

# CUSTOMER COMPLAINTS HANDLING PROCEDURE OF FONTE CAPITAL LTD

Astana International Financial Centre

REVISION TRACKING

Version	Date	Comments
1.0	19.10.2023	Approval and issuance
2.0	04.11.2024	Amended

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## 1. GENERAL PROVISIONS

### 1.1. PURPOSE AND SCOPE

1. Customer Complaints Handling Procedure (hereinafter – Procedure) is designed in accordance with:
  - [The Constitutional Law of the Republic of Kazakhstan "On Astana International Financial Center"](#) (hereinafter – the Constitutional Law);
  - [The Astana International Financial Center](#) (hereinafter – AIFC) laws and regulations, including but not limited to:
    - [AIFC General Rules \(hereinafter – AIFC GEN Rules\)](#);
    - [AIFC Conduct of Business Rules \(hereinafter – AIFC COB Rules\)](#);
    - [AIFC Collective Investment Scheme Rules \(hereinafter – AIFC CIS Rules\)](#);
  - Other applicable provisions and internal documents of the Company.
2. Fonte Capital Ltd is registered as an Authorised person, the AIFC registered private company, with license No [AFSA-A-LA-2022-0004](#), active since January 27, 2022 (amended 25.06.2024) given by [the Astana Financial Services Authority](#) (hereinafter – AFSA) to conduct the following regulated activities:
  - Managing a Collective Investment Scheme in respect of Exempt Funds;
  - Managing a Collective Investment Scheme in respect of Non-Exempt Funds;
  - Managing Investments;
  - Providing Fund Administration;
  - Advising on Investments;
  - Arranging Deals in Investmentand includes the funds, where Fonte Capital is the shareholder thereto (hereinafter – the Company).
3. The purpose of this Procedure is to ensure that the Company has arrangements in place for the handling of complaints made against it by clients and that all such complaints are handled fairly, consistently, promptly, with proper disclosure to interested parties.

### 1.2. APPLICATION SCOPE

4. This Procedure is applicable to all staff as well as the authorised management of the Company.
5. The copy of the Company's complaints handling procedures (Chapter 3 of this Procedure) must be available free of charge to any Company's client on request.

### 1.3. DEFINITIONS AND TERMS

6. The basic terms used in the Policy are defined either by the applicable legislation (Glossary) of the AIFC or explicitly in its content.
7. Some individual terms and abbreviations used in the present document are defined as follows:
  - a) **Consumer/client** refers to a customer and/or a client stipulated in AIFC Glossary.
  - b) **Consumer complaints** stated in this Procedure refer to any disputes raised by a consumer resulted from purchase of products or acceptance of services provided of the Company, and

the consumer claims his rights in front of the Company. The consumer claiming his/her right is the Complainant, including individuals, legal entities or other organizations.

- c) **Consumer complaints management** refer to a mechanism set up for purpose of handling consumer complaints in a timely manner to protect legal rights of consumers, which includes complaints handling, data analysis, problem rectification, supervision and evaluation, report and notification and etc.
- d) **Complaints Registry** is an internal accountability document implemented for the purpose of monitoring, analyzing and resolving customer problems.

## 2. RESPONSIBILITIES

- 8. **Senior Management**: The overall responsibility over the effective identification, prevention, management and handling of the complaints rests with the Company's Senior Management. The Senior Management is responsible for ensuring that adequate processes and measures are in place, operating effectively and implemented within the organization so as to ensure that all complaints are handled in a fair and impartial manner.
- 9. **Compliance Officer and compliance function**: The management of the complaints on a daily basis and the related follow-up are attributed to the Compliance Officer.

In the cases where the complaint involves the Compliance function it is to be handled by the CEO.

In the event of absence of the Compliance Officer, the CEO shall be responsible for the implementation of the Company's Complaints Handling Procedures.

The duties of the Compliance function in relation to this Procedure include:

- a) devising a sound and healthy mechanism for consumer complaints management;
- b) the effective and efficient management and handling of consumers' complaints so as to enable the Company to adopt and apply the required actions to fully protect the clients' and the Company's interests, acting independently and objectively and ensuring that corrective measures are introduced to prevent the repetition of the same complaints.

As far as possible, it is prohibited to involve into the handling of the complaint any individual who was involved in the conduct of the Financial Service about which the complaint has been made, except for the required interviews during the relevant investigation.

- 10. **Business function**: Customer facing divisions of the Company shall provide full support for consumer complaints management.
- 11. **Internal Audit function**: The Internal Audit function takes responsibility to regularly review and assess the effectiveness of the Procedure, implemented procedures, systems, and controls to meet the requirements of this Procedure, and its compliance with obligations stipulated in the AIFC Rules regarding the whistleblowing.
- 12. **Other staff**: Other staff is fully responsible to know, understand and adhere to this Procedure.

## 3. COMPLAINTS HANDLING PROCEDURE

### 3.1. Filing Complaints

- 13. The clients willing to submit a complaint are advised to complete a Complaint Form and send it to the Company through the following means:
  - by sending an email with a brief explanation of the subject of the complaint at: [customer@fonte.kz](mailto:customer@fonte.kz) or [compliance@fonte.kz](mailto:compliance@fonte.kz);

- by sending the complaint via registered mail at: [Kazakhstan, Z05T6AS, 60/4 Syganak St., Office 506, 5th Floor.](#)

14. The Compliant Form can be found in the Annex 2 to this Procedure.

### 3.2. Receiving Complaints

15. After receiving the complaint, the Company registers the relevant complaint information in the Complaints Registry (Annex 1 to this Procedure).
16. Where appropriate, the Company will update the complainant on the progress of the handling of his/her complaint.
17. The Company will provide an update to the complainant where the resolution of the relevant complaint is taking longer than 30 days.

### 3.3. Investigating and Resolving Complaints

18. The Company carefully reviews the details of each Client's complaint.
19. The responsible person who is handling the complaint takes all necessary measures to:
  - investigate and question the relevant personnel related to each complaint (if necessary),
  - communicate with other employees if this is required for solving the Complaint,
  - call the client to discuss the matter over the phone, as appropriate to identify the nature of the complaint;
  - communicate the outcome of the investigation and proposed redress, if applicable, to the Senior Management not later than 20 days from the receipt of a complaint.
20. Once the Senior Management understands fully the nature of the Client complaint, he/she investigates and, if necessary, questions the relevant employees related to each client complaint and will:
  - advise the complainant in writing of the outcome of the relevant investigation;
  - provide the complainant with the proposed redress, if applicable; and
  - provide redress if accepted by the complainant.
21. If the complainant is not satisfied with the outcome or (and) redress, if applicable, offered by the Company, the complainant can use other means of resolving the complaint and the Company will provide the client with the appropriate contact details upon request. Such other means include arbitration or the Astana International Financial Centre courts.

### 3.4. Complaints Involving Other Parties

22. If the Company considers that another Authorised by AFSA Firm or any other Regulated Institution is entirely or partly responsible for the subject matter of a complaint, it may refer the complaint, or the relevant part of it, to the other AIFC Participant or any other authorised or regulated institution in accordance with the following:
  - the Company will inform the complainant promptly and in writing that it would like to refer the complaint, and obtain the written consent of the complainant to do so;
  - if the complainant consents, refer the complaint to the other Authorized Firm or regulated institution promptly and in writing;
  - inform the complainant promptly and in writing that the complaint has been referred and provide contact details; and

- continue to handle any part of the complaint not referred to the other Authorised Firm or regulated institution.

### **3.5. Response period**

23. According to the Company's procedure, the complaints will be solved in maximum 30 business days.
24. Due to the nature of the complaint, if more time is required for the complaint to be fully investigated and solved, the responsible person who is handling the complaint should inform the Senior Management and shall notify the complainant about the approximate time period until the final response is sent.

### **3.6. Conflicts avoidance system**

25. When verifying the complaint, a conflict avoidance system shall be implemented. A person irrelevant to the complaint shall be appointed as the complaint handling responsible person. The information security of the complainant, national and commercial security as well as personal confidentiality shall be protected.

### **3.7. Consumer complaint withdraw handling**

26. In the case where the complainant initiates the withdrawal of his/her consumer complaint, the complaint is regarded as terminated on the day when such initiative is made. Compliance team shall make record in a timely manner.

### **3.8. Complainant wrongdoing handling**

27. The Company has the right to take measures to seek responsible authority's help in the circumstances where the complainant, in the course of filing a complaint, violates legislation, administrative acts and other regulations and makes adverse impact on the social public security and the Company's daily activities and business.
28. The Company will make kind reminder or suspend services to a complainant when revealing he/she provides fake information, distorts facts, or frames others up.

## **4. RECORDS AND MEASURES**

29. All complaints, all relevant correspondence and documents related to complaints must be maintained for a minimum period of six years from the date of receipt of the relevant complaint in a confidential and safe manner.
30. The responsible person who is handling the complaint must record one copy of the complaint form in the client's file and send another copy to the Senior Management in order to make a record in the Complaints Registry with the assigned identification number.
31. The records must contain, as minimum, the name of the complainant, the substance of the complaint, the Company's response, and any other relevant correspondence or records, and the action taken to resolve the complaint.
32. The Senior Management inspects the Complaints Registry periodically and ensures that all the required actions have been taken so as to prevent repetition of the same complaints/grievances.
33. The Company may find it reasonable and instruct relevant employees to prevent the drawbacks in the Company's procedures that may cause malpractices and clients' complaints respectively.

## **5. REGULATORY RETURNS**

34. The Company shall submit regulatory (quarterly conduct) returns on complaints handling in an objective, real and timely manner, as instructed by AFSA.

## **6. CONFIDENTIALITY AND INFORMATION SECURITY**

35. The Company shall abide strictly by confidentiality requirements when handling complaints to avoid adverse impacts resulted from information release.

## **7. ACCOUNTABILITY AND PROTECTION**

36. The Company shall make accountability resolutions in the case where its employees violate applicable regulations and rules causing customer complaint.
37. In circumstances where an employee is affected by a complaint and cannot work temporarily, the Company will make rotation management, psychological consultation to ensure mentally health of the employee.

## **8. FINAL PROVISIONS**

### **8.1. TRAINING AND AWARENESS**

38. Compliance department must provide regular training for all of the Company's employees on this Procedure, and any relevant rule contained in this Procedure.
39. In particular, the appropriate specialist training must be provided for the employees who are responsible for key elements of the Procedure.
40. Compliance department must ensure that all of the firm's officers and employees have access to and understand the Procedure.

### **8.2. IMPLEMENTATION AND REVIEW**

41. The implementation of the Procedure should be performed by the Compliance Officer and reported to the Company's Management with due process and to the Board of Directors quarterly.
42. The Procedure should be reviewed at least once a year for the purpose of analysis and updating in case of significant changes in the:
- (a) company's activities or performance capabilities;
  - (b) development (changes) of its organizational structure, business approaches or processes, possibilities of modern information and communication technologies;
  - (c) requirements of the applicable legislation of the AIFC and the Republic of Kazakhstan; or
- detection of any lack of the effectiveness of this Procedure.
43. Despite anything in this Procedure, to the extent that a clause of this Procedure is inconsistent with the provisions of the AIFC rules and regulations applicable to the Company, that provision is of no effect to the extent of the inconsistency, but not otherwise.
44. Any amendments to the Procedure must be approved by resolutions of the Management Board.

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## Annex 1. Complaints Register

Full Name of the complainant	Date of receipt, registration of the complaint	Service/employee to which the complaint refers to	Full Name of the employee responsible for the service/s rendered to the client	Content of the complaint, in brief	Amount of damage the client claims to have suffered, or which can be presumed to have suffered on	Legal basis of the contents of the complaint	Date and, briefly the content of the Company's written response to the complaint lodged	Reference to any correspondence exchanged between the Company and the client on	Status of the complaint

  

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Name	Signature	Date
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Issued To: Fonte Capital Ltd.
Date: [Enter full date here]
Complaint made by: [Enter your full name here]
Address and Contacts: [enter your resident address and contacts here]
Complaint Details: ----- ----- Don't forget to attach all necessary documentation
Proposed Action Purposes ----- ----- Don't forget to attach all necessary documentation Name and Signature: _____
Form Accepted by: [Authority Name Here] Designation:  Signature & Date: _____ MM/DD/YYYY
Details of any evidence: Don't forget to include all documentation to validate your complaint.