

## **SUMMARY INFORMATION**

In accordance with the provisions of Article 26 of Regulation EU 2017/565 and CySEC Circular C338 regarding the complaints handling of CIFs, the Firm is required to establish, implement and maintain effective and transparent procedures for the reasonable and prompt handling of complaints or disputes received from clients or potential clients, and to keep a record of each complaint or dispute and the measures taken for the complaint's resolution. The Complaints procedure applies to complaints about the Firm's services and products. A "complaint" is deemed to be any oral or written statement alleging grievance by a client or potential client.

FIDUS Investments Cyprus Ltd ensures that there is a clear, effective and robust complaint handling policy and procedure in place which prevents any barriers towards customers who wish to raise a complaint.

### **1. PURPOSE**

The Company maintains the Complaints & Disputes Policy for the reasonable and prompt handling of complaints received from existing and potential individual and corporate clients. The purpose of this Policy is to ensure that through the accurate implementation of the related procedure, complaints about the Company are resolved as part of a continuous process to improve products and services and manage the Company's operational risk in addition to ensuring client satisfaction to the best of its ability. The objective is that the client gets an assurance that the matter is being reviewed, gets a prompt response, is notified as soon as possible of the outcome, and is satisfied that the complaint has been properly dealt with.

### **2. RECEIVING A COMPLAINT**

Paragraph 23 of Circular C030 (Guidelines on certain aspects of the compliance function requirements of the Law) requires that the compliance function should have a role in overseeing the operation of the complaints process and it should consider complaints as a source of relevant information in the context of its general monitoring responsibilities. This does not require compliance functions to have a role in determining the outcome of complaints. To be able to fulfil its obligations pursuant to this requirement, the Compliance Officer has access to all customer complaints received by the firm.

Information shall be provided to all clients of the Company as to how they may notify the Company of any complaint which they have regarding products or services of the Company, in a durable medium, through the Company's MiFID Pre-Contractual Information as well as through the Company's website at [www.fidusinvestments.eu](http://www.fidusinvestments.eu).

The MiFID Pre-Contractual Information shall set out the ways in which the client may submit and the Company shall receive complaints, which is as follows:

By e-mail	compliance@fidusinvestments.eu	The email will be received by the Compliance Officer
By fax	00357-22502960	Attn.: Compliance Officer
By post	16 Kennedy Avenue, 3 <sup>rd</sup> Floor, 1087 Nicosia – CYPRUS, C/O Compliance Officer	The incoming letter should be registered by reception and directed to the Compliance Officer
Through the website by using the related “Client Complaint Form”	www.fidusinvestments.eu	The Client Complaint Form will be received by the Compliance Officer

**Complaints received directly by member of staff dealing with the client**

Despite notification of the above procedure to the client through the MiFID Pre-Contractual Information, it is possible that the client may make a complaint directly to the member of staff which the client is dealing with, and such complaint may be made orally or in writing. Any complaint received orally should be duly documented by the recipient. All oral documented complaints as well as any written complaints should be instantly sent to the Compliance Officer as well as the line manager of the recipient of the complaint.

**3. INTERNAL COMPLAINTS REGISTER**

The Compliance Officer is responsible for maintaining an internal complaint register (“Complaints Register”). Upon receiving the complaint, the Compliance Officer shall register the complaint on the Complaint Register, giving it a unique reference number.

The unique reference number shall consist of ten digits as follows:

- (1) the first two digits are the unique code which has been assigned to the Firm by CySEC for the purposes of the Transaction Reporting System
- (2) the following four digits define the year, and
- (3) the last four digits denote the number of each complaint serial number  
(e.g. for 2015 – [ ]20150001, [ ]20150002, for 2016 - [ ]20160001, [ ]20160002).

The unique reference number is communicated to the complainant by the Compliance Officer who informs the complainant that he should use the said reference number in all future contact with the Firm, the Financial Ombudsman and/or the CySEC regarding the specific complaint.

#### **4. INFORMING THE COMPLAINANT**

The Compliance Officer should contact the complainant and send the complainant a written acknowledgment of the complaint within 5 working days. Such written acknowledgment will include the complaint reference number, the name of the contact person and the next step in the process.

The client should be informed that all complaints are taken very seriously by the Firm and that the Firm will endeavour to resolve any issues at the earliest possible. The Compliance Officer shall investigate the complaint and shall reply within two months, to the complainant about the outcome/decision. During the investigation of the complaint, the Compliance Officer informs the complainant of the handling process of his/her complaint.

In the event that the Compliance Officer is unable to respond within two months, it informs the complainant of the reasons for the delay and indicates the period of time within it is possible to complete the investigation. This period of time cannot exceed three months from the submission of the complaint.

Any complaints which cannot be addressed within this timeframe should be notified to the General Manager by the Compliance Officer.

#### **5. SUBMISSION OF INFORMATION TO CySEC**

Every month, the Compliance Officer provides to CySEC information regarding the complaints it receives and how these are being handled.

In particular, the Compliance Officer completes every month (reporting month) the form XX\_yyyymmdd\_COMP-CIF (excel file, the 'Form') of Annex 1 of Circular C338 issued on 07 October 2019 by CySEC (as this may be amended or replaced from time to time) and sends it to CySEC within five days after the reporting month. The 'Form' is sent in electronic form via the TRS. All relevant details for completing and sending the 'Form' are referred to in Annex 2 of Circular C337 issued 07 October 2019 issued by CySEC (as this may be amended or replaced from time to time).

A CIF that did not receive any complaint within the reporting month, shall select "No" in the relevant field and shall submit the Form without completing any further information. In the event where the Firm has resolved and/or revised a complaint which was referred to the CySEC in a previous submission of the above mentioned 'Form', the Compliance Officer must complete all the fields of the 'Form' and select the 'U' from the column Record Type.

## **6. NAMING, SIGNING AND SUBMITTING THE COMPLAINTS FILE**

### **6.1 Naming**

The Compliance Officer should rename the Annex 1 Excel file in accordance to the following naming convention:

XX\_yyyymmdd\_COMP-CIF

- (1) XX – This denotes the two letter codification which the Firm has already used when submitting files to the TRS. This codification should be entered in capital letters.
  - (2) yyyymmdd – This must be the last date of the month for the reporting period (i.e 20160131, 20160229).
  - (3) COMP-CIF – This is the coding of the form it remains unchanged and should be inserted exactly as it appears.
  - (4) The Excel® shall be of 2007 version and onwards. Excel will add the extension .xlsx as soon as it is saved. This extension should not under any circumstances be inserted manually.
  - (5) The above naming convention must not contain any spaces.
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## **6.2 Signing**

After the naming convention, the Firm shall use the CySEC approved digital certificate to sign the Form. The Commission has prepared a specialized program (CySEC Digital Signer) to facilitate the Regulated Entities to sign their Forms. Cyprus Stock Exchange website, at <http://www.cse.com.cy/en-GB/Electronic-Signatures>

## **6.3 Submitting**

After digitally signing the Forms, the Excel files should be submitted to the Commission via the TRS system. The technical information, to login to the TRS is the following:

- i. Address: Server IP address: 212.31.100.75 Server Type: SFTP using SSH2
- ii. Program to be used: Any file transfer program (SFTP – SSH2) can be used, such as FileZilla, which is a free program and is available at <http://filezilla.sourceforge.net/>
- iii. Login/Password: The login and password are those given to the Firm upon request via email to [information.technology@cysec.gov.cy](mailto:information.technology@cysec.gov.cy).

iv. TRS directories:

At user home directory, there are two directories:

- (1) Incoming – the Digitally Signed Form must be uploaded in this specific folder.
  - (2) Outgoing – the feedback file of the Form can be downloaded from this specific folder. Special emphasis is given to the fact that the root directory should not be used to upload any files.
- v. After login into the TRS system and submitting the digitally signed Form, the Firm will receive, via TRS, the feedback file of the Forms (located in the outgoing folder), which will have an 'OK' indication and will be the only evidence that the Form was submitted successfully.

vi In cases where the submission of the Form is not successful, meaning that error(s) are identified by the TRS during data processing of the Form, the Firm will receive the feedback file of the Form, via TRS, (located in the outgoing folder) which will describe the error(s).

In these instances, the Firm shall immediately correct the error(s) and re-submit the Form using the procedure described above.

## **7 THE ROLE OF THE COMPLIANCE OFFICER**

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The Compliance Officer will retain record of the complaint in the client's profile for further reference. This will include details of the complaint, the time and date, services which the client was provided with, the way in which the issue was resolved as well as the timeframe in which it was resolved.

The Compliance Officer is to report the received complaint to the Risk Management Committee, the Risk Manager and the General Manager on a monthly basis. The Compliance Officer has full power to investigate any complaints received. The Compliance Officer is responsible for monitoring the progress of each complaint and validate the procedure followed. The Compliance Officer has to ensure corrective and preventative action is taken by the affected department(s). This may take the form of an informal word with the person(s) involved, inductions procedure, additional staff training, supervision or amendment/addition of procedures for preventing future instances. **All information relating to complaints is strictly confidential and will be kept as such.**

**FOR COMPANY USE ONLY**

<b>Received by</b>	
<b>Date of Reception</b>	
<b>Reference Number</b>	
<b>Department Involved</b>	
<b>Employee Involved</b>	
<b>Compliance Officer attached proof of acknowledgement</b>	
<b>Assigned Person to Handle the case</b>	
<b>Initial Response to client/acknowledgement</b>	
<b>Date of the initial response to client</b>	
<b>Brief description of the Initial action</b>	
<b>Informing client of initial action taken</b>	
<b>Brief description of additional action</b>	
<b>Brief description of the settlement of the case / concluding communication with the client</b>	
<b>Signature of employee in charge of the case</b>	Signature & Date:
<b>Validation of the procedure by the Compliance Officer including attached proof of acknowledgements of the Risk manager, Risk Committee and General Manager</b>	Signature & Date: