

**INDEPENDENT SECURITIES
CLIENT COMPLAINTS POLICY AND
PROCEDURES**

Independent Securities (Pty) Ltd Client Complaints Policy and Procedure

1. INTRODUCTION

- 1.1. As part of our customer care, Independent Securities (Pty) Ltd must resolve all Client complaints efficiently and in the most appropriate manner.
- 1.2. The JSE Ltd and the Financial Advisory & Intermediary Services Act 2002 requires members of the JSE Ltd and all licensed financial service providers to have in place a system for the efficient and timeous resolution of Complaints.
- 1.3. The purpose of this document is to provide for a uniform procedure and system within the Independent Securities (Pty) Ltd when dealing with Complaints received from Clients.
- 1.4. This document may at any time be made available to Clients if a copy is requested.

2. DEFINITIONS

- 2.1. "Client" means a person or entity who engages Independent Securities (Pty) Ltd to perform professional services;
- 2.2. "Complaint" means a specific complaint relating to a financial service rendered to the Client alleging that we:
 - 2.2.1. contravened or failed to comply with the provisions of FAIS, normally when rendering advice, and as a result the Client suffered financial prejudice or damage,
 - 2.2.2. wilfully or negligently rendered a financial service to the Client causing prejudice or damage to the Client or which is likely to result in such prejudice or damage, or
 - 2.2.3. treated the Client unfairly;
 - 2.2.4. contravening of failing to comply with the rules and the directives;
 - 2.2.5. contravening of failing to comply with any instruction given by the client, or any agreement or mandate entered into with the client.
- 2.3. "Employee" means any person employed by Independent Securities (Pty) Ltd ;
- 2.4. "FAIS" means The Financial Advisory & Intermediary Services Act 2002;
- 2.5. "JSE Ltd" means the JSE Ltd, a company duly registered and incorporated with limited liability under the company laws of the Republic, licensed to operate an exchange under the Act;
- 2.6. "Compliance Officer" means the Head of Compliance for Independent Securities (Pty) Ltd ;
- 2.7. "Investigator" means such individual the Compliance Officer, in consultation with the relevant department head, deems appropriate to investigate a Complaint depending on the nature and content of the Complaint; and
- 2.8. "TL" means a team leader within Independent Securities (Pty) Ltd.

3. RECEIPT OF COMPLAINT

- 3.1. Any Employee that receives a Complaint from a Client or a representative of a Client must immediately after receipt thereof forward such Complaint to the Compliance Officer.
- 3.2. If the Complaint is received verbally the Employee must request the complainant to lodge the Complaint in writing with the Compliance Officer and to provide copies of all supporting documents, if any.

- 3.3. Employees are not to discuss any Complaint received with the Client. All queries relating to Complaints are to be directed to the Compliance Officer.
- 3.4. It is important to forward the Complaint to the Compliance Officer upon receipt, as the Compliance Officer must log the Complaint in the Complaints Register. For information purposes a format of the Complaints Register is hereto annexed as B.

4. INVESTIGATION OF COMPLAINT

- 4.1. After the Complaint has been logged in the Complaints Register, the Compliance Officer must decide if the Complaint falls within the ambit of the definition of Complaint as set out in clause 2.2 herein.
- 4.2. If the Complaint does not fall within the definition, the Compliance Officer will notify the Directors, who will in turn decide on the appropriate procedure to address the complaint.
- 4.3. If the Complaint does fall within the definition The Compliance Officer, will appoint an Investigator to investigate the Complaint.
- 4.4. Upon the appointment of the Investigator, and in any event not more than 5 days after the receipt of the written Complaint, the Compliance Officer must in writing acknowledge receipt of the Complaint and give the Client the name and contact details of the Investigator.
- 4.5. The Investigator must investigate all aspects of the Complaint and determine if the Complaint can be readily resolved.
- 4.6. If the Complaint is capable of immediate resolution notify the Client in writing of the resolution of the Complaint.
- 4.7. If the Complaint is not capable of immediate resolution the Compliance Officer, in writing must notify the Client of the steps to be taken to resolve the Complaint and the expected date of resolution, which date may not be more than 3 weeks from the date of receipt of the written Complaint.
- 4.8. If the Investigator is not able to resolve the Complaint within this 3 week period, the Compliance Officer must forward a written notification to the Client outlining the current status of the investigation and the expected date of final resolution, which date may not be more than 6 weeks from the date of receipt of the written Complaint.
- 4.9. If the Complaint is resolved at any time during the investigation the Compliance Officer will notify the Client in writing of the steps taken to resolve the Complaint.

5. NON-RESOLUTION OF COMPLAINT

- 5.1. If the Investigator is unable to resolve the Complaint within 6 weeks of receipt of the Complaint, the Investigator must in consultation with Compliance Officer notify the Client of the reasons why the Complaint could not be resolved or why the outcome of the investigation was not favourable.
- 5.2. This notification must further include the following information:
 - 5.2.1. That the Client has the right to further legal redress by referring the Complaint to the office of the Financial Ombudsman;
 - 5.2.2. That the Client has 6 months from the receipt of the notification in terms of clause 5.1 to refer the matter to the Ombudsman; and
 - 5.2.3. In order for an unresolved complaint to be considered by the JSE Surveillance Department, the complaint must be lodged with the Director: Surveillance within 4 weeks of the receipt by the complainant of the member's response within 6 months of the conduct by the member giving rise to the complaint.

5.2.4. The contact details of the Director of Surveillance are:

Director of Surveillance
JSE Ltd
One Exchange Square
Gwen Lane
Sandown
2196

Tel: +27 11 520-7000

Website: www.jse.co.za

E-mail: info@jse.co.za

5.2.5. That the contact details of the Ombudsman are:

Mr Charles Pillai
FAIS Ombud
Financial Services Providers
Postal Address
P O Box 35655
Menlo Park
Pretoria 0102

Eastwood Office Park
Baobab House
Ground Floor
Lynnwood Ridge
Pretoria 0081

Tel: +27 12 470 9080

Fax: +27 12 348 3447

Call centre: 0860324766

Website: www.faisombud.co.za

E-mail: info@faisombud.co.za

6. RECORDAL OF PROCESS AND RESOLUTION

- 6.1. The Investigator must open a file for the Complaint and store copies of all documentation, file notes, opinions and correspondence pertaining to the Complaint in the file. This file must be retained for at least 5 years after the date of the last action on the file.
- 6.2. In instances where FAIS related Complaints have been resolved the Compliance Officer must ensure that proper advice and guidance are recorded and published to the relevant Employees to minimise the risk of repeated Complaints of the same nature.
- 6.3. The Compliance Officer must during the investigation of the Complaint, update the Complaints Register with all developments and activities.

7. ANNEXURE

- 7.1. ANNEXURE (A) – Complaints Flowchart
- 7.2. ANNEXURE (B) – Complaints Register

8. RESOURCES

8.1. The Financial Advisory & Intermediary Services Act 37 of 2002

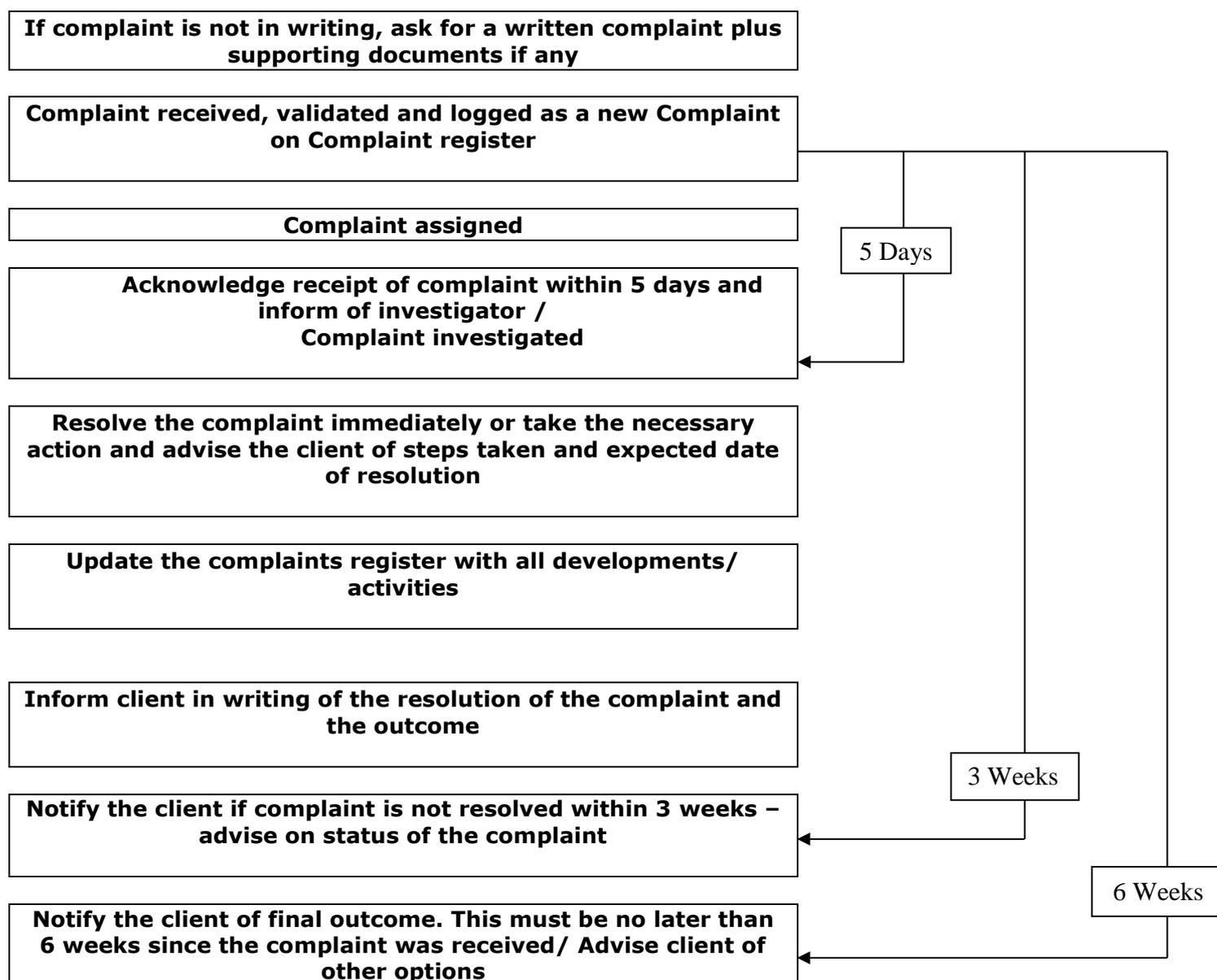
8.2. Rules of the JSE Ltd

8.3. Rules on the Proceedings of the Office of the Ombud for Financial Services Providers Promulgated in Board Notice 81 of 2003

<http://www.fsb.co.za/legislation/FAIS>

ANNEXURE A

Complaints Process Flowchart

Client lodges:

ANNEXURE B**Complaints Register**

Where a complaint is registered, any documentation referred to should be kept in a separate complaints file or scanned electronically in support of the complaint register.

Name of client	
Address of client	
Contact number of client	
Date complaint received	
Nature of complaint	
Internal complaint ref number	
Date of acknowledgement of receipt	
Responsible staff member dealing with complaint	
Date complaint allocated	
Date and nature of initial response	
Date initial response confirmed	
Date client referred to higher authority	
Date referred to higher authority (if applicable)	
Result of referral	
Client accepted/rejected result	
Description of actions/restitution made if client accepted result	
Date referred to ombud (if applicable)	