



Handling Complaints Policy

Author: Compliance Function
Issue Date: September 2018
Version No 3
Type of Document: Internal Policy



CONTENTS

1. Purpose 2

2. Introduction 2

3. Internal Process regarding the handling of investor complaints 3

Appendix I 5

 Complaints Register Template 5

1. Purpose

This policy sets out requirements of Anima Asset Management Ltd (the “Firm”) to comply with the obligation to ensure that investor complaints are dealt with properly and effectively and that no restrictions will prevent investors exercising their rights.

This policy takes into consideration the provisions of the following Regulations:

1. S.I. No. 352 of 2011 - European Communities (Undertakings for Collective Investment in Transferable Securities) Regulations 2011 giving effect in Ireland to the Directive 2009/65/EC
2. S.I. No.420 of 2015 - Central Bank of Ireland (Supervision and Enforcement) Act 2013 (section 48(1)) (Undertakings for Collective Investment in Transferable Securities) Regulations 2015;
3. S.I. No. 375 of 2017 European Union (Markets In Financial Instruments) Regulations 2017
4. AIF Rule Book issued by the Central Bank of Ireland in relation to the Operating conditions of the Alternative Investment Fund Managers (AIFMs):
5. Fund Management Company Guidelines - CP86

2. Introduction

The Central Bank of Ireland (“CBI”) requires that UCITS Management Companies and AIFMs establish, implement and maintain effective and transparent procedures for the reasonable and prompt handling of complaints received from investors.

The MiFID Regulations also require investment firms and other financial institutions when providing investment services regulated under MiFID to maintain effective and transparent procedures for the reasonable and prompt handling of complaints from retail clients or potential retail clients and keep a record of each complaint and the measures taken for the resolution of the complaint.

Under the Consumer Protection Code, “complaint” refers to *an expression of grievance or dissatisfaction by a consumer*¹, either verbally or in writing, in connection with:

- a) the provision of a product or service to a consumer by a regulated entity, or
- b) the failure of a regulated entity to provide a product or service to a consumer.

UCITS Management Companies and AIFM are required to have adequate written procedures in place for the effective consideration and proper handling of complaints.

Complaints received from investors or potential investors can refer to the level of service provided by the Firm or its delegates.

¹ Consumer is defined as: “a) a natural person acting outside their business, trade or profession; b) a person or group of persons, but not an incorporated body with an annual turnover in excess of €3 million (for the avoidance of doubt a group of persons includes partnerships and other unincorporated bodies such as clubs, charities and trusts, not consisting entirely of bodies corporate); c) incorporated bodies having an annual turnover of €3 million or less in the previous financial year (provided that such body shall not be a member of a group of companies having a combined turnover greater than the said €3 million); or d) a member of a credit union; and includes where appropriate, a potential ‘consumer’ (within the meaning above).

3. Internal Process regarding the handling of investor complaints

The Head of Compliance, for complaints other than related to distribution, and the Designated Person for Distribution (“DP”), for complaints related to distribution, are responsible, each for the specific competence, for overseeing the entire process of dealing with investors and potential investors complaints and making sure that the Firm acts in the investors’ best interests. The Head of Compliance/DP makes the General Manager/Executive Director of the Firm aware of complaints received as soon as they arise, and will report them to the Firm’s Board at the first available opportunity unless the issue concerned is deemed to require immediate attention and consideration from the Board.

The Head of Compliance/DP will ensure that the complaints handling process works in a fair and proper manner.

Upon receipt of a complaint from an investor or potential investor, the Head of Compliance/DP must acknowledge the same in writing within 5 business days and the Head of Compliance will maintain a log of complaints received (see Compliant Register Template in Appendix 1), the DP will communicate to the Head of Compliance any complaints received and managed

The Firm has 40 business days in which to try to resolve the complaint using its internal resolution procedure. Where the Firm receives a verbal complaint, it must offer the investor the opportunity to have the complaint treated as a written complaint.

The Firm is required to provide the investor with a point of contact available for the duration of the investigation (the Head of Compliance/DP on the base of each competence) and to establish appropriate procedure and arrangements to make information available at the request of the public or competent authorities. A regular written update on the progress of the investigation will be provided to the investor at intervals not greater than 20 business days.

The Board is informed at the first available opportunity by the Head of Compliance/DP about the actions taken and may be requested to approve such actions before putting them in place depending on the issue concerned.

The Head of Compliance will update the Complaint Register accordingly.

In general, the Firm is expected to provide redress, including payment of compensation to claimants, where it is found that the client’s complaint is justified. The key principle to follow is that the Firm must ensure it has the means to correct errors and handle complaints speedily, efficiently and fairly.

Where the 40 business days have elapsed and the complaint is not resolved, the Firm must inform the complainant in writing of the anticipated timeframe within which the Firm hopes to resolve the complaint.

Where it appears to the Firm that the complainant is not satisfied with the outcome of the investigation, the Firm shall ensure that the investor is notified of its right to refer the matter to the relevant Ombudsman.

Information regarding complaints procedures must be available to investors free of charge and on request.

The Handling Complaints Policy is available on the Company website.



Complaints Handling Contact Details:

Compliance Function/Designated Person for Distribution

Block A - 10th Floor

1 George's Quay Plaza

Georges Quay

Dublin 2

D02 P039

Republic of Ireland

Tel: +353 (1) 436 0300

complaintsanimaam@animaam.ie

Appendix I

Complaints Register Template

Complaints Register

Details of the Complaint					
ID (Year & Progr. Nr.)	Complaint received on (date)	Customer name	Service Function & Process	Complaint Object	Complaint in Brief

Prejudice		Result			Anomalies & Actions		
Economic Prejudice in €	Financial Instrument Value in €	Date mails	Finding in Brief	Result	Communication of Result (Date)	Anomalies	Actions undertaken to remove anomalies

Customer Relation					Note
Distributor	Branch or Business Unit	Dept. or Organizational Unit	Employee	Customer Relation Manager	