

## **Complaint Handling Policy of**

# **eBrókerház Befektetési Szolgáltató Zártkörűen Működő Részvénytársaság**

**Effective from: 02 August 2017**



eBrókerház Befektetési Szolgáltató Zrt.  
The operation of the Company is supervised by the National Bank of Hungary.  
HFSA authorization numbers: III/73.059-4/2002., III/73.059/2000.  
Budapest Capital Regional Court, Cg.: 01-10-044141  
Address: H-1054 Budapest, Szabadság tér 14.  
Telephone: +36-1-880-8400, Fax: +36-1-8808-440  
Email: [info@ebrokerhaz.hu](mailto:info@ebrokerhaz.hu); web site: [www.iFOREX.hu](http://www.iFOREX.hu); [www.eBROKERHAZ.hu](http://www.eBROKERHAZ.hu)

On 17 March 2017 the Board of Directors of Befektetési Szolgáltató Zártkörűen Működő Részvénytársaság (registered office: 1054 Budapest, Szabadság tér 14., registration number: 01-10-044141, court of registration: Court of Registration of Metropolitan Court of Budapest) [hereinafter: Company] adopted this Complaint Handling Policy (hereinafter: Policy), which constitutes an essential annex to the currently valid General Terms of Business.

### **I. Preamble**

The purpose of this Policy is to ensure that the Company establishes an efficient, transparent and fast handling procedure - in accordance with the provisions contained in Article 121 of Act CXXXVIII of 2007 on Investment companies, commodity exchange service providers and the rules of activities permitted to be performed by these and in MNB Decree 28/2014 (VII.23.) on the rules applying to complaint handling by financial organizations - for complaints received from Complainants.

### **II. The complaint**

1. A complaint is any objection of a client related to the conduct, activity or omission of the Company prior to contract conclusion, or concerning the conclusion of the contract, the fulfillment of the Company during the existence of the contract, as well as the termination of the contractual relationship or after that.
2. It is not considered a Complaint if a person who is otherwise entitled to submit a complaint requests information of general contents, an opinion or a position of the Company related to its activity, services or products.

### **III. The complainant**

1. Pursuant to this Policy, the person entitled to submit a complaint (hereinafter: Complainant) is
  - a) the Client,
  - b) the person representing the Client, if they have certified or certify their right of representation to the Company properly, in accordance with the provisions of the General Terms of Business,
  - c) an authorized person proceeding under the valid power of attorney of the Client, incorporated into a public instrument or at least in a private document of full probative value, which is otherwise compliant with the requirements of the General Terms of Business in terms of substance and form,
  - d) such natural person and legal entity, or an association lacking the legal status of legal person, who/which is the recipient of guidance or proposal related to service provided by the Company, furthermore
  - e) such natural person and legal entity, or an association lacking the legal status of legal person, who/which objects to the process of the Company not related to a specific service, rather for other, service -related activities (e.g.: advertising).

#### IV. Methods of complaint reporting

1. In the case of an oral complaint the Complainant is entitled to submit a complaint on the following contact details:
  - a) personally at 1054 Budapest, Szabadság tér 14, on every workday between 8. a.m. and 4. p.m.;
  - b) on telephone on the number of (+36/1) 880-8400, on workdays between 10. a.m. and 6.30 p.m., on Wednesdays between 8 a.m. and 8 p.m.  
  
in the case of complaints submitted to our English language customer service: Monday to Sunday 0:00 – 24:00
  
2. In the case of written complaints, the Complainant has the following options to deliver their complaint to the Company:
  - a) personally or by way of a document delivered by someone else;
  - b) by regular mail, send to the address of 1054 Budapest, Szabadság tér 14;
  - c) by facsimile, sent to the number of (+36/1) 880-8442;
  - d) by electronic mail, sent to [compliance@ebrokerhaz.hu](mailto:compliance@ebrokerhaz.hu)

The Client may also proceed through an authorized representative. If the Client proceeds through an authorized representative, then the power of attorney must meet the requirements set forth in Act III of 1952 on Civil procedures. As Annex 3 to this Policy, the Company publishes a template power of attorney, but it will also accept powers of attorney prepared without applying the template, but compliant with the above statute.

The Complainant may use the form constituting Annex 2 to this Policy for the written submission of their complaint, but the Company will receive and investigate written complaints submitted in other forms as well. The Complainant may also download the form from the website of the National Bank of Hungary, from the following link:

<http://www.mnb.hu/fogyasztovedelem/panaszom-van/formanyomtatvanyok>

In the case of complaints submitted in writing, please indicate the word “complaint” on the envelope, on the sheet of paper if you send a facsimile, and in the subject field in the case of electronic messages.

#### V. Obligatory substance elements of the complaint

The submitted complaint must include the following substance elements:

- a) Name, contract number/client number of the client,
- b) Home address/registered address/postal address of the client,

- c) Telephone number of the client,
- d) method of notification (letter, e-mail address),
- e) attached documents,
- f) venue of complaint handling,
- g) date of complaint submission (if submitted personally),
- h) service type complained of,
- i) cause of the complaint,
- j) detailed description of the complaint,
- k) signature of the Client.

If any of the mandatory substance elements of the complaint is missing, the Company will contact the Complainant for obtaining the missing elements.

## **VI. Investigation of the complaint**

### **A. Oral complaint**

1. The Company will immediately investigate any oral complaint - including those submitted personally and by telephone - and remedy it, if possible. In the case of the investigation of an oral complaint, the proceeding staff member of the Company will inform the compliance manager of the Company on the submission of the complaint within 1 (one) word the, according to the registration aspects are defined in Chapter IX of this Policy.
2. In the case of complaints communicated on telephone, the company will ensure that the call will be answered and the matter will be processed within a reasonable time, which is 5 (five) minutes starting from the time when the originated call was successfully established. When it is not possible to investigate the complaint instantly, or the Complainant does not accept it, then the proceeding staff member of the Company will draw up a record of the report of the complaint, in 2 (two) copies. In the case of an oral complaint communicated personally, the proceeding staff member of the Company will deliver to the Complainant one copy of the record, in the case of an oral complaint communicated by telephone, the Company will send it to the Complainant together with the response given to the complaint. In this case the Company will send the response to the complaint, containing the grounds, within 30 (thirty) days following the communication of the complaint to the Complainant, and after that it will proceed according to rules applying to written complaints. The template of the record constitutes Annex 1 to this Policy:
3. In the case of oral complaints communicated by telephone, the proceeding staff member of the Company lets the Complainant know that a voice recording will be made, in accordance with the legal requirements. At the start of the phone call, the proceeding staff member of the Company will communicate the individual ID number of the complaint to the Complainant.

4. The Company will keep the voice recordings made of complaints communicated by telephone for 5 (five) years. At the request of the Complainant, the Company will enable the playback of the voice recording, furthermore, within 25 (twenty-five) days it will deliver to the Complainant the certified record of the voice recording or a copy of the recording, free of charge.

## **B. Written complaints**

The company will send its reasoned position about the written complaint to the Complainant within 30 (thirty) days from the day of the communication of the complaint.

## **C. Common rules of the investigation of the complaint**

The investigation of the complaint is free of charge, the Company will not require any separate charge for it. The complaint will be investigated in consideration of all pertinent circumstances.

1. Upon the submission of the complaint, the proceeding staff member of the Company will check, whether
  - a) the complaint has been submitted by the person entitled to it, and
  - b) whether the complaint complies with the substance requirements defined in Chapter V of this Policy.
2. The Company will forward the written complaint of the Complainant immediately after receipt to the compliance manager (e-mail: [compliance@ebrokerhaz.hu](mailto:compliance@ebrokerhaz.hu)), who is authorized and also required to investigate the complaint. In the case of written complaints submitted personally in Company premises available for customer service and in the case of oral complaints, the relevant staff member of the Company will forward the complaint to the compliance manager within 1 (one) workday.
3. If the Company notices at the time of the submission of the complaint that the complaint does not originate from the person eligible for it, or the complaint cannot be assessed because it does not comply with the substance requirements defined in Chapter V of this Policy, it will immediately notify the person who submitted the complaint accordingly, and call on that person to submit the missing parts.
4. If the Complainant fails to comply with the request of the Company defined above within 30 (thirty) days, then the Company will assess the complaint according to the data available for it.
5. If it is not possible to investigate the complaint immediately (including but not limited to the case when the assessment of the complaint takes any length of time, the complaint does not comply with the requirements contained in Chapter V of this Policy, or the assessment of the complaint depends on clarification of other circumstances), the relevant staff member of the Company will immediately forward the complaint, containing an assigned file number, to the persons entitled to investigate the complaint. The person entitled to investigate the complaint will start investigating - after filing the complaint - without any delay.

6. The compliance manager is required to take into account and assess all facts, data, requests reported by the Complainant, furthermore, to elaborate a proposal suitable to remedy the complaint and send it to the Board of Directors of the Company.

After deliberating the proposal sent by the compliance manager, the Board of Directors of the Company will immediately decide on the solution to be implemented, and- by sending all documents related to the complaint - it will immediately proceed to ensure that the organ, person of the company responsible for implementing the decision made in the case of the complaint will remedy the complaint.

The organ, person of the company responsible for implementing the decision made in the case of the complaint will start remedying the complaint immediately after receiving the above decision, and if immediate implementation is not possible, then they will inform the Complainant on the expected term of implementation, through the compliance manager.

7. If owing to any circumstance the Company is not able to assess the complaint matter observing the deadlines indicated in this Policy or in the currently applicable version of the General Terms of Business of the Company, through no fault of the Company, it will immediately notify the Complainant accordingly, indicating the cause.
8. The organ, person of the Company responsible for the implementation of decisions made on complaint matters will - through the compliance manager - notify the Complainant immediately after the completion of the remedy of the complaint, but in any case not later than 8 (eight) days, on the outcome of the assessment of the complaint.

## **VII. Request for data in complaint handling**

1. During complaint handling, the Company may request the provision of especially the following data from the Complainant (if an authorized representative proceeds in the case, then both the data of the authorizer and the authorized person):
  - a) name;
  - b) contract number, client number;
  - c) home address, registered office, postal address;
  - d) telephone number;
  - e) method of notification;
  - f) the product or service complained of;
  - g) description, cause of the complaint;
  - h) What is requested by the Complainant;
  - i) copies of such documents that are necessary for supporting the complaint and are in the possession of the Complainant, but are not available for the Company;
  - j) in the case of clients proceeding by way of an authorized representative, a valid power of attorney;

- k) any other data necessary for investigating of, responding to the complaint.
2. The Company shall process the data of the Complainant (in the case of procedure by an authorized representative, the data of the authorizer and the authorized person) in accordance with the provisions of Act CXII of 2011 on informational self-determination and freedom of information.

### **VIII. The obligation of the Company to provide information concerning complaint handling**

1. If the complaint is rejected, or the legally prescribed response deadline of 30 (thirty) days imposed for the investigation of the complaint has expired without a result (i.e. if the Company fails to respond within the deadline), then a Complainant qualified as a consumer may turn to the following bodies or authorities:
- a) Financial Consumer Protection Centre of the National Bank of Hungary (address: 1013 Budapest, Krisztina krt. 39., postal address: 1534 Budapest BKKP Pf. 777, telephone: +36-40-203-776, e-mail address: [ugyfelszolgalat@mb.hu](mailto:ugyfelszolgalat@mb.hu)), which may originate a consumer protection procedure if the consumer protection provisions contained in the NBH Law have been violated;
  - b) Financial Arbitration Board (in the case of legal dispute concerning the establishment, validity, legal effects and termination of the contract, furthermore, breach of contract and its legal effects, address: 1013 Budapest, Krisztina krt. 39., postal address: H-1525 Budapest Pf. 172, telephone: +36-80-203-776, e-mail: [ugyfelszolgalat@mb.hu](mailto:ugyfelszolgalat@mb.hu));
  - c) court.
2. If the complaint is rejected, or the legally prescribed response deadline of 30 (thirty) days imposed for the investigation of the complaint has expired without a result, then a Complainant not qualified as a consumer may turn to a court.
3. If the complaint of a consumer has been rejected, or the deadline of 30 (thirty) days prescribed for the investigation of the complaint has expired without a result, the consumer may request that the Company send to them, free of charge, the form for the request serving as the basis of a procedure to be originated at the Financial Arbitration Board or the Financial Consumer Protection Centre.
4. If the complaint is rejected, then the Company will also inform the consumer that it has not made a general declaration of submission to the Financial Arbitration Board, and that according to its position, the complaint and the complaint handling was aimed
- a) at the settlement of a legal dispute concerning the establishment, validity, legal effects and termination of the contract, the legal relationship of membership, or the legal effects thereof, or
  - b) at the investigation of a violation of the provisions of Act CXXXIX of 2013 on the Magyar Nemzeti Bank.

If, in the opinion of the Company, the complaint or complaint handling also affect clauses (a) and (b) above, then a client who is classified as a consumer must be notified on which part of their complaint belongs to the scope of cases described in clause (a) and clause (b) respectively, and therefore to which organ they may turn concerning the individual parts of their complaint.

5. Furthermore, the Company also complies with its obligation of providing information prescribed in other statutes.

### **IX. Registration of the complaint**

1. The compliance manager of the Company maintains records of the received complaints and the actions that serve the settlements, resolution thereof. The records contain:
  - a) the description of the complaint, indication of the event or fact constituting the base of the complaint;
  - b) the date of the submission of the complaint;
  - c) the description of the action aimed at the settlement of resolution of the complaint, in the case of rejection, the ground for the rejection;
  - d) the deadline of the implementation of the action and the identification of the person responsible for implementation;
  - e) the date of answering the complaint, including the date when the response letter given to the complaint was mailed.
2. The Company will keep the complaint and the response given to its for 5 (five) years.

### **X. Closing Provisions**

1. The Company will display this Policy in its registered office and publish it on its websites ([www.ebrokerhaz.hu](http://www.ebrokerhaz.hu), [www.iforex.hu](http://www.iforex.hu))
2. This policy shall take effect as of 2 August 2017. Simultaneously with the entry into force of this Policy, the Complaint Handling Policy of the Company valid from 17 March 2017 will become void.
3. The compliance manager of the Company is responsible for the review of this Policy.
4. In respect of consumer protection procedures (consumer protection cases) belonging to the powers of the National Bank of Hungary, the Company will appoint a contact person responsible for cases of consumer protection, whose person or any changes in whose person will be reported by the Company in writing to the National Bank of Hungary within 15 (fifteen) days.

Budapest, 02 August 2017

**eBrókerház Zrt.**





**RECORD**

of a complaint submitted to eBrókerház Befektetési Szolgáltató Zrt. orally

<b>Name of complainant:</b>			
<b>Name of the person who submitted the complaint (if not the same as the Complainant):</b>			
<b>Client ID:</b>			
<b>Home address/registered office:</b>			
<b>Postal address:</b>			
<b>Place, time and manner of the submission of the complaint:</b>			
<b>Detailed description of the complaint (separately recording the objections affected by the complaint):</b>			
<b>List of files, documents and other evidence presented by the Client:</b>			
<b>Name and address of the service provider affected by the complaint</b>			

Done in: Budapest, .....

.....

signature of the Complainant

.....

name and signature of the staff member who drew up the record



**On the settlement of COMPLAINTS  
to be submitted to the Investment service provider, dispute related to Financial service providers**

<b>Investment service provider complained of</b> <b>eBrókerház Befektetési Szolgáltató</b> <b>Zártkörűen Működő Részvénytársaság</b>
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**Details of the Parties**

<b>Client</b>	
<b>Name:</b>	
<b>Contract number/client number:</b>	
<b>Home address/registered office/postal address:</b>	
<b>Telephone number:</b>	
<b>Method of notification (letter, e-mail):</b>	
<b>Attached documents (e.g.: invoice, contract, power of attorney)</b>	

**Venue of complaint handling (e.g. headquarters, registered office, intermediary):\***

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\* when the complaint was submitted personally



**I. Complaint and request of the Client**

**Date of complaint submission at the investment service provider (if submitted personally):**

**[It is recommended that complaints submitted to an investment service provider should be posted as a registered letter with return receipt requested. The organ affected by the complaint has 30 days following the receipt of the complaint to investigate the case meaningfully, and to send its position on the complaint and the actions taken, with grounds, to the client in writing.]**

**Service type complained of:**

**Cause of the complaint:**

- No service has been provided
- Not the appropriate service was provided
- The service was provided with a delay
- The service was not provided properly
- The service was terminated
- The Complainant suffered a loss
- He was not satisfied with the circumstances of processing
- Wrong information was provided
- Incomplete information was provided
- He does not agree with changes in fees/costs/interests
- He does not agree with ancillary costs
- He does not agree with other contractual conditions
- He does not agree with the amount of loss compensation
- Loss compensation was rejected
- The provided loss compensation was not adequate
- Termination of contract
- He has another complaint

Description of a complaint of another type

**II. Detailed description of the complaint:**

**[Please record each objection separately, to ensure that each objection included in your complaint is investigated.]**





Done:

Signature: .....



**POWER OF ATTORNEY**  
For representation in complaint handling

Undersigned \_\_\_\_\_  
Client ID:  
Number of personal ID card or personal ID document:  
Name at birth:  
Mother's name:  
Place and date of birth:  
Address:  
(hereinafter: Authorizer)

**hereby authorize**

\_\_\_\_\_  
(Number of personal ID card or personal ID document:  
Name at birth:  
Mother's name:  
Place and date of birth:  
Address:  
(hereinafter: Authorized Person),

**to proceed, instead of me and on my behalf, in the**

**complaint handling** procedure with eBrókerház Befektetési Szolgáltató Zrt. (registration number: 01-10-044141; Székhely: 1054 Budapest, Szabadság tér 14.), furthermore, I consent and simultaneously authorize Befektetési Szolgáltató Zrt. to disclose securities secrets, business secrets or other secrets about me related to the complaint handling procedure, to my authorized representative. I release eBrókerház Befektetési Szolgáltató Zrt. from its obligation of confidentiality in respect of the complaint handling procedure.

This power of attorney covers the above only and shall remain valid until revoked.

Done: \_\_\_\_\_

AUTHORIZER

AUTHORIZED REPRESENTATIVE

In witness thereof:

WITNESS 1:

Name:  
Mother's name:  
Place and date of birth:  
ID card no.:  
Signature

WITNESS 2:

Name:  
Mother's name:  
Place and date of birth:  
ID card no.:  
Signature:

