

---

# COMPLAINTS RESOLUTION POLICY

## 1. INTRODUCTION

It is important to note that the Act stipulates that before a complainant may submit a complaint to the Ombudsman, the complainant must endeavour to resolve the complaint with the Financial Services Provider ('FSP'). It is further important to note that this Policy only relates to complaints relating to non-compliance with the Act.

## 2. APPLICABILITY

This Policy will apply in all instances where a complaint arises out of a financial service rendered by a representative or a Financial Services Provider in terms of the Act. These complaints refer to:

- 2.1. Contraventions of the Act
- 2.2. Failing to comply with any provisions contained in the Act
- 2.3. Unfair treatment
- 2.4. Causing damage or is likely to cause prejudice or damage

## 3. REQUIREMENTS

- 3.1. Records need to be maintained for complaints received pertaining to any financial service rendered, including advice given.
- 3.2. Complaints must be lodged in writing.
- 3.3. Records of complaints must be kept for a minimum of 5 years.
- 3.4. The FSP must handle complaints from clients in a fair and timely manner.
- 3.5. The FSP must take steps to investigate and respond promptly, follow principles of transparency, visibility, accessibility, and fairness.
- 3.6. If the complaint cannot be resolved to the client's satisfaction, the client must be advised of any further steps that can be taken.

## 4. GENERAL PRINCIPLES TO BE FOLLOWED

- 4.1. Whenever a complaint arises out of a financial service rendered, a client will be required to lodge such a complaint in writing and be submitted via one of the following:

- 4.1.1. Post: 2nd Floor Fredman Towers 13 Fredman Drive Sandton 2196
  - 4.1.2. E-mail: [ndina.rabali@limambeu.co.za](mailto:ndina.rabali@limambeu.co.za)
  - 4.1.3. Fax: 086 415 5280 marked for attention Mr. Ndinavhushavhelo Rabali
- 
- 4.2. The client should also attach copies of relevant related information/documentation to the specific claim.
  - 4.3. Receipt of the complaint has to be acknowledged in writing.
  - 4.4. The complaint should be forwarded to the relevant staff member depending on the type and seriousness of the complaint.
  - 4.5. Serious complaints should be handled by staff with adequate expertise.
  - 4.6. Lima Mbeu has internal follow up procedures in place to ensure avoidance of occurrences giving rise to complaints and for improving our services.
  - 4.7. Each client has to be informed of the results of the investigation of the complaint within six weeks of receipt of the complaint.
  - 4.8. If the complaint is not resolved within six weeks, the client may refer the matter to the Ombudsman within six months.
  - 4.9. Where a complaint has been resolved in favour of the client, a full redress has to be offered to the client without delay.

## **5. REFERRAL TO THE OMBUDSMAN**

- 5.1. If a complaint has not been resolved within six weeks by LIMA MBEU INVESTMENT MANAGERS (PTY) LTD, or where the complaint has been dismissed or where the client is not satisfied with the results of the investigation into the complaint, the client may, within six months, refer the complaint to the Ombudsman whose details is as follows:

The FAIS Ombudsman

Address: PO Box 74571, Lynwood Ridge, 0040

Tel: 012 470 9080

Fax: 012 348 3447

E-mail Address: [info@faisombud.co.za](mailto:info@faisombud.co.za)

Website: [www.faisombud.co.za](http://www.faisombud.co.za)

- 5.2. The Ombudsman will decline to investigate a complaint if a period of more than three years has expired since the act or omission which resulted in the complaint, or three years since the complainant became aware of the occurrence of such an act/omission;
- 5.3. The Ombudsman will decline to investigate a complaint if the complainant has instituted proceedings in any court relating to the complaint;

- 5.4. The Ombudsman 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;
- 5.5. The Ombudsman will only proceed to investigate a complaint if it 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;
- 5.6. The Ombudsman may follow and implement any procedure which it deems fit and may allow any party the right of legal representation;
- 5.7. The Ombudsman may make recommendations to the parties and if accepted by the parties, such a recommendation will have the effect of a final determination;
- 5.8. The Ombudsman will, in any case, where a matter has not been settled, or the parties have not accepted a recommendation, make a final determination which may include dismissal of the complaint or upholding of the complaint. If a complaint is upheld:
  - 5.8.1. The complainant may be awarded compensation;
  - 5.8.2. The financial services provider may be ordered to take certain steps; or
  - 5.8.3. The Ombudsman may make any other order which a Court may make.

## **6. POLICY APPROVAL**

The Board of Directors has approved this Policy.