

# RULES FOR HANDLING USERS' COMPLAINTS AND CLAIMS OF USERS (COMPLAINTS PROCEDURE)

Each client of the EXCHANGE s.r.o. company (hereinafter to be referred to as the "Company") has the right to express its dissatisfaction with the provision of payment services, currency exchange services or conduct of employees of the Company in the form of complaints or claims.

## For the purposes of these rules

- **Claims** shall be understood the Client's request to rectify, according to the Client's opinion, a malpractice of the Company in the provision of its services, particularly in the area of payments, such as wrongly executed Client's order to transfer funds as part of a payment services of the Company associated with the exchange of currencies.
- **Complaints** shall be understood the manifestation of the Client's dissatisfaction with the service provided, with the conduct of the Company's employee with the procedure of settling the claim, with the terms and conditions etc.
- **Simplified claim procedure** shall be understood the Client's request to cancel a processed cash conversion and to return the full amount of the Client's cash funds that were used to process the service.

## Particulars of claims and complaints

### Claims

Claims must include:

- Apposite description of the subject of the complaint,
- Identification data of the client and its Client's number, if assigned,
- Contact address or phone or email address for specifying the Company's queries,
- Agreement that the information provided in the claim are true and complete,
- Signature of the Client.

The claim shall be accompanied by a document, which clearly identifies the claimed operation, service or transaction (e.g. bank statement, a copy of the transfer order, receipt for the transaction, proof of cash operation etc.) demonstrating the rightfulness of the claim. The Company is authorized to require the submission of additional documents and / or provision of additional information.

In the event that the client claims that it did not authorized the executed payment transaction of the payment services or that this was incorrect, the Company shall be obligated to demonstrate that the procedure followed the payment order given and that the payment transaction was properly recorded, accounted for, and not affected by a technical failure or other malfunction.

### Complaint

We recommend that the complaint includes:

- Apposite description of the subject of complaint,
- Identification data of the client and its Client's number, if assigned,
- Contact address or phone or email address for specifying the Company's queries.

If possible, we recommend that the complaint is accompanied by appropriate evidence on the subject of complaint.

### Simplified claim procedure

The client has the right to withdraw from a cash exchange which has been made in the so-called simplified claim procedure, when the transaction meets following conditions. The simplified claim procedure is an instrument to protect retail clients who are not familiar with the market of bank and non-bank currency exchange offices. Therefore it can be applied only to cash exchanges in an amount lower than 1 000 EUR (i.e. without any identification of a client) and it cannot be applied to VIP exchange rates transactions in any case (such as transactions of VIP card holders, using discount coupons etc.).

For the simplified claim procedure it is sufficient to make a complaint on the day and at the place of the cash exchange as follows:

- The client has to submit proof of a cash exchange made. The client may be asked by the Company's staff or proof of identity. In the event that the cash exchange is made without identifying the client, this is not a reason to reject the claim in a simplified claim procedure.

- The client has to submit the Company's staff for review all funds in the same currency and nominal value, which were paid to the client under the cash exchange. They do not have to be identical with the banknotes and denominations that were paid to the client.
- Then the client will get back the full amount of funds in the same currency that was previously used for making the cash exchange.
- For technical reasons, it is impossible to refund the same banknotes and denominations, which were used for making the cash exchange.
- The client is not charged any fee for the withdrawal from a cash exchange made. The client is not obliged to disclose the reason for the withdrawal, even though this information would be appreciated in order to further improve the Company's services.
- The client will get back the conversion note of the cash exchange visibly marked by the word "CANCELLATION".
- In the event that the Company's current cash balance is not sufficient for returning the funds to the client, the Company shall agree with the client next steps (e.g. moving a simplified claim procedure to the following day).

Every conversion note may be used only once for the purposes of the claim.

## Method of filing claims and complaints

**The client may register claim and a complaint by one of the following ways:**

- In person or in writing at the place of business of the Company. In the event of a personal filing the claim, the Client shall receive a copy of the claim filed, showing the date of receipt of the claim, confirmed by an employee of the Company and Company Stamp,
- In writing to the address:  
EXCHANGE s.r.o., Kaprova 14/13, Prague 1, 110 00, Czech republic

## Time limits for filing claims and complaints

### Claims

Claims should be exerted without any undue delay after receipt of the information, which is subject to filing a claim - such as an account statement, advice on the completed transaction, etc.

**Recommended time limit for complaint of:**

- Payment services is 30 days after the disbursement of funds to the accounts of the Company,
- Cash exchange service is 7 days after the exchange making,
- In other cases, 30 days from the transaction or service date.

**Claims of cash transactions** should be made at best right at the cash desk of the exchange office of the Company. The maximum period for making a claim of payment transactions is 13 months from the date of execution.

**Note:** The client shall always immediately check the cash converted and the accuracy of the cash voucher (statement, income or the expenditure document). In the case that the client refuses to identify itself, when making a deposit equivalent to the amount of 1.000 EURO, a settlement of the claim may be more difficult or result in the refusal of the claim.

### Complaint

The complaint should be filed without any undue delay. We recommend filing a complaint no later than 30 calendar days from the date of the cause for filing a complaint.

### Simplified claim procedure

Requests for the withdrawal of cash exchange made may only be exercised on the day and at the place, where the cash exchange was made.

## The deadline for handling claims and complaints

### Claims

The deadline for settling the claim is no more than 15 working days upon its receipt by the Company.

### Complaints

The deadline for settling the complaint is no more than 10 working days upon its receipt by the Company.

In the event that the claim or complaint fails to be settled in those terms, the Company shall inform the client about the reasons for the delay and on how to proceed further, especially about the nearest date, on which the claim or complaint can be settled.

### **Simplified claim procedure**

Claims within simplified claim procedure shall be executed immediately while one waits.

In the case of suspicion of attempted abuse of a simplified claim procedure, it is necessary to draw up a complaint report with the client and then proceed in accordance with the Complaints Procedure as in the case of a standard claim. The reason may be for example claiming the cash exchange that was not provably made, repeated complaints of the same conversion note etc.

## **Information on settlement of claims and complaints**

### **Claims**

The company shall reply the client in writing - by mail or by e-mail.

### **Complaints**

The company shall reply the client in writing - by mail, by e-mail or by telephone.

A written response to the complaint shall be sent to the client by the Company only if this form of response is required by the Client.

Costs associated with processing claims/complaints raised by the Client shall be borne by the Company.

### **Simplified claim procedure**

Complaints are processed without delay on the spot by withdrawing the cash exchange and returning funds to the client.

## **Settlement of disputes**

In the event that the client is not satisfied with the settlement of a claim, it may approach the Company's management. Furthermore, in the case of dissatisfaction with services or responses of the Company, the client may approach the following relevant authorities.

Disputes arising out of the claim procedure, or when handling complaints can be resolved:

- By a competent court;
- By the Financial Arbiter of the Czech Republic in accordance with the Act No. 229/2002 Coll. on the Financial Arbiter Act as amended in the event that the dispute results from the provision of payment services, where else the Czech court is empowered to adjudicate. Even in these cases, however, the Client's right to trial is not affected.

The address of the Financial Arbiter is:

Financial Arbiter of the Czech Republic

Washingtonova 25

110 00 Prague 1, Czech Republic

<https://www.finarbitr.cz/en/>

Each party involved shall bear its own costs alone, with the exception of interpretation charges, which, according to the Financial Arbiter Act, shall be borne by the Company. The proceeding is free of charge;

- By the arbitration court, if the arbitration clause to resolve this dispute is agreed between the Company and the client.

The client is entitled to file a complaint with the Czech National Bank.

Address of the Czech National Bank:

Czech National Bank

Na Příkopě 28

115 03 Prague 1, Czech republic

<https://www.cnb.cz/en/>

## **Final provisions**

Handling of claims and complaints relating to the provision of payment services is governed by § 187, 188 and 190 of the Act No. 370/2017 Coll. on payments, as amended. Handling of other claims and complaints is governed by generally binding legal regulations. The rules for handling claims and complaints of users (Complaints Procedure) are published on the [www.exchange.cz](http://www.exchange.cz) Company's website and in branches of the Company and are effective since 1<sup>st</sup> July 2018.