

Guidelines on the management of complaints and petitions to supervisory authorities and appeals to alternative dispute resolution bodies	Version number: V1.0	Effective date: 27.12.2022	Type primary	
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	Approved by decision: Board of Directors from 21.12.2022	***COMMERCIAL SECRECY***		

Subject: Management of complaints and petitions to supervisory authorities and appeals to alternative dispute resolution bodies

Related documents:

- Law no 202/ 6.10.2017 on banking activity;
- NBM Regulation no. 322/ 12.20.2018 on banking activity management framework;
- Law no.103 of 13.03.2003 on consumer protection;
- Law no. 202/12.07.2013 on consumer credit agreements;
- Group Guidelines for the management of complaints and petitions to supervisory authorities and appeals to alternative dispute resolution bodies;
- Consumer Protection Policy of EXIMBANK;
- Instruction on compliance clearing of the information provided to consumers at the pre-contractual phase.

Abbreviation:

Parent Company	Intesa Sanpaolo S.p.A.
PIA	Privacy Impact Assessment
DPO	Data Protection Officer
Bank	JSCB "Eximbank"
UT	Territorial units (branches)
NBM	National Bank of Moldova
SISNFPCP	State Inspectorate for the Supervision of Non-Food Products and Consumer Protection
DCAML	Compliance & AML Department
RMD	Risk Management Department
DAI	Internal Audit Department
RAF	Risk Appetite Framework

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1. INTRODUCTION

The JSCB “EXIMBANK” (hereinafter “the Bank”) puts its customers first and engages in constant dialogue with them in order to maintain the relationship at excellent levels. Therefore, complaints and other claims made by customers to show their lack of satisfaction are taken very seriously, and if they are promptly assessed and managed:

- the reasons behind the dissatisfaction may be addressed and the relationship saved;
- they can represent a useful indicator of service levels to give ideas on how to improve the products offered and the commercial processes and perfect the characteristics of specific products/services;
- they can help assess and manage operational and reputation risks, and more especially, compliance and conduct risks.

These Guidelines defines, at Bank level, the applicable model to assess and manage complaints, appeals and petitions to the Supervisory Authorities, setting out the guiding principles, roles and responsibilities of the Bank structures involved in performing the related activities and the applicable macro-processes.

The management of complaints described in the present Guidelines also contributes towards consolidating the dialogue between the Bank and the Supervisory Authorities through a transparent and productive examination of the factual circumstances reported by the customer and their assessment in light of applicable regulations.

Definitions :

On the basis of applicable law, the following definitions are given for the purposes of these Guidelines:

- **“customer”**: the natural person who has or had a contractual relationship or who entered into a business relationship with Eximbank or a person who expresses the intention to enter into a business relation with the Bank;
- **“petition”**: any action where customers notify the Supervisory Authorities regarding behaviour of the Bank that they consider to be wrong or unlawful;
- **“instances”**: complaints, petitions and appeals, considered as a whole;
- **“grievance”**: any oral notification of a problem in the customer/bank relationship or situations where the customer believes they have received poor service;
- **“complaint”**: any action where customers, personally or through their representatives, make a written complaint to the Bank about their behavior, including failure to act, and the repetition of a complaint already identified by the Bank;
- **“appeal”**: any action where customers request action by an Alternative dispute resolution body;
- **“alternative dispute settlement bodies and systems”**: the procedures and bodies that provide a permanent structure for the possible settlement of a dispute between the customer and the Bank through an alternative to ordinary judicial proceedings;

2. SCOPE

These Guidelines covers cases concerning all products and services supplied by the Bank to its customers.

This document does not cover the following:

- customers exercising their right to access personal data, managed by a specific function (DPO) pursuant to related legal provisions and regulations;
- civil, criminal, administrative, labour, credit collection or tax disputes which are managed by the applicable legal functions (Legal Department, Credit Management Department);
- requests to derecognize an unauthorized payment transaction, managed by a specific function (Back Office & Payments Department) and subject to specific internal regulations.

3. GUIDELINES - GENERAL PROVISIONS.

3.1 The Bank manages customer claims, according to principles of transparency and fairness and aims to essentially settle disputes in compliance with applicable legislation.

Claims management first assumes that the factual circumstances reported by the customer and the behavior of the staff who gave assistance will be checked; the resulting assessments and decisions are based on internal and external regulations and on applicable contractual provisions and the guidelines set out in the Bank Code of Ethics. The management of objections also helps consolidate the dialogue between the Bank and the Supervisory Authorities through an examination of the factual circumstances reported by the customer and their assessment in light of applicable regulations.

The following standards apply to the activities described in these Guidelines:

- **Customer relations:**
 - the procedures for making a complaint, related rights and maximum times for a reply are defined and explained to customers using readily accessible procedures, also informing customers that they may contact alternative dispute resolution bodies;
 - the submission of complaints and the subsequent interaction between the customer and the Bank is not subject to costs or charges.
- **Organizational setup:**
 - complaints are managed by a dedicated Function (“Compliance & AML Department”), which is separate from Bank commercial and marketing functions;
 - the Compliance Function (assigned to Compliance & AML Department) with the support of legal function is in charge of managing objections submitted by customers to the Supervisory Authorities;
 - if a customer makes a complaint to a company unit other than the Compliance & AML, it must be promptly forwarded to the Compliance & AML Department and must not be dealt with in a way that is not consistent with the standards set out and the processes described in these Guidelines;
 - the Compliance & AML Department must be staffed with people who have adequate expertise, in qualitative and quantitative terms; the people who work in the Compliance & AML Department must be guaranteed adequate training on their duties, which also includes:
 - i. mechanisms that encourage actual utilization, and
 - ii. an incentive system that, within the scope of the Bank’s variable remuneration systems, takes account of the contribution made to improving customer relations;
 - any necessary authority given to specific people to manage the complaints must allow for adequate supervision of activities by the head of the Compliance & AML Department;

if the management of complaints is outsourced by a Group Company/Bank, the outsourcing can only be assigned to another Group Company/Bank; the relative contracts must comply with regulations on the outsourcing of Critical and Important Functions (CEI), specifically governing the service levels and the exchange of information necessary to promptly identify any critical signals that can be understood from customer complaints; the Compliance & AML Department defines specific information flows with other structures of the Bank to allow for the effective use of information that may be obtained from complaints. The purpose is to understand areas of customer dissatisfaction and evaluate any revision of commercial products offered or service models used. In this regard, close examination of complaints is a fundamental part of the monitoring activities envisaged in Product Governance processes, formalized in the

“Implementing Rules of the ISP Group guidelines for the approval of new products, services and activities aimed at specific target customers”.

▪ **Processes and procedures:**

- the complaint must be adequately dealt with to take account of the various reasons behind the customer dissatisfaction; information must be provided in a language that is as simple, clear and understandable as possible, and sent promptly, and in any case within the terms established by law. Additionally, on registration, a notice should be sent to the customer to the effect that the complaint is being “handled”, using traceable methods (including SMS messages and emails). If further investigation is necessary to reply to the complaint which is not legally compliant, the party filing the complaint must be promptly informed of this situation in a specific notice;
- any consolidated guidelines of alternative dispute settlement bodies are considered when assessing complaints relating to those situations and where necessary, for review of the products on sale and the strengthening of relative processes.

▪ **Controls:**

- the Network Management Department carrying out first level controls at the branches and checks complaints management procedures at regular intervals, based on the control objectives defined in the Procedure regarding the line control within the branches of JSCB “EXIMBANK”;
- the Compliance & AML Department:
 - carries out second level controls to ensure that internal procedures can guarantee the correct management of complaints, also through an adequate first level control system;
 - also continuously examines claims from customers in order to analyze the causes and identify any shortcomings in Bank processes or commercial behavior that require corrective action to ensure compliance risks are monitored; this analysis takes account of recurring aspects in customer disputes regarding products and services, with respect to which Compliance Function receives information flows from the Bank structures;
- the Internal Audit Department carries out its activities, considering the risks that may be posed by an inadequate complaints management process and/or an incorrect implementation by Bank structures in charge.

3.2 Complaints classification

The complaints can be classified based on the different criteria, as follows:

Depending on **the receiver of the complaint**, complaints can be received:

- by UT, in written form or by official email of the unit / employees of the respective unit;
- by the Bank's Head Office, in written form or by official contact email;
- by a representative (a person acting as a trusted intermediary between EXIMBANK and the client);
- through the section intended for submitting complaints or petitions developed on the Bank's website (the section contains explanatory information to clients about complaints and disavowal and an on-line registration form);
 - by a certain regulatory authority (e.g. National Bank of Moldova, State Inspectorate for the Supervision of Non-Food Products and Consumer Protection, etc.), subsequently addressed to the Bank;
- identified and published by the media or other communication channels (on-line forums, etc.);

Customers who call the Bank's Contact Center will be redirected to register a complaint or petition to the Bank headquarters, materialized in written documents or to transmit documents at the email address of the unit (s) or by accessing the dedicated section on the official website of the bank;

Depending on the **customer segment**, complaints can be classified in one of the following criteria:

- consumer segment – formulated and submitted by individuals or in their name;
- business segment – formulated and submitted by legal and economic entities or in their name;
- “other categories” segment – formulated and submitted by other entities, big corporation, public institutions and other categories which are not mentioned in the above categories.

Depending on **object, reason and analysis result** complaints can be classified as described in the Annex 2 – Classification of complaints.

A special attention in the complaints management process and proper information of the Eximbank management is given to complaints whose resolution implied the use of resources embodying economic benefits (e.g. payments, compensations, cancellation / reduction of fees, interest, etc.).

3.3 Priority level

The priority level for providing to the clients an answer regarding the resolution of their complaints is the deadline established by the Compliance & AML Department. The responses are sent by the responsible structure/ unit of the Bank established as per the workflow described in the present document.

The priority level is structured depending on the complexity of situation, as follows:

- Level 0 - deadline for sending the response to customers is up to **48 hours**. The priority level 0 is assigned if the complaint is an urgency and it is possible in that deadline. If possible, the structures involved in solving the complaint have to make all efforts for fixing the complaint within this deadline.
- Level 1 - deadline for sending the response to customers is up to **5 days**. The priority level 1 is assigned if the measures to be taken in order to resolve the complaint need a longer period for analysis and preparation of the response.
- Level 2 - deadline for sending the response to customers is up to **14 days**. The priority level 2 is assigned if the steps to be taken for resolving the complaint need a medium term, more structures of the Bank are involved, must be analyzed in detail relevant contracts etc. more.
- Level 3 - deadline for sending the response to customers (legal person) is up to **30 days**. Can be assigned the priority level 3 in justified cases – longer periods of response due to the diversity of external factors / high complexity of the situations, etc. This level is not applicable in relations with natural persons
- for the complaints submitted to the Bank with regard to payment systems, in accordance with the Law on payment services and electronic money no.114/2012, the deadline for sending the response to complainant is up to **15 days**.

If the answer to the complaint is not formalized by assigned structures within the deadline set by the Compliance & AML Department, they must request with the adequate justification a reasonable extension of the deadline, ensuring for the applicant the compliance with the deadlines set by the legislation in force.

The Bank, through the designated structures, will provide a response with the outcome of the investigation / analysis, the Bank's official position, its reasoning, and the actions to be taken or the justification of the refusal if the request or instance is rejected.

In all cases, the deadline for sending the response to customers is started from the date of receipt of the complaint by the Bank and should not exceed 30 days (for natural persons – 14 days) and 14 days respectively, in the case of complaints for that are applicable provisions of Law no. 133 of 2011 on the personal data protection.

The response deadline will always be correlated with the specific legislation applicable for complaint, the term that may be different from the above, will be indicated by the Compliance & AML Department at the time of registration and distribution of the complaint for settlement.

4. ROLES AND RESPONSIBILITIES

The Bank structures play an active role in fulfilling the requirements with respect to managing customer complaints as provided under these Guidelines and set out in the paragraphs that follow.

4.1 Corporate Bodies

The Corporate Bodies of the Bank:

- approve these Guidelines and any updates, on the proposal of the Compliance Function;
- define, on the proposal of the Risk Management Department, the statements and limits of the Risk Appetite Framework (RAF) (if existing), concerning customer claims and review quarterly reporting in the Group Risks Dashboard on evidence identified during the monitoring of compliance with defined thresholds;
- examine the reporting provided, at least yearly, by the Compliance Function with respect to the overall situation regarding instances received at Bank level, and the adequacy of the organizational procedures and the proposed measures and solutions adopted.

4.2 Compliance & AML Department

The Compliance & AML Department is the Bank's designated structure as a complaint management function, ensuring that complaints are investigated impartially, identifying and diminishing the number of potential conflicts of interest resulting from this process. Customer complaint management also involves different structures of the Bank whose tasks are described in the present Guidelines. The Compliance Department

opens complaints cases and manages them based on procedures which effectively and promptly ensure the processing of the complaints, acting independently of the commercial and marketing functions.

With regard to managing customer complaints, Compliance & AML Department:

- a) records and manages complaints in accordance with applicable legislations and these Guidelines, coordinating the most significant aspects with the Legal Department and Internal Audit Department;
- b) analyses the content of the complaints received, identifies recurring problems and submitting them to relevant entities for necessary improvement actions; also evaluates if the complaint involves any risks of non-compliance;
- c) provides support to the relevant UT or relevant structures in finding the solution and drafting the responses to the complaints;
- d) assists other Bank structures in devising processes to use information relating to complaints, for the purpose of improving customer knowledge and business development;
- e) puts in place control systems that enable the systematic monitoring of the state of progress of the complaints;
- f) proposes the statements and limits of the RAF, concerning customer instances and monitors tendencies, giving evidence of monitoring outcomes on a quarterly basis; if limits are exceeded, it analyses events attributable to poor service or any cases where regulations have not been complied with;
- g) assesses the guidelines of alternative dispute settlement bodies of which the Legal Department has reported consolidation, in order to analyze possible consequences for the management of complaints concerning similar cases, and for the possible review of commercial products and processes;
- h) in collaboration with HR & Organization Department ensures that the staff managing the complaints are permanently trained, identifying the related training requirements and preparing the content of the training initiatives;
- i) informs HR & Organization Department about the complaints on customer satisfaction for the purpose of assessment process and evaluation of the behaviours of the employees,
- j) assists the Risk Management Department in activities to gather loss data connected with complaints management;
- k) in cooperation with Cybersecurity and Business Continuity Management Department assesses customer complaints related to the right to access personal data, in accordance with the specific provisions of the legislation;
- l) elaborates the complaints reports (an annual report on the overall situation of instances received at Bank level and on the adequacy of the organizational procedures and solutions adopted, as well as a six-monthly update in the Compliance Report) for the Corporate Bodies as per the present document and, provides information on the customer complaints to the Supervisory Authorities upon request;
- m) proposes for approval these Guidelines and any updates to Corporate Bodies;
- n) manages any non-compliance events which emerge from the analysis of the specific complaints of the customers, providing assistance and collaboration to ensure identification and implementation of the corrective actions;
- o) manages petitions to the Supervisory Authorities, providing appropriate feedback in compliance with established deadline;
- p) defines the first and second level control objectives for managing customer complaints. The aims of the first level controls are communicated to the structures in charge, monitoring any corrective actions needed to lessen the specific risks of non-compliance identified in the scope of the control activities;
- q) performs second level of control in order to ensure that the present Guidelines is observed. The purpose of the first level of control is communicated to the responsible structures, monitoring the necessary corrective measures to mitigate the specific risks of non-compliance identified in the scope of the control activities;
- r) performs the second level of control to ensure that these Guidelines is observed (part of the second level control on consumer protection area), in accordance with the *Instruction regarding controls in the Consumer Protection area*, in accordance to which the followings checks are formalized- verification of the processes for management of consumer complaints, as follows:
 - were the processes specified in the *Procedure regarding complaints, disavowals and petitions management* (providing the customers with all the necessary information to allow them to submit complaints, holding all the customers complaints in a specific register, through which information about assessment, solution and other necessary data are recorded, timely providing written response to the customers) above actually applied (during the controlled period);
 - were the first-level controls duly performed;
 - has the first-level controls been assessed as adequate (i.e. were all deficiencies identified and reported to the responsible superior);

- were remedial measures timely taken and effective.
 - control on the correct complaints' resolution on time.
- s) ensures feedback on all complaints, except in cases where the management of the case is taken on - in accordance with the principles set out in these Guidelines - by the Legal Function;

Specific responsibilities of the Compliance & AML Department for examination of complaints:

- recording the complaints in a special register (Complaints Electronic Register) in accordance with legislation in force mentioned in the Annex 1.
- ensuring correct classification of the complaints establishing the priority level;
- monitoring the solving of complaints by the designated structure and ensuring the communication of the response to the clients in the established deadline;
- keeping and archiving of the customers' complaints and the related responses in both forms - scan and on paper;
- monitoring the achievement of operative measures, implement of corrective actions and improvement of the aspects subject of complaints.

4.2.1 Responsibilities of Compliance & AML Department regarding personal data protection

The DPO of the Bank is identified within the Compliance & AML Department and has the following responsibilities:

- is involved, on its own initiative, in assessing specific cases or general matters regarding access rights, providing instructions and interpretations regarding regulations to consider;
- directly manages, on its own initiative, claims related to the right to access personal data exercised in accordance with specific provisions of the law and orders of the competent Authorities;
- assists and supports for areas in its responsibility, to meet the requests of the Competent Authorities.

In accordance with the Policy on the protection of personal data of natural persons, the responsibilities related to the personal data protection are assigned to the DPO identified within Compliance & AML Department.

The DPO - Privacy Function:

- is involved, on its own initiative, in assessing specific cases or general matters regarding access rights, providing instructions and interpretations regarding regulations to consider;
- directly manages, on its own initiative, claims related to the right to access personal data exercised in accordance with specific provisions of the law and orders of the competent Authorities;
- assists and supports for areas in its responsibility, to meet the requests of the Competent Authorities.

4.3 Network Management Department

The Network Management Department assists the Compliance & AML Department, for aspects and structures in its responsibility, in evaluating and managing cases that may be submitted through the structures it manages (UT, Contact Center).

4.4 Branch responsibilities in handling complaints and complaints registers for consumer customers in subdivisions

Managing complaints registers for consumers:

- The Consumer Complaints Register is kept in every branch of the Bank in a visible and accessible place for consumers.
- UT complaint registers are intended exclusively for consumers who have ordered, purchased or used the Bank's products and / or services. Complaints of legal entities, individuals who are not consumers, as well as consumer complaints not related to the Bank's products or services - are not recorded in complaints registers and are filed in general order under the conditions established for official correspondence.
- The complaints register shall be handed to the consumer only upon presentation of the cash receipt, the receipt / payment document or any other document attesting that the consumer has ordered, purchased or otherwise benefited from the Bank's services and / or products. Clients, other persons within the branch,

are denied free access to the complaints register, it is only given to the person requesting the filing of a complaint there, by the responsible employee within the branch of the Bank.

- The Consumer Complaints Register is issued for payment by the State Enterprise Publishing House "Statistics" and its representatives from the statistical offices and territorial sections, authenticated by applying the stamp and signature of the representative of the local public administration authority.
- The purchase of complaints registers for consumer is made at the request of the Network Management Department, with Compliance & AML Department's approval, by the Bank's Procurement Office.
- After purchasing complaints registers, the Procurement Office sends it to Network Management Department;
- Network Management Department sends the complaints registers (by surrender act) to the Branch Manager.
- Within 10 (ten) calendar days after receipt of the registry / registers, the Branch Manager is required to submit the complaint register (s) to the local public administration authority (city hall, preture, etc.) for authentication.
- The Complaints Register is a strict record and can not be canceled until it is fully filled in. The Branch manager is responsible for daily checking of the Consumer Complaints Register placed in the branch under it's subordination. If it finds that less than three free tabs remain in the complaint register, the Branch Manager immediately informs the Network Management Department and Compliance & AML Department about the need to purchase a new registry. The new register will be kept in an accessible place to the public only after the full completion of the old one.
- Within 10 calendar days after completing the register, the Branch Manager shall forward it to the Compliance & AML Department, where it shall be kept for a period of one year after being canceled under the winding-up order.

With regard to managing customer complaints recorded in Consumer Complaints Register, UT has the following responsibilities:

- inform customers on how they can submit complaints, the related rights and maximum time for response;
- promptly send the customer complaints received to Compliance & AML Department;
- provide Compliance & AML Department with the information and documents that asks for when making preliminary assessment of the complaints;
- in cooperation with the competent structure and Compliance & AML Department support, identify the customer complaint, as appropriate;
- prepare the proposal for a reply, for review / approval by Compliance & AML Department, Legal Department, other structures, as the case may be;
- as appropriate, handles the submission of the official response to the client and the archiving of the response and other related documents to the customer account opening file and send a copy / scan to Compliance & AML Department.

The Branch Manager will ensure that all complaints received within their unit are recorded and managed in accordance with the workflow mentioned in these Guidelines.

4.5 Legal Department

The Legal Department:

- assists the Compliance & AML Department, on its own initiative or on request, in the process to assess specific or general issues, providing indications and interpretations about regulations to consider;
- assists and supports the Compliance & AML Department in the preliminary assessment of complaints;
- provides assistance and support to Compliance & AML Department and the assigned structures in the preliminary assessment of the complaints with respect to relationships that were transferred to other legal entities;
- on notification or request of the Compliance & AML Department, directly manages complaints that are particularly complex from a legal standpoint, or that show a breach of trust by the persons who took action, ensuring feedback is given to the party making a complaint, in line with the principles set out in these Guidelines, and traceability of the process;
- manages appeals made by customers and lodged with alternative dispute settlement bodies and consumer association mediation boards;
- identifies the consolidation of specific positions of alternative dispute settlement bodies and makes a legal assessment of them, providing timely reports to the Compliance & AML Department;
- ensures the information flows necessary for the Compliance & AML Department to prepare reporting for Corporate Bodies;

- informs the Compliance & AML Department about any matters or issues that emerge during legal disputes or procedures with alternative dispute resolution bodies that could generate compliance risks;
- prepares periodic reports that are transmitted monthly to the Compliance & AML Department, corporate bodies on the legal disputes and related risks with regard to both general matters and specific positions of disputes.
- upon request by Internal Audit Department or by Compliance & AML Department, in respect of the complaints that are particularly complex from a legal standpoint, ensures that the final response given to the claimant is in line with the principles set out under these Guidelines and providing documented confirmation to Compliance & AML Department. In this respect, Legal Department assures prior endorsement on the draft response, in order to solve the disputes, support in case of mediation/ conciliation for the clients, which are performing. Similar actions regarding preparing of the response are taken for non-performing clients by the Credit Management.
- ensures the necessary support for complaints management addressed to Alternative Dispute Resolution Bodies and Mediation Boards.

4.6 HR & Organization Department

4.6.1 The HR & CSR Office:

- identifies and sends information to structures concerned, that will help assess customer claims that may refer to social responsibility and environmental practices;
- contributes towards the inclusion of social responsibility and environmental matters in training modules for staff in charge of managing customer claims;
- guarantees the continued and systematic control of actions taken with respect to social responsibility and environmental matters within the scope of managing customer claims, in association with applicable Bank entities;
- guarantees that customer claims are considered and assessed in the annual Non-Financial Statement;
- assists the Compliance & AML Department in defining and adopting an annual training plan and programs for the continual professional development of staff in charge of managing cases;
- evaluates claims that could indicate a breach of trust by staff in charge, for areas in its responsibility;
- assists the Compliance & AML Department, for areas in its responsibility, in preparing feedback for requests from the Authorities concerning possible breaches of trust by staff,
- defines and checks the qualitative profile of the Compliance & AML Department workforce

4.6.2 Organization Office

With regard to managing customer complaints, Organization Office:

- supports the Compliance & AML Department in designing a simple, efficient and effective logic customer complaints management process;
- supports the Compliance & AML Department in defining the complaints processing rules and regulations and related documents.

4.7 ICT Department

The ICT Department ensures, for all distribution channels, that appropriate functions are made available to customers for submitting any complaints. As regards the management of customer claims, the ICT Department:

- provide support in managing complaints and objections, or requests received from the Authorities;
- ensure the information flows necessary for the Compliance Function to prepare reporting for Corporate Bodies

4.8 Structures carrying out first level controls

The structures carrying out first level controls checks at regular intervals that the complaints management procedure is carried out properly, based on the control objectives defined by the Compliance & AML Department.

4.9 Risk Management Department

The Risk Management Department assists the Compliance & AML Department in identifying the statements and specific quantitative limits to propose in the Risk Appetite Framework.

4.10 Internal Audit Department

The Internal Audit Department:

- of its own initiative or on notification from the Compliance & AML Department, the Human Resources & Organization Department and Legal Department, carries out investigations and controls to reconstruct the facts or events considered to be of specific relevance, identified in the analysis of specific customer claims, also to establish any employee responsibility;
- carries out controls to assess the efficiency and effectiveness of the operating processes employed to manage customer claims, compliance with applicable internal and external regulations, the reliability of the operating entity and systems to assign authority, and, more in general, assesses whether the Internal Control System in place is adequate.

5. MACRO-PROCESSES

The macro-processes to manage customer claims are described below.

5.1 Information to customers

Information on complaints and the registration process is made available to clients on the Bank's website in a special section dedicated to complaints and petitions containing explanatory information and a form through which such complaints and petitions can be forwarded directly to Compliance & AML Department. This information is also provided to customers in UT, where customers can also file and record complaints and petitions. In the case of the External Call Center, clients are redirected to submit a complaint or petition to the Bank's territorial units or to access the official website, the dedicated section.

Territorial Units with Compliance & AML Department support prepares adequate information to provide customers, in accordance with applicable laws and regulations, concerning :

- the option of submitting a direct complaint against the actions or behaviour of the Bank or its staff, and the commitment of the Bank to provide a timely response to each complaint;
- no charges are due for any communication with the Compliance & AML;
- information on how to send the complaint, specifying the ordinary postal and e-mail addresses;
- information regarding the applicable Supervisory Authorities and use Alternative Dispute Resolution Bodies and Systems;
- and checking the suitability and proper distribution of such information in accordance with the instructions.
 - The official website of the Bank www.eximbank.md, in the Contact section has been developed a customer information page "Suggestions and Complaints" as well as an on-line form for complaints registration.

Bank customers, counterparties or third parties may send / submit complaints to the Bank through the following means of communication:

- a. by post;
- b. e-mail;
- c. the Bank's web site;
- d. complaints register (from branches);
- e. other means of communication, such as filing a claim in paper form, in one of the Bank's subdivisions.

5.2 Preliminary assessment, definition of and response to complaints

5.2.1 Registration of complaints

The Compliance & AML Department records each complaint in the internal records independently from the office who received it., a In the case of complaints / petitions lodged personally by the petitioners at the premises of the UT or the Head Office, a duplicate of the notification will be issued with the registration number

of the Bank and in the case of complaints / notifications sent via email / on-line form an email will be sent with the confirmation of receipt and registration in the Bank's records.

All complaints addressed to the Bank shall be recorded as prescribed for entry correspondence at the General Services Function within Logistic Department of the Bank and then sent to the Compliance & AML Department for registration in the Complaints Electronic Register.

For complaints lodged by customers at UT, the responsible person within the UT records the complaint in the Incoming Record Register by applying the date stamp to acknowledge the date of receipt of the complaint by the Bank and handing the applicant a copy of the complaint with the confirmation of its registration and then on the same day it is sent to the Compliance & AML Department for registration in the Complaints Electronic Register.

In the case of complaints sent to the Bank by post, they shall be recorded by applying the stamp with the date of entry by the person in charge of the General Services Function within Logistic Department, and the period from which the complaint takes effect shall be the date of receipt by the Bank. Subsequently, on the same day, they are sent to the Compliance & AML Department for registration in the Complaints Electronic Register.

Complaints sent to the Bank's e-mail address - info@eximbank.com, or those placed at the "Suggestions and Complaints" section of the Bank's website, are recorded in the Incoming Records Register, by the person in charge of the General Services Function within Logistic Department and on the same day are sent to the Compliance & AML Department for registration in the Complaints Electronic Register.

Regardless the means of communication of the received complaint, it shall be sent to the Compliance & AML Department.

The Compliance & AML Department records each complaint in the Complaints Electronic Register, with references both to the specific file and regarding to:

- identification of the customer making a complaint;
- the date when the letter of complaint arrived, or any other written communication and the registration number in the Bank's records;
- designated UT responsible for the relationship with the clients or/and or other structure responsible for the management of complaint;
- the classification of the complaint according to the subject (products / services) and the reason for it;
- the damage invoked by the claimant, if any;
- date and manner of settling the complaint and any repeat complaints;
- other additional details relevant to resolving the complaint.
- the product/service/process the complaint refers to, and the reasons for the complaint;
- the unequivocal allocation of the case to a specific person;
- the outcome of the complaint and any repeat complaints.
-

If it turns out that the complaint had been previously submitted to a Supervisory Authorities, Compliance & AML Department collaborates with Legal Department to prepare the response.

The character of the document received from customer – complaint

The receiver of the document (UT / HO) has to classify it depending on following main rules:

- Make a distinction between complaints and another requests of information or recommendations;
- Examples of communications which do not necessarily express a dissatisfaction and **which should not** be considered complaints:
 - suggestions and remarks (written/ by phone) at the UT premises/ in contact center/ in head-office;
 - request for information sent by customers regarding improvement of rates/ economic conditions;
 - request for information relating to requests for information about the products/ services offered by Eximbank that must be however managed in a more adequate way by UT which initiated the business relationship;
 - request for information on operating instructions (e.g. request for closing an account, securities transfer, update of address, etc.);
 - requests for contractual documents or other documents submitted by clients to the UT;
 - request regarding the information about legacy, succession, etc.

All communications should be approached immediately by the UT in order not to deal with further complaints but also to ensure compliance with other legal provisions in terms of transmitting responses to consumers.

The anonymous complaints will not be accepted and registered. If a customer intends to send a complaint, although it is not mandatory, it is recommended to use the complaint form (Annex no. 3), which must to be found in printed form in each UT and also posted on Bank website.

In the case of a special section developed on the Bank's website, a complaint is made by completing the on-line form.

Only the communications received from customers who meet the criteria of complaint have to be sent to Compliance & AML Department . Other types of communications and requests (e.g. statement of account, communication of SWIFT code, various information about products and services offered to customers, etc.) are transmitted for analysis and solved directly by involved structures (HO or UT). If the receiver of the document has doubts regarding its nature (complaint or not), has to send an e-mail to compliance@eximbank.com and wait an opinion before recording the complaint.

5.2.2 Preliminary assessment of complaints

The assessment of customer complaints is based on checking the factual circumstances reported by the person concerned and the conduct adopted by staff involved, and is overseen by the Compliance & AML Department, involving, where necessary, other structures. In particular, the Compliance & AML Department:

- obtains specific information and documentation which is necessary from operating locations and entities involved in the complaints in question, for the purposes of the preliminary assessment, keeping documentary evidence of the results of controls carried out. The structures involved by the Compliance & AML Department promptly cooperate, providing all useful and available information for the assessment of the claim;
- evaluates the results of the preliminary assessments in the light of applicable regulatory and legal provisions, these Guidelines, internal rules and the general standards in Code of Ethics, in order to assess the conformity, in the case in question, of the products, processes and behavior identified;
- involves, if considered appropriate in the light of initial evidence, the Internal Audit Department, HR & Organization Department and Legal Department, to establish and assess the factual circumstances reported by the party making the complaint. If controls identify a possible breach of trust by staff, the Internal Audit Department independently can involves other structures;
- involves, if considered appropriate in the light of initial evidence, the Legal Department and/or DPO, so they may evaluate the direct management of cases which are particularly complex in legal terms or concern the right to access personal data exercised in accordance with specific provisions of the law..

In general, the Compliance & AML Department, Legal Department and DPO may act, independently in the process to evaluate specific cases or general issues, providing in particular indications and interpretations concerning the regulations to be taken into account for this purpose.

5.3 Definition of the results of the complaint and authorization process for any compensation

Based on the results of controls carried out and assessments made according to previously mentioned principles, the Compliance & AML Department oversees the actions to take concerning complaint outcomes.

If reimbursements or compensation are decided in favor of the party making the complaint, relative authorizations are issued by Bank structures or Corporate Bodies with related independent management powers.

5.4 Preparing and sending the reply to the party making the complaint

At the end of the case, the structure assigned in relation with client sends to the claimant a written response to his/her complaints, drawn up in accordance with the standards set out in these Guidelines, and with the

support provided by the Compliance & AML Department and other relevant structures. This response must specifically contain:

- if the claim is considered as having no grounds, a clear, detailed explanation for rejecting the complaint;
- if the claim is considered to have grounds or partial grounds, an explanation of initiatives taken in favor of the customer, and - if necessary - information on the methods and times necessary to arrange for any reimbursement or compensation. If these initiatives involve action by other Bank Structures, Compliance & AML Department must check actual implementation, or alternatively, ensure that structures have taken management of and planned activities.

Response will be sent by the assigned territorial unit or structure in the deadlines provided by the priority level as described in chapter 4.3 and in the Annex no. 4.

Internal operating rules specifically set out the terms under which the Bank's structures according to this document or - in cases indicated - the Legal Function and Compliance Function must respond to customer complaints, which may not exceed the terms indicated in applicable regulations.

5.5 Preliminary assessment, definition of and reply to petitions to the Supervisory Authorities

The Compliance & AML Department ensures the registration and management of the petitions and responses to the Supervisory Authorities, applying the macro-processes set out in these Guidelines.

The Compliance & AML Department carries out independent assessments regarding the adequacy of the controls when managing the complaint and the consistency of the decisions made and responses provided to customers with respect to the emerged results; if the reasons are necessary, the Compliance & AML Department may initiate further assessments and investigations and may review the previous decisions.

Upon conclusion of the above-mentioned activities, the structure of the Bank or UT assigned by the Compliance & AML Department provides a response to the requests of the Supervisory Authority. The Compliance Function ensures the registration and management of petitions and replies to the Supervisory Authorities contacted, using the instruments and applying the macro-processes described in these Guidelines.

5.6 Management of alternative dispute resolution procedures

The Legal Department is in charge of alternative dispute resolution procedures, and uses the procedural, dedicated register for this purpose, adopted to manage litigation and ordinary pre-litigation, ensuring in any case that all information and documents considered useful for replying to objections received from the Authority are made available.

The Legal Department constantly evaluates the specific and significant positions adopted by the most significant Bodies, promptly reporting to the Compliance & AML Department, that evaluate the possible consequences in terms of managing complaints relating to similar cases and any review of commercial products and processes.

5.7 Controls on the management of customer complaints

Activities related to managing complaints are subject to first and second level controls, with the purpose of constantly checking compliance, and the efficiency and effectiveness of the processes and procedures adopted, with specific reference to:

- the efficiency of the internal processes and procedures that guarantees the immediate forwarding to Compliance & AML Department of all the customer instances that can be classified as such in accordance with these Guidelines;
- the registration and traceability of the identifying details of the complaint;
- compliance with the maximum times indicated by applicable regulations to reply to claims;
- the consistency between the outcome of the complaint and the reply given to the customer and the results of the preliminary assessment and decision-making process;

- the fairness, traceability and documentation of the decision-making process and authorization of any reimbursements;
- the quality of replies given to parties making complaints;
- correct application of the instructions for the assessment and management of any general orders provided by Legal Department and the Compliance & AML Department.

5.7.1 First level control:

First level controls are performed by the UT of the Bank with the support of Network Management Department, which receives the complaints as well as by the responsible structures for solving / responding / correcting non-conforming issues:

- a. The Branch Manager ensures that complaints / non-compliant issues are managed / settled within the terms agreed with the structures involved in the workflow;
- b. UT of the Bank will promptly report to the responsible departments the recurring problems or malfunctions of the Bank's products / services in order to solve them.

5.7.2 Second level control:

Second level controls are performed by the Compliance Department & AML as follows:

- a. performs UT inspections on possible received and unregistered complaints;
- b. check the content of the response before sending it to the customer;
- c. monitor compliance with deadlines for complaint management;
- d. follow periodically the implementation of remedial measures ordered following complaints accepted by the Bank;
- e. calculates periodically but not more than once a year the evolution of the number of complaints.

5.7.3 Third level control:

Third level controls are performed by the Internal Audit Department, which performs control activities to assess the efficiency and effectiveness of the operating processes adopted to manage customer cases, compliance with applicable internal and external regulations, and the reliability of the execution structure and the delegation of authority mechanisms.

5.8 Reporting to Corporate Bodies and the Supervisory Authorities

5.8.1 The Compliance Function prepares:

- the Annual Report for Corporate Bodies, on the overall situation of instances received at Group level, the underlying trends and related critical aspects, and on the adequacy of the organizational procedures and corrective actions adopted; the Annual Report is updated every six months in the framework of the Compliance Report;
- a quarterly report for Corporate Bodies.

5.8.2 To prepare the reporting:

- the Compliance & AML Department ensures the availability of reporting documentation on complaints management activities;
- the Legal Department sends the Compliance & AML Department reporting on any issues and trends to come to light during litigation and activities with alternative dispute settlement bodies that may pose compliance risks, along with relative evidence.

The Report to the Corporate Bodies will provide complete disclosure on the instances made at Bank level, and provide a timely account of the development of general tendencies and situations, with special reference to matters that could involve shared customers or finding of any critical issues that could be related to the distribution process and the characteristics of the products.

6. WORKFLOW

Responsible	Step	Actions	Next step	Forms, methods and applications used
UT/HO Structure/ Compliance & AML Department which receive the document	1	A. receives the document from customers (by post, fax, e- mail, on-line etc.); B. establishes the document's character - complaint or not. If it is necessary, DCAML have to be consulted.	2	N/A E-mail message if necessary
Head of HO Structure /Branch Manager/ Compliance & AML Department which receive the document	2	A. registers the written complaint in "Incoming / Outgoing Correspondence Register" held by <u>General Services</u> Function within Logistic Department; B. An email is automatically sent to compliance@eximbank.com and then the complaint is taken over by Compliance & AML Department and registered in the Electronic Complaints Register.	3	the scanned complaint is submitted by e-mail and in parallels on paper
Branch Manager/ Head of designated structure involved in resolving the complaint	3	C. Performs periodically checks in respect of complaints submitted to management structure ensuring these have been registered as per step 1 & 2. D. Performs periodically checks in respect of complaints submitted by phone to Call Center ensuring these have been registered as per step 3 & 4.	4	"Incoming / Outgoing Correspondence Register
DCAML	4	A. receives the complaint/petition by mail; B. if it is the case, requests additional information, regarding the complaint from the receiver and or relevant structures and territorial unit; C. classifies the complaint depending on the criteria mentioned in the chapter 4.2; D. establishes of the priority level; E. involves structures responsible for resolving the complaint (UT and / or HO) and for preparing the draft of the response. Based on the information obtained may decide the involvement of other participants; F. sends the necessary instructions upon the case in order to ensure that responsible structures resolve the complaint; G. establishes the structure/ UT responsible to provide the answer to the client; H. fills in the information in the "File of complaints evidence".	5 / 6 / 7 Depending on the specific situation	Annex no. 2 Annex no. 1
<p>Notes (step no. 5). DCAML may request the advice from Legal Department. Examples of such cases are:</p> <ul style="list-style-type: none"> • the complaint is submitted on behalf of customers through an intermediary; • are ongoing disputes between Eximbank and customers; • the complaint is explicitly addressed to General Manager or other members of the Management Committee; • the complaints are received from supervisory and / or control authorities (NBM, SISNFPCP , etc.); • the complaint was addressed and sent directly to ISP structures and implies a higher degree of complexity of the identified solution. 				

<p>Also (step no. 5) DCAML will request the opinion of:</p> <ul style="list-style-type: none"> • HR&OD- about complaints regarding Eximbank employees; • RMD - about accepted complaints who has significant consequences in terms of operational risk / reputational risk, payment of damages, compensation, commissions cancellation or decreases etc.; • DAI - informed about complaints, which, due to the significance level, may affect the safety and reputation of Eximbank (e.g. fraud risk). <p>• General Manager, for special situations, according to the decision of the Head of DCAML</p>				
DCAML	6	<p>A. if the response to complaint is more complex, at its own initiative or at involved structure request, can offer advice and/or opinion in respect of the necessary actions to be done and/or the proposed text for response;</p> <p>B. following justified request of the involved structures, can change the priority level initially established.</p>	7 / 8 Depending on the specific situation	E-mail
DCAML	7	<p>A. If the complaint was initiated as a result of errors and/or it has no basis, including cancelation of the complaint by the client, will close the complaint and will insert appropriate mentions.</p> <p>B. Note: this step can appear immediately after step no. 5.</p>	Stop	E-mail, Complaints Electronic Register
Structures assigned from HO/UT involved in resolving of the complaint	8	Will elaborate / agree regarding the resolve of the complaint and drafting of the answer.	9	Annex 4
Structures assigned from HO/UT involved in resolving of the complaint.	9	<p>After obtaining the advice from involved structures, prepares a written response which will be send to customer in accordance with instructions received from DCAML, and within the established deadline, till the end of the working program.</p> <p>Notes:</p> <ul style="list-style-type: none"> • upon DCAML request that, before sending the response to customers, it is mandatory to obtain the advice / opinion on the answer from various control or support structures, as indicated by DCAML; • DCAML will check the answer prior to be signed and send to the client; • The final form of the response, signed, stamped and registered, together with the confirmation of transmission to the client will be saved in the electronic record. 	10	Annex 4
<p>Notes (step no. 9).</p> <p>A. If the customer wants to receive the response via e-mail or fax, the address is scanned (recorded, signed and stamped) and is sent to customer according to the request. Responsible structure must ensure the contact details are the ones provided by the client during the business relation to prevent unauthorized disclosure to 3rd parties.</p> <p>B. If the customer sent the complaint as text via e-mail without any documents attached, the response can be sent in the same form, usually from info@eximbank.com.</p> <p>C. the receiving confirmations received from customers are archived together with complaint and Eximbank by the responsible structure;</p> <p>D. if the customer sent the complaint on paper form, the response (recorded, signed and stamped) will be send to the correspondence address provided by the client, if there are not any special instructions from the client;</p> <p>E. in the cases mentioned at step no. 5 for which was requested Legal Department opinion / advice, the preparation of the response will be done by involved structures (UT or HO), with mandatory advice of Legal Department;</p> <p>F. Regardless of the language in which the complaints were addressed to the Bank, the answers to them are drafted in Romanian. In cases established by law, replies to complaints may be made in</p>				

other languages spoken on the territory of the Republic of Moldova, insofar as Eximbank has the necessary human resources with the necessary language skills.				
DCAML	10	After receiving the response to customer's complaint, recorded, scanned, dated and signed, will be record in the Complaints Electronic Register and archive according to Archiving chapter provisions.	11 or Stop	Complaints Electronic Register / Annex 1
DCAML	11	In the case of all resolutions with accepted status, DCAML will introduce the operational risk model in the Bank's IT System; will update Annex 1 with the information specific to these events.		AbSolut/Operational risk events Annex 1

7. FINAL PROVISIONS

The Guidelines of the management of complaints and petitions to supervisory authorities and appeals to alternative dispute resolution bodies" enters into in 5 working days after its approval by the Board of Directors of the Bank.

From the date of entry into force of these Guidelines, the "Procedure regarding complaints, disavowals and petitions management" approved by the Bank Management Committee on 29.07.2020 is repealed.

If one or more provisions of the present normative act will contravene to provisions of the legislation in force of the Republic of Moldova, the normative act issued / adopted by the authorized public authority shall apply directly.

Any non-observance of this internal normative act represents a serious misbehavior and is disciplined in accordance with the legislation in force and the internal normative acts of the Bank.

These Guidelines will be updated periodically and whenever deemed necessary, taking into account changes in applicable legislation and ISP Group requests.

ATTACHMENTS

<i>Function</i>	<i>Organizational Unit</i>
Corporate Bodies	Board of Directors Managing Director and CEO
Function carrying out first level controls	Territorial unites (Branches), Network Management Department
Compliance Function	Compliance & Aml Department of Eximbank
Legal Function	Legal Department of Eximbank
Audit Function	Internal Audit Department