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Reg. No. 1929/001225/06  
An Authorised Financial Services Provider



## CLIENT COMPLAINTS PROCEDURE with respect to FAIS FINANCIAL ADVISORY and INTERMEDIARY SERVICES ACT – CLIENT COMPLAINTS PROCEDURE

Directors: LL Dippenaar (Chairman) JP Burger (Chief Executive Officer) VW Bartlett AP Pullinger (Deputy CEO) JH Bester MS Bornela P Cooper (Alternate) L Crouse JJ Durand GG Gelink  
PM Goss NN Gwagwa PK Harris WR Jardine HS Kellan EG Matenge-Sebesho AT Nzimande D Premnarayan (India) KB Schoeman BJ van der Ross JH van Greuning  
Company Secretary: C Low

RMB Divisional Board: JP Burger (Chairman) J Formby (Chief Executive Officer) M Davias (Chief Financial Officer) P Dos Santos (Chief Technology and Operations Officer)  
G Kruger (Chief Risk Officer) ME Oberholster (Chief Investment Officer) LL Dippenaar DA Frankel PM Goss RP Gouws A Perold MW Pfaff R Loubser CN Mapure F Knoetze



## 1. DEFINITIONS:

1. **FAIS** means the FINANCIAL ADVISORY and INTERMEDIARY SERVICES ACT no 37 of 2002.
2. **COMPLAINT** means, subject to section 26(1)(a)(iii) of FAIS, 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-
  - a) has contravened or failed to comply with a provision of this Act and that as a result thereof the complainant has suffered or is likely to suffer financial prejudice or damage;
  - b) 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; or
  - c) has treated the complainant unfairly.
3. **COMPLAINANT** means the client themselves, or
  - a) a client's lawful successor in title, and/or
  - b) a nominated beneficiary of the original client
4. **FAIS COMPLIANCE OFFICER**, means the person who is responsible and competently trained within Rand Merchant Bank to attend to all matters of legal compliance with FAIS. For the period, as from 01 October 2004, Russell Humphreys is the licensed compliance officer.



## 2. PROCEDURE:

FAIS requires that Rand Merchant Bank (“RMB”) has a formal complaints procedure, which is set out herein.

1. Where a complainant wishes to lodge a formal complaint about services rendered in terms of FAIS by RMB, the complainant should be advised to record the complaint in writing and together with supporting documentation address the complaint to:

**The FAIS Compliance Officer,**

**Physical address:**

RMB FAIS Compliance  
1 Merchant Place  
Cnr Fredman Drive and Rivonia Road  
Sandton  
2146

**Per email:**

Russell.Humphreys@rmb.co.za

2. In the event that the complainant, does not wish to not make a formal complaint, but wishes to discuss the matter with the FAIS Compliance Officer – kindly either direct the call to the FAIS Compliance Officer or request the FAIS Compliance Officer to contact the client.
3. Upon receipt of a written complaint – the FAIS Compliance Officer will promptly:
  - 3.1. Acknowledge, receipt of the complaint in writing and advise the complainant of RMB’s commitment to the expedient resolution of the complaint.
  - 3.2. The FAIS Compliance Officer will investigate the nature, cause and effect of the complaint with all the affected and necessary parties involved.
  - 3.3. The complainant will be advised in writing of any findings or possible requests for further information, as are applicable.
  - 3.4. Where necessary, a tribunal will be set up to resolve the complaint and make the appropriate awards.
4. All staff of RMB are requested to familiarise themselves with this procedure, to ensure the professional management of any complaint received either verbally or in writing.



### 3. DETAILS:

Prepared by: R Humphreys  
Dept: Compliance  
Approved by: RMB Risk Committee

Updated: March 2016

Date: Jan 2005

Review date:



[INSERT APPROPRIATE LOGO/LETTERHEAD]

Complaint in terms of the Financial Advisory and Intermediary Services Act No 37 of 2002

Dear Sir/Madam

Thank you for bringing your FAIS complaint to our attention.

Kindly address your complaint in writing to The FAIS Compliance Officer, (address details below) who will attend to the resolution of the complaint promptly.

You are advised in terms of Rules 6(a) and (b) a provider must:

- Act fairly and reasonably, and with uncompromising integrity in order to promote trust and confidence; and
- Ensure compliance with the relevant codes of conduct in any contract concluded with a client, and any other applicable law, and make copies of this code of conduct available to clients

Failing resolution of this matter within 6 weeks you may refer your complaint to the FAIS Ombud. If your claim is dismissed, you will receive a written explanation. After dismissal you may, within 6 months refer your complaint to the FAIS Ombud.



**The FAIS Ombud can be contacted at:**

**Physical Address:**

Sussex Office Park  
Ground Floor, Block B  
473 Lynnwood Road Cnr Lynnwood Road & Sussex Ave,  
Lynnwood,  
0081

**Postal Address:**

PO Box 74571  
Lynwood Ridge  
0040

**Other Contact Details:**

Telephone: +27 12 762 5000 / +27 12 470 9080  
Facsimile: +27 86 764 1422 / +27 12 348 3447  
E-mail Address: [info@faisombud.co.za](mailto:info@faisombud.co.za)  
Website: [www.faisombud.co.za](http://www.faisombud.co.za)

**The RMB FAIS Compliance Officer**

Physical address:	Per email:
RMB FAIS Compliance	<a href="mailto:Russell.Humphreys@rmb.co.za">Russell.Humphreys@rmb.co.za</a>
Merchant Place	
Cnr Fredman Drive and Rivonia Road	
Sandton	
2146	

RMB Central Compliance Department can be contacted on 011 282 4654

We are committed to a speedy and transparent resolution of your complaint.