

PPF banka a.s. Claims Procedure

This Claims Procedure regulates the handling of claims, complaints and other such submissions from clients ('submissions'); in particular, it lays down the standardized procedure for handling claims.

Legitimacy of a submission

Any client of the bank or his representative, or a third party acting in the interests of a client ('client') shall be entitled to make a submission if he believes that the bank is in breach of any statutory or contractual obligation, that the conduct of a bank employee has been inappropriate or unreasonable in light of a particular situation, or if he is seeking an improvement in the quality of the services and products provided. If an employee of the bank negotiates, in the handling of a submission, with a person other than a person authorized to manage the client's account, he must respect the policy of banking secrecy; therefore, he shall require credible proof of the person's authorization to represent the client.

Cases where a service has not been duly arranged for the client on account of non-compliance with legal provisions of general application or with the terms and conditions of contract shall be regarded as legitimate submissions. A legitimate submission entitles the client to remediation, replacement and, where appropriate, damages.

The bank shall decide on the legitimacy of a submission and the specific way in which it is to be handled.

Form of submission:

- in person – to an authorized employee of the bank,
- by fax – to fax number: (+420) 224 175 980,
- by post – to the bank's registered office, or to the address of the bank's customer centre,
- by telephone – to telephone number: (+420) 224 175 888,
- by e-mail – to the e-mail address: info@ppfbanka.cz,

Submissions delivered by other means (i.e. delivered to the bank's other addresses, to other telephone or fax numbers of the bank or its employees, or to other e-mail addresses of the bank or its employees) shall be forwarded by employees who come into contact with such submissions and are not competent to process or handle them to the competent commercial departments of the bank (e.g. to the manager of the client's account). In respect of submissions thus received, the bank cannot guarantee compliance with the time limits and processes set for the handling of the submission; however, it shall make a maximum effort to respect the time limits and procedures for handling the submission.

A submission shall not be regarded as duly delivered if it is made to a private telephone or fax number, a private address or a private e-mail address of a bank employee, or if it is submitted orally to a bank employee outside that employee's working hours outside the premises of the bank.

A report shall be drawn up, on a bank form, detailing each submission received ('report'). The report shall be filled in by the client on a form received from the bank. In cases where the client does not draw up the report himself, or the type of submission renders the preparation of the report by the client impossible (oral or telephone submissions), a bank employee shall draw up the report based on the client's submission. If possible, the client should at least sign the report.

The form is available from the bank's customer centre and from staff of commercial departments authorized to take receipt of submissions.

Particulars of a submission

In order to be able to address a submission, it must be sufficiently specific. A submission shall contain:

- the identification of the client (given name and surname, company, personal ID number or date of birth, or registered number),
- the subject of the submission – what the submission concerns, the criticism levelled at the bank, etc.

A submission should also contain supplementary information:

- the contact details of the client or the person handling the submission,
- time information – the date of the submission, the dates and times the events detailed in the submission occurred or were meant to occur,
- persons – names or other indications to identify all the persons involved in the subject of the submission on behalf of the bank and the client,
- significant circumstances – all other apposite facts and circumstances relating the claim

The bank may also deal with partially non-specific submissions (anonymous or with no specification of the subject), but only where it considers this purposeful and appropriate.

Time limits for making submissions

Submissions should be made as soon as possible after the circumstances which are the subject of the submission occurred or should have occurred. The maximum time limit for making claims is six months as of the moment at which the situation occurred or should have occurred.

Where the bank deems appropriate, it may accept and settle submissions made after that time limit.

Time limits for settling submissions

The bank shall decide on the legitimacy of a submission and its settlement as soon as possible, i.e. within 30 days of receiving the submission. The time necessary for corrections or additions to a submission by a client are not included on this time limit. In complex cases requiring more detailed investigation, the cooperation of other bank departments or third parties, the bank shall reach a decision within 90 days of receipt of the submission. In this case, however, it must notify the client of the extension to the deadline for the settlement of the submission within 15 days. In exceptional cases the bank's chief executive officer may extend the deadline for the settlement of a submission by a further 30 days.

Client's rights and obligations

The client is entitled to be notified of the legitimacy and handling of his submission and to be advised of any possibility of appealing against the way a submission is settled.

The client shall make submissions in accordance with this Claims Procedure.

The client shall provide the bank with the cooperation required to settle the submission; in particular, the client shall inform the bank completely, truthfully, and in a timely manner of facts significant for an assessment of the submission and shall provide it with the supporting documentation required to settle the submission. To this effect, the client may be requested to supplement a submission.

Handling of a submission

The bank shall initially decide whether a submission is admissible (specificity and respect for time limits) and shall then take a decision on the subject of the submission. The bank shall notify the client in writing of the bank's opinion within the time limit for the settlement of the submission. If minutes from a meeting between the bank's representative and the client are drawn up with regard to the outcome of the procedure in the presence of an employee of the compliance department and both parties sign these minutes to express their approval thereof, no further opinion is sent to the client.

Summary settlement of a submission

Where a bank employee receives an oral submission, finds it to be legitimate and is in a position to resolve the claim without undue delay and completely to the client's full satisfaction, he shall do so. This procedure cannot be applied in cases where an oral submission is found to be legitimate but the bank employee is not in a position to resolve the claim without undue delay and completely to the client's full satisfaction, or where the bank employee does not find the submission to be legitimate or harbours doubts as to the legitimacy of the submission. The procedure for the summary settlement of a submission may not be used in cases where the client requires a written reply to a submission or where the bank or client is at risk of tangible damage, or where the bank is faced with another operational risk.

Appeal against a decision

If the client does not agree with the decision reached on his submission, he may lodge a written appeal against the decision, to be delivered to the bank's chief executive officer within 15 days of receipt of the decision. An appeal shall be drawn up in writing and shall be lodged against a specific decision on the settlement of a submission. The chief executive officer shall take a decision on the appeal and shall inform the client of his decision within 30 days of the lodging of the appeal.

Specific provisions concerning claims related to trading in investment instruments

A client may make a submission concerning the provision of investment services by the bank, or operations carried out by the bank under its licence to trade in securities, to the relevant departments of the Czech National Bank or to the Prague Stock Exchange (Burza cenných papírů Praha a.s.). In respect of such submissions, the bank shall arrange for a copy of the report, with information about the method of settlement, to be sent to the Prague Stock Exchange.

Other avenues of customer defence

Where disputes arise concerning transfers of funds in the payment system or the use of electronic means of payment, clients may contact the financial arbitrator, who is authorized to settle disputes pursuant to Act No 229/2002 on the financial arbitrator.

The submission of a claim does not prejudice a client's right to file an action with a general court.