



S F I

Complaints-Handling Policy

February 2023

Prepared by the Compliance Manager and approved by the management board on November 25, 2021 and subsequently revised on February 20, 2023.





1. Introduction

SFI Markets B.V., a private company with limited liability (*besloten vennootschap met beperkte aansprakelijkheid*) registered with the trade registry of the Dutch Chamber of Commerce under number 56475160 (**SFI**) operates as a licensed investment under supervision of the Dutch Authority of the Financial Markets (**AFM**) and the Dutch Central Bank (**DNB**).

In the course of its activities SFI provides the following services to its clients, all of which constitute regulated activities under the Markets in Financial Instruments Directive (**MiFID II**)¹ (the **Services**):

- Executing orders on behalf of the clients;
- Dealing on own account;
- Placing of financial instruments on a firm commitment basis;
- Placing of financial instruments without a firm commitment basis.

For the purposes of this Complaints-Handling Policy (the **Policy**), *any former, current or potential client or counterparty* of SFI is defined as being a **Client** and shall be referred to accordingly in this Policy. A complaint under this Policy is furthermore defined as *any statement of dissatisfaction* addressed to SFI by its Clients in relation to the provision of one or more of the Services (the **Complaint**). A Complaint can be oral or written and does not need to be accompanied by reasons or explanations. However, a request for explanation, clarification or advice is not a Complaint within the scope of this Policy.

This Policy applies to any Client with respect to any Complaints they may have with respect to the Services.

1.1 Clients' information

SFI is committed to act in good faith and provide its Clients with high-level professional services. Therefore, SFI considers Complaints as a valuable source of information for improvement of its Services as well as the identification and monitoring of various (compliance) risks that may have been overlooked by SFI.

SFI informs its Clients about the current Policy and related processes by means of:

- Publishing this Policy on its website at <https://sfimarkets.com/>, and
- Sharing this Policy with the Clients upon request.

Should you have a Complaint in relation to Services of SFI, please address it either verbally to an SFI employee, preferably the Compliance Manager of SFI, or in writing to either:

- The person that you are in contact directly with at SFI (Front Office);**
- The Compliance Manager by email: compliance@sfimarkets.com or phone: +31 20 7095 203, or**
- Postal address of SFI:**

SFI Markets B.V.
Attn: Compliance Manager
Vijzelstraat 79

¹ Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU.



**1017 HG Amsterdam
The Netherlands**

Upon receipt of your Complaint, SFI will handle it promptly and in line with the procedures as set out below in Chapter 2. In doing so, SFI aims to ensure swift resolution of any concerns that you may have in relation to our Services or to remedy any unsatisfactory situation we are in a reasonable position to mitigate. In pursuit of handling your Complaint, we might request additional information. The submission and subsequent handling of claims by SFI is free of charge at all times for the Client.

1.2 Objective & commitment

The duty to act in the best interests of the Clients, as defined below, is at the core of SFI's values and business strategy, whereby due regard is paid to prudent risk appetite of SFI and effective conflicts of interest management within the organisation as detailed in the Conflicts of Interest Policy of SFI. By way of this Policy, SFI contributes to its overall obligation to act with integrity, fairness and professionalism at all times and thereby establishes rigorous procedures and sound process for the prompt complaint-handling, pursuant to art. 4:17 Dutch Act on Financial Supervision (*Wet op het financieel toezicht FSA*).

This Policy lays down procedures that aim to ensure that any Complaints filed with SFI are dealt with fairly, efficiently and transparently, in line with applicable laws and regulatory requirements. In this respect, this Policy is based on European regulation, particularly art. 16(2) MiFID II and art. 26 of the Commission Delegated Regulation (EU) 2017/565 (**DR Organisational Requirements**)², and Dutch regulation, particularly art. 4:17 FSA. It must be noted, however, that art. 39 to 48f Dutch Decree on the Prudential Supervision of Financial Institutions (*Besluit Gedragstoezicht financiële ondernemingen Wft Bgfo*) are not applicable pursuant to art. 39 Bgfo. Nevertheless, the contents of art. 39 to 48f Bgfo can serve as inspiration for the contents of SFI's Complaints-handling procedure.

As SFI solely provides its Services to professional investors as defined in Section C of Annex I of MiFID II, it has not joined an extra-judicial complaints institution, for instance the Dutch KiFiD (*Klachteninstituut voor Financiële Dienstverlening*), as allowed by art. 4:17(2)(a) FSA.

1.3 Regulatory background

- Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (**MiFID II**);
- Commission Delegated Regulation 2017/565 on 25 April 2016 supplementing Directive 2014/65/EU of the European Parliament and of the Council as regards organisation requirements and operating conditions for investment firms and defined terms of the purposes of that Directive (**DR Organisational Requirements**);
- Dutch Act on Financial Supervision (*Wet op het financieel toezicht FSA*).

² Commission Delegated Regulation (EU) 2017/565 of 25 April 2016 supplementing Directive 2014/65/EU of the European Parliament and of the Council as regards organizational requirements and operating conditions for investment firms and defined terms for the purposes of that Directive.



1.4 Policy Statement

This Policy has been approved by the management board (the **Board**) of SFI and has come into effect on November 25, 2021 (the **Effective Date**) and has been revised on February 20, 2023. This Policy replaces any previous policies or statements of SFI in the area of complaints-handling that were in place before the Effective Date. SFI will assess and review this Policy on at least an annual basis or, more frequently, if required by the (change of) circumstances at hand or in instances where changes of the relevant regulatory framework require such changes.

SFI will inform its employees of any changes to this Policy in due course and will publish this Policy on its website and shall furthermore make this Policy available to its Clients upon request. This Policy does not create any third party rights or duties which would not already have existed if the Policy had not been made available. This Policy does not constitute any form of contract between SFI and any Client nor creates any obligation for SFI to perform a certain action towards the Client *ex ante*. This Policy applies to all activities undertaken by the employees of SFI in relation to the Services.

1.5 Responsibility of employees

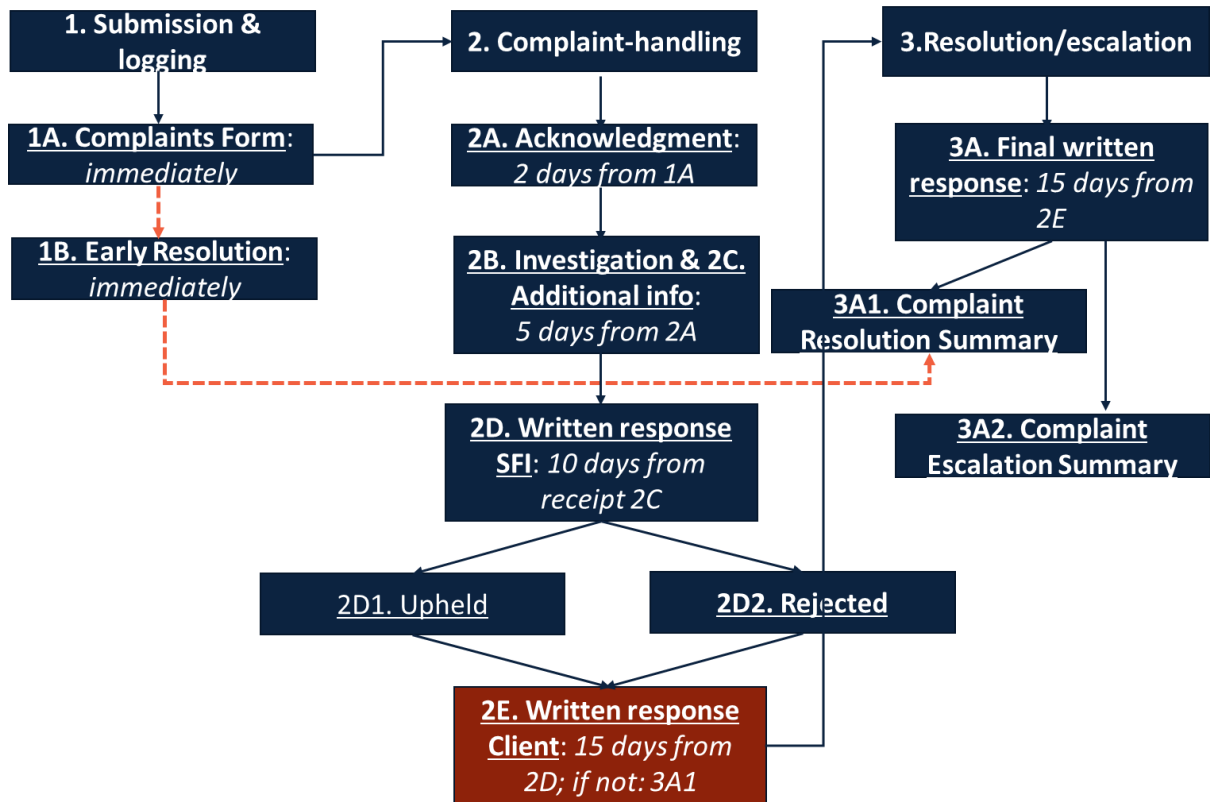
It is the responsibility of the employees of SFI to be aware of the contents of this Policy and to act accordingly. The Board has the overall responsibility to oversee this Policy and the proper execution of any procedures related to it. The Compliance Manager is responsible for the implementation of the procedures related to this Policy into the business activities of SFI, including employee training, day-to-day administration and monitoring compliance with this Policy. The Complaints Management Function shall be carried out by the Compliance Manager. Whenever the Compliance Manager receives, and takes measures to resolve, a complaint the Compliance Manager shall duly make a report of this and record all such reports in a central complaints registry.



2. Complaints-handling process

The following diagram visualises the steps and respective rules of the Complaints-handling process as implemented at SFI. This schematic shall be followed by SFI’s employees at all times.

Table 1. Complaints-handling process



2.1 Phase 1: Submission & logging

1A. Complaints Form: A Complaint might be submitted by way of oral communication (phone/face-to-face) or written media (email/post) to the receiving person within SFI, i.e. the Front Office or the Compliance Manager.

Upon receipt of such a Complaint by whatever medium, the receiving person shall, without any delay, fill out the Complaints Form (Annex A) and, where applicable, send it to the Compliance Manager.

The Complaints Form shall include, among other things, the details of the Client and contact person, the nature of the Complaint, the relation of the Complaint to the Services as provided by SFI to the Client, any relevant documentation or information related to the Complaint and the proposed remediation steps with respect to resolution of the situation giving rise to the Complaint in question.

1B. Early Resolution: In cases where the Front Office staff or the Compliance Manager are able to fully and satisfactory resolve the issue giving rise to the Complaint whilst being in contact with the Client or in a time frame closely thereafter (2 hours), such resolution shall be recorded in the Complaints Form as well as reviewed and confirmed by the Compliance Manager. Subsequently, the Complaint Resolution Summary (step 3A1) shall be sent to the Client and the case shall be considered closed.



Upon closing of the case, the Compliance Manager will record the relevant documents in the central complaints registry of SFI with due regard to the provisions of the GDPR.³

2.2 Phase 2: Handling of the Complaint

2A. Acknowledgment of the Complaint: The Compliance Manager shall acknowledge the receipt of the Complaint in writing to the Client within two (2) business days upon the receipt of the Complaints Form.

2B. Investigation: The Compliance Manager shall, together with the member of the Front Office involved in the Services relating to the Complaint and the relevant Desk Manager, if applicable, discuss the circumstances giving rise to the Complaint as well as the possible solutions. The Compliance Manager will analyse the situation taking into account the facts and circumstances of the Complaint as well as any compliance, legal or operational risks related thereto.

2C. Additional Information: If considered necessary by the Investigation pursuant to 2B, the Compliance Manager shall request the Client to provide additional information or documents necessary to substantiate the Complaint in order to enable proper resolution of the situation concerned. This will be done ultimately within five (5) working days from the date of the acknowledgment of the Complaint as stated under 2A.

2D. Written Response from SFI: As soon as the investigation has been completed and ultimately within ten (10) business days from the receipt of the additional information, at the latest, SFI shall provide a written response to the Client, including the full analysis and consideration of the Client's Complaint and the next steps with respect to Complaint-handling and resolution process. Our response will be prepared in plain language and will clearly state and explain the potential options with respect to the Client's Complaint, which will inform that either:

- **2D1. Upholding of the Complaint:** The position as stated in your Complaint has been upheld by us, meaning that SFI will take the remedial measures with respect to the circumstances leading to your Complaint and/or redress; or
- **2D2. Rejection of the Complaint:** The position as stated in your Complaint has not been upheld by us, meaning that SFI will not take any remedial action with respect to the circumstances leading to your Complaint and/or redress.

2E. Written response from the Client: Either form of communication described above, i.e. 2D1 or 2D2, will require the Client's written reply within fifteen (15) business days confirming or rejecting the decision and potential resolution proposed in our written response. In case of no response within fifteen (15) business days as from the date of our last written response, your Complaint shall be considered resolved, which will be confirmed by us sending you a Complaint Resolution Summary as explained under 3A1.

³ 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.



2.3 Resolution/escalation

3A. Final Written Response: Based on the reply under 2E, SFI will prepare and send the following documents to the Client within fifteen (15) business days from the date of receipt of the Client's written reply:

- **3A1. Complaint Resolution Summary:** Final written confirmation including the resolution of the Complaint, details of the investigation, remedial action and/or redress taken, and any other details. This will formally resolve the Complaint and close the case of internal investigation.
- **3A2. Complaint Escalation Summary:** Final written confirmation including the details of the investigation, grounds for not upholding the Complaint and (extra) judicial recourses for further handling of the Complaint, including potential recourse to an alternative dispute resolution (**ADR**) settlement body.

3. Record keeping

The Compliance Manager shall keep the records of:

- Filed Client Complaint Forms;
- Submitted Complaint Resolution Summaries;
- Submitted Complaint Escalation Summaries, and
- Any other relevant and related correspondence and measures taken in the process of Complaints-handling and resolution.

The Compliance Manager shall keep all of the above listed documents in an internal Complaints registry. Such records shall be maintained at SFI's database in accordance to Dutch statutory document retention requirements which at the least meet the provisions of the GDPR.

4. Reporting

Compliance Manager shall report any and all Complaints that have been brought to her attention to the Management Board of SFI on a periodic basis. Such reports shall include all relevant details of the Complaints, such as any issues or risks identified in the Complaints-handling process as well as any other information relevant to the Compliance Manager's general monitoring responsibilities related to the Complaint. SFI shall provide any and all information on the submitted Complaints, this Policy and related procedures to AFM in the annual *Marktmonitor*, or to any relevant judicial institution or an ADR body.

5. Miscellaneous

The Compliance Manager shall be involved in any instance of Complaints-handling at all times. Furthermore, the Compliance Manager may escalate the cases of severe Complaints or other situations, where deemed necessary, to the Management Board of SFI. Any Complaint that is raised by the Clients shall be considered equally seriously and shall be treated with the utmost respect irrespective of the subject-matter and without prejudice to the outcome of the Complaint-handling procedure. Any Complaint raised by the Clients, by whichever means of communication, shall be reacted to forthwith and handled as promptly as possible. All communication related to Complaints-



handling procedure shall be polite and professional with due respect to the receiving party of the communication.

Version control

Effective date	Version	Comments
20130701	1	Implementation of policy
20180103	2	Update with new requirements
20190418	3	Annual review
20200609	4	Annual review – update reporting requirement
20211125	5	Annual review – revision of the policy
20230220	6	Reviewed by External Counsel



ANNEX A – COMPLAINTS FORM

1. General information	
1A. Client	
Name	
Country of incorporation	
Contact person details	
1B. SFI	
Services	
Person(s) involved	
2. Complaint	
Date	
Description of the Complaint, including the reasons	
3. Status	
Measures taken so far, including the progress	
Written communication? If so, description of the progress	
Next steps	
Any other relevant information	
Expected date of resolution (or escalation)	

Signed by:

Date (dd/mm/yyyy):