

## DEALING WITH CLAIMS ON THE CAPITAL MARKET

BANCA COMERCIALA ROMANA S.A. (hereinafter referred to as the "Bank" or "BCR") hereby makes this document permanently available at its own premises but also on its own webpage.

### **Definitions**

The *petition* is that request, complaint or notice through which facts that may be prejudicial to the rights or interests of the petitioner are brought to BCR attention and has the following features: it can be submitted in writing or filed at the entity's headquarters, its secondary offices or at the distributors' offices; the petition can be transmitted by post/ electronic mail/ on-line system or any other channel of communication that may be recorded on a physical or optical device (e.g.: telephone); based on this, a petitioner or his/her legal representatives, acting exclusively on behalf of the petitioner and without his/her own commercial interest, expresses dissatisfaction with the service and investment activity provided by BCR under Law no. 126/2018, related to the provision of the collective investment undertaking's management portfolio management service (O.P.C.) or to the information provided by the entity following requests coming from the petitioners.

*Petitioner* refers to any natural or legal person, client/investor of the Bank, who lodges a petition with an entity about any service or investment activity performed as per Law No. 126/2018;

*Favourable resolution of a petition* refers to any claim for which steps are taken to solve the grievance described in such claim;

*Unfavourable resolution of a petition* refers to any claim for which no steps have been taken to solve the grievance described in such claim.

### **General issues**

All claims are and will be handled equally and no restrictions are imposed on clients who want to exercise their rights.

All persons within the Bank whose responsibility covers the aggrieved customer shall have to respond to the claim using an accessible language.

### **How to lodge the claims**

Claims will be lodged in writing and submitted to BCR's headquarters or any BCR office, as applicable, or can be mailed by regular post or emailed or submitted through an online system or any other means of communication which can be recorded on a physical or optical medium (e.g. telephone).

The claim must contain the following information:

- Identification information about the person who signs the claim;
- Description of the grievance (service/activity that the customer is unhappy with or other information that the claimant supplies);
- Capacity of the person who signs the claim (main claimant/representative of a claimant);
- The interest of the claimant.

The identity and contact information of the person(s) to whom the claimant should be sent:

- BCR headquarters - Retail Distribution Division - Customer Support Office: 159 Calea Plevnei, Business Garden Bucharest, Building A, 6<sup>th</sup> Floor, 6<sup>th</sup> District, Bucharest, postcode 060013
- contact.center@bcr.ro
- www.bcr.ro

## **Claim management**

Claimants have the right to receive written information about the internal claim management process, either after they submit the claim or at their express request.

From the time when they lodge the claim, the maximum response time is 30 days (as of the moment when registered), regardless of whether the claim is favourable or unfavourable solved. Should any of the issues reported in the claim involve a more extensive research, the Bank shall notify the claimant about the causes for such delay/status of the claim, and the final response time shall never exceed the 30-day term from the time when the claim is registered by more than 15 days.

In the event of an unfavourable resolution of a petition, the Bank shall inform the customer about the latter's right to approach the competent bodies and authorities and to use any of the amicable dispute resolution ways that are available as per the law.

Whenever a final solution is adopted which does not match/runs counter the claimant's requests, the Bank shall defend its position in writing and shall provide detailed explanations about the conclusions of the formal answer or - as applicable - about the adopted measures. The Bank shall inform the customer about the latter's right to approach the competent bodies and authorities and to use any of the amicable dispute resolution ways that are available as per the law.

### **Competent authorities:**

- *Autoritatea de Supraveghere Financiara (Financial Supervision Authority)* - Bucharest, 15, Splaiul Independenței St., district 5, postal code 050092, [office@asfromania.ro](mailto:office@asfromania.ro);
- *Banca Nationala a Romaniei (National Bank of Romania)* - Bucharest, 250 Lipscani St, district 3, Bucuresti, cod 030031, [www.bnro.ro](http://www.bnro.ro), the Contact section – regarding money market instruments, government securities and derivative financial instruments that are not traded on a regulated market, as well as structured deposits, as stated in the Law no. 126/2018 on financial instruments markets;
- *Autoritatea Nationala pentru Protectia Consumatorilor (National Consumer Protection Authority)* - Bucharest, 72, Bulevardul Aviatorilor St. 72, district 1, [office@anpc.ro](mailto:office@anpc.ro).

### **Amicable dispute resolution ways:**

- *Mediation* - an alternative dispute resolution method described under Law no. 192/2006 on mediation and the organisation of mediator's profession.
- *Arbitration* - an alternative dispute resolution method described under Art. 541 et seq. of the new Code of Civil Procedure.
- *Alternative Dispute Resolution (ADR)* - any non-bank financial service consumer has the right to appeal to the alternative dispute resolution.

In compliance with the provisions of FSA Regulation No. 4/2016 regarding the organization and functioning of Alternative Dispute Resolution entity in the financial non-banking system and according to OG 38/2015 regarding the alternative disputes between consumers and traders, within FSA has been created the Alternative Dispute Resolution Entity in the non-banking financial sector, called SAL-FIN, whose main activity are the settlements through ADR procedures, disputes between consumers and entities authorized, regulated and/or supervised by FSA, respectively.

SAL-FIN is the only entity of alternative dispute resolution in areas where FSA has the competence, which organizes and administers the ADR procedures, proposing or imposing, if necessary, a solution for the parties.

The dispute settlement procedure from SAL-FIN is free to the consumer. The expenses for the surveys, documents translation and other necessary additional evidence in dispute resolution are the responsibility of the party that requires them.

To solve a dispute with the Bank by applying the ADR procedure, the consumer must express his voluntary option and write directly to SAL-FIN, by post or by electronic means of communication.

Consumers may submit the dispute for ADR procedures managed by SAL-FIN if they prove that they have previously tried to settle the dispute directly with the Bank.

The categories of litigations that may be rejected from consideration of SAL-FIN are :

- the consumer has not tried to contact the bank for discussing the complaint and didn't search, as the first step, to resolve the dispute directly with BCR;
- the dispute is being promoted in bad faith or is offensive;
- the dispute is or has been previously examined by another ADR entity or by a court;
- the consumer has not submitted the complaint to SAL-FIN within one year from the date he/she presented the complaint to the Bank or the date that gave rise to the dispute or, the termination date;
- drawing up such a litigation would seriously affect the efficient functioning of SAL-FIN;
- the dispute does not concern the Bank, as entity under supervision of FSA.

For more information on SAL-FIN please visit the following link: [www.salfin.ro](http://www.salfin.ro)

#### **Keeping petitioners informed about their claim status**

Petitioners may approach the Bank to request information about their claim status.

Please find below the contact details that petitioners must use in order to obtain information about their claim status: INFO BCR service \*2227 number available in the Vodafone, Orange, RCS RDS, Telekom networks; +4021.407.42.00, number available in any network in Romania or abroad.