



FXNESS B.V. (Central Bank of Curaçao and Sint Maarten License Number 0003LSI),  
Emancipatie Boulevard Dominico F. "Don" Martina 31, Curaçao  
Website: [www.fxness.net](http://www.fxness.net), email: [support@fxness.net](mailto:support@fxness.net)

# Complaints Handling Policy

## COMPLAINTS HANDLING POLICY

### 1. Scope

1.1 FXNESS B.V. (the “Company”) is required to establish, implement and maintain an effective and transparent complaint handling policy and procedure for the prompt handling of Clients’ complaints.

1.2 In this respect, the Company has established this Complaints Handling Policy (the “Policy”) that sets out the process adopted by the Company for the fair and prompt handling of queries, complaints and disputes received from the Company’s Clients, as well as a robust framework comprising of, procedures, processes, controls and monitoring processes, to ensure the prompt handling of Clients’ complaints. This Policy describes, *amongst others*, the process that Clients will need to follow in order to submit a query and/or complaint to the Company.

### 2. Queries

2.1 If you have any query regarding your account, or you are dissatisfied with our Services, in the first instance you should contact our Customer Support Department via e-mail at [support@fxness.net](mailto:support@fxness.net), live chat, telephone or any other official method of communication made available by the Company, as the vast majority of queries and issues can be dealt with at this level.

2.2 Our Customer Support Department will try to resolve your query immediately. If your query cannot be resolved immediately, we remain committed to addressing and resolving it in a prompt manner (*usually within 3 business days*). If additional time is required, we will issue a holding response in writing and we will indicate when we will make further contact to inform you of the investigation process and outcome.

2.3 If you are not satisfied with the final response received by the Customer Support Department, then you may raise this further following the procedure described below.

### 3. Complaints

3.1 Further to the above, any client who is not satisfied with the final response received by the Customer Support Department and would like to raise a query further, may complete and submit the Complaint Form attached herein and submit it electronically to [support@fxness.net](mailto:support@fxness.net) (the “Form”). Clients may submit the form free of charge.

3.2 The Form must be filled out truthfully, completely and accurately. The information required through the Form is indicative and additional information and/or clarification and/or evidence

may be requested. We may request from you to submit a new Form if we consider that you have falsely and/or incorrectly and/or insufficiently completed the Form.

33 Upon the successful submission of the Form, and within five (5) working days we will acknowledge receipt of the Form. We will then carry out an impartial review of the matter and communicate to you the outcome of our investigation and propose remedial actions (*if applicable*) within ten (10) working days from the date of our acknowledgement.

34 In the unlikely event that we are unable to respond within ten (10) working days, we will inform you of the reasons for the delay and indicate the period of time within which it is possible to complete the investigation. In any event, we shall provide you with the outcome of our investigation no later than one (1) month from the date of our acknowledgment, depending on the complexity of the case and your cooperation.

35 With derogation to the paragraphs above, and having considered the nature of the matter at hand, we may dismiss your complaint and pass on the case to our Customer Support Department for prompt resolution irrespective of whether the matter has already been communicated to our Customer Support Department or not.

#### 4. General provisions for Queries and Complaints

41 At any given time during the handling process of queries and complaints we may require you to provide us additional information and documentation (including but not limited to your secret investor password and/or updated due diligence documentation and/or other registration data, etc.) and your full cooperation is required in order to finalise our investigation. We may extend the investigation timeframe, or put the matter on hold, or consider the matter as closed if you have failed to respond adequately and/or within a reasonable timeframe or within the timeframe we may have indicated. Depending on your response and the nature of the matter, we may resume the handling process or request for you to resubmit your query or complaint.

42 We encourage you to lodge your query and/or complaint within a reasonable time from the moment the matter occurs, otherwise the Company reserves the right not to process the matter further.

43 In the event that you wish to withdraw a query or a complaint lodged, and/or in order to proceed with a reimbursement available to you, the Company may request for you to withdraw the matter in writing.

44 The Company is entitled to treat a query or complaint as closed in the following circumstances, *among others*, (a) where it is determined that no further action is required by the client and/or the Company, upon the issuance of the final decision by the Company,



and/or (b) where the matter has been mutually resolved, and/or (c) where the client has failed to respond promptly and adequately to the questions and requests of the Company, and/or (d) where the Company has given a substantive response and the client has failed to indicate that the response is unsatisfactory and/or substantiate the claim with relevant data, within a reasonable timeframe. The Company may notify the client upon the closure of a query or complaint.

45 We may accept complaints brought by third parties acting on behalf of a client ("Authorised Representatives"), as long as the Client authorised in writing the third party and provides this authorisation as evidence to the Company via his/her registered email.

46 The present Policy, including the procedures and timeframes included herewith, may not be applied in circumstances where a Client is represented by a third party and/or has taken legal action and/or has escalated the matter to the court and/or any dispute resolution service or similar.

47 We reserve the right to dismiss a query or complaint which does not comply with the present Policy and/or the Client did not comply with the provisions of the Client Agreement and/or the matter is not expressed accurately and/or it comprises obscene/rude words and/or includes offensive language, swear words, affective appraisal of the disputable matter and/or insults or threatens Fxness or its representatives.

48 This Policy should be read in conjunction with the Client Agreement and the Privacy Agreement as these can be found on our website.



## Complaint Form

Please fill in the Complaint Form and submit it electronically to [support@fxness.net](mailto:support@fxness.net). The Form must be filled out truthfully, completely and accurately.

We reserve the right to dismiss a Form which is not completed accurately and/or it comprises obscene/rude words and/or insults or threatens Fxness or its representatives.

*Fields marked with an asterisk (\*) are mandatory*

### A. Client and General Information:

First Name*
Last Name*
Date of Birth*
Nationality*
Address*
Country of Residence*
Account Number*
Did you communicate your complaint with our Customer Support department?*
<i>If not, we encourage you to first contact our Customer Support department.</i>
If you answer Yes to the above question, please specify the case number, if any, date(s), name of our representative(s), outcome and reasons your query/claim remains unresolved, as applicable



**B. Trading Complaint:**

*Complete this section if your complaint is related to Trading (i.e. Execution of orders, trading platforms, etc). If your complaint is not related to Trading, please complete section C below.*

Date(s) of the incident(s)
Position(s) number(s) under dispute
Dispute amount (please specify the currency), <i>if applicable</i>
Description of the facts and the reasons for your Complaint, and how this affected you. Please write clearly and legibly.
How do you feel this dispute could be settled/resolved?
Please attach any supporting documentation/evidence that may help us in the investigation and resolution of the matter.



**C. Non-Trading Complaint:**

*Complete this section if your complaint is not related to Trading*

Date(s) of the incident(s)
Dispute amount (please specify the currency), <i>if applicable</i>
Description of the facts and the reasons for your Complaint, and how this affected you. Please write clearly and legibly.
How do you feel this dispute could be settled?
Please attach any supporting documentation/evidence that may help us in the investigation and resolution of the matter.