



IKON INSURANCE BROKERS C.C.

REG NUMBER: 2007/024582/23

FSP/ LICENCE NR 30771

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Introduction:

Generally, the Financial Advisory and Intermediary Services (FAIS) Act's complaint resolution mechanisms aim at providing speedy and cost-effective measures to save clients having to follow the costly and timeconsuming route via the courts. This however doesn't preclude clients from exercising their ultimate rights to seek redress through the courts, as clearly stated in Section 40 of the FAIS Act. Obviously, in complicated cases involving large amounts of damages, the latter route will always be preferable. In terms of Part XI of the General Code of Conduct, Financial Services Providers (FSPs) are obliged to maintain an internal complaint resolution system and procedure. Notwithstanding that the current wording of Part XI means that the establishment of an internal complaint resolution system corresponding to that prescribed, isn't obligatory for a representative, it's a specific requirement for all employees that they adhere to the requirements of this manual as well as all the provisions of the FAIS Act and the Policyholder Protection Rules (PPR) with regards to complaints.

Definitions:

Complainant A person who submits a complaint and includes

- a) Policyholder or the policyholder's successor in title.
- b) Beneficiary or the beneficiary's successor in title.
- c) Person whose life is insured under a policy.
- d) Person who pays a premium in respect of a policy.
- e) Member of a group scheme.
- f) Potential policyholder or potential member of a group scheme whose dissatisfaction relates to the relevant application, approach, solicitation, or advertising or marketing material, who has a direct interest in the agreement, policy, or service to which the complaint relates, or a person acting on behalf of a person referred to in paragraphs a to f.

Complaint:

An expression of dissatisfaction by a person to an insurer or, to the knowledge of the insurer, to the insurer's service provider relating to a policy or service provided or offered by that insurer which indicates or alleges, regardless of whether such an expression of dissatisfaction is submitted together with or in relation to a policyholder query, that:

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

Internal complaint resolution system and procedures:

In relation to an FSP and a client, this means the system and procedures established and maintained by the FSP in accordance with the General Code of Conduct for the resolution of complaints by clients.

Ombud

The Ombud for Financial Services Providers, commonly referred to as the FAIS Ombud, referred to in Section 20 of the FAIS Act.

Rules

The rules on proceedings of the Office of the Ombud for Financial Services Providers, 2002.

Process to submit a complaint

We (IKON INSURANCE BROKERS) have the following processes in place when attending to a complaint:

- We request that the client submit such complaint, against us or 1 or more of our representatives, in writing to our offices or to submit the written complaint to Isabel@ikonbrokers.co.za. We also request that the client submit any supporting documentation with the written complaint.
- All complaints are entered into our formal complaints register.
- Non-routine serious complaints are handled by senior staff with adequate expertise, training, and experience to resolve the matter as soon as possible.
- We promptly acknowledge, in writing, to the client receipt of such complaint and furnish the client with details of the contact person at our organisation who will be involved with the investigation and resolution of the complaint.
- All complaints received from clients are handled in a timely and fair manner, with each complaint receiving proper consideration in a process that's managed appropriately and effectively.
- We undertake to inform the client of the outcome of the investigation relating to the complaint within the stipulated time frames as per our complaints framework.
- In a case where the complaint is resolved in favour of, and to the satisfaction of the client, we ensure that a full and appropriate level of redress is offered to the client without any further delays.
- If the complaint isn't resolved to the client's satisfaction, we ensure that the client is made aware of their rights. This includes giving the client a full written report regarding the investigation of the complaint and the findings thereof, as well as contact details (physical and postal address, contact numbers, fax numbers and email addresses) for the FAIS Ombud where the client then has 6 months, from date of notification from us regarding the resolution/dismissal of the complaint, within which to pursue further action at the Ombud's office.
- We undertake to maintain a record of complaints received for a period of 5 years, together with an indication of whether or not such complaints were resolved.
- We further undertake to ensure that all new and existing clients are made aware of our complaints policy and the procedures to follow if they wish to submit a complaint against us or 1 or more of our representatives.

Basic principles of our internal complaints resolution system:

Our internal complaints resolution system is based on the following basic principles:

- The maintenance of a complaints policy and a complaints framework which outlines our commitment to, and the systems and procedures we employ, for the internal resolution of any complaint submitted by a client against us or 1 or more of our representatives.
- Our procedures for the resolution of any complaint are transparent and visible to all clients, ensuring that the client has full knowledge thereof.
- Clients are easily able to access such procedure through our offices which are open to clients or through the postal system, fax, telephone and/or electronic means, including our website.
- Ensure that the resolution of the complaint is done in a fair manner, giving equal opportunities to all parties to make their submissions regarding the complaint.
- Ensure adequate training of all relevant staff on the procedure to follow when a complaint has been submitted by a client, including full knowledge of the FAIS Act and subordinate legislation.
- All complaints are followed-up at an operational level to ensure avoidance of similar occurrences that might give rise to complaints and to improve services, systems, and procedures where necessary.
- Complaints records are maintained for a minimum period of 5 years together with an indication of whether or not such complaint was resolved and all cases of non-compliance with the legislation and the reasons for such non-compliance.

Please note: In any particular case, before the FAIS Ombud enjoys jurisdiction, an aggrieved client must first resort to an internal complaint resolution system and procedure, such as the 1 we have outlined above.

Referral to FAIS Ombud:

- If a complaint hasn't been resolved within the stipulated time frames or where the complaint has been dismissed or where the client's not satisfied with the results of the investigation into the complaint, the client may (within 6 months of such feedback from the FSP) refer the complaint to the FAIS Ombud.
- The details for the FAIS Ombud are as follows:

Physical address:

Kasteel Park Office Park, Orange Building, second floor, 546 Jochemus Street, Erasmus Kloof, Pretoria, 0048

Postal address PO Box 74571, Lynwood Ridge, 0040 Phone 012 470 9080/012 762 5000 Email

info@faisombud.co.za

The FAIS Ombud:

- Will generally decline to investigate a complaint if a period of more than 3 years has expired since the act or omission which resulted in the complaint.
- Will also generally decline to investigate a complaint, if proceedings have been instituted by the complainant in any court relating to the complaint. • If the complainant doesn't lodge the complaint with the FAIS Ombud, the complainant may pursue any other avenue of law which is available to it.
- Will generally only investigate a complaint where the financial loss suffered by the complainant is equal to or less than R800,000.
- May decline to investigate a complaint if there are reasonable grounds to believe that a more appropriate dispute resolution process is available or in cases where it'll be more appropriate to deal with the complaint in court.
- Will only proceed to investigate a complaint if it has informed every other interested party of the receipt of such complaint, has provided particulars of such complaint to those parties, and has provided those parties with the opportunity to respond.
- May follow and implement any procedure which it deems fit and may allow any party the right of legal representation.
- May make recommendations to the parties and if accepted by the parties, such recommendation will have the effect of a final determination.
- Will in any case, where a matter hasn't been settled or a recommendation hasn't been accepted by the parties, make a final determination which may include dismissal of the complaint or upholding of the complaint.

If a complaint's upheld:

- The complainant may be awarded compensation.
- The FSP may be ordered to take certain steps.
- The FAIS Ombud may make any other order which a court may make.