

COMPLAINTS HANDLING POLICY



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1. Introduction

- 1.1. At XMTrading, we aim to provide prompt, courteous, helpful, open and informative advice in response to every complaint submitted by our Clients. We are always keen to hear the views of our Clients, particularly the general public, about our performance generally - what we do right and what we do wrong.
- 1.2. We recognise that, as in all organisations, from time to time, things can go wrong and we may not provide the standard of service that we have set ourselves. We are especially keen to hear about such instances, since they provide us with an opportunity to put things right and to learn from our mistakes.
- 1.3. Accordingly, as part of our commitment to providing the best possible service to our Clients, we uphold effective and transparent procedures for prompt complaint handling; we maintain records of complaints and measures taken for complaint resolution, in line with the Applicable Laws, Rules and/or Regulations.

2. Purpose

- 2.1. This Complaints Handling Policy (hereinafter “**the Policy**”) sets out the processes employed by the Company when dealing with complaints received by our Clients and the steps that need to be followed for submitting a formal complaint to our Company.
- 2.2. This Policy should be read in conjunction with our Terms and Conditions of Business / Client Agreement and Privacy Policy which can be found on our website.

3. Definition of Complaint

- 3.1. Complaint shall mean the expression of dissatisfaction by the Clients in respect of the products and/or services provided by the Company, or the conduct of the financial services provided in the provisioning of products or services.
- 3.2. A complaint might be considered as “frivolous” when it has no serious purpose or value, where investigating the matter would be out of proportion compared to the seriousness of the issues complained about.
- 3.3. The Company may also define a complaint as being “vexatious” where it is apparent that the complainant is pursuing the matter without merit and with the intention of causing inconvenience, harassment or expenditure to the Company.
- 3.4. In line with the foregoing, the Company will investigate a complaint, if it is an allegation submitted to us in writing, in accordance with the Complaint Handling Procedure set forth herein, in regard to either one, or more of the following:
 - (a) a perceived injustice because of an alleged maladministration on our part, pertaining to:
 - i. your Account(s) with us and/or the Transactions and/or Contracts carried out and/or reflected therein;
 - ii. your rights under the Company’s Legal Documents available on our Online Trading Facility / Members Area.
 - (b) dissatisfaction with the response from us to a request by you for our services to be provided in a different format; and/or
 - (c) a denial of a request for information regarding your Account and/or the Transactions and/or

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Address(es): F20, 1st Floor, Eden Plaza, Eden Island, Seychelles (**Tradexfin Limited**) and c/o AllServ Management Ltd, Office 306, 3rd Floor, Ebene Junction, Rue de la Democratie, Ebene, 72201, Mauritius (**Fintrade Limited**)

- Contracts carried out and/or reflected therein; and/or
- (d) dissatisfaction with the way in which we respond to an enquiry and/or the time that we took to respond; and/or
 - (e) dissatisfaction with the standard of the services provided to you, in view of the standards of service that we have set ourselves, as described in the 'Terms and Conditions of Business / Client Agreement' and our 'Policies' set forth in our Online Trading Facility / Members Area.

4. How to Make a Complaint

- 4.1. Clients who wish to file an official complaint to the Company must do so either through the Members Area or by submitting their Complaints Form to complaints@xmtrading.com, along with any relevant information. All Complaints will be handled by the Compliance Officer and any action taken shall be in accordance with this Policy.
- 4.2. The following information and documentation should, wherever possible, be provided to the Compliance Officer as part of your formal complaint, in order to ensure that the complaint is addressed in the most efficient and fair manner:
 - (a) Trading Account Number;
 - (b) Date the problem first occurred;
 - (c) Short summary of the Complaint;
 - (d) Disputed amount and currency, if any;
 - (e) Attachments of any documentation or other information that may assist in the resolution of the Complaint;
 - (f) Any other information considered relevant.
- 4.3. We strongly encourage our Clients to submit any complaint within a reasonable timeframe from the occurrence of the issue in order to allow us to timely investigate the matter. We reserve the right not to address any issue if the latter has become outdated.
- 4.4. A complaint can only be submitted to the Company through the registered email address of the Client and therefore strictly by the owner of the account for which the matter relates to. The Company may, at certain circumstances, allow the submission of a complaint by a third party related to the owner of the account held with the Company (e.g., an attorney acting on Client's behalf) given that the necessary evidence are provided to the Company.

5. How we Deal with your Complaint

- 5.1. Upon receipt of a Complaint, a written acknowledgment will be sent to you within two (2) Business Days along with a unique reference number for the complaint. This will confirm that we are taking the necessary actions needed to resolve the complaint, and will also provide a timescale for our response.
- 5.2. Our acknowledgment response will contain details of our Complaint Handling Procedure, a free copy of which is available on our website.
- 5.3. During the investigation of the complaint and no later than twenty-one (21) Business Days after the complaint was received, we will send you a second email containing a full account of the investigation, activities planned, any findings thus far and, if appropriate, any offer of redress. Where appropriate, it may also include our final response.
- 5.4. At any given time during the investigation of your complaint we may require you to provide us additional information and documentation in order to finalise our investigation and provide you with an accurate response. In case you fail to provide us with any requested information and/or respond back to us within a reasonable timeframe, we reserve the right to consider the case as

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closed. At all times, we will make our best efforts to provide you with an accurate response based on the information available in our systems.

- 5.5. We will send to the complainant the final response within twenty-one (21) Business Days of receiving the complaint, or ten (10) Business Days after the acceptance or rejection of any offer of redress (where applicable), whichever comes first.
- 5.6. This may not always be possible as sometimes the complexity of the Complaint may require more time to investigate fully. We will always abide by regulatory guidelines in relation to a complaint and as such, we will always ensure that complainants are kept informed about their complaint and our activities in response to their complaint and are updated without any unnecessary delay.
- 5.7. The Company may ask for a written withdrawal of the case and/or a written confirmation from the Client in case redress is provided for the specific case. Once the written withdrawal and/or confirmation is provided, the case shall be considered as settled/closed.
- 5.8. If, for any reason, the Company is not in a position to make a final response to the Complainant within twenty-one (21) Business Days after the receipt of the Complaint, the Company will provide a justification to the Complainant and indicate when we expect to be able to provide a response. In any case, a final response should be provided to the Complainant within ninety (90) Business Days at the latest from the date he submitted the complaint.

6. Record Keeping and Monitoring of Complaints

- 6.1. As a regulated entity, we keep detailed records on individual complaints. Further to this, we maintain an internal register of complaints where all relevant information and progress of each complaint is kept.
- 6.2. The Client should provide all relevant documentation as well as any additional information requested by the Compliance Officer in order to ensure all records are collected and the complaint is properly resolved on time.
- 6.3. All records will be kept safe as per local requirements and for a period of seven (7) years.

7. General Provisions

- 7.1. The above Complaint Handling Policy does not apply to money that you may owe to us.
- 7.2. We may take immediate action to recover any debts payable to us in court.
- 7.3. This Complaint Handling Policy may not be applicable in circumstances such as where a Client and/or an Authorised Representative of the Client has brought legal actions against the Company and/or any sister Company and/or where the matter has been escalated to a Competent Authority.
- 7.4. If a Client engages in spamming activities such as continuous and persistent communication (either through email correspondence or through live chat or both) with the personnel of the Company during an ongoing investigation or after receiving our official response or uses abusive and/or harassing and/or threatening behaviour towards the Company's personnel, our Company reserves the right to immediately terminate the business relationship with the Client and block his registered email address and/or any other email address from which the Client performs such an abusive behaviour.

8. Right to appeal to our Decision

- 8.1. In the case where the Complainant is still not satisfied with the Company's final response then the

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Complainant can refer to the complaint with a copy of the Company's final response to the relevant Competent Authority based on the jurisdiction governing the business relationship of the Company and the Client for further examination. Attention should be given to the fact that the Competent Authority may not attend to any complaint unless it is satisfied that all appropriate actions have been taken by the Company first.

8.2. The Client shall have, at any time, the right to take any other legal proceedings.

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