



# COMPLAINTS POLICY

FOR

**PELICAN EXCHANGE EUROPE (CY) LTD**

## Revision History

<b>Policy Name</b>	<b>Complaints Policy</b>
<b>Version Number</b>	<b>1.0</b>
<b>Date Approved</b>	<b>10/10/2023</b>
<b>Effective Date</b>	<b>10/10/2023</b>
<b>Policy Owner</b>	<b>Pelican Exchange Europe (CY) Ltd</b>
<b>Policy Approver</b>	<b>Pelican Board of Directors</b>

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## 1. Introduction

The purpose of this Policy is to set out the procedure to be followed and the appropriate action required to be taken by Pelican Exchange Europe (CY) Ltd. (“the “Company”, “we”, “us”, “our”) in the case of a complaint by any client to ensure the Company’s compliance with applicable Laws, Rules and/or Regulations of the Cyprus Securities and Exchange Commission. The Company is authorized and regulated by the Cyprus Securities and Exchange Commission with license number 441/24.

### Definitions

“**Complainant**” means any person, natural or legal, which is eligible for lodging a complaint to the Company and who has already lodged a complaint.

“**Complaint**” means a statement of dissatisfaction addressed to the Company by a complainant relating to the provision of investment services.

The Company shall establish, implement and maintain effective and transparent procedures for the reasonable and prompt handling of complaints received from retail or potential retail clients, and to keep a record of each complaint and the measures taken for the complaint’s resolution.

In addition, the Company is required to:

- Apply a complaints management policy, which is defined and endorsed by the senior management and the board of directors, who will be responsible for its implementation and for monitoring the Company’s compliance with it.
- Ensure that it maintains the required Complaints Procedure, which enables complaints to be investigated fairly and possible conflicts of interest to be identified and mitigated.

## 2. Complaint Submission

A complainant shall complete the Complaint Form provided by the Company (available on **Appendix 1** of this Policy). Once completed, it should be sent either in a hard copy along with any additional documentation that would be relevant to the complaint to the Company’s head offices which are situated at 50 Ayias Zonis, 2nd floor, Arianthi Court, Limassol, 3090, Cyprus or by email to [complaintseu@pelicantrading.io](mailto:complaintseu@pelicantrading.io). Only a complaint submitted via the Complaint form, with all the required information and it is accompanied by adequate supporting evidence (as required), shall be recorded as a Complaint by the Company and will be handled as such.

### 3. Complaint Handling

Upon receipt of a duly completed Complaint Form, the matter will be recorded as an official Complaint. The Company shall send a written acknowledgement letter/email (within five working days) from the day of receipt of the complaint to inform the complainant that the complaint is under investigation, providing the complainant with a unique reference number which shall be quoted in all communications with the Company regarding the complaint. The unique reference number should be used in all your future contact with the Company, the Financial Ombudsman and/or CySEC regarding the specific complaint.

In the event that your complaint requires further investigation and we cannot resolve it within two (2) months, we will issue a holding response in writing or other durable medium. When a holding response is sent, it will indicate the causes of the delay and when the Company's investigation is likely to be completed. In any event, we shall provide you with the outcome of our investigation no later than one (1) month from the issuing of the holding response, depending on the complexity of the case and your cooperation. Please note that the Company shall consider your complaint as closed and cease the relevant investigation in case you fail to respond to our officers within the period of three (3) months from the date of the submission of your complaint.

During the investigation of a Client Complaint, the Company takes into account the subject matter of the Complaint, the contents of the duly completed and signed Complaint Form, the evidence the Client has provided, and the evidence in our records.

As part of our investigation we may share and receive information regarding a Client complaint with/from third parties (e.g. with the CySEC, the Financial Ombudsman of Cyprus, our legal advisors or with another subsidiary company) in line with our Privacy Policy and the client Agreement, if applicable.

Further clarifications and information relating to the Complaint may be requested from the Client within the three (3) months' time-frame, as necessary. |

Once a Complaint's investigation is completed, a Final Response shall be issued to the Client with the investigation's outcome(s) together with any required explanations and any remedy measures the Company intends to take.

Further clarifications on the Final Response may be provided following Client's subsequent communication with the Company. A Complaint will be deemed as resolved or settled where the Company has sent in writing a Final Response and/or further clarifications on the Final Response to the Client.

If the Company is unable to resolve a Complaint within two (2) months, the Company will update the Client on the status of his/her Complaint and will continue to do so until such time as the investigation is complete.

According to applicable regulatory obligations, the Company has a maximum three (3) months from the day of the Complaint to respond/resolve the complaint. It is understood that the Client's right to take legal action remains unaffected by the existence or use of any complaint's procedures referred to above.

In addition, if the Client remains dissatisfied with the Final Response of the Company or in case of no Final Response within the three (3) months' time frame, he/she may be entitled to take his/her complaint to the Financial Ombudsman of Cyprus, by quoting his/her Complaint's unique reference number.

It is important that you contact the Financial Ombudsman of the Republic of Cyprus within four (4) months of receiving a final response from the Company otherwise the Financial Ombudsman of the Republic of Cyprus may not be able to deal with your complaint.

You can refer your complaint to the Financial Ombudsman if you are dissatisfied with our assessment and ruling, provided that:

- Your complaint/dispute/difference does not relate to an amount exceeding €170,000.
- You first file a complaint in writing to the Company, within fifteen (15) months from the date that you are aware or ought to be aware that the reason of your complaint has occurred.
- You receive our final response within three (3) months from the date we acknowledge receipt of your complaint and it is not to your satisfaction, or from the closing date by which you should receive our final response in the case you do not receive it.
- The financial business the complaint is directed against must have been in operation, under legal authorization or under the freedom of establishment regime, at the period referred to in the complaint.
- The transaction falls under the supervision of the responsible supervisory authority.
- A decision on the same complaint has not already been issued by a Court of the Republic and a judicial procedure is not pending for the enquiry of the same complaint.

In the unlikely event that the Company was unable to provide you with a final response within the three (3) month time period specified above you may again contact the office of the Financial Ombudsman of the Republic of Cyprus no later than four (4) months after the date when we ought to have provided you with our final decision.

1. Contact Details of the Financial Ombudsman of the Republic of Cyprus:

**Website:** <http://www.financialombudsman.gov.cy>

**Email:** [complaints@financialombudsman.gov.cy](mailto:complaints@financialombudsman.gov.cy)

**Postal Address:** P.O. BOX: 25735, 1311 Nicosia, Cyprus

**Telephone:** +35722848900

**Fax:** +35722660584, +3572266011

2. Contact Details of the Cyprus Securities and Exchange Commission:

**Website:** <http://www.cysec.gov.cy>

**General email:** [info@cysec.gov.cy](mailto:info@cysec.gov.cy)

**Postal Address:** P.O. BOX 24996, 1306 Nicosia, Cyprus

**Telephone:** +35722506600

**Fax:** +35722506700

You may maintain your complaint with the Cyprus Securities and Exchange Commission, however please note that the Cyprus Securities and Exchange Commission does not have restitution powers and therefore does not investigate individual complaints.

Further information as to the procedure you need to follow can be found on

<https://www.cysec.gov.cy/en-GB/complaints/how-to-complain/>

It is understood that your right to take legal action remains unaffected by the existence or use of any complaints procedures referred to above.

#### **4. Submission of Complaints to an Alternative Dispute Resolution (“ADR”) Entity**

You have the right to refer your complaint against the Company to an Alternative Dispute Resolution (“ADR”) Entity.

#### **5. Civil Action**

In case you are not satisfied with the decision issued by the Financial Ombudsman or the ADR in relation to your complaint, you may take civil action (i.e. refer to Cypriot Courts).

#### **6. Disclosure and Update of the Policy**

This Policy shall be regularly reviewed and updated by the Compliance Function in consultation with the Complaints Department and in line with applicable legislation updates, and each updated version shall be approved by the Company’s Board of Directors, as needed.

## 7. Records and Reporting

We are required by CySEC to keep detailed records on individual complaints. Further to this and as per the CySEC requirements, we maintain an internal register of complaints where all relevant information of each complaint is kept.

We are required to submit information regarding the complaints we receive from our clients to CySEC, on a monthly basis. In addition, it is required to report to the Senior Management, on at least an annual basis, on the complaint handling reporting to CySEC, as well as on the remedies undertaken or to be undertaken in relation to any deficiencies and/or weaknesses that may be identified.

Private information is not shared with any third parties and we comply with Regulation (EU) 2016/679 of the European Parliament and of the council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (“General Data Protection Regulation”, “GDPR” or the “Personal Data Protection Legislation”), as the same may be in force from time to time and replaced or amended from time to time.

## 8. Appendices

### Appendix 1 – Complaint Form

This is the form you need to fill in if you wish to submit your complaint to the Company. Complete, up-to-date as well as accurate information is required to be provided to the Company for the proper investigation and evaluation of your complaint.

Please note that the below Complaint Form is only indicative and not exhaustive. The Company may request further information and/or clarifications and/or evidence as regards your complaint.



1. CLIENT DETAILS:	
1.1	<b>Full Name:</b>
1.2	<b>Registered Email:</b>
1.3	<b>Trading Account Number:</b>
1.4	<p><b>Nature of Complaint: (please state full details: like date and time the incident occurred, Incident Description, Tickets of all disputable positions and/or Pending Orders department, financial loss, employee who offered services:</b></p> <p>In case additional space is required for the description of the complaint, please use additional documents</p>
1.5	<b>Please provide below the name(s) of the contact person(s) of [name of the Company] at the time of your complaint:</b>
1.5.1	<b>Contact Person:</b>
1.5.2	<b>Contact Person's Email:</b>
1.5.3	<b>Additional Contact's Name:</b>
1.5.4	<b>Additional Contact's Email:</b>
2. NATURE OF COMPLAINT:	
2.1	<p><b>Please provide a Summary of your complaint in the space provided below. Please try to justify the disputed amount and/or to include details that will facilitate the Company in investigating your complaint:</b></p>
2.2	<p><b>When did the issue you are complaining about take place? *</b></p> <p><b>Please enter the date:</b></p>
2.3	<p><b>When did you first notice that there might be a problem? *</b></p> <p><b>Please enter the date:</b></p>



2.4	Have you communicated your complaint to [name of the Company] and/or its associates? *
2.5	If your answer to the above question is YES, then please state the date you first informed [name of the Company] and or its associates of your complaint and the name of the pers  Please Enter the Date:
2.6	[name of the Company] Representative's Name Please, enter the [name of the Company] representative's name:
2.7	[name of the Company] Representative's Email Please, enter the [name of the Company] representative's email:
2.8	Method of Communication:
2.9	Have you reported your complaint to any authority? *
2.10	If you answered Yes to the above, which financial authority have you contacted?
2.11	Please attach together with this form any supporting evidence to your claim that will facilitate the Company's investigation of your complaint. Supporting evidence may consist of any documentation (screenshots, chats, phone records etc) relevant to the complaint.

Signature: .....

Date: .....

For Official Use Only	
Received on:	Assigned to:

Received by:	Signature
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