

# Computershare (Pty) Ltd

Registration number 2000/006082/07  
FAIS Complaints Policy

## 1. Introduction

As part of South Africa's commitment to regulate the rendering of financial advisory and intermediary services the Financial Advisory and Intermediary Services Act ("FAIS") was introduced. FAIS requires all Financial Service Providers (FSPs) to have a documented complaints procedure.

Computershare (Pty) Ltd. is an approved Financial Services Provider (FSP licence no. 760) as defined in FAIS. The Compliance Officer is Teresa van Niekerk.

In terms of FAIS, Computershare is required to have an internal complaints policy and procedure which is accessible to clients at all times. A copy of this complaints procedure is available on our intranet, our website [www.computershare.com](http://www.computershare.com) or from our call centre which can be contacted on 0861 100 933.

**It is important to note that FAIS stipulates that before a complainant may submit a complaint to the Ombud, the complainant must endeavour to resolve the complaint with the Financial Services Provider (Computershare).**

**It is further important to note that this policy only relates to complaints relating to non-compliance with FAIS.**

## 2. Policy And Process

### 2.1 Applicability

This policy will apply in all instances where a complaint arises out of a financial service rendered by a Financial Services Provider in terms of the FAIS Act.

### 2.2 Types of complaints which can be submitted to the Ombud

#### 2.2.1 For a complaint to be submitted to the Ombud:

- > the complaint must fall within the ambit of the Act and these Rules;
- > the person/entity against whom the complaint is made must be subject to the FAIS Act and Rules;
- > the act or omission complained of must have occurred at a time when these Rules were in force; and
- > Computershare must have failed to address the complaint satisfactorily within six weeks of its receipt.

#### 2.2.2 A "complaint" is defined as a specific complaint relating to the financial service rendered by a financial services provider (Computershare (Pty) Ltd.) to the complainant where it is alleged that Computershare has:

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

## 3. General Principles to be Followed

### 3.1 Whenever a complaint arises out of a financial service rendered, you will be required to lodge such a complaint in writing.

### 3.2 All supporting documentation must accompany the complaint.

- 3.3 Lodging of complaint.  
The complaint may either be:
  - > Faxed to our complaints action line on **(011) 688-5254** or
  - > Posted to: **Complaints Action Line, PO Box 61051, Marshalltown, 2107** or
  - > E-mailed to [complaints@computershare.co.za](mailto:complaints@computershare.co.za) or
  - > Call the Complaints Action Line on **086 110 0946**.
- 3.4 Our Action Line will log your complaint and forward it to the manager of the relevant department for resolution. The Action Line officers will monitor your complaint to ensure that it is responded to within a reasonable time.
- 3.5 Receipt of the complaint has to be acknowledged in writing.
- 3.6 Immediate steps must be taken to investigate and respond promptly to each complaint.
- 3.7 The complaint should be handled timeously and in a fair manner and should receive proper consideration.
- 3.8 Internal follow up procedures are in place to ensure avoidance of occurrences giving rise to complaints and for improving our services.
- 3.9 If the complaint is not resolved within 6 weeks, you may refer the matter to the Ombud within 6 months.

#### 4. Referral to the Ombud

- 4.1 If a complaint has not been resolved within 6 weeks by Computershare, or where the complaint has been dismissed and you are not satisfied with the results of the investigation into the complaint, you may, within 6 months, refer the complaint to the Ombud whose details are as follows:

The FAIS Ombud  
PO Box 74571  
Lynnwood Ridge  
0040  
Telephone number: 0860 324 766

- 4.2 The Ombud will decline to investigate a complaint if a period of more than 3 years has expired since the act or omission which resulted in the complaint, or 3 years since the complainant became aware of the occurrence of such an act/omission;
- 4.3 The Ombud will decline to investigate a complaint, if proceedings have been instituted by the complainant in any court relating to the complaint;
- 4.4 The Ombud may decline to investigate a complaint if there are reasonable grounds to believe that a more appropriate dispute resolution process is available or in cases where it will be more appropriate to deal with the complaint in Court;
- 4.5 The Ombud has the power to determine whether or not a complaint falls within the ambit of the Act and the Rules and may reject a complaint, which falls outside such ambit.
- 4.6 The Ombud will only proceed to investigate a complaint if the Ombud has informed every other interested party of the receipt of such complaint, has provided particulars of such complaint to those parties and has provided those parties with the opportunity to respond;
- 4.7 The Ombud may follow and implement any procedure which he deems fit and may allow any party the right of legal representation;
- 4.8 The Ombud may make recommendations to the parties and if accepted by the parties, such recommendation will have the effect of a final determination;

- 4.9 The Ombud will in any case, where a matter has not been settled or a recommendation has not been accepted by the parties, make a final determination which may include dismissal of the complaint or the upholding of the complaint.

## 5. Rights of Complainants in connection with Complaints

- 5.1 Before submitting a complaint to the Ombud, the complainant must endeavour to resolve the complaint with the respondent.
- 5.2 The complainant has six months after receipt of the final response of the respondent, or after such response was due, to submit a complaint to the Ombud.
- 5.3 On submitting a complaint to the Office, the complainant must satisfy the Ombud of having endeavoured to resolve the complaint with Computershare (Pty) Ltd. and must produce the final response (if any) as well as the complainant's reasons for disagreeing with the final response.
- 5.4 A complaint must, where necessary, be accompanied by available documentation in the complainant's possession.
- 5.5 The complainant must be advised by the Ombud of Computershare's response to the extent necessary to react to such response and to decide whether the complaint should be proceeded with, and must thereafter within two weeks advise the Ombud of such reaction and decision.

Subsequent to lodging a complaint with the Ombud, the complainant is entitled to submit further facts, information or documentation in connection with the complaint and must do so, to the extent possible, if requested by the Ombud.