

COMPLAINT HANDLING POLICY

1. General provisions

- 1.1. This Complaint Handling Policy (hereinafter, the **Policy**) sets out the procedure for handling clients' complaints at UAB FMJ Myriad Capital (hereinafter, the **Company**).
- 1.2. The Policy has been prepared in accordance with (i) the Law on Markets in Financial Instruments of the Republic of Lithuania (hereinafter, the **Law**), (ii) Commission Delegated Regulation (EU) 2017/565 of 25 April 2016, (iii) Rules for Handling Complaints Received from Financial Market Participants approved by Resolution No. 03-105 of the Board of the Bank of Lithuania of 6 June 2013 (hereinafter, the **Rules**), (iv) Rules on the Procedure for the Out-Of-Court Settlement of Disputes Between Consumers and Financial Market Participants at the Bank of Lithuania approved by Resolution No. 03-141 of the Board of the Bank of Lithuania of 25 July 2018, and other applicable legal acts of the Republic of Lithuania and the European Union regulating the Company's activities, as well as the guidelines and positions of supervisory authorities.
- 1.3. In the event of any inconsistency between this Policy and mandatory provisions of law, the provisions of the relevant legislation shall apply.
- 1.4. In implementing this Policy and handling clients' complaints, the Company's employees must strive for the prompt and fair registration, handling and resolution of complaints from clients and potential clients.

2. Terms and definitions

- 2.1. Unless the context of the Policy expressly dictates otherwise, the following capitalised terms used in this Policy shall have the following meanings:

- | | |
|---|--|
| 2.1.1. Reply | a written explanation given to the Company's Client(s) regarding the complaint processed and the decision taken. |
| 2.1.2. Responsible Person | a person appointed by order of the Director of the Company to deal with clients' complaints. |
| 2.1.3. Employee | all employees of the Company. |
| 2.1.4. Director | the Director of the Company. |
| 2.1.5. Client | a natural person or legal entity, other organisation or subdivision thereof to which the Company provides services. |
| 2.1.6. Applicant | a person who has lodged a complaint regarding the services provided by the Company and/or contracts concluded with the Company, i.e. a beneficiary, an aggrieved third party, a client of another financial market participant, an existing or potential client or a representative of the latter. |
| 2.1.7. Complaint | a written request from the Applicant submitted to the Company, stating that his/her rights or legitimate interests have been violated in relation to the services provided by the Company or the contracts concluded, and requesting that the Applicant's demands be satisfied. |
| 2.1.8. Complaints Register | a register or equivalent computerised filing system recording complaints received directly from Applicants, or through post offices, by email, orally, by recorded telephone call or other electronic means. |
| 2.1.9. Complaints Management Process | actions taken by Employees in relation to the receipt, registration, processing of Complaints, notification of Applicants, etc. |

- 2.2. Other terms used in the Policy shall be understood as they are defined in this Policy and in the legislation referred to in paragraph 1.2 above.

3. Scope

- 3.1. The Policy is applicable and binding on all Employees involved in the Complaints Management Process. During the Complaints Management Process, Employees must be guided by and observe the principles of respect for human rights, justice, fairness, reasonableness, objectivity, impartiality and expediency.
- 3.2. The provisions of the Policy shall not apply, and the Complaint shall not be processed, if it is determined that the Company is not responsible for the acts referred to in the Complaint. In such a case, the Company shall prepare a Reply to the Applicant stating the reasons for the refusal to accept the Complaint and, where possible, indicating to the Applicant the financial market participant or institution responsible for the handling of the Complaint.

4. General requirements

- 4.1. The Company shall make information about the Complaints Management Process publicly available on the Company's website at www.myriadcapital.lt and shall provide it to each Client in writing upon request.
- 4.2. The Company shall make publicly available and make available to Clients either (i) this Policy and the Company's contact details for lodging a Complaint, or (ii) information based on this Policy, which shall be clear, accurate and up-to-date and shall include:
 - 4.2.1. the information to be provided by the Applicant in the Complaint;
 - 4.2.2. the contact details for lodging the Complaint;
 - 4.2.3. the time limit within which the Company must process the Complaint; and
 - 4.2.4. information about the possibility for the Applicant to lodge a complaint with the competent authority for handling complaints.
- 4.3. A Client who believes that the Company is improperly providing services or is otherwise violating his/her rights or legitimate interests, or for other valid reasons, has the right to lodge a Complaint.
- 4.4. The Applicant may submit the Complaint in person at the Company's office and/or at any other contact details of the Responsible Person provided by the Company.
- 4.5. Complaints can only be made by telephone if the call is made to the Company's telephone number, where the calls are recorded. A Complaint submitted to a recorded telephone number shall be treated as a written Complaint. When recording a call, the date and time the call was received must be recorded.
- 4.6. If, after the Applicant submitted a Complaint to the recorded telephone number, it is determined that, having regard to the substance, nature, facts, content and complexity of the Complaint, it shall not be possible or it shall be difficult to deal with the Complaint properly, fully and completely and to prepare a Reply, the Responsible Person may ask the Client to submit a written Complaint. If the Client refuses to submit the Complaint in writing, the Reply shall indicate that the Client has refused to submit the Complaint in writing and that this may have had an impact on the proper and full investigation of the Complaint.
- 4.7. The Company does not accept or handle oral Complaints. If the Applicant submits a Complaint orally (during a meeting or to an unrecorded telephone number), the Employee who receives the Complaint must explain to the Applicant his/her right to submit the Complaint in writing.
- 4.8. Complaints submitted by electronic means must be structured in such a way that the person who submitted the Complaint can be identified and the content of the Complaint can be understood.
- 4.9. Only Complaints submitted in writing, which are neatly and legibly written, signed by the Applicant, stating his/her full name and place of residence, if the Applicant is a natural person, or company name, registration number and registered office address, if the Applicant is a legal entity, shall be considered.
- 4.10. Complaints and supporting documents must be submitted in English or Lithuanian. If the Complaint is submitted in another language, the Applicant must submit with the Complaint translations into Lithuanian or English certified by a translator's signature. The Company's Reply shall be drafted in Lithuanian or English, depending on the language of the Complaint or its translations.

- 4.11. The Complaint must also clearly identify the actions of the Company, its Employees and/or representatives complained of (the circumstances of the dispute), as well as the reasoned, precise and clear demands of the Applicant.
- 4.12. The Applicant must apply to the Company not later than within three (3) months from the date on which he/she became aware or should have become aware of the infringement of his/her rights or legitimate interests.
- 4.13. The Applicant has the right to lodge his/her Complaint through his/her representative, whose authorisation is documented in accordance with the procedure laid down by law.
- 4.14. Complaints shall be registered in the Complaints Register on the date of receipt. If the Applicant so requests, he/she may be provided with proof of receipt of the Complaint.
- 4.15. In all cases, Replies to Applicants shall be provided in writing using the contact details they have provided.
- 4.16. Complaints submitted in writing which are not signed by the Applicant, or which do not contain the full name of the Applicant, his/her place of residence (or other precise address if the Applicant wishes to receive the Reply at an address other than the address of his/her place of residence), if the Applicant is a natural person, or company name, registration number, and the address of place of business (or other precise address if the Applicant wishes to receive the Reply at an address other than that of its place of business), where the Applicant fails to provide the missing data at the Responsible Person's request, shall not be examined.
- 4.17. Complaints that are illegible or not clear, when submitted in writing, shall be returned to the Applicant, stating the reason for the return.
- 4.18. To ensure that the Company's activities comply with legal requirements, the Responsible Person shall assess the information provided by the Applicants and, if it is reasonable to conclude that the information is relevant to ensure that the Company's activities comply with legal requirements, the Responsible Person shall forward the information to the person responsible for the compliance of the Company's activities with legal requirements. The information must be communicated to the Compliance Officer regardless of whether Complaints are dealt with or returned to Applicants in accordance with this procedure.
- 4.19. If the Complaint is accepted/received by an Employee other than the Responsible Person who is authorised to receive Clients' Complaints, the fact of receipt of the Complaint shall be communicated immediately to the Responsible Person, together with all material received.
- 4.20. If the Complaint submitted by the Applicant relates to actions taken by the Responsible Person, or if the Responsible Person otherwise considers that he/she may have a personal interest in the handling of the Complaint (conflict of interest), the Responsible Person must immediately inform the Director in order to allow him/her to appoint someone else to deal with the Complaint in question.

5. Recording and handling of Complaints

- 5.1. Complaints shall be handled by the Responsible Employee, who shall be a person with sufficient skills, knowledge and experience to perform this function. The Company shall provide the Responsible Employee with access to all data necessary for the investigation of the Complaint.
- 5.2. More than one Responsible Person may be appointed as necessary to ensure compliance with the Policy.
- 5.3. Upon receipt of a Complaint, the Employee shall immediately submit it to the Responsible Person. Upon receipt of a Complaint, the Responsible Person shall record it in the Complaints Register and shall give each Complaint a unique number for identification purposes.
- 5.4. The Complaints Register shall contain:
 - 5.4.1. the registration number;
 - 5.4.2. full name/company name of the Applicant;
 - 5.4.3. the address of the Applicant as stated in the Complaint;
 - 5.4.4. the date of receipt and method of lodging the Complaint;
 - 5.4.5. the substance of the complaint (summary of the contents);
 - 5.4.6. the Company's services or products complained about, types thereof;

- 5.4.7. the date of the Reply to the Applicant; and
- 5.4.8. the final outcome/decision of the investigation.
- 5.5. The Complaints Register shall also record all other actions taken by the Company in connection with the handling of the Complaint, such as seeking advice from external legal counsel, internal consultations on the circumstances raised in the Complaint, internal inspections, etc.
- 5.6. The Complaint must be investigated and responded to with a detailed, reasoned and documented Reply as soon as possible, but not later than within fifteen (15) working days from the date of receipt.
- 5.7. In exceptional cases where, for reasons beyond the Company's control, it is not possible to provide a Reply within fifteen (15) working days, the Responsible Person must notify the Applicant by sending a provisional reply, clearly indicating the reasons for the delay in responding to the Complaint and the deadline by which the Client shall receive a final Reply. In any case, the deadline for a final Reply must not exceed thirty-five (35) working days from the date of application.
- 5.8. If the Company does not reply to the Complaint or if the Company's Reply is not satisfactory to the Client, the Company shall inform the Client of his/her right:
 - 5.8.1. if the Client may be considered a consumer under the legislation, the right to apply to the Bank of Lithuania, address: Gedimino pr. 6, LT-01103 Vilnius, website address: www.lb.lt, for an out-of-court settlement at the Bank of Lithuania in accordance with the procedure established by legislation, in respect of the Company's activity, which is supervised by the Bank of Lithuania, within one (1) year from the day of applying to the Company. The requirements for the application and the procedure for submitting the application shall be determined by the Law on the Bank of Lithuania;
 - 5.8.2. if the Client may be considered a consumer under the legislation, inform the consumer that the authority for out-of-court settlement of disputes with the Company arising from matters other than financial services is the State Consumer Rights Protection Authority, address: Vilniaus g. 25, LT-01402 Vilnius, website address: www.vvtat.lt. The requirements for the application and the procedure for submitting the application shall be determined by the Law on the Protection of Consumer Rights of the Republic of Lithuania;
 - 5.8.3. That the authority handling disputes arising from the protection of personal data and/or privacy is the State Data Protection Inspectorate, address L. Sapiegos g. 17, LT-10312 Vilnius, website address www.ada.lt. The requirements for the application and the procedure for submitting the application shall be determined by the Law on Legal Protection of Personal Data of the Republic of Lithuania.
- 5.9. The Responsible Person, if he/she sees that additional explanations and/or other written evidence are necessary for the examination of the Complaint, shall have the right to request the Applicant in writing to submit such explanations and/or evidence, specifying a time limit for the submission of the explanations and/or evidence.
- 5.10. The Responsible Person must accept and take into account any changes to the subject matter or grounds of the Complaint, new facts and evidence submitted by the Applicant, or the withdrawal of the Complaint, at any time before the decision on the Complaint is taken. If the Applicant withdraws the Complaint, the Complaint shall be closed.
- 5.11. The Company investigates Complaints free of charge. Replies to Complaints are always given in writing. However, meetings between the parties and discussions can be organised to resolve disputes amicably. The meetings/discussions may be organised either by the Applicant or by the Company by appointing a representative(s).
- 5.12. The Responsible Person shall deal with the Complaint in accordance with the legislation in force in the Republic of Lithuania.
- 5.13. The final decision on the Complaint shall be taken by the Director, taking into account the proposal of the Responsible Person.
- 5.14. The outcome of the Complaint may include the decision to:
 - 5.14.1. compensate in full or in part for the damage/loss caused;
 - 5.14.2. provide the services complained of anew;

- 5.14.3. reimburse the money paid by the Applicant for the services provided by the Company;
 - 5.14.4. pay compensation;
 - 5.14.5. transfer the provision of services to the Applicant to another company designated by the Applicant with the right to provide the relevant services;
 - 5.14.6. make the appropriate changes and/or provide the necessary information and/or explanations;
 - 5.14.7. issue an apology; or
 - 5.14.8. dismiss the Complaint.
- 5.15. In order to compensate the Applicant to the fullest extent possible for the damage/loss suffered by the Applicant, a number of alternative measures provided for in paragraph 5.14 of the Policy may be also applied.
 - 5.16. Where the Applicant's Complaint is not satisfied or is partially satisfied, the Reply must set out the reasons for the refusal to satisfy the Complaint in full or in part, as well as other possible remedies available to the Applicant, including the Applicant's (consumer's) right to apply to the Bank of Lithuania as referred to in paragraph 5.8 of the Policy.
 - 5.17. The decision on the Complaint shall be in writing and the Reply shall be sent to the Applicant as soon as possible.
 - 5.18. Complaints submitted on the same grounds and for the same subject matter, which are the same as Complaints already dealt with by the Company, shall not be re-examined and shall be returned to the Applicant, stating the reason for the return.

6. Data collection and storage

- 6.1. In accordance with the requirements of the legal acts regulating the legal protection of personal data, the Company, as a controller, shall process personal data submitted during the handling of Complaints, as well as documents recording the outcome of the Complaint. These data shall be processed for the sole purpose of handling Complaints. The legal basis for processing such personal data is the fulfilment of legal requirements, and failure to provide the requested personal data may result in the Complaint not being examined.
- 6.2. Personal data relating to the handling of a Complaint shall be kept no longer than is necessary for the purposes for which the data were obtained. Once the purposes for which the personal data were collected have been achieved, the data shall be destroyed.
- 6.3. Complaints from Applicants shall be kept on file with the Company for at least three (3) years after the final Reply to the Applicant. The Company shall also keep for at least three (3) years information on the decisions taken by the Company to remedy deficiencies in its operations and to manage risks based on Complaints.
- 6.4. Individuals whose personal data are processed in the course of the Complaints handling procedure shall have the right to access their data and to be informed on how they are being processed; the right to obtain the rectification of inaccurate personal data or, taking into account the purposes of the processing, to have the incomplete personal data completed; in certain cases, the right to have their data destroyed; in certain cases, the right to obtain restriction of processing of their personal data; the right to lodge a complaint with the State Data Protection Inspectorate if they consider that their rights as data subjects have been infringed.
- 6.5. Persons wishing to exercise their rights as set out in paragraph 6.4 of the Policy must submit a request to the Company. The procedure for exercising the rights shall only start once the person has been identified, either directly or by reliable remote means.
- 6.6. Personal data obtained in the course of the handling of Complaints may be transmitted to supervisory authorities, such as the Bank of Lithuania or other recipients, if this is necessary to reply to the Complaint or otherwise address the situation. Personal data are not transferred outside the European Union or the European Economic Area.

7. Assessing the outcome of Complaints

- 7.1. The Responsible Person continuously assesses the outcome of Complaints in order to identify weaknesses and potential legal or operational risks. As part of this assessment, the Responsible Person shall take the following measures:
 - 7.1.1. collect information about similar Complaints relating to a particular service or product provided by the

Company, and analyse this information in order to determine the root cause of the Complaints and the priorities for addressing the causes;

- 7.1.2. assess whether the root cause of certain Complaints is likely to give rise to Complaints about other services or products provided by the Company;
- 7.1.3. assess whether the root causes of the Complaints can be eliminated and identify ways to address them;
- 7.1.4. where necessary, eliminate the identified root causes of Complaints; and
- 7.1.5. ensure that information on recurrent or systemic causes of Complaints is regularly provided to the Director and the Board to enable them to carry out their functions effectively.

8. Final provisions

- 8.1. The Company shall submit to the Bank of Lithuania by electronic means, not later than within two (2) months after the end of the calendar year, information on Complaints received regarding financial instruments (Annex 2 to the Rules) and information on the assessment of the outcomes of Complaints carried out in accordance with Section 7 of the Policy.
- 8.2. The Company shall compile and, upon the request of the Bank of Lithuania, provide information on the number of Complaints received, organised by the reasons for their submission and the outcomes of their handling (number of Complaints received, number of Complaints processed, number of Complaints satisfied, number of Complaints partially satisfied).
- 8.3. Information provided by email, as well as by any other means of communication making it possible to prove that the information has been provided, shall comply with the requirement to provide information in writing as set out in the Policy.
- 8.4. The Director shall be responsible for the implementation of the Policy, and day-to-day compliance with the Policy shall be monitored by the employee responsible for the compliance of the Company's activities with legal requirements by means of internal control procedures.
- 8.5. The Responsible Person must review the Policy at least once every calendar year, assess whether the provisions of the Policy meet the needs of the Company and make suggestions to the Director for improvement of the Policy. The Director shall, after assessing the suggestions made, decide whether to submit the proposed amendments to the Board of the Company for approval.
- 8.6. This Policy shall be amended and/or supplemented by a decision of the Board of the Company.