



# **WARDERS SULLEN PRIVATE CAPITAL**

## **COMPLAINTS PROCEDURE**

## PURPOSE OF THIS DOCUMENT

Warders Sullen Private Capital Proprietary Limited, (Registration No. 2024/260888/07) is an approved juristic representative of Volantis Capital Proprietary Limited (Registration No. 2015/166527/07) an authorised Financial Services Provider under the FAIS Act (FSP No 49836).

The duty of Warders Sullen is to establish a formal complaints management and resolution framework, which will enable you to exercise your rights as provided for in the Financial Advisory and Intermediary Services Act.

The purpose of this document is to inform you of the procedure which will be followed in order to provide a resolution for the complaint you wish to submit.

## COMPLAINT MUST BE RELEVANT

In terms of the FAIS Act, a “complaint” means, a specific complaint relating to a financial service rendered by a financial services provider or representative to the complainant on or after the date of commencement of this Act, and in which complaint it is alleged that the provider or representative -

- has contravened or failed to comply with a provision of this Act and that as a result the complainant has suffered or is likely to suffer financial prejudice or damage;
- has wilfully or negligently rendered a financial service to the complainant which has caused prejudice or damage to the complainant, or which is likely to result in such prejudice or damage;
- has treated the complainant unfairly;

We are committed to resolve all complaints from our investors and endeavour to address complaints in writing, within seven (7) Business days.

## INTERNAL PROCEDURE TO LODGE A COMPLAINT

Our internal complaints procedure is intended to provide for the fair and effective resolution of complaints. The time periods set out in this procedure will be adhered to as strictly as possible but may be varied if necessary. The following step by step guideline sets out the procedures we follow once received by us:

- Your complaint and all communications in connection with your complaint must be in writing.
- All verbal communications made will not be regarded as a complaint and we require the complaint to be confirmed in writing within three (3) days of the communication.
- Please indicate the following information on your letter /email to us:
  - Your name, surname, contact details and shareholder number
  - A complete description of your complaint and the date on which the financial service which led to your complaint;
  - The name of the person who rendered the service that led to your complaint; and
  - Any supporting documentation
- The complaint will be entered into our Complaints Register, in the correct category for the complaint, on the same day

that it is made and written confirmation of receipt shall be forwarded to you. We will keep record of the complaint and maintain such record for 5 years as required by legislation.

- The complaint will immediately be brought to the attention of a Senior Manager and Compliance Officer for the entity. and a formal investigation will be done **within 7 (seven) working days** from the date of receipt of the complaint. The preliminary findings will be discussed with all internal parties concerned, and a proposed solution will be communicated to you within a **further 7 (seven) working days**. In all instances we will advise you of the reasons for our decisions.

#### **You can contact us on the following:**

Warders Sullen Private Capital Proprietary Limited

3 Valley Road

Benmore Gardens

Sandton

2196

Telephone number: +27 11 262 6433

Email address: shareese.boezak@warderssullen.com

#### **EXTERNAL PRODECURE TO LODGE A COMPLAINT**

- In the event that you are not satisfied with our solution, you may refer your complaint to the Ombud for Financial Services Providers.
- In instances where we have not been able to arrive at a resolution **within 6 (six) weeks** after you have submitted your complaint, the matter may be referred to the Ombud. The Ombud acts independently and objectively and has jurisdiction in respect of complaints relating to advice and/or intermediary services. You must, if you wish to refer the matter to the Ombud, do so **within 6 (six) months** from the date of the notice in which we inform you that we are unable to resolve your complaint to your satisfaction.

#### **FSOS Act**

A further function of the FAIS Ombud (now replaced by a new consolidated ombud scheme – The National Financial Ombud (NFO) is to resolve complaints in terms of the Financial Services Ombud Schemes Act (Act No. 37 of 2004) (FSOS Act) that are not covered by any of the other voluntary Ombud schemes or where there is uncertainty over jurisdiction

In terms of the FSOS Act a “complaint” alludes to:

“a complaint by a client relating to any agreement with, or a financial service or product of, a financial institution, and in which it is alleged that the client has suffered or is likely to suffer financial prejudice or damage as a result of the financial institution –

Having contravened or failed to comply with a provision of any agreement or the law or of a code of conduct subscribed

to by the financial institution.

Having willfully or negligently supplied, or failed to supply, a financial service or a product to the client;

Having treated the client unreasonably or inequitably; or

Having mal-administered the implementation of an agreement with, or the supply of a financial service or a product to, the client.”

The Ombud may not investigate complaints where the complainant has a net asset value, annual turnover, or annual income of more than R8 million.

- The contact details of the National Financial Ombud (NFO) are:

**National Financial Ombud Scheme South Africa NPC**

Johannesburg  
110 Oxford Road,  
Houghton Estate,  
Johannesburg,  
Gauteng,  
2198

Contact details  
0860-800-900  
+27 (0) 66 473 0157  
info@nfosa.co.za

- The contact details of the FAIS Ombud are:

**Financial Advisory and Intermediary Services (FAIS) Ombudsman:**

Physical Address  
Menlyn Central Office Building  
125 Dallas Avenue  
Waterkloof Glen  
Pretoria, 0010  
Postal Address  
P.O. Box 41  
Menlyn Park 0063  
Contact details  
0860 66 3274  
+27 (0) 12 762 5000  
info@faisombud.co.za