



Definition of a FAIS Complaint

Can be defined as a specific complaint relating to a financial service rendered by a financial services provider or representative to a client on or after the date of commencement of the FAIS Act, and in which complaint it is alleged that the provider or representative –

- (a) has contravened or failed to comply with a provision of the FAIS Act and that as a result thereof the client has suffered or is likely to suffer financial prejudice or damage;

This applies to allegation by a client against TD Markets (Pty) Ltd (“TDM”) that:

- the features of the product in question were not properly explained at point of sale;
- the client was not given enough information that would enable him or her to make an informed decision about the financial product;
- the policy documents were not delivered and received by the client;
- there’s not enough information with regard to the lodging a claim or premium payment and frequency thereof; or
- doesn’t recall buying the financial product

- (b) has wilfully 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

This applies to allegations that TDM has:

- provided an incorrect service to the client;
- acted without the client’s knowledge or consent
- cancelled a policy without the client’s knowledge/consent;
- effected any policy change without the client’s knowledge/consent which has caused prejudice to the client.



(c) has treated the complainant unfairly;

This applies to allegations that:

- the client has been pushed from pillar to post without a resolution;
- representative have been rude towards the client;
- different staff provided different information when contacted about the same issue on the financial product;
- the provider promised to do one thing and then did another.

Application

This policy applies only to complaints by clients alleging that TDM:

- has contravened or failed to comply with a provision of the FAIS Act and as a result thereof the complainant has suffered or is likely to suffer financial prejudice or damage;
- has wilfully or negligently rendered a financial service to the complainant and has caused prejudice or damage to the complainant or which is likely to result in prejudice or damage; or
- has treated the complainant unfairly.

How to Lodge a complaint?

A complaint must be submitted in writing to

- 1) complaints@tdmarkets.co.za **or**
- 2) delivered to
TD Markets, 9rd Floor, Atrium on 5th, Sandton, Gauteng, 2196, South Africa and it must be addressed to Mr Hlumelo Rubushe.

You need to set out **all** the relevant information and attach all applicable documentation in order to enable the Complaints Department to resolve your complaint timeously and without delay.



Procedure

Once the complaint is received by the Complaints Department you may expect an acknowledgement of receipt, within 72 hours of receipt of the written complaint; providing you with details of the person who will be considering your complaint and how your complaint will be handled.

You may expect a resolution to the complaint within 6 weeks of receipt of your complaint.

Referral of the Complaint to the FAIS Ombudsman

- Should a resolution reached by TDM not be to your satisfaction, after receipt of the final response from TDM regarding your complaint, you have six months within which to submit a complaint to the FAIS Ombudsman.
- The complaint must not constitute a monetary claim in excess of R800 000.00.
- The FAIS Ombudsman will not investigate a complaint if, before the date of receipt of the complaint by the FAIS Ombudsman, or during an investigation by the FAIS Ombud, the complainant institutes proceedings in a court regarding the subject matter of the complaint.

The FAIS Ombudsman, is accessible at the following address: • Financial Services Board, P O Box 74571, Lynwood Ridge 0040. Telephone: +27 12 470 9080 Facsimile: +27 12 348 3447, E-mail Address: info@faisombud.co.za, Website: www.faisombud.co.za

Conclusion

TDM will, on an ongoing basis, investigate the nature of complaints received and ensure that preventative measures are put in place, to avoid future occurrence of similar and other complaints.