOR COMPLAINT FILING

- 2.1.1 The procedures described in the Sheet are applicable where the complaint is filed by the person,
 - a) to whom 42FS provided investment services in the past (former client),
 - b) to whom 42FS provides investment services (current client), or
 - c) with whom 42FS is engaged in the precontractual negotiations regarding provision of investment services (prospective client), (hereinafter as “**client**”).
- 2.1.2 42FS will decline complaint filed by non-client.
- 2.1.3 Complaint may be filed by e-mail sent to complaints@42fs.com only. Complaints filed by other means (e.g., by phone, post, orally, to different email address etc.) will be rejected.
- 2.1.4 Depending on the nature of the complaint the client should include at least the following information in the complaint:
 - a) client identification details (commercial name, registered address, identification number),
 - b) contact details of a person (member of client's staff) the complaint shall be resolved with,
 - c) specification of acts of 42FS's staff or 42FS itself that the complaint is directed at, including description of all relevant factual and chronological circumstances, identification of trades or transactions that the complaint relates to etc.
- 2.1.5 Client shall enclose all supporting documentation that substantiates the complaint.
- 2.1.6 Client may propose preferred solution of the complaint, or present requirements as to how the complaint should be handled, if appropriate. 42FS is however not bound by these proposals or requirements.

3. PROCEDURES FOR COMPLAINT RESOLUTION

- 3.1.1 42FS handles complaints free of charge.
- 3.1.2 42FS acknowledges receipt of the complaint by e-mail without undue delay.
- 3.1.3 42FS undertakes to resolve the complaint without undue delay and no later than 30 calendar days from its receipt.
- 3.1.4 If the complaint is complex or its resolution requires cooperation with third parties (e.g., operators of trading systems, reporting platforms), 42FS is entitled to extend the standard 30-day period specified in Article 3.1.3. In such a case, 42FS informs the client by e-mail before the original 30-day period expires regarding the reasons for the extension and the new deadline for its resolution.
- 3.1.5 The time limit for complaint resolution is automatically extended by the period that commences on the day 42FS requested the client to provide additional information or documents ("**complaint amendment request**") and ends on the day the client provided this information or documents to 42FS.
- 3.1.6 If the client does not provide additional information or documents within 30 calendar days after obtaining the complaint amendment request from 42FS, 42FS will resolve the complaint based on the information and documents available to 42FS.
- 3.1.7 42FS rejects the complaint, if based on information and documents available to 42FS the complaint is non-resolvable (e.g., when the description of factual circumstances, the cause and/or the substance of the complaint is vague or incomprehensible).
- 3.1.8 42FS undertakes to inform the client once or continuously at reasonable intervals about the state of the complaint resolution if the client requests so.
- 3.1.9 The complaint may be resolved by 42FS as justified, partially justified or unjustified, or it may be rejected in accordance with the reasons stated in this Sheet. By default, 42FS informs the client about the resolution of the complaint, including the relevant reasons, by e-mail.
- 3.1.10 The client may revert to the Czech National Bank or the competent court if 42FS resolves the complaint as partially justified or unjustified, or if it rejects the complaint,
- 3.1.11 If the client does not agree with the resolution of the complaint, client's disagreement is considered a new complaint according to the rules of this Sheet. However, repetitive complaint without additional supporting information or documents will be rejected.

4. OTHER COMPLAINT HANDLING RULES

- 4.1.1 42FS provides this Sheet or a link to it on the request of the client.
- 4.1.2 The client acknowledges that 42FS is obliged to record and archive the complaint itself as well as all related communications, information and documents provided by the client for the period specified by applicable law.
- 4.1.3 The client acknowledges that records mentioned in the previous article may be required for supervisory purposes from 42FS by the Czech National Bank.
- 4.1.4 This Sheet is effective from 22. 04. 2022.