

Complaints Handling Policy



P. +441865679984

E. support@otxforex.com

W. www.otxforex.com

- 1. Introduction**
- 2. Scope of the Complaints Handling Policy**
- 3. Complaint Definition**
- 4. Complaint Filing Procedure**
- 5. Principles of the Procedure**
- 6. Server Log File**
- 7. Indemnification**
- 8. Refusal of Complaint**

1.) Introduction

1.1) At OTX Forex, we aim to provide prompt, courteous, helpful, open and informative advice in response to every approach made by a member of public. We are always keen to hear the views of our customers, particularly the general public, about our performance generally - what we do right and what we do wrong. We recognise that, as in all organizations, from time to time things can go wrong and we may not provide the standard of service that we have set ourselves. We are especially keen to hear about such instances, since they provide us with an opportunity to put things right and to learn from our mistakes.

1.2) If any conflict situation arises when the Client reasonably believes that OTX Forex as a result of any action or failure to act has breached one or more of the terms of the Legal Agreements, the Client has the right to lodge a complaint with OTX Forex as soon as reasonably practicable after the occurrence of the event.

2.) Scope of the Complaints Handling Policy

2.1) The purpose of this policy is to set out the internal complaint resolution system and the procedures which the company has established, maintains and follows for the resolutions of complaints.

3.) Complaint Definition

3.1) A complaint is an expression of dissatisfaction addressed to the company by a client which can be a natural or legal person, relating to the provision of investment or ancillary services under the law.

3.2) A complainant is a natural or legal person who is presumed to be eligible to have a complaint considered by the company and who has already lodged a complaint

3.3) A complaint received from a client should include;

- a.)** Client's full name and Surname
- b.)** Client's trading account number
- c.)** The date and time of the issue
- d.)** Description of the issue
- e.)** If related to a transaction, then Ticket or order number

3.4) A complaint must not include offensive or threatening language directed either to the company or an employee of the company

4.) Complaint Filing Procedure

4.1) All complaints or grievances must be in writing and shall be addressed, to the Customer Support Department of the Company via email at support@otxforex.com

4.2) If the Client is unsatisfied by the response from support team or if support team is unable to resolve the complaint, the matter shall be forwarded to the Complaints handling Team at complaints@otxforex.com

4.3) The Company will not be able to handle or investigate a complaint if the requirements included in heading 3 above are not fulfilled. In such a case, the company may contact the Client directly in order to obtain further clarifications and information relating to their complaint.

4.4) Upon receipt of the complaint the department which has received the complaint shall record the complaint in the complaints registered and will thoroughly examine all complaints as required without undue delay.

4.5) Upon receiving the complaint, the Company will inform the complainant within five (5) business days that it had received the complaint.

4.6) The Company shall send its initial response to the Client within ten (10) business days from the actual receipt of the complaint. If the complaint requires further investigation and it cannot be resolved it within ten (10) business days, it will inform the client as such.

4.7) Upon completion of the investigation the Company shall send a written notice to the complainant informing of the outcome of the investigation along with the reasons for reaching such a decision.

4.8) If the Company does not manage to conclude its investigation and/or respond to the complainant within two (2) months from the date of receipt of the complaint, the Company shall send a written notice explaining the reasons for not reaching a decision and/or concluding the investigation yet, the reasons for the delay as well as indicate the period of time within it shall be able to complete the investigation.

5.) Principles of the Procedure

5.1) All complaints shall be treated confidentially.

5.2) The Company shall handle Client's complaints in a timely and fair manner.

5.3) The company shall take all reasonable steps to investigate and respond promptly to any complaints.

5.4) The Company shall use its best endeavours to provide the best service to its Clients.

6.) Server Log File

If the complaint related to transaction or any trading activity, the Server Log File will be considered the most reliable source of information in a case of any such dispute. The Server Log File has the absolute priority over other arguments including the Client Terminal Log File as the Client Terminal Log File does not register every stage of the execution of the Client's Instructions and Requests. If the Server Log File has not recorded the relevant information to which the Client refers, the argument based on this reference may not be considered.

7.) Indemnification

7.1) OTX Forex may indemnify the Client by:

- a.) crediting/debiting the Client's Trading Account: this correcting entry will have an explanatory narrative; and/or
- b.) reopening erroneously closed positions; and/or
- c. deleting erroneously opened positions or placed Orders.

7.1) OTX Forex has the right to choose the method of indemnification at its sole discretion.

7.2) Complaints on matters not mentioned in the Legal Agreements are resolved in accordance with the common market practice and at the sole discretion of OTX Forex.

7.3) OTX Forex shall not be liable to the Client if for any reason the Client has received less profit than the Client had hoped for or has incurred a loss as a result of uncompleted action which the Client had intended to complete.

7.4) OTX Forex shall not be liable to the Client in regard to any indirect, consequential or non-financial damage (emotional distress, etc.).

8.) Refusal of Complaint

8.1) OTX Forex has the right to dismiss a complaint in case it does not comply with the requirements set out above.

8.2) OTX Forex shall have the absolute right to refuse a complaint lodged by a Client.

8.3) If the Client has been notified in advance by Trading Platform internal mail or some other way of routine construction on the Server, complaints made in regard to any unexecuted Instructions or Requests which are given during such a construction period, are not accepted. The fact that the Client has not received a notice shall not constitute a reason to lodge a complaint.

8.4) Complaints in regard to a Transaction or Order execution based on the difference in the prices for the Contract for Difference in the Trading Platform and for the underlying asset of the Contract for Difference are not accepted.

8.5) Complaints in regard to time of Order execution notwithstanding the amount of time a Dealer needed to execute the Order as well as the time when the Server Log-File Recorded Order execution are not accepted, unless the Order placed in the queue has not been executed as the Terms of Business provide.

8.6) No Client complaints will be accepted in regard to the financial results of the deals made using temporary excess Free Margin on the Trading Account gained as a result of a profitable position (cancelled by the Company afterwards) opened at an Error Quote (Spike) or at a Quote received as a result of a Manifest Error.

8.7) In regard to all disputes any references by the Client to the Quotes of other companies or information systems will not be taken into account.

8.8) The Client acknowledges that he/she will not be able to manage the position while the dispute in regard to this position is being considered and no complaints in regard to this matter are accepted.

8.9) The Client acknowledges that OTX Forex will not notify him/her that the dispute has been resolved and the position has been reopened and the Client shall be responsible for all the risks in this respect.

8.10) Once the dispute has been resolved the OTX Forex has the right to trigger the Stop Loss or Take Profit in the chronological order in which they would have been triggered if the Stop Out had not been executed.

8.11) OTX Forex has the right to void any Transaction if the corresponding hedge trade has been cancelled by a Liquidity Provider.