



# Complaints Handling Manual

The Website of EMS Brokers is operated by FXNET Limited; a Cypriot Investment Firm, authorized and regulated by CySEC under license No. 182.12

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The Company's official language is the English language. Any other language translation of this Agreement is for informational purposes only and does not bind the Company or have any legal effect whatsoever, the Company having no responsibility or liability regarding the correctness of the information therein.

In case of any contradiction between the English and any other language version, the English version shall prevail.

## 1. Introduction

1.1 The Website of EMS Brokers is owned and operated by FXNET Limited. FXNET Limited (hereinafter referred to as 'FxNet', the 'Company', the 'Firm', 'us', 'our') is a Cypriot Investment Firm (CIF) which is authorized and regulated by the Cyprus Securities and Exchange Commission ("CySEC"), under license number 182/12, incorporated and registered under the laws of the Republic of Cyprus (Certificate of Incorporation No. 300624), registered office at 4 Theklas Lysioti St, Harmony House, Office 31, 3rd floor, 3030 Limassol, Cyprus.

Based on the authorization obtained by CySEC, the Company is authorized to provide the below investment and ancillary services to its clients:

- Investment Services:
  - 1) Reception and transmission of orders in relation to one or more Financial Instruments
  - 2) Execution of Orders
  - 3) Dealing on own account
  - 4) Portfolio Management
  - 5) Investment Advice
- Ancillary Services:
  - 1) Safekeeping and administration of Financial Instruments for the account of Clients, including custodianship and related services
  - 2) Granting credits or loans to an investor to allow him to carry out a transaction in one or more Financial Instruments where the firm is involved in the transaction
  - 3) Foreign exchange services where these services are connected to the provision of investment services
  - 4) Investment research and financial analysis or other forms.

## 2. Scope

2.1 The Complaints Handling Manual (the 'Manual') sets out the processes and the procedures implemented by the Company for the reasonable and prompt handling of complaints or grievances received from its Clients.

## 3. Queries and Grievances

3.1 If you are dissatisfied with our services or if you have questions regarding your Account or your activity with us, you may contact our Backoffice and Customer Support Department via e-mail [info@emsbrokers.com](mailto:info@emsbrokers.com). Our Backoffice and Customer Support Department

will determine if your query or grievance can be resolved immediately or if it will require further investigation. If we cannot resolve your query/grievance immediately, we remain committed in addressing and or/resolving it in a prompt manner. Our Backoffice and Customer Support Department is usually able to resolve a query/grievance within 48 working hours, unless we have a sufficient reason to believe that your query/grievance is of a complex nature and requires additional investigation.

- 3.2 Queries and grievances communicated to the Backoffice and Customer Support Department must be received from the Client's registered, with the Company, e-mail address (or the Client's Authorized Representative) as soon as possible after the subject matter of the query/grievance arose.

### 3.3 Queries and Grievances of a Complex Nature

- 3.3.1 Once you submit to us a query or a grievance of a complex nature, the following procedure will be implemented:
- 3.3.2 Upon receipt of your query/grievance, will send you a written acknowledgment (via e-mail), confirming that we have received your query/grievance and we are investigating it. You shall receive the abovementioned acknowledgment within 24 working hours.
- 3.3.3 A response to your query/grievance will be provided to you within five (5) working days counting from the day when a written acknowledgment has been sent to you.
- 3.3.4 If you are not satisfied with the Backoffice and Customer Support Department's response to your query/grievance, then you may rise this further with the Compliance Department following the process indicated in Section 4 'Official Complaints' of this Manual.

## 4. Official Complaints

### 4.1 Definitions

- 4.1.1 An Official Complaint (the 'Complaint') is a statement of dissatisfaction addressed by the Complainant to the Compliance Department, as indicated in the Company's procedure.
- 4.1.2 A Complaint must include:
- 1) The Client's name and surname,
  - 2) The Client's Trading Account Number,
  - 3) The affected transaction(s) number(s), if applicable,
  - 4) The time and the date that issue arose,
  - 5) An accurate, detailed description of the issue,
- 4.1.2.1 The Client is also encouraged to provide us with any supporting documentation or other material that may assist the Compliance Department in the resolution of the Complaint.

### 4.2 How to File an Official Complaint

- 4.2.1 To file a Complaint the Client shall electronically submit a Contact Form (the 'Form'), which is available on the Company' Website, under the following link: <https://emsbrokers.com/en/complaints> or contact our Compliance Department at info@emsbrokers.com
- 4.2.2 Complaints communicated to the Compliance Department must be received from the Client's registered e-mail address (or the Client's Authorized Representative) as soon as possible after the subject matter of the Complaint arose.

## 4.3 Complaints Handling Procedure

- 4.3.1 Once we receive your Complaint, we will provide you with a written acknowledgment (via e-mail), confirming that we have received your Complaint and we are investigating it. You shall receive the abovementioned acknowledgment within five (5) working days along with the Unique Reference Number (URN) allocated to your Complaint.
- 4.3.1.1 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.
- 4.3.2 Once we acknowledge receipt of your Complaint, we will review it carefully, investigate the circumstances surrounding your Complaint and will try to resolve it without undue delay. One of our officers may contact you directly (via email) to obtain further clarifications and information relating to your Complaint. We shall need your cooperation in order to handle your Complaint.
- 4.3.3 We shall make every effort to investigate your Complaint and provide you with the outcome of our investigation within two (2) months from the date you have submitted your Complaint to us. During the investigation process we will keep you updated on the handling process of your Complaint.
- 4.3.3.1 In the unlikely 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.
- 4.3.3.2 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.
- 4.3.4 When we reach an outcome, we will inform you of it and provide an explanation of our position and any remedy measures we intend to take (if applicable).

If you are not satisfied with our Final Response to your Complaint, then you may rise this further with the Financial Ombudsman of the Republic of Cyprus, following the process indicated in section 5 '**Submission of Complaints to the Financial Ombudsman**' of this Manual.
- 4.3.5 The Company shall keep a record of each of the measures taken for the Complaint's/grievance's resolution in accordance with the applicable laws and the Company's Data Protection Policy. One copy of the Complaint form is archived in the client's file and another copy is kept in a separate file ("complain/grievance file").

All decisions related to complaints shall be communicated to complainants in writing and copies shall be retained by the Compliance Department. All the documentation related to complaints shall be maintained for a period of at least five (5) years calculated after the execution of the complaint and/or termination of the business relationship with the Client.

## 5. Submission of Complaints to the Financial Ombudsman

- 5.1 The Financial Ombudsman is an independent service for settling disputes between Cyprus Investment Firms (CIF's) and their clients.

- 5.2 If you are not satisfied with the Company's Final Decision to your Complaint you may submit your complaint to the office of the Financial Ombudsman of the Republic of Cyprus and seek mediation for possible compensation.
- 5.3 It should be noted that you shall contact the Financial Ombudsman within a period of four (4) months from the date you have received a Final Response from us otherwise the Financial Ombudsman may not be able to deal with your Complaint.
- 5.4 Further information can be found on: <http://www.financialombudsman.gov.cy/>
- 5.5 Please make sure that you provide your Complaint's Unique Reference Number (URN) when you address your Complaint to the Financial Ombudsman. 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.
- 5.6 If you are not satisfied and do not want to accept a decision taken by the Financial Ombudsman, as a last resort, you may be able to take your case to court and initiate a legal action.
- 5.7 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, +35722660118
- 5.8 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
- 5.8.1 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.
- 5.8.2 Further information as to the procedure you need to follow can be found on <https://www.cysec.gov.cy/enGB/complaints/how-to-complain/>
- 5.9 It is understood that your right to take legal action remains unaffected by the existence or use of any Complaint's procedures referred to above.