



COMPLAINTS RESOLUTION POLICY

THE PRIME FINANCIAL SERVICES GROUP

BUILDING B – HURLINGHAM OFFICE PARK
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SANDTON, 2196



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This policy is applicable to all legal entities within the Prime Financial Services Group (hereinafter referred to as “the Group”):

- **Global Administration Companies:**
 - Global Employee Benefits (Pty) Ltd
 - Global Financial Administrators (Pty) Ltd
 - Global Fund Administrators (Pty) Ltd
 - Global Independent Administrators (Pty) Ltd
 - Global Investment Administrators (Pty) Ltd
 - Global Nominees (Pty) Ltd
 - Global Payroll Services (Pty) Ltd
 - Ascent Capital (Pty) Ltd

- **Prime Investment Companies:**
 - PAI Holdings (Pty) Ltd
 - Prime Alternative Investments (RF) (Pty) Ltd
 - Prime Asset Managers (Pty) Ltd
 - Prime Collective Investment Schemes Management Company (RF) (Pty) Ltd
 - Prime Investment Management Services (Pty) Ltd

- **Retirement Funds**
 - Prime Preservation Pension Fund
 - Prime Preservation Provident Fund
 - Prime Retirement Annuity Fund
 - Prime Umbrella Pension Fund
 - Prime Umbrella Provident Fund
 - Prime Unclaimed Benefits Preservation Pension Fund
 - Prime Unclaimed Benefits Preservation Provident Fund

This policy is also applicable to associate companies (hereinafter referred to as “Associates”).

1. PURPOSE OF THE POLICY

- 1.1. In accord with Board Notice 910 of 2010, the purpose of this policy is to formally document the Group and its Associates’ commitment to establishing and maintaining a Complaints Policy and procedures for the effective internal resolution of Complaints.

- 1.2. This document has been prepared in accordance with the following legislation:
 - 1.2.1. Financial Advisory and Intermediary Services Act and the subordinate legislation thereto;
 - 1.2.2. ASISA Standard on Complaint resolution;
 - 1.2.3. Long-term Insurance Act (Replacement of the Policyholder Protection Rules);
 - 1.2.4. Board Notice 910 of 2010; and
 - 1.2.5. Industry standards.

- 1.3. The procedures contained in the pages to follow have been designed to facilitate the effective resolution of complaints within the Group, as envisaged by BN910.¹ Clients will therefore be enabled to address their Complaints in a formal and constructive manner.

2. DEFINITIONS

- 2.1. **ASISA:** Also known as the Association for Savings and Investment South Africa, this professional body represents the majority of South Africa’s asset managers, collective investment scheme management companies, linked investment service providers, multi managers and life insurance companies.

¹ BN910(9)(1)

- 2.2. **Board Notice 910 of 2010:** Also known as “BN910”, the Board Notice sets out the requirements, as dictated by the Collective Investment Schemes Control Act, pertaining to complaint resolution policies and procedures
- 2.3. **Complaint:** Generally defined as a statement that something is unsatisfactory, unacceptable or a reason for dissatisfaction, the Complaints Resolution Policy also includes specific legislative definitions as follows:
 - 2.3.1. Subject to section 26(1)(a)(iii) of the Financial Advisory and Intermediary Services Act, a “complaint” refers to a specific Complaint relating to a financial service rendered by a Financial Services Provider or Representative.
 - 2.3.2. As per the Long-term Insurance Act, a “complaint” refers to a specific Complaint relating to long-term insurance provider and/or their intermediaries.
- 2.4. **FAIS Ombud:** Appointed by the Financial Sector Conduct Authority, the Office of the FAIS Ombud for Financial Services Providers considers and disposes of Complaints by complainants against Financial Services Providers.
- 2.5. **Financial Advisory and Intermediary Services Act:** The Act (also known as “FAIS”) was designed to protect consumers of financial products and services. The Act is applicable to any provider of financial services and its Representatives, including any person who gives financial advice or who provides an intermediary service.
- 2.6. **Financial Sector Conduct Authority:** Under the “Twin Peaks” model of financial sector regulation, the Financial Sector Conduct Authority, or “FSCA”, acts as a dedicated market conduct regulator. Its main objective is to protect financial customers through the supervision of market conduct. The FSCA was previously known as the Financial Services Board of South Africa, or “FSB”.
- 2.7. **Financial Services Provider:** Any person (including both natural and juristic persons) other than a Representative who furnishes advice or who furnishes advice and renders intermediary services. For the purposes of abbreviation, it can also be referred to as a “FSP”.
- 2.8. **General Code of Conduct:** The General Code of Conduct for Authroised Financial Services Providers and Representatives as published in Board Notice 80 of 2003.
- 2.9. **Key Individual:** A person responsible for overseeing and managing the activities related to the rendering of any financial services on the part of appointed representatives.
- 2.10. **Long-term Insurance Act:** The Act was established to provide for the registration of long-term insurers and to ensure control of certain activities of such insurers and their intermediaries. The Act has been amended as per the replacement of the Policyholder Protection Rules in January 2018. For purposes of abbreviation, it can also be referred to as “LTI”.
- 2.11. **LTI Ombud:** The LTI Ombud for Long-term Insurance considers and disposes of Complaints by complainants against Long-term Insurance Providers
- 2.12. **Representative:** Any person, as defined by the Financial Advisory and Intermediary Services Act, who renders a financial service to a client on behalf of a licenced Financial Services Provider by means of an employment contract or mandate.

3. LEGESLATIVE DEFINITIONS

FAIS COMPLAINTS

- 3.1. In terms of the FAIS Act, a Complaint includes an allegation that an FSP or one of its Representatives:-
 - 3.1.1. Has contravened or failed to comply with a provision of this Act and that as a result thereof the complainant has suffered or is likely to suffer financial prejudice or damage;
 - 3.1.2. Has willfully or negligently rendered a financial service to the complainant which has caused prejudice or damage to the complainant or which is likely to result in such prejudice or damage; or

3.1.3. Has treated the complainant unfairly.

3.2. It is important to note that in terms of FAIS, the client need not have already suffered a financial loss or incurred damages before a Complaint may arise, but need simply be a possible consequence of the financial service rendered by the Group or its Associates.

LTI COMPLAINTS

3.3. In terms of the LTI Act, a Complaint includes expressions of dissatisfaction relating to a policy or service provided or offered by an insurer which indicates that:-

3.3.1. The insurer or its service provider have contravened or failed to comply with an agreement, law, rule or code of conduct which is binding on the insurer or to which it subscribes;

3.3.2. The insurer or its service provider's maladministration or wilful/negligent actions or failure to act have caused harm, prejudice, distress or substantial inconvenience; or

3.3.3. The insurer or its service provider have treated a person unfairly.

OUR COMMITMENT

3.4. In terms of this policy, Complaints will not be limited to only FAIS or LTI related complaints but will include all complaints of any nature received by the Group or its Associates.

3.5. The Group and its Associates are fully committed to addressing and resolving any Complaints received from clients in a timely and fair manner² and in strict accordance with the provisions of the FAIS Act, LTI Act and any other South African law as may be applicable.

3.6. The Group and its Associates are fully committed to applying the basic values of transparency and visibility³ and will ensure at all times that clients have full knowledge of the procedures for the resolution of their Complaints.

3.7. The Group and its Associates are fully committed to the value of fairness⁴ and will ensure that a resolution of a Complaint received from a client can, during and by means of the resolution process, be effected which is timely and fair to both clients and to the Group, its Associates and its staff.

3.8. The Group and its Associates will ensure that adequate manpower and other resources⁵ will be available at all times for the timely, effective and fair resolution of all Complaints received from clients.

3.9. The Group and its Associates will ensure the adequate training of all relevant staff. ⁶Such training shall include the definition of a Complaint and the Complaint Process as outlined in this policy.

3.10. The Group and its Associates are fully committed to ensuring that responsibilities and mandates are delegated to facilitate Complaints resolution of a routine nature; that there is provision for the escalation of non-routine serious Complaints and the handling thereof by staff with adequate expertise; and to ensuring the avoidance of occurrences giving rise to Complaints as well as to improve services and Complaint systems and procedures where necessary.⁷

3.11. The Group and its Associates will ensure the existence of easy access to its Complaints resolution policies and procedures at any office or branch.⁸

² BN910(9)(2)(c) & BN910(9)(3)(a)

³ BN910(9)(3)(b)

⁴ BN910(9)(3)(d)

⁵ BN910(9)(4)(a)

⁶ BN910(9)(4)(b)

⁷ BN910(9)(4)(c),(d) and (e)

⁸ BN910(9)(3)(c)

- 3.12. The Group and its Associates will ensure that appropriate management controls are available to exercise effective control and supervision of the internal Complaint consideration and resolution process.
- 3.13. The Group and its Associates will maintain appropriate records of all Complaints for a period of five years.⁹

4. COMPLAINTS PROCEDURE

LODGING A COMPLAINT

- 4.1. All Complaints should be made in writing¹⁰ and presented to the Compliance Department at the offices Group. The complaint should include all relevant information and documentation pertaining to the matters detailed therein. While the most recent version of this policy document will at all times be made available to the public via the Group's website, a copy of this Internal Complaints Resolution Policy will be sent to the client on receipt of the initial Complaint. Clients are requested to ensure that the full details relating to the Complaint are disclosed and that any supporting documentation be submitted alongside the initial Complaint.

ALLOCATION OF A RESPONSIBLE PERSON

- 4.2. Upon receipt of a written Complaint the relevant Representative and Key Individual will be identified according to the business unit against which the Complaint is lodged.
- 4.3. The Compliance Department will, within 2 business days, acknowledge receipt of the Complaint in writing to the client. The client will also be provided with the contact details of the person who will be responsible for resolving the Complaint.
- 4.4. Attempts will be made to resolve the dispute in a fair and effective manner, giving proper consideration to the Complaint, within 7 days of receiving the Complaint.¹¹

ESCALATION TO A SECONDARY KEY INDIVIDUAL

- 4.5. In the event that the Compliance Department has failed or is unable to resolve the Complaint within 7 days, the matter will be escalated to the Key Individual within the business unit against which the Complaint has been lodged.
- 4.6. This individual will have a further 7 days (14 days from lodgment of the Complaint) from receiving the notification to resolve the Complaint in a fair and appropriate manner; giving proper consideration to the Complaint.

ESCALATION TO THE GROUP COMPLIANCE OFFICER

- 4.7. In the event that the matter remains unresolved it will automatically be escalated to the Group Compliance Officer.
- 4.8. The Group Compliance Officer will, with the assistance of persons with the necessary authority and expertise, resolve the Complaint within 7 days of receiving notification (21 days from lodgment of the Complaint).

FINALISATION OF COMPLAINT RESOLUTIONS

- 4.9. Complaints may be recorded as being complete once an acceptable resolution has been agreed and actioned with the client. Complaint files be closed when the Group Compliance Officer has reviewed and agreed with the outcome.

⁹ BN910(9)(2)(b)

¹⁰ BN910(9)(2)(a)

¹¹ BN910(9)(2)(d)

4.10. The Group Compliance Officer may decide to reopen cases where the resolution is not considered to be appropriate. This will be done in consultation with senior management of the business unit concerned.

CLIENT NOTIFICATION OF RESOLUTION

4.11. Upon resolution of a Complaint, the client must be advised in writing of the outcome as soon as reasonably possible. In the event that the outcome is favourable to the client, appropriate redress, as determined by the responsible person, must be instituted without delay.

4.12. In the event that the outcome is not favourable to the client, full reasons for the outcome must be furnished to the client and the client must be advised/reminded of his/her right to address the Complaint to the FAIS Ombud within 6 months.¹²

5. COMPLAINTS PROCEDURE TESTING

5.1. The [Complaints Procedure](#), will be tested on an annual basis.

5.2. Testing will be coordinated and findings communicated through the Group's Internal Control Committee.

6. RULES ON PROCEEDINGS OF THE OFFICE OF THE FAIS OMBUD FOR FINANCIAL SERVICE PROVIDERS, 2002 ("THE RULES")

TIMEFRAMES FOR THE RESOLUTION OF COMPLAINTS IN TERMS OF THE RULES ON PROCEEDINGS OF THE OFFICE OF THE FAIS OMBUD FOR FINANCIAL SERVICES PROVIDERS, 2002

6.1. Whilst the [Complaints Procedure](#), as outlined in this document, has provided the timeframes stated above for the escalation of Complaints, in terms of the Rules of the FAIS Ombud's Office, a Complaint must be acknowledged together with contact details of the relevant person if the Complaint cannot be addressed by the Group's Compliance Department within 3 weeks of its receipt.

6.2. In terms of the Rules, a further 3 weeks (a total of 6 weeks from receipt of the Complaint) is available for resolution of the Complaint. If the Group's Compliance Department is unable to resolve the Complaint to the satisfaction of the complainant within 6 weeks of receipt of the Complaint, the responsible person (depending on level of escalation reached) must advise the complainant of his/her right to refer the Complaint to the office of the FAIS Ombud within 6 months of receipt of the final notification in respect of the Complaint.

REQUIREMENTS FOR SUBMITTING COMPLAINTS TO THE FAIS OMBUD

6.3. The Complaint must fall within the ambit of the FAIS Act and the Rules.

6.4. The Group's Compliance Department must have failed to address the Complaint satisfactorily within 6 weeks of its receipt.

6.5. The act, or omission, complained of must have occurred at a time when the Rules were in force.

6.6. The Complaint must not constitute a monetary claim in excess of R800 000 unless the Group and its Associates have agreed in writing to this limit being exceeded or the complainant has abandoned the amount in excess of R800 000.

¹² BN910(9)(2)(e)

- 6.7. The Complaint must not relate to investment performance of a financial product which is the subject of the Complaint, unless such performance was guaranteed expressly or implicitly or such performance appears to the FAIS Ombud to be deficient as to raise a prima facie presumption of misrepresentation, negligence or maladministration on the part of the person against whom the Complaint is brought.
- 6.8. The Complaint must endeavour to resolve the Complaint with the Group and its Associates prior to submitting a Complaint to the Office of the FAIS Ombud. The complainant must satisfy the FAIS Ombud of this and provide the final response (if any) from the Group's Compliance Department as well as the complainant's reasons for disagreeing with the response.
- 6.9. A Complaint must be accompanied by available documentation in the complainant's possession.

CASE FEES, COST & INTEREST

- 6.10. The FAIS Ombud may require the complainant to pay a case fee not exceeding R1 000.00 to the Office of the FAIS Ombud when accepting a Complaint.
- 6.11. The case fee is not refundable irrespective of the outcome of the matter.
- 6.12. When making a final determination, the FAIS Ombud may grant costs against the Group, its Associates or the complainant, in either case in favour of the other party to the Complaint or in favour of the Office of the FAIS Ombud.
- 6.13. Any award of interest and costs forms part of the relevant final determination of the FAIS Ombud.

7. CONTACT DETAILS

CONTACT DETAILS FOR THE GROUP COMPLIANCE DEPARTMENT

Complaints may be submitted to the Group's Compliance Department using the following contact details:

E-mail: compliance@globaladmin.co.za
Fax: 086 642 1880

Post: The Global Administrators and Prime Investments Group of Companies
Postnet Suite 208
Private Bag x 9
Benmore
2010

CONTACT DETAILS OF THE OFFICE OF THE FAIS OMBUD

Physical Address: Sussex Office Park
Ground Floor – Block B
473 Lynwood Road
Cnr. Lynwood Road & Sussex Avenue
Pretoria, 0081

Postal Address: P O Box 74571
Lynnwood
Pretoria, 0040

Telephone: (012) 470 9080 / (012) 762 5000
E-mail: info@faisombud.co.za
Website: www.faisombud.co.za

CONTACT DETAILS OF THE OFFICE OF THE LTI OMBUD

Physical Address: Third Floor, Sunclare Building
21 Dreyer Street
Claremont
Cape Town
7700

Postal Address: Private Bag X45
Claremont
7735

Telephone: (012) 657 5000/ (086) 010 3236
Fax: 021 674 0951
E-mail: info@ombud.co.za
Website: www.ombud.co.za

CONTACT DETAILS OF THE REGISTRAR OF COLLECTIVE INVESTMENT SCHEMES

Email: Kedibone.Dikokwe@fsb.co.za
Telephone: (012) 428 8017

Postal Address: PO Bpx 35655
Menlo Park
Pretoria
0102

ANNEXURE 1 – REVISION HISTORY

Detailed below is a list of policy versions and the changes/amendments/additions made to the policy with each new version:

| DATE | VERSION | CHANGES |
|----------|---------|--|
| Aug 2014 | 1.0 | “Internal Complaints Resolution” policy established. |
| Aug 2014 | 1.1 | <ul style="list-style-type: none"> - Complete format overhaul - Inclusion of Retirement Funds in Group structure - Point 2.2.2 amended to broaden application of the policy to all Complaints, not merely those of a FAIS nature. |
| Aug 2015 | 1.2 | <ul style="list-style-type: none"> - Inclusion of Prime Alternative Investments (Pty) Ltd in Group structure |
| Aug 2015 | 1.3 | <ul style="list-style-type: none"> - Inclusion of PAI Holdings and Prime Asset Management (Pty) Ltd in Group structure. - GAA’s name is changed to Ascent Capital (Pty) Ltd. |
| Nov 2015 | 1.4 | <ul style="list-style-type: none"> - Removal of the Unclaimed Retirement Funds from the Group structure. - Inclusion of Annexure A: Revision History. |
| Aug 2016 | 1.5 | <ul style="list-style-type: none"> - Name of policy changed to “Complaints Resolution Policy”. - Global Employee Benefits (Pty) Ltd included in Group structure. - Inclusion of “Associates” in Group Structure. Policy reworded to make reference to both the Group and Associates where applicable. - Group structure amended to refer to “Prime Collective Investment Schemes Management Company (RF) (Pty) Ltd” and “Prime Alternative Investments (RF) (Pty) Ltd”. - Header formatting. - Point 3.1.1 amended to read as follows: “All Complaints should be made in writing and presented to the Compliance Department at the offices Group.” - Point 3.1.2 amended to read as follows: “Clients are requested to ensure that the full details relating to the Complaint are disclosed and that any supporting documentation be submitted alongside the initial Complaint.” - Point 3.2.2 amended to refer to the Compliance Department. - Point 3.3.1 amended to refer to the Compliance Department. - Point 4.1.1 amended to read as follows: “Whilst the Complaints Resolution Procedure, as outlined in this document, has provided the timeframes stated above for the escalation of Complaints, in terms of the Rules of the FAIS Ombud’s Office, a Complaint must be acknowledged together with contact details of the relevant person if the Complaint cannot be addressed by the Group’s Compliance Department within 3 weeks of its receipt.” - Point 4.2.12 amended to refer to the Compliance Department. - Point 4.2.2 amended to refer to the Compliance Department. - Point 4.2.6 amended to refer to the Compliance Department. - Point 4.3.1 amended to refer to the Office of the FAIS Ombud. - Point 4.3.3 amended to refer to the Office of the FAIS Ombud. - Point 5.2 amended to refer to the Compliance Department and the contact mail has been changed to compliance@globaladmin.co.za |
| Aug 2017 | 1.7 | <ul style="list-style-type: none"> - Global Financial Administrators (Pty) Ltd included in Group structure. - Global Investment Administrators (Pty) Ltd. included in Group structure. - Global Payroll Services (Pty) Ltd included in Group structure. - Global Nominees (Pty) Ltd - Ascent Capital (Pty) Ltd reclassified as an Associate company. - Numbering & format changes throughout document. |
| Nov 2017 | 1.8 | <ul style="list-style-type: none"> - Format changes - Prime Real Estate (Pty) Ltd. included in Group structure. - Prime Trade Finance (RF) (Pty) Ltd included in Group structure. - Unclaimed Funds included in Group structure. - Orca Global Advisory (Pty) Ltd. included as an Associate. - Section 2: Definitions included - Annexure A amended to Annexure 1. |
| Jan 2018 | 1.9 | <ul style="list-style-type: none"> - Ascent Capital (Pty) Ltd reclassified as a Group company. |

| | | |
|----------|------|---|
| Jan 2018 | 1.10 | <ul style="list-style-type: none"> - Orca Global Advisory (Pty) Ltd. removed as an Associate. - Point 1.2 amended to include applicable legislation and industry standards. - Point 2.2 amended to include both the general definition of a Complaint and the specific definition as contained in the Long-term Insurance Act. - Definitions amended to include “Long-term Insurance Act” - The “Ombud” is now referred to as the “FAIS Ombud” - Section 3 “Legeslative Definitions” amended to include subheadings and the LTI definition of a Complaint. - Point 3.4 amended to make provision for all complaints, not only those prescribed by FAIS or LTI. - Point 3.5 amended to include reference to the LTI Act. - Inclusion of Section 5 “Complaints Procedure Testing) - Contact details included for the LTI Ombud. |
| Apr 2018 | 1.11 | <ul style="list-style-type: none"> - Clause 4.11 amended to stipulate that the most recent copy of this policy document will always be available via the Group’s website. |
| Apr 2018 | 1.12 | <ul style="list-style-type: none"> - Group name amended to “Prime Financial Services Group” - Prime Trade Finance (RF) (Pty) Ltd removed from Group structure. - Ascent Capital (Pty) Ltd reclassified as a Group company. - Mashamba Asset Managers (Pty) Ltd removed as an Associate company. - Section 2: Definitions updated. - Dormant companies removed from Group structure. |
| Aug 2018 | 1.13 | <ul style="list-style-type: none"> - Definitions updated to include “Board Notice 910 of 2010” - Footnotes 1 – 8 reference requirements of BN910 - Contact details included for the CIS Registrat under Section 7. |

