



## **COMPLAINT RESOLUTION POLICY**

This document explains the procedure should you wish to complain about any of the financial services rendered by our business and sets out the process that our business will follow in order to resolve the complaint.

### **What is a Complaint?**

A 'complaint' is defined in the Financial Advisory and Intermediary Services Act No. 37 of 2002 as being 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 willfully 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.

### **How to lodge a Complaint**

When you wish to lodge a complaint you must submit it in writing. The complaint must contain all relevant information and copies of relevant documentation must be attached to the written complaint.

### **Where to lodge a complaint**

You must submit your complaint to –

David Wedderburn  
Tel: 011 483 4800 | E-mail: [info@selabrokers.com](mailto:info@selabrokers.com)

**Timeframes for the Resolution of Complaints in terms of the Rules on Proceedings of the Office of the Ombud for Financial Services Providers, 2002:**

- a complaint must be acknowledged together with contact details of the relevant person if the complaint cannot be addressed by Sela within 3 weeks of its receipt.
- a further 3 weeks (total 6 weeks from receipt of the complaint) is available for resolution of the complaint. If Sela is unable to resolve the complaint to the satisfaction of the complainant within 6 weeks of receipt of the complaint, the complaints officer must advise the complainant of his/her right to refer the complaint to the office of the FAIS Ombud within 6 months of receipt of Sela's final notification in respect of the complaint.

**Requirements for submitting a complaint to the Office of the Ombud**

- (a) The complaint must fall within the ambit of the FAIS Act and the Rules.
- (b) Sela must have failed to address the complaint satisfactorily within 6 weeks of its receipt.
- (c) The act or omission complained of must have occurred at a time when the Rules were in force.
- (d) The complaint must not constitute a monetary claim in excess of R800 000 unless Sela has agreed in writing to this limit being exceeded or the complainant has abandoned the amount in excess of R800 000.
- (e) The complaint must not relate to investment performance of a financial product which is the subject of the complaint, unless such performance was guaranteed expressly or implicitly or such performance appears to the Ombud to be deficient as to raise a prima facie presumption of misrepresentation, negligence or maladministration on the part of the person against whom the complaint is brought.
- (f) The complainant must endeavour to resolve the complaint with Sela prior to submitting a complaint to the Office of the Ombud. The complainant must satisfy the Ombud of this and provide the final response (if any) from Sela as well as the complainant's reasons for disagreeing with the response.
- (g) A complaint must be accompanied by available documentation in the complainant's possession.

**Case fees, costs and interest**

- (a) The Ombud may require the complainant to pay a case fee not exceeding R1 000.00 to the Office when accepting a complaint.
- (b) The case fee is not refundable irrespective of the outcome of the matter.
- (c) When making a final determination, the Ombud may grant costs against Sela or the complainant, in either case in favour of the other party to the complaint or in favour of the Office.
- (d) Any award of interest and costs forms part of the relevant final determination of the Ombud.

**Contact details of the Office of the FAIS Ombud****The Office of the FAIS Ombud**

P O Box 74571 | Lynnwood | PRETORIA | 0040 | Telephone: (012) 470 9080

E-mail: E-mail Address: [info@faisombud.co.za](mailto:info@faisombud.co.za)

**Contact Details of the Short-Term Insurance Ombud****The Office of the Short Term Ombud**

P.O. Box 32334 | Braamfontein, 2017 | 086 0662837 | Sunnyside Office Park, 5th Floor, Building D, 32 Princess of Wales Terrace, Parktown, Johannesburg | Fax: 011 726 5501 | Email : [info@osti.co.za](mailto:info@osti.co.za) Web Site : [www.insuranceombudsman.co.za](http://www.insuranceombudsman.co.za)