



Complaints Handling Policy

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Version History and Approval

Date	Prepared by	Approved by	Approved on
15 th June 2023	Andreas Theodosiou Compliance Offcier	Board of Directors	29 th June 2023



INTRODUCTION

1. FINYX (CYPRUS) INVESTMENTS LTD

FinYX (Cyprus) Investments Ltd (the “**Company**”) operates as an Alternative Investment Fund Manager (“AIFM”), authorized and regulated by the Cyprus Securities and Exchange Commission (hereinafter, “CySEC”) with license number AIFM59/56/2013. In addition, the Company is licensed under Article 6 (6) (a) of the AIFM Law of 2013 as amended time to time (the “**Law**”) to offer Portfolio Management services on a discretionary, client-by-client basis (the “**MiFID Services**”). The Company offer its services to Professional and Well-informed investors.

In addition, the Company is licensed as a Commodity Trading Advisor (“CTA”) and a Commodity Pool Operator (“CPO”) by the Commodity Futures Trading Commission (“CFTC”) of the U.S.A under NFA number 0545715.

The Policy is drafted and should be read in conjunction with the Internal Operations Manual (the “IOM”) of the Company.

2. PUPROSE

The purpose of this document is to describe the policy of the Company regarding complaints handling (the “Complaints Handling Policy”).

The Complaints Handling Policy has been prepared in accordance and in compliance to the following regulatory framework:

1. The Cyprus AIFM Law of 2013, as amended time to time.
2. Cyprus Securities and Exchange Commission (hereinafter the “**CySEC**”) Circular titled: “Guidelines on complaints-handling for the securities sector – Handling of client’s complaints by CIFs” (hereinafter the “**Circular**”) under which CySEC adopts in its supervisory practices the Joint Committee guidelines on complaints-handling for the securities and banking sectors JC 2018 35 (hereinafter the “Complaints Handling JC Guidelines”).

The Complaints Handling Policy is made available to Company’s clients in a Durable Medium before the establishment of any business relationship.

3. COMPLAINTS HANDLING OFFICER

Mrs Lorena Mackute is appointed as the Complaints Handling Officer (the “Officer”).

The role of the Officer is to investigate complaints in detail to provide a meaningful response to the issues raised in a complaint, in accordance with applicable laws and regulations.

The Officer ensures that the Company’s Personnel and Senior Management of the Company receive appropriate guidance to enable them to clearly identify a complaint and activate the process flow described below.



The Board is ultimately responsible for the treatment of Investors' and Client's complaints related to the activity of the Company and has delegated this responsibility to the Officer.

If a complaint is made against the Officer, then it is directly submitted to the Board of Directors.

4. PRINCIPLES

This Policy is designed to ensure that complaints received from Clients are handled in a consistent, fair, and prompt manner.

A complaint is defined, for the purpose of this policy as any Investor/Client correspondence, whether oral or written, received by telephone, email or by mail, in which the investor expresses dissatisfaction and requests an adjustment of any type directly, or through the delegates and services providers of the Managed AIF and other group affiliates providing services to the Company, should be considered a complaint. Expressions of dissatisfaction include the level or quality of service, performance, fees, etc. An Investor's/Client's complaints should be properly documented in coordination with the Complaints Handling Officer.

A complaint is not necessarily founded on valid arguments.

The complaint shall provide as much information as possible regarding its subject.

A request of information, advice or clarification concerning the services rendered is not considered a complaint and is not covered by this policy.

Complaints will be handled objectively by the Company with a focus on establishing the facts and ensuring fair treatment of Investors/Clients.

If the Company does not agree with the details of the complaint, a full explanation will be provided to the complainant.

5. COMPLAINTS HANDLING PROCEDURES

The Company's Complaints Handling has the following steps:

- Making a Complaint;
- Complaint acknowledgement and recording;
- Investigation;
- Closure of complaint; and
- Complaint monitoring and reporting.

6.1 MAKING THE COMPLAINT

A Complaint Form (Appendix A) will be provided to the Client during the account opening procedure.

The complaint will be received by the Head of the Administration Department who shall take all necessary actions so that the complaint is properly addressed. Upon receipt of the complaint, the below details should be documented (Appendix 3):

- the identity of the Client who filed the complaint
- the identity of the employee that undertook to provide the service to the Client
- the department to which the relevant employee relates to
- the date of receipt of the complaint



- the details of the complaint – full description
- the extent in financial terms of the potential loss that the Client claims to have suffered
- the date and in summary, the content of the reply of the Company to the said complaint.

Complaints should be made in writing, in English, and be addressed to the Officer with the reference at the following address or e-mail:

FINYX (CYPRUS) INVESTMENTS LTD

Attention: Complaints Handling Officer / Lorena Mackute

17 Spyrou Kyprianou Avenue

4001, Limassol

Cyprus

E-mail address: administration@finyx-cy.com

To ensure the prompt handing of their complaint, complainants are requested to include the following information in their complaint:

- Identity and contact details of the complainant.
- Reason for the complaint and any resulting damage or loss caused;
- Where necessary, copies of any documentation supporting the complaint.

6.2 COMPLAINT ACKNOWLEDGEMENT AND RECORDING

Following receipt of a complaint from an Investor/Client, the Company will endeavour to promptly contact the complainant to acknowledge receipt of the complaint and/or provide a response to the complainant. In general, all complaints are to be handled within, maximum, three (3) working days of receipt, provided that all relevant information and documentation have been provided to the relevant Department.

Complaints are only considered to be a complaint when addressed by an Investor or person with the Investor's express and written authorization, in writing by letter to the registered office of the Company to the attention of the Officer (or the board of managers, as the case may be).

Any complaint should be reported to the Officer, who logs and reports all complaints received in the complaints register (an electronic register saved in the Compliance Function's secured folder).

On the occasion that, the Company's Staff receives a complaint, they must transmit it immediately to the Officer for handling within three (3) business days, by any means of communication.

All complaints received must be immediately referred to the Officer who will process the complaint as follows:

- If the Officer can resolve the complaint to the Investor's satisfaction within twenty-four (24) hours of receipt, a note should be placed on the complaints register briefly



outlining the nature of the complaint and the action/outcome agreed with the Investor and any written correspondence regarding the complaint should be put on file.

- If the complaint cannot be solved within twenty-four (24) hours, the Officer must, within three (3) business days, send an acknowledgement to the complainant confirming:
- The complaint has been received and is being investigated by them in their capacity as the Officer.
- The anticipated time scale for investigating the complaint and providing a full response. If a full response cannot be provided within 1 month, then the acknowledgement will detail the frequency with which updates will be provided.
- Details of complaints that cannot be resolved within 24 hours will be reported by the Officer to the other Conducting Officers.

The complaint will be recorded on the complaints register, which includes the following information:

- Number of the complaint;
- Investor's name;
- Date of complaint;
- Staff having received the complaint;
- Complaint description (including reason of complaint);
- Amount of any claim;
- Date(s) of communication(s) between the Company and the Investor during the complaint handling period;
- Decision of the Board on such complaint and mitigation measure(s) to prevent reoccurrence;
- Date of decision of the Board on such complaint;
- Status of the complaint handling.

6.3 INVESTIGATION

Once received, the Officer investigates the complaint. As appropriate, the investigation will include interviewing people employed by the Company and employees of any relevant third parties and reviewing all relevant documentation. The complainant will be advised of the timeline for the investigation as detailed in 6.2.

In the final written response to the complaint, the Officer will advise the complainant that if they are dissatisfied with the response, they can request the response to be reviewed by the Board.

If a complaint has been received by the Company regarding one of its delegates/service providers, the Officer will forward the complaint to the concerned delegate/service provider of the Managed AIFs, depending on the complaint, and will follow up with such delegate/service

provider, to verify whether the complaint concerns directly or indirectly a service rendered to a Managed AIF.

The draft response, prepared by the affected delegate/service provider, is sent back to the Officer for review and approval prior to being sent to the complainant.

When the drafting of a response and/or settlement of the complaint by the affected delegate/service provider requires more than ten (10) days, an acknowledgement of receipt is sent by the delegate/service provider (with a copy to the Officer) or the Company to the complainant, indicating that the complaint will be answered in a timely manner and at maximum as established by this policy.

6.4 CLOSURE OF COMPLAINT

Closure of a complaint can take place when a final response has been sent to the complainant or the complainant has confirmed that the complaint has been withdrawn or resolved to their satisfaction.

On closure of a complaint, the Officer ensures that the complaints register is updated, and that all relevant paperwork is filed on the complaints file.

All received, handled and closed complaints will be electronically archived in a computerised secured folder. The length of time that the matter remains filed shall be based on its nature.

However, all complaints shall remain on file for at least five (5) years. The complaints file and the register shall be kept at the Company's premises.

6.5 COMPLAINT MONITORING AND REPORTING

On a quarterly basis, the Officer (or the Compliance Function) will report to the Board the complaints received with the information on their nature, their background, the financial, operational and reputational risks, the financial, contractual and regulatory impacts, the achieved settlements, the mitigation actions undertaken and the next steps if applicable.

On an annual basis, the Officer will verify:

- information made available to Investors (e.g. on durable communication means);
- quality and compliance to applicable regulations of measures in place to manage and follow up complaints.

The Officer shall analyse the nature of complaints received, on a permanent basis, in order to identify any trends that may indicate there is a recurring or systemic problem and ensure that appropriate remedial action is taken.

In the case where the complaint is upheld, the Senior Management in cooperation with the relevant Head of Department to which the complaint is related, shall identify the weakness of the internal controls and procedures, and make suggestions for improvements.

6. RECORD KEEPING

The Company shall keep records of all complaints for a minimum period of five (5) years, held by the Administration Department.



The Internal Auditor shall supervise the implementation of the Company policy and procedures with respect to Client complaints.

7. SUBMISSION OF UNRESOLVED COMPLAINT TO THE FINANCIAL OMBUDSMAN OF THE REPUBLIC OF CYPRUS

If the complainant client is not satisfied with the Company's response, or if the Company rejected the client's complaint or if the Company does not grant an answer within three months, the complainant client has the right to check with the office of the Financial Ombudsman and seek mediation for possible compensation. The Financial Ombudsman is an independent service for settling disputes between Cypriot Investment Firms and their clients.

The complainant client should contact the Financial Ombudsman within four months of receiving a final response from the Company otherwise the Financial Ombudsman may not be able to deal with the complaint.

In some cases, depending-inter alia- the monetary size of the claim or the nature and characteristics of the client, the Financial Ombudsman under the applicable legislation may not have the authority to investigate the complaint and the client in such a case has the option to proceed in civil actions or other appropriate legal actions against the Company.

The Financial Ombudsman website can be accessed via:

<http://www.financialombudsman.gov.cy>.

The client should send his complaint at complaints@financialombudsman.gov.cy, by fax +357 22 660584 or by post to Lord Byron Avenue 13, 1096 Nicosia.

The Company, as well as the Group, devotes adequate resources to the induction and training of the members of its Board, Senior Management and Staff regarding complaints handling matters.

8. SUBMISSION OF UNRESOLVED COMPLAINT TO THE CYPRUS SECURITIES AND EXCHANGE COMMISSION

The CySEC does not have restitution powers and therefore does not investigate individual complaints. However, all complaints submitted to the CySEC by the complainant are taken into consideration by the CySEC in the performance of its supervisory mandate. If the complainant client is not satisfied with a financial product or service provided by the Company and also wishes to inform the CySEC about a complaint, he/she may submit it via the relevant form that can be found in <http://www.cysec.gov.cy/en-GB/complaints/how-to-complain/>.

9. TRAINING

The Company, as well as the Group, devotes adequate resources to the induction and training of the members of its Board, Senior Management and Staff regarding complaints handling matters.

Appendix «A»: Complaint Form

COMPLAINT FORM

SECTION 1: Contact Details

Title: Mr/Ms/Mrs	First Name	Middle Name	Last Name
N.	Street address:		
City	Province	Country	
Daytime Phone		Alternate Phone	
Fax		Email	
<p>Contact details of the second complainant (if applicable please attach)</p> <p>Please provide the name under which the complainant is listed under the shareholders' register or the name of the financial advisory/broker where applicable</p>			

B. Description of the Complaint

1. Impacted Funds
2. Please describe your complaint in as much detail as possible (e.g. date, significant events)
3. Please enclose all the supporting documents related to your complaint (e.g. correspondence to and from the institution, copies of contracts, etc.)

Client's Signature

Date



Appendix «B»: Complaint Acknowledgement of receipt

COMPLAINT ACKNOWLEDGEMENT OF RECEIPT

Date:

Complainant(s) contact details:

Re: [Insert reference of the complaint]

Dear [Insert Name of the Complainant(s)],

We acknowledge receipt of your complaint received at our offices on [Insert date].

The study of your complaint has been entrusted to the Complaints Handling Officer within our company. You can contact the Complaints Handling Officer for any question or clarification you may have at the following contact details:

FINYX (CYPRUS) INVESTMENTS LTD

Attention: Complaints Handling Officer / Lorena Mackute

17 Spyrou Kyprianou Avenue

4001, Limassol

Cyprus

E-mail address: administration@finyx-cy.com

Telephone: +357 25026969



Notice

In accordance with our policy for handling complaints, we will notify you of our final answer to your complaint received [Insert date] in writing in [Insert number of days]. In the meantime, it is possible that we may have to contact you to obtain additional information.

For your information, please find attached a copy of our complaints policy.

[Name of the Complaints Handling Officer]

Complaints Handling Officer

[Name of the Director]

Member of the Board of Directors

Appendix «C»: Complaint Form (internal use only)

Name of Client	
Account number	
Address	
Telephone number	
Date of receipt of the Complaint	
Complaint received by	
Department to which the Complaint relates to	
Potential loss that the Client claims to have suffered	

Content and date of the reply of the Company:

Suggestions for improvement, if applicable:

[Name of the Complaints Handling Officer]
Complaints Handling Officer

[Name of the Director]
Member of the Board of Directors

Appendix «D»: Template of the Complaints Register

No	Counterparty Name	Investor of a Managed AIF Yes/No	Date	Complaint Received By	Description	Claim Amount	Communication Date	Board Decision	Date of Board Decision	Status