

# SwanCap Investment Management S.A. – Investor Complaints

## 1. Investor Complaints

The protection of the interests of investors and clients has a high priority for SwanCap Investment Management S.A. (“SwanCap”). This also applies to the handling of complaints by investors and clients, and the complaints and escalation procedures as defined by SwanCap’s Complaint Handling Policy is set out below.

We see complaints as an opportunity to strengthen our customer loyalty and improve the quality of our service.

## 2. Complaints handling

All investor complaints may be submitted free of charge and in the investor’s respective national or native language to any person at SwanCap, and/or directly to SwanCap’s Complaint Handling Officer (contact details below).

If the complaint is made directly to the Complaint Handling Officer in writing (by post, fax or email) (“Formal Complaint”), SwanCap will acknowledge the receipt of the Formal Complaint within ten (10) days of receipt of the Formal Complaint and the Complainant will receive a formal response to his/her complaint no later than one (1) month after he/she has sent the Formal Complaint. If it should become apparent that, because of the complexity of the circumstances or otherwise, the processing of the Formal Complaint will take longer than one (1) month, the Complainant will be informed about the causes of the delay and a timeline for the response will be provided. The Complainant is kindly asked to indicate to us their preferred means of contact (post, fax, telephone, email or other) as well as their contact details.

If a complaint to SwanCap is made in any other way than a Formal Complaint, SwanCap will acknowledge the receipt of such a non-formal complaint usually within two (2) business days but no later than ten (10) days from receipt and will inform that the Complainant that, although SwanCap will continue to investigate the issue at hand, this non-formal complaint does not meet the pre-requisites to enable an escalation to the CSSF as set out below and will notify the Complainant about the applicable complaints procedures that are required prior to escalation to the CSSF.

Nevertheless, SwanCap endeavours to send to the Complainant a response to his/her non-formal complaint no later than one (1) month after he/she has sent the complaint. The Complainant may at any time make a Formal Complaint to the Complaint Handling Officer.

## 3. Escalation to the Commission du Surveillance du Secteur Financier (“CSSF”)

In case the Complainant did not receive an answer or a satisfactory answer to his Formal Complaint, the Complainant is herewith informed of the ability to escalate their claim to the CSSF following the terms and conditions described in CSSF Regulation 16-07, relating to out-of-court dispute settlement (<http://www.cssf.lu>) in writing, by post, by fax or online to the CSSF, or (address/numbers/URL available on the CSSF website <http://www.cssf.lu/en/consumer/complaints/>) if the following conditions are met:

- Prior to escalating the complaint to the CSSF, the Complainant has previously sent the complaint in writing to SwanCap’s Complaint Handling Officer and has not received an answer or a satisfactory answer within one (1) month from the date at which the complaint was sent.
- The complaint to the CSSF must be filed with the CSSF (as described above) within one (1) year after the complaint with SwanCap’s Complaint Handling Officer was filed.
- The complaint to the CSSF shall be supported by a statement of the reasons on which is based, including the following documents:
  - o a detailed and chronological statement of the facts underlying the complaint and the steps already taken by the applicant;
  - o a copy of the prior complaint referred to in paragraph (1);

- a copy of the answer to the prior complaint or the confirmation by the applicant that s/he did not receive an answer one month after s/he sent his/her prior complaint;
- the statement of the applicant that s/he did not refer the matter to a court, an arbitrator or another out-of-court complaint resolution body in Luxembourg or abroad;
- the agreement of the applicant with the request handling conditions of the CSSF as body responsible for the out-of-court resolution of his/her complaint;
- the express authorisation of the applicant so that the CSSF can transmit its request (including the attachments) as well as any future correspondence or information to the professional concerned by the request;
- in the case where a person acts on behalf of an applicant in accordance with paragraph (7) or on behalf of a legal person, a document showing that the person is legally entitled to act so;
- a copy of a valid ID document of the applicant (natural person) or, where the applicant is a legal person, of the natural person representing this legal person.

Please note that complaints to the CSSF are free of charge (and no charges will be reimbursed to the Complainant) and may be filed in Luxembourgish, German, French or English.

#### 4. Contact details – Complaint Handling Officer

The point of contact for Formal Complaints is SwanCap's Complaint Handling Officer, who may be reached as follows:

SwanCap Investment Management S.A., Luxembourg

- **By post** SwanCap Investment Management S.A.  
Complaint Handling Officer  
Mr. Holger Emmel  
Airport Center Luxembourg  
5, rue Heienhaff  
L-1736 Senningerberg  
Luxembourg
- **By Telephone:** +352-284 800 313
- **By email:** complaints@swanap.lu

We can be reached by phone on Luxembourg bank working days from Monday to Friday from 9.00 a.m. to 12.00 p.m. and from 2.00 p.m. to 4.00 p.m.

SwanCap Investment Management S.A., Milan

- **By post:** SwanCap Investment Management S.A.  
Complaint Handling Officer  
Mr. Holger Emmel  
4, Piazza Gae Aulenti, Tower C  
I-20154 Milan  
Italy
- **By Telephone:** +352-284 800 313
- **By email:** complaints@swanap.it

We can be reached by phone on Milan bank working days from Monday to Friday from 9.00 a.m. to 12.00 p.m. and from 2.00 p.m. to 4.00 p.m.

Investors are kindly requested to inform us of their issues, only if we are aware can take an active approach, respond to issues and use the opportunity to achieve a common satisfactory solution.

**Status: December 2016**