



# COMPLAINTS RESOLUTION POLICY

## INTRODUCTION

As an authorised financial services provider in terms of the FAIS Act 37 of 2002, we are committed to providing our clients with quality service and undertake to manage the affairs of our clients in such a way that it would not be necessary to have a complaint about our service, integrity and commitment, however should it happen that you have a complaint, the below is our complaints resolution procedure for your reference.

Part XI of the General Code of Conduct stipulates the complaints management requirements which a financial services provider must comply with. In terms of Section 17(8)(e) of the General Code of Conduct, a provider must disclose to the client:

- The type of information required from a complainant;
- Where, how and to whom a complaint and related information must be submitted;
- Expected turnaround times in relation to complaints; and
- Any other relevant responsibilities of a complainant.

Section 17(8)(f) of the General Code of Conduct stipulates that a provider must within a reasonable time after receipt of a complaint, acknowledge receipt thereof and promptly inform the complainant of the process to be followed in handling the complaint, including:

- Contact details of the person or department that will be handling the complaint;
- Indicative, where applicable, prescribed timelines for addressing the complaint;
- Details of the internal complaints escalation and review process if the complainant is not satisfied with the outcome of the complaint;
- Details of escalation of complaints to the office of the relevant Ombudsman and any applicable timeframes; and
- Details of the duties of the provider and rights of the complainant as set out in the rules applicable to the relevant Ombudsman.

This document must be provided to a complainant within 1 working day from the date Pinnacle Marketing (Pty) Ltd receives a complaint from a complainant, whether in writing or not.

## PURPOSE

Pinnacle Marketing (Pty) Ltd is an authorized financial services provider (FSP No. 15017), and as such we have certain specific duties towards you – our valued client. One of these duties is the establishment of a formal complaints management and resolution framework, which will enable you to exercise your rights as provided for in the FAIS Act 37 of 2002.

The purpose of this Policy is to inform you of the procedures which will be followed in order to provide a resolution for the complaint which you have submitted.

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## ADOPTION

The below confirms acknowledgement by the Compliance Function that the Complaints Resolution Policy 2024 as stated below has been adopted:

FSP Name	Pinnacle Marketing
FSP No.	15017
Version	V1 2024
Owner	Ruark Jewell
Review Date	09/01/2024

## DEFINITIONS

### COMPLAINT

As defined by the General Code of Conduct, a 'complaint' is defined as an expression of dissatisfaction by a person to a provider or, to the knowledge of the provider, to the provider's service supplier, relating to a financial product or financial service provided or offered by that provider which indicates or alleges, regardless of whether such an expression of dissatisfaction is submitted with or in relation to a client query, that:

- The provider or its service supplier has contravened or failed to comply with an agreement, a law, a rule, or a code of conduct which is binding on the provider or to which it subscribes;
- The provider or its service supplier's maladministration or willful or negligent action or failure to act, has caused the person harm, prejudice, distress or substantial inconvenience; or
- The provider or its service supplier has treated the person unfairly.

### COMPLAINANT

This refers to a person who submits a complaint and includes:

- A client;
- A person nominated as the person in respect of whom a product supplier benefits or that person's successor in title;
- A person whose life is insured under a financial product that is an insurance policy;
- A person that pays a premium or an investment amount in respect of a financial product;
- A member of a group scheme;
- A person whose dissatisfaction relates to the approach, solicitation, marketing or advertising material or an advertisement in respect of a financial product, financial service or related service of the provider; or
- A person who has a direct interest in the agreement, financial product or financial service to which the complaint relates, or a person acting on behalf of a person as referred to above.

### REPORTABLE COMPLAINT

Reportable complaints are any complaints other than complaints that have been:

- Upheld immediately by the person who initially received the complaint;
- Upheld with the provider's ordinary processes for handling client queries in relation to the type of financial product or service complained about, provided that such process does not take longer than 5 working days from the date the complaint was received; or
- Submitted to or brought to the attention of the provider in such a manner that the provider does not have a reasonable opportunity to record such details of the complaint as may be prescribed in relation to reportable complaints.

## RELEVANCE

In terms of the FAIS Act 37 of 2002, a complaint means a specific complaint to a financial service rendered by a financial service provider or Representative to the complainant on or after the date of commencement of this Act, and in which complaints it is alleged that the provider or Representative:

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

Whilst the financial services environment is complex, we will endeavour to address all reasonable requests from our clients, but may also refer you to a more appropriate facility. Where the complaint relates to any aspect of our service, or any disclosures that ought to be made by us, we will endeavour to address those complaints in writing, within 7 working days.

In instances where the complaint relates to any matter that is not within our control, such as product information or investment performance, we will forward the complaint to the product supplier concerned.

Please be advised that we reserve the right to recover any costs or damages that we may suffer as a result of clients making frivolous, vexatious or unreasonable claims.

## PROCEDURES

Our internal complaints resolution process 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 vary if required.

The following step-by-step guide sets out the procedure we will adopt and demonstrates how a complaint will be handled, once received by us:

- Your complaint and all communication in connection with your complaint must be in writing. All verbal communication made in connection with the complaint must be confirmed in writing within 3 working days of the communication;
- Please indicate the following information on the Complaint Form:
  - Your full name and contact details;
  - A complete description of your complaint and the date on which the financial service which led to your complaint was rendered;
  - The name of the person who furnished the financial advice or rendered the intermediary service that led to your complaint; and
  - How you would prefer to receive future communication regarding your complaint.
- The complaint will be entered into our Complaints Register on the same day that it is made and written communication of receipt will be forwarded to you. We will keep record of the complaint and maintain such record for 5 years as required by legislation. Please take into consideration that the method of communication chosen by you will determine how quickly we will respond to your complaint;
- The complaint will immediately be brought to the attention of the Senior Management in charge of the relevant department for allocation to a fully-trained and skilled person who is able to properly respond to your complaint;
- The complaint will be investigated and we will revert back to you with our preliminary findings within 7 working days from the date of receipt of the complaint. In all instances, we will advise you of the reasons for our decisions;

- The preliminary findings will be discussed with all internal parties concerned, and a proposed solution will be communicated to you within a further 7 working days. In all instances, we will advise you of the reasons for our decisions;
- If you are not satisfied with our solution, you may refer your complaint to Top Management of our business, who may amend the solution or confirm it. Please be informed that certain decisions may have to be approved by the Management Committee. In such cases we will communicate that fact to you, as well as the date on which a decision relating to your complaint will be taken;
- If, after referring the complaint to Top Management, you are still not satisfied with the outcome, we will regard the complaint as being unsatisfactorily resolved. In such cases, you may approach the office of the Ombudsman for financial service providers or take such other steps as may be advised by your legal representation;
- The Ombudsman is appointed by the Financial Sector Conduct Authority (FSCA) to act as an adjudicator in disputes between clients and financial service providers. The referral to the office of the Ombudsman must be done in accordance with the provisions of Section 27 of the FAIS Act 37 of 2002 and the rules promulgated in terms of that section;
- In instances where we have not been able to arrive at a resolution within 6 weeks after you submitted your complaint, the matter will automatically be referred to the Ombudsman. The Ombudsman acts independently and objectively and has jurisdiction in respect of complaints relating to advice and intermediary services, which has arisen after the 15<sup>th</sup> of November 2002; and
- You must, if you wish to refer the matter to the Ombudsman, do so within 6 months from the date of the notice in which we inform you that we are unable to resolve your complaint to your satisfaction. The Ombudsman will not adjudicate in matters exceeding a value of R800 000.

## IMPORTANT CONTACT DETAILS

### PINNACLE MARKETING (PTY) LTD

Pinnacle Marketing (Pty) Ltd is an authorised financial services provider (FSP) and acts as the intermediary (broker) responsible for advisory and intermediary services.

Telephone Number	021 879 1109
Fax Number	086 669 7764
Email Address	info@pinnaclemarketing.co.za
Postal Address	PO Box 199 Melkbosstrand Cape Town 7437

### FAIS OMBUDSMAN

If your complaint is related to financial advice or intermediary service rendered to you that were not to your satisfaction, you may contact the FAIS Ombudsman on the below contact details.

Telephone Number	012 762 5000
Website	www.faisombud.co.za
Postal Address	11 <sup>th</sup> Floor Menlyn Central Office Building 125 Dallas Avenue Waterkloof Glen Pretoria 0010

### NATIONAL FINANCIAL OMBUD SCHEME

The primary purpose of the National Financial Ombud Scheme is to resolve complaints against financial service providers.

Telephone Number	086 080 0900
Email Address	info@nfosa.co.za
Website	https://nfosa.co.za/



# COMPLAINT FORM

PERSONAL INFORMATION	
Full Name	
ID Number	
Cellphone Number	
Policy Number	
IMEI/Serial Number	
Contact Number	
Email Address	

PLEASE SELECT WHICH CATEGORY YOUR COMPLAINT FALLS UNDER	
Administration	<input type="checkbox"/>
Advice	<input type="checkbox"/>
Claims	<input type="checkbox"/>
Communication	<input type="checkbox"/>
Complaints Handling	<input type="checkbox"/>
Product	<input type="checkbox"/>
Service	<input type="checkbox"/>
Other	<input type="checkbox"/>

PERSON YOU HAVE PREVIOUSLY SPOKEN TO (IF APPLICABLE)

DETAILS OF COMPLAINT (PLEASE ATTACH SUPPORTING DOCUMENTATION)

SIGNATURE SECTION	
Signature	
Date	



For all policy and/or compliance queries please contact us on:

**T: 021 879 1119**

**E: [compliance@pinnaclemarketing.co.za](mailto:compliance@pinnaclemarketing.co.za)**

