

Circumference FS (Luxembourg) S.A.

Client complaints policy

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1. INTRODUCTION

Circumference FS Luxembourg S.A. (hereinafter “**CFSL**”) is a specialized Professional of the Financial Sector (hereinafter “**PSF**”), supervised by the Commission du Secteur Financier (hereinafter “**CSSF**”). The adoption of the present policy, and the implementation of sound internal complaint handling, are part of CFSL’s efforts to ensure full compliance with the provisions of CSSF Regulation N° 16-07 relating to the out-of-court resolution of complaints (hereinafter “**CSSF Regulation N° 16-07**”).

1.1 Purpose and scope of the policy

CFSL takes client complaints very seriously. This policy provides guidance on how to properly address a client complaint and outlines the steps to be taken when a complaint is received. This ultimate aim of such a procedure is complaint resolution whereby an out-of-court resolution is reached for client complaints filed against CFSL.

The policy shall also enable the identification and mitigation of any possible conflicts of interest. To this end, the Conflicts of Interest Policy, available in DMS, shall be referenced in parallel.

It is applicable and available to all staff members of CFSL.

1.2 Regulatory and legal framework

The present policy has been written with the following texts and circulars in mind:

- CSSF Regulation N° 16-07 relating to the out-of-court resolution of complaints;
- CSSF Circular 17/671 (as amended) providing specifications regarding CSSF Regulation N° 16-07 relating to the out-of-court resolution of complaints.

1.3 Implementation of the policy, and management of the complaints procedure

In accordance with Article 15 of CSSF Regulation N° 16-07, and as reiterated in CSSF Circular 17/671, the Managing Director of CFSL is in charge of the implementation and the efficient operation of a structure and an internal procedure for complaint handling. Subject to prior information from the CSSF, the Managing Director may delegate the management of such complaints internally, but only in such a way as to ensure that the provisions of Section 2 of the aforementioned regulation are assured and respected. The handling of the complaints has been delegated to the Director Client Management.

The Managing Director shall be responsible for informing CFSL staff members of the policies and procedures as required by CSSF Regulation N° 16-07 and any change hereto. The Managing Director shall also, in accordance with Article 16 of the aforementioned regulation, be required to communicate to the CSSF, on an annual basis, a summary of the number of complaints registered, with a report of the measures taken to handle them.

It is the role of the compliance function and the internal audit function to review the present policy and the procedures contained within. Any complaints received over the course of a year shall be included in the annual reporting made by the compliance function to the Board of Directors.

2. PROCEDURE

The below procedure is to be followed to ensure an objective, transparent, reasonable and prompt complaint handling process in compliance with the provisions of CSSF Regulation N° 16-07. Each complaint shall, at all times, be properly handled and within a reasonable timeframe, in view of the nature of the problem raised in the best interest of the complainants.

2.1 Key responsibilities of CFSL

In accordance with Article 15(4) of CSSF regulation 16-07, it is CFSL's responsibility to provide clear, precise and up to date information¹ on their complaint handling process, including i) details of how to complain, and ii) the procedure that will be followed to handle the complaint. Refer to section 2.2 to follow the complaint handling process.

Furthermore, CFSL shall seek to i) gather and investigate all relevant evidence and information on each complaint, and ii) communicate using simple and easily comprehensible language.

2.2 Procedure for handling a complaint

In the event that a compliant is received by any employee, it should immediately be routed to the Director Client Management with copy to the Managing Director for appropriate handling and response. The following steps shall ensue:

- The complainant's name, the nature of the complaint and the date at which it was received will be added into the regulatory correspondence and complaint log;
- The complainant shall be informed of the name and contact details of the person in charge of handling his/her file;
- The Director Client Management shall open an investigation on the complaint and work with the (Senior) Team Leaders to determine a resolution thereto;
- This solution shall be presented to the Managing Director for final approval in the form of a memo, explaining the complaint, reason for the complaint, any compensation that needs to be paid and most importantly any procedures or amendment of existing procedures to prevent a re-occurrence of the issue. Once approved, the memo will be signed off by the Managing Director, Director Client Management and Team Leader of the team where the complaint occurred and passed to the compliance department for filing and registration purposes;
- In accordance with CSSF Circular 17/671, the Director Client Management is expected to provide an answer without undue delay, and in any case, within a period which cannot exceed one month between the date of receipt of the complaint, and the date at which an answer to the complainant is sent. In practice, this means that the Director Client Management will attempt to resolve the matter within three (3) business days and will send a letter to the complainant to inform him/her of the final outcome of the complaint and the actions taken to resolve it.
- Should that not be possible, then:
 - Within three (3) business days, the Director Client Management will send an acknowledgement of receipt of the complaint to the complainant.
 - Within 10 business days, the Director Client Management will send an update letter to inform the complainant of the progress of the complaint;

¹ Applicable extracts of this policy are available on the Circumference website for customer reference.

- Within one (1) month, Director Client Management will a final letter to the complainant informing him/her of the final outcome of the investigation and the action(s) taken to resolve the complaint.
- Where an answer/resolution cannot be provided within these timelines, CFSL shall inform the complainant of the causes for the delay and indicate the date at which the provision of answer is likely to be achieved.
- The compliance department will update the regulator register with details of the complaint and the resolution thereto, and the date resolved. An electronic file with all documentation supporting the investigation, including copies of all correspondence, will be maintained by the compliance team in DMS.
- In case any compensation is granted to the complainant, a copy of the memo will be submitted to Internal Administration by the Managing Director who will process the payment.

As per the stipulations of Article 15(6) of CSSF Regulation N° 16/07, CFSL shall "*analyse the data relating to the complaint handling on a permanent basis, in order to enable the identification and treatment of any recurring or systemic problem, as well as any potential legal and operational risk*". In this way, CFSL will be in a position to identify any common origin of complaints, and undertake to correct such origins if reasonable to do so.

In accordance with Article 15(2) of CSSF Regulation N° 16-07, should the complainant not receive an answer, or should he/she be dissatisfied with the answer given, he/she has the opportunity to raise the complaint to a greater hierarchical level than that of the Managing Director.

In this case, the complainant shall be provided either with the contact details of the members of the Board, or with the option of the out-of-court complaint resolution process with the CSSF. See section 2.3 in this regard.

2.3 Involvement of the CSSF

The CSSF can become involved in complaint resolution at the request of CFSL or of the complainant, through an out-of-court complaint resolution procedure.

In accordance with Article 15(5) of CSSF Regulation N° 16-07, in case the complaint handling at the level of the Director Client Management did not result in a satisfactory answer for the complainant within one month after receipt of the complaint, CFSL shall inform the complainant, by way of a durable medium, of the existence of the alternative dispute resolution procedure at the CSSF. At this stage, CFSL shall confirm to the complainant its commitment to participate in the CSSF procedure.

Where the out-of-court complaint resolution procedure with the CSSF is undertaken, CFSL shall inform the complainant that he/she has the possibility to file a request using this method, provided that it be filed within one year after it was filed with CFSL. Furthermore, CFSL shall send the complainant a copy of CSSF Regulation 16-07 or the reference to the CSSF website, as well as the different means to contact the CSSF to file a request. At all times, CFSL shall communication information in a clear, comprehensible and easily accessible manner.

The CSSF will determine the validity of complaint and any recourse. In case of such an occurrence, CFSL will fully cooperate and provide all necessary details to the CSSF.

2.4 Communication of information to the CSSF

In accordance with Article 16 of CSSF Regulation 16-07, the Managing Director shall, on an annual basis, communicate a table to the CSSF that captures the number of complaints registered, classified by type, as well as a summary report highlighting any recurrent issues encountered, and the measures taken to handle the complaints received. To meet this requirement and to ensure efficient and successful complaint handling, the Managing Director with assistance of the compliance department and Director Client Management shall analyze all complaints received in order to identify and treat any recurring or systemic problem as well as any potential legal and operational risks.

The aforementioned documents (table and report) shall be submitted to the CSSF by 1 March each year, and shall cover the previous calendar year.

3. ADMINISTRATION OF THE POLICY

The present policy and the associated register are reviewed by the compliance department on a regular basis, validated by the Managing Director, and submitted to the approval of the Board of Directors. Any updates take into consideration all applicable regulatory changes.