

# COMPLAINTS PROCEDURE POLICY

Public

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## 1 PURPOSE

This document describes Solactive procedures in place for receiving, investigating and retaining records concerning Complaints made with respect to Indices owned and/or administered by Solactive. In order to increase efficiency and response time, as well as to foster the improvement of the index determination process, Solactive has established the following complaints procedure.

## 2 SCOPE

Although Solactive strives to provide the administered indices to the fullest satisfaction of its clients, market participants and investors in financial instruments that have the indices as reference objects, and in a manner that does not give rise to Complaints, Solactive is aware and acknowledges that it cannot be excluded that the actions of Solactive may adversely affect its clients and other parties and that this could give rise to formal or informal Complaints. Complaints may be submitted to Solactive regarding - but not limited to - any of the following:

- the accuracy of Index calculation;
- whether the Index appropriately represents the market, segment or strategy it seeks to measure;
- a proposed change to the Index determination process;
- an application of the methodology in relation to a specific Index determination;
- other decisions in relation to the Index determination process;
- the Index composition;
- any Index changes in the course of an ordinary or extraordinary index rebalancing;
- the tax treatment including withholding taxes;
- any licensing issues, including all claims made by any legal entities that their intellectual property has been violated by Solactive.

## 3 DEFINITION OF COMPLAINT

Solactive considers a Complaint to be an expression of dissatisfaction or a report from a client or other party about a problem with a service that expressly or implicitly includes the request for a statement or the rectification of the reason for the Complaint ("Complaint").

## 4 SUBMISSION OF THE COMPLAINT

Solactive has created an email address ([complaints@solactive.com](mailto:complaints@solactive.com)) that should be used by anyone who wants to submit a Complaint. Nevertheless, it is also possible to submit the Complaint by postal mail to Solactive, Guiollettstr. 54, 60325 Frankfurt am Main, Germany.



Questions regarding ongoing or future business relationships and other queries that cannot be regarded as Complaints within the meaning of this policy should be sent to a general contact email address or addressed to contact persons within Solactive.

The Complaint should include:

- complainant's contact details, including full name, address, telephone number and email address;
- company name (where applicable);
- detailed description of the Complaint;
- designation of the index if the Complaint relates to an index; and
- the date and time of the incident that triggered the Complaint.

If any of the above-mentioned information is not provided, Solactive may not be able to process the Complaint in every respect. Solactive may request more details if deemed necessary.

If a verbal or written communication between an employee of Solactive and a client or other third party gives rise to the assumption that this is a Complaint, the respective employee of Solactive will report this case to Compliance. Such a report must contain all relevant information (emails, meeting notes, etc.) that gave rise to the assumption of a Complaint. However, Solactive reserves the right to refer the respective client or third party to the procedure for submitting a Complaint, as stated above.

## 5 PROCEDURES

### 5.1 GENERAL

Overall responsibility for receiving, investigating and managing Complaints lies with Compliance.

### 5.2 RECEIPT

Once a Complaint is submitted, Compliance will:

- classify the Complaint for action;
- prioritize the Complaints; and
- determine the Solactive employee responsible for the further processing of the Complaint, including the investigation of the facts of the case.



## 5.3 FURTHER PROCESSING

Solactive will ensure that any person who may be directly involved in the subject matter of the Complaint is excluded from the further processing of the Complaint, including the investigation of the facts of the case, and the decision-making process.

The Solactive employee responsible for processing the Complaint will check that the Complaint is sufficiently detailed and complete. If it is determined that the Complaint is not accompanied by information deemed to be material for the further processing or the provided information needs clarification, further details or information will be requested from the complainant. Solactive will seek to investigate all Complaints in a timely and fair manner. Factors, such as - but not limited to - classification of priority of the Complaint, complexity of the matter and availability of staff will affect the processing time.

Compliance will review the results of the investigation and determine the validity of the Complaint as well as determine any measures to resolve the Complaint. Such determination will take into account both the interests of the complainant and those of other relevant persons, and will set out measures to remedy the situation that gave rise to the Complaint.

The review should include an identification of underlying issues that have led to the Complaint and recommendations to the relevant business teams for actions to prevent further occurrence.

With respect to Complaints that have material financial or reputational consequences, Compliance will seek the decision of the Management Board on the Complaint.

## 5.4 COMMUNICATION WITH THE COMPLAINANT

Complaints will be acknowledged in writing by mail or email within 3 business days of receipt, regardless of their priority.

Solactive will seek to send a written reply to the complainant within 20 business days of receipt. If this is not possible, an interim response will be sent to the complainant within 20 business days.

If the Complaint is not fully remedied, the reply to the complainant shall include a statement of reasons for this circumstance taking into account Solactive's position.

## 6 CONFIDENTIALITY AND RECORD KEEPING

All information contained in the Complaint will be handled in a manner consistent with applicable data protection laws. This refers to maintaining confidentiality of personal information of the complainant. Solactive will not disclose the identity of the individual complainant, unless required by law or ordered by supervisory authorities. Solactive may collect information from the complainant to process and investigate the Complaint. This may require sharing information within different departments of Solactive.



Solactive will keep records of all correspondence and documents relating to any Complaint, regardless of whether submitted by the complainant or Solactive, for at least five years.

## 7 DEFINITIONS

For the purposes of this document, the defined terms used herein shall have the following meaning:

'BMR' means the Regulation (EU) 2016/1011 of the European Parliament and of the Council of 8 June 2016 on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of investment funds.

'Compliance' means the compliance department of Solactive.

'Index' (or 'Indices') means an index within the meaning of the BMR.

'Management Board' means the management board of Solactive.

'Solactive' means Solactive AG and its subsidiaries.

# CONTACT

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