

**TRADE** | CAPITAL MARKETS

# COMPLAINTS HANDLING POLICY AND DISPUTES POLICY

TRADE CAPITAL MARKETS (TCM) LTD



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## 1. INTRODUCTION

As part of Trade Capital Markets (TCM) Ltd's (hereinafter the 'Company' or 'We' or 'Our' or 'Us') commitment to providing the best possible service to our clients (hereinafter 'You'), the Company upholds effective and transparent procedures for prompt complaint handling for existing and potential Retail clients. The Company maintains records of complaints and measures taken for complaint resolution, in line with MiFID II framework and the applicable Guidelines issued, and updated from time to time, by the Cyprus Securities and Exchange Commission (hereinafter 'CySEC').

## 2. INQUIRES

For any inquiries ,concerns and/or technical/platform questions, you may contact the Company's Customer Support department directly, which will address your issue within 48 hours (working hours) from the receipt of your request.

For any technical errors such as platform error, deposit or withdrawal error, you may contact the Company's Customer Support department directly, within a reasonable timeframe, but not later than 7 days from the date and time of the incidence.

Any changes including but not limited to terms of platform's use, change of fees, risk management actions shall be communicated to you by the Company in a form of a notification through the platform and/or via email and/or any other durable medium and/or via our website. In the cases where, a notification has been sent to you but would still like to receive further clarifications, you may contact the Company's Customer Support department directly, which will address your request, within a reasonable timeframe.

For more information how to contact our Customer Support, please click [here](#).

In the case that you are not satisfied with the response provided by the Company for the aforementioned issues or for any other issues, you may proceed with the submission of an official complaint following the relevant procedure, as described in the subsequent section.

## 3. OFFICIAL COMPLAINT PROCEDURE

If you wish to lodge an official complaint, you must fill and submit, as decribed below, the [Complaints Form](#) with the following information:

- i. the Client's name and surname;
- ii. the Client's trading account number;
- iii. the affected transaction (s) numbers;
- iv. the date and time of the disputed issue/trade;
- v. a brief description of the issue. Please note that a complaint must not include offensive language directed either to the Company or any of its employees;
- vi. Name of Company's employee that the client had contact with and/or the relevant department;
- vii. Supporting evidence of the complaint.

The client shall submit the Complaints Form either electronically or by post, as explained below:

- Electronically at [compliance@tradecapitalmarkets.com](mailto:compliance@tradecapitalmarkets.com) or by contacting the Customer Support Department;
- By post at 148 Strovolos Avenue, 1st Floor, Strovolos 2048 Nicosia, Cyprus.

Complaints submitted by Clients cannot be considered official unless the Complaints Form is duly completed with all the required information and it is accompanied by adequate supporting evidence (as necessary) for the Clients' claims.

The Company will acknowledge the official complaint within five (5) business days upon its receipt and provide you with a unique reference number which should be used in all your future contact with the Company, the Financial Ombudsman and/or the CySEC regarding the specific complaint.

The Company will accept an official complaint, if the Client submits his/her complaint within a reasonable timeframe from the date when the event occurred and not later than 2 years from the date of its occurrence. Any official complaint submitted by the client after the aforementioned 2-year timeframe, will be reviewed by the Company, and shall be on the Company's sole discretion to accept or reject it, taking into consideration each individual case and/ or circumstances (i.e. whether the client provides sufficient evidence proving that he/she was unable to raise the complaint earlier).

Both the Customer Support Department and the Compliance Department shall thoroughly examine any complaints/inquiries as required (taking into account any information contained within the books and records of the Company).

#### **4. FINAL DECISION FOR THE COMPLAINT**

The Company shall make every effort to investigate your complaint and provide you with the outcome of our investigation/final decision within and not later than two (2) months from the date you have submitted your complaint to us. During the investigation process we will keep you updated of the handling process of your complaint. In case the Company is unable to respond to you within the 2-month timeframe, you will be informed, in advance, for the reasons of the delay and the period of time when the investigation would be completed which would not exceed three (3) months from the submission of the complaint.

If a client fails to respond to any Company's communication, in relation to his/her complaint within two (2) months from the date of the Company's last sent communication, the Company will consider the complaint as closed.

All complaints will be treated with strict confidentiality.

#### **5. FINANCIAL OMBUDSMAN OR "ADR"**

The Financial Ombudsman is an independent service for settling disputes between the financial firms and their clients. For more information, please visit the website: <http://www.financialombudsman.gov.cy>.

If you believe that your Complaint has not been handled in a fair and equitable manner by the Company you have the right to refer the matter to the Financial Ombudsman provided that:

- a. Your complaint/disputed amount is up to EURO 170,000;
- b. You have first filed an official complaint to the Company within fifteen (15) months from the date that you became aware or reasonably should have been aware of the damaging act or failure related to your complaint;
- c. You received a final response within three (3) months from the date of receipt of the complaint by the Company or you have not received a final response within the 3-month period. You may submit the complaint to the Financial Ombudsman within a specified period of four (4) months from either the date of receipt of the final response from the Company or the 3-month period during which the Company had to respond;
- d. A decision regarding the same complaint has not been issued already by the Court of the Republic of Cyprus and/or there is no pending judicial procedure.

If you wish to escalate your complaint, you are advised to submit your complaint to the Financial Ombudsman at: [complaints@financialombudsman.gov.cy](mailto:complaints@financialombudsman.gov.cy) with all relevant information/documentation and evidence of your complaint.

You also have the right to refer your complaint to an Alternative Dispute Resolution ("ADR") entity. More information about available ADR entities in the Republic, please visit the website: <https://adrcyprus.com/>.

## 6. CIVIL ACTION

In case you are not satisfied with the decision issued by the Financial Ombudsman or the ADR you may refer to the relevant Courts of the Republic of Cyprus.

You may also maintain your complaint with the CySEC. However please note that the CySEC does not have restitution powers and therefore does not investigate individual complaints.

For the contact details of the CySEC, please visit the website : <http://www.cysec.gov.cy> or contact the CySEC through its general email: [info@cysec.gov.cy](mailto:info@cysec.gov.cy).