



COMPLAINTS HANDLING PROCEDURE



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COMPLAINTS HANDLING PROCEDURES

1. Introduction

XM (SC) Limited operating under the trading name XMGlobal is a Securities Dealer Licensee regulated and authorised by the Financial Services Authority ("FSA") in Seychelles (hereinafter called the "Company").

2. Scope of the complaints handling procedure

The Procedure sets out the processes employed when dealing with complaints received from complainants.

3. Our culture

- 3.1. At XMGlobal, we aim to provide prompt, courteous, helpful, open and informative advice in response to every approach made by a member of public. We are always keen to hear the views of our customers, particularly the general public, about our performance generally - what we do right and what we do wrong.
- 3.2. 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.
- 3.3. 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 applicable laws, rules and/or regulations.

4. Definition of a complaint

- 4.1. In line with the foregoing, we will investigate a complaint, dispute or difference between us, if it is an allegation submitted to us in writing, in accordance with the Complaint Handling Procedures 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 these '**Terms and Conditions**', our '**Client Categorization Policy**', our '**Order Execution Policy**', our '**Conflicts of Interest Policy**' and our '**Money Laundering Prevention Policy**', as set forth in the '**About Us**' section on our Online Trading Facility.
 - 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 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 we are providing to you, in view of the standards of service that we have set ourselves, as described in the '**Business Terms and Policies**' set forth on our Online Trading Facility.



5. How to make a complaint

5.1. Clients who wish to file a complaint must do so by submitting their complaint to the following email address: complaints@xmglobal.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 procedure.

5.2. Upon receipt of a complaint we gather and investigate all relevant evidence and information regarding the complaint.

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.

5.3. 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 action needed to resolve the complaint, and will also provide a timescale for our response.

5.4. Our acknowledgment response will contain details of our Complaint Handling Procedure, a free copy of which is available on our website.

6. How we deal with your complaint

6.1. 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.

6.2. XMGlobal 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.

6.3. 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.

6.4. 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 the complaint was submitted.



7. Record Keeping Monitoring of complaints

- 7.1. 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.
- 7.2. 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.
- 7.3. All records will be kept safe as per the local requirements and for a period of seven (7) years.

8. Our right to proceed with the recovery of debts

- 8.1. The above Complaint Handling Procedure does not apply to money that you may owe to us.
- 8.2. We may take immediate action to recover any debts payable to us in court.

9. Interim relief - injunctive relief

- 9.1. Nothing set forth herein shall prevent either Party from applying to court for interim or injunctive relief.
- 9.2. Each party acknowledges that a breach of the provisions of this Agreement may cause the other Party irreparable injury and damage and, therefore, any such breach may be enjoined through injunctive proceedings, in addition to any other rights and remedies that may be available to either Party as per applicable law or in equity.