



**COMPLAINTS MANAGEMENT FRAMEWORK**

**FINANCIAL ADVISORY AND INTERMEDIARY SERVICES ACT**

**OAKHAVEN CAPITAL (PTY) LTD**

**FSP 43738**

## **1. INTRODUCTION**

- 1.1. Oakhaven Capital (Pty) Ltd (“the FSP”) is an authorised financial services provider and is regulated by the Financial Sector Conduct Authority (FSCA).
- 1.2. The FSP is committed to principles of transparency, accountability and the fair treatment of clients and have implemented this complaints management framework to address and resolve complaints received from clients in a timely and fair manner.

## **2. COMPLAINTS MANAGEMENT**

- 2.1. A complaint must arise from a financial service rendered by the FSP or any of its representatives to that client, or if the client suffered financial losses because of negligent or intentional error.
- 2.2. A complaint must not relate to the investment performance of a financial product which is subject to the complaint, unless such performance was guaranteed expressly or implicitly, or such performance appears to be deficient as to raise a prima facie presumption of misrepresentation, negligence, or maladministration on part of the FSP or its representatives.
- 2.3. Once the FSP receives a complaint in writing, it must be categorised as follows:
  - 2.3.1. Fees or other charges;
  - 2.3.2. Information/advice provided not provided;
  - 2.3.3. Performance of financial service with due care and skill;
  - 2.3.4. Redemption of investments; or
  - 2.3.5. Complaints handling process.
- 2.4. The FSP must maintain records of complaints received for a period of 5 (five) years, and must include the following information in its complaints register:
  - 2.3.1. Full details of the complainant;
  - 2.3.2. Nature of the complaint;
  - 2.3.3. Categorisation of the complaint; and
  - 2.3.4. Progress and status of the complaint.

- 2.5. If the FSP receives a complaint, the FSP must acknowledge receipt thereof in writing to the client within 3 (three) business days and provide the particulars of the person who is responsible for dealing with the complaint.
- 2.6. The FSP must take steps to investigate the complaint and ensure that it is resolved within 30 (thirty) business days from receipt thereof.
- 2.7. If a complaint is rejected, the client must be provided with clear and adequate reasons for the rejection and details of the procedure for escalating the complaint in writing.
- 2.8. Where the complaint is resolved in favour of the complainant, the FSP must ensure that a full and appropriate level of redress is offered to the complainant.
- 2.9. The FSP must familiarize themselves with this framework and receive adequate training regarding the resolution of complaints.
- 2.10. The FSP must inform the Compliance Officer upon receipt of a complaint and provide the Compliance Officer with the required information as per paragraph 3.2 herein.

### **3. COMPLAINTS PROCEDURE**

- 3.1. A complaint must be lodged with the FSP in the prescribed form and manner as soon as reasonably practicable.

- 3.2. To lodge a complaint, the client must send the complaint via email to the following persons:

FSP: Bruce Thistlewhite: [bruce@oakhavencap.co.za](mailto:bruce@oakhavencap.co.za)

External Compliance Officer: [ics@complianceservices.co.za](mailto:ics@complianceservices.co.za)

- 3.3. The client must provide the following information when lodging a complaint:

- 3.3.1. Client name, surname and contact details;

- 3.3.2. A complete description of the complaint;

- 3.3.3. The name of the representative that rendered financial services to the client;

- 3.3.4. The date on which the matter occurred;

- 3.3.5. All the supporting documentation relating to the complaint.

#### 4. COMPLAINTS ESCALATION

4.1. If a complaint cannot be resolved by the FSP within the 30 (thirty) business days from the receipt thereof or to the clients satisfaction, the client has the right to refer the complaint to the Office of the Ombud for Financial Services Providers (“the Ombud”) appointed for this purpose.

4.2. The contact details of the Ombud are as follows:

E-mail: [info@faisombud.co.za](mailto:info@faisombud.co.za)

Website: [www.faisombud.co.za](http://www.faisombud.co.za).

4.3. For a complaint to be submitted to the Ombud, the Rules of the Ombud and certain jurisdictional limits and restrictions will apply.

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