



# COMPLAINTS HANDLING POLICY

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**Document Control**

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## 1. Policy Statement

Trive Financial Services Malta Limited Complaints Handling Policy (the “Policy”) is a parent entity Policy. In this Policy, parent entity refers to Trive Financial Services Malta Limited (the “Firm” and/or “Trive Malta”) and all its subsidiaries, unless otherwise specified.

Trive Financial Services Malta Limited is authorized to conduct investment services business by the Malta Financial Services Authority – MFSA (CRES-IF-5048), and thus subject to complaints handling regulatory requirements, specifically, the MFSA Conduct of Business Rulebook (Chapter 4, Section 6 Complaint Handling by Regulated Persons), MFSA Investment Services Rules for Investment Services Providers (Section 3) and BaFin Circular 05/2018 – MaComp (BT 12).

The Firm relies on Trive Group Client Complaints Service, which is an internal service with sufficient autonomy to ensure that its decisions are not affected by conflicts of interest and the necessary material and human resources to adopt a prompt resolution of client complaints.

The Policy will be reviewed whenever there is a significant or important change to relevant regulations, best practice guidelines or business processes. When no such changes occur, the document will be reviewed at least every three (3) years.

## 2. Purpose

One of Trive Malta main objectives is the establishment of a long term and mutually satisfactory relationship with its clients. The achievement of this objective requires, among other things, a high level of quality in the provision of investment services to meet client expectations. Ultimately, the Firm adopted the Policy to ensure a fair and quick process for managing client complaints.

## 3. Scope

Complaints made by individuals or legal entities (clients as defined below) proving they have received any service or maintain or have maintained a direct contractual relationship with Trive Malta. Although the complaint handling guidelines are aligned across the Firm, specific documentation may replace the contents of the Policy in order to meet local regulatory requirements from certain jurisdictions where Trive Malta operate. Please refer to Appendix I for further information.

## 4. Approval and Communication

The Policy has been approved by the Board of Directors of Trive Malta. The Board of Directors shall be responsible for the adoption of necessary measures destined to ensure its internal communication as well as ensuring its publication on the Firm’s website.

## 5. Glossary of Terms

- a. **Client:** Individuals or legal persons who are users of the investment services provided by Trive Malta (referred indistinctively throughout the Policy also as “Complainant”).
- b. **Complaint:** Any type of complaint or claim that a Trive Malta client may submit in relation to their legally recognised interests and rights. Complaints shall refer to:

- The interests and rights legally established in favour of clients derived from the regulations on transparency and customer protection.
- Trive Malta Terms of Business.
- The requirements of good financial practices.

**c. Trive Client Complaints Service:** Specialised client complaints handling service from Trive Group responsible for managing and resolving complaints.

**d. Regulatory Authorities:**

- a. Office of the Arbiter for Financial Services (OAFS) – Malta.
- b. Federal Financial Supervisory Authority (Bundesanstalt für Finanzdienstleistungsaufsicht - BaFin) - Germany.
- c. Deutsche Bundesbank - Germany.
- d. National Securities Market Commission (Comisión Nacional del Mercado de Valores – CNMV) - Spain.

## 6. Excluded Complaints

Trive Client Complaints Service shall not be responsible of handling complaints received outside the Policy scope (as defined in section 3 above) or those arising from:

- a. Labour relations.
- b. Relations with vendors, suppliers or contractors.
- c. Complaints filed through Regulatory Authorities.
- d. Complaints that fall under the jurisdiction of administrative, arbitration or judicial bodies.

## 7. Conflict of Interest

Trive Client Complaints Service shall resolve complaints autonomously and is separated from the commercial services of Trive Group.

Members of Trive Client Complaints Service who may have any personal interest in a specific complaint, must inform its manager immediately, refraining from any further actions with regards to the complaint in question.

Claims in which Trive Client Complaints Service Manager has an interest in which there is or may be a conflict of interest with the complaint or the Complainant shall abstain from participating in any further actions with regards to such complaint. In such case, the management and its resolution shall correspond to the staff member with a senior position in Trive Client Complaints Service.

## 8. Internal Support

All departments and areas of Trive Malta, as well as those from Trive Group (when necessary) shall support Trive Client Complaints Service and cooperate in all matters that may help to better perform its functions in relation to handling complaints for the Firm. The information requested by Trive Client Complaints Service shall be provided with undue delay in accordance to following principles: security, efficiency and coordination. Trive Client Complaints Service may request external support for complaints resolution which is required due to their particular complexity.

## 9. Provision of Information

The Policy shall be accessible to clients through the Firm's website, which include information regarding the following:

- Complaints handling process.
- Complaint resolution and process timelines.
- Option to refer the complaint to the applicable Regulatory Authorities when not satisfied with the way the complaint was resolved.

## 10. Complaint Handling Process

- 1) Notifications and correspondence exchanged between the Complainant and Trive Malta shall be made in the form expressly designated by the Complainant or through the same means in which the complaint was received.
- 2) Complaints to Trive Malta may be submitted, in person or by legal representation.
- 3) Complaints shall be submitted to Trive Malta's relevant postal or e-mail address depending on the Complainant residence address, as specified in Appendix II.
- 4) The Complaint shall include at least the following information:
  - i. Name and surname(s)
  - ii. Address
  - iii. Where appropriate contact details of the legal representation
  - iv. ID number for individuals and data referring to public registry for legal entities.
  - v. Reason for complaining, with clear specification of the issues on which a ruling is requested and any financial amount claimed, if applicable.
  - vi. When applicable, the supporting documentary evidence on which the complaint is based.
- 5) After the complaint has been received by Trive Malta, the corresponding team will send it to Trive Client Complaints Service with Cc to the Compliance department.
- 6) Trive Client Complaints Service is responsible for registering the complaint and the Compliance Department for:
  - Supervising the process is carried out in accordance with the Policy.
  - Provide guidance and support to Trive Client Complaints Service when required considering the nature and complexity of the matter involved in the complaint.
  - Conduct ongoing reviews of the process.
- 7) The Complainant shall be provided with a complaint number assigned in accordance with Trive Malta Complaints Register.
- 8) Trive Malta will provide the Complainant with a final written response without unnecessary delay, but not later than fifteen (15) business days from the complaint receipt date. Where the investigation of a complaint is not completed within fifteen (15) business days from receipt of the complaint, Trive Malta will inform the complainant about the causes of the delay, providing an indication as to when the investigation is likely to be completed.

- 9) The Firm's final response will be reasoned containing clear conclusions on the request made by the complainant based on the contractual clauses, the applicable rules on transparency and treating customers fairly.
- 10) The Complainant may refer the matter to the applicable Regulatory Authorities (as indicated in Appendix II), if not satisfied with the way the complaint was resolved by Trive Malta. Where a complaint has been lodged with the Office of the Arbiter for Financial Services (OAFS) and the case duly decided, the Firm shall immediately provide the MFSA with a copy of the OAFS's final decision. The Firm shall also inform the MFSA immediately in the event that an appeal from the decision of the OAFS is lodged by the complainant or by the Firm itself, in terms of the Arbiter for Financial Services Act, and once such appeal has been decided, of the final decision

When handling the complaint, Trive Malta shall ensure that the Client Complaints Service adopts the necessary measures to comply with the regulations on personal data protection.

Trive Client Complaints Service shall refuse to handle a complaint in the following cases:

- a. When essential information is omitted by the complainant that cannot be rectified.
- b. When a complaint is intended to be submitted as appeal or legal action, or when the complaint is pending resolution or has already been resolved before an administrative, arbitration or court.
- c. The facts, reasons and requests specified by the Complainant are not related to investment transactions conducted with Trive Malta.
- d. The Complainant is not a Trive Malta client.
- e. When the complaint verse on the same facts of a previous complaint submitted by the Complainant.

## 11. Withdrawal

The client (or his representative) may withdraw the complaint at any time, which will result in the immediate termination of the process.

## 12. Recordkeeping

The Firm shall maintain an accurate record-keeping system to support its complaint handling process. The system will include all complaints received and resolved. These records are to be retained for a period of at least five (5) years from the date of resolution. These records shall also be kept in a secure and easily retrievable manner and will be made available to the competent authorities upon request. The following table identifies the information which needs to be retained:

<b>Complaint Record Form</b>	<b>Description</b>
<b>Date Received</b>	The date when the complaint was received
<b>Case Reference</b>	XX/YYYY (where XX represents the progressive consecutive number immediately assigned upon receipt and YYYY the relevant calendar year of receipt)
<b>Client Name</b>	The name of the Client who filed the complaint
<b>Client Account Number</b>	The account number of the Client who filed the complaint
<b>Contact Information</b>	The contact information of the Client who filed the complaint
<b>Type of Complaint</b>	The category or type of complaint received
<b>Description of Complaint</b>	A brief summary of the complaint
<b>Acknowledgement Date</b>	The date when the complaint was acknowledged
<b>Assigned To</b>	The name of the person assigned to investigate the complaint
<b>Investigation Start Date</b>	The date when the investigation of the complaint started
<b>Resolution Date</b>	The date when the complaint was resolved

<b>Resolution Details</b>	A summary of the resolution of the complaint
<b>Corrective Action Taken</b>	Any corrective action taken to address the issue raised by the complaint
<b>Reason for Escalation, if applicable</b>	The reason for escalation, if the complaint was escalated to a higher level
<b>Case Filed with Regulatory Authorities</b>	Yes/NO
<b>If Yes:</b>	The Regulatory Authority/Date

### 13. Annual Report

In the first quarter of each year, Trive Client Complaints Service shall submit to the Board of Directors of the Firm a report on the activities of the previous year, containing the following information:

- a. Statistical summary of complaints dealt with information on their number, admissibility, causes of inadmissibility if applicable, issues raised, and amounts involved.
- b. Summary of the decisions adopted, indicating whether they are favourable or unfavourable to the Complainant.
- c. General criteria considered for the decisions.
- d. Recommendations or suggestions derived from its experience.

### 14. Policy Breaches

A policy breach is a failure by an area of the business to adhere to the mandatory requirements of the policy. All Policy Breaches must be reported to the Policy Owner promptly and as a minimum, the following information must be included:

- Business area where the breach has occurred.
- Policy section breached.
- Cause and impact.
- Date the breach occurred.
- Details of remedial action taken and the date by which the issue is to be resolve.
- Issue owner and contact details.



## APPENDIX I

Trive Financial Services Malta Limited, Sucursal en España has in place a specific Complaints Handling Policy (“*Reglamento para la Defensa del Cliente*”) adapted to the requirements from Order ECO/734/2004, of March 11, on customer services and consumer ombudsman departments at financial institutions. This document establishes the guidelines to manage complaints registered in relation to the services provided by Trive Financial Services Malta Limited, Sucursal en España to clients residing in Spain.



Reglamento Defensa  
Cliente\_Trive ESP\_V1.1



## APPENDIX II

Complaints Email	Postal Address	Client Address Country	Regulatory Authorities	Language
<a href="mailto:hello@trive.com">hello@trive.com</a>	<b>Trive Financial Services Malta Limited</b> Level 5, The Penthouse, Lifestar Building, Triq Testaferrata, Ta' Xbiex, XBX 1403, Malta.	a) Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Sweden, Switzerland, Lichtenstein and Norway.  b) Non-EU jurisdictions	<b>Office of the Arbiter for Financial Services - OAFS:</b> First Floor, St Calcedonius Square, Floriana FRN 1530 <a href="mailto:complaint.info@financialarbiter.org.mt">complaint.info@financialarbiter.org.mt</a> .	English
<a href="mailto:hallo@trive.com">hallo@trive.com</a>	<b>Trive Financial Services Malta Limited – Niederlassung Deutschland</b> Mainzer Landstr. 69-71 60329 Frankfurt am Main	Germany	<b>Bundesanstalt für Finanzdienstleistungsaufsicht - BaFin:</b>  Banken- und Versicherungsaufsicht: Graurheindorfer Straße 108, 53117 Bonn Fax: + 49 (0) 228 4108-1550  Wertpapieraufsicht / Asset-Management: Marie-Curie-Str. 24-28, 60439 Frankfurt am Main Fax: + 49 (0) 228 4108-123 Telefon: +49 (0) 228 / 4108 - 0 E-Mail: <a href="mailto:poststelle@bafin.de">poststelle@bafin.de</a>  <b>Deutsche Bundesbank-Schlichtungsstelle</b> lautet: Postfach 11 12 32 60047 Frankfurt am Main	German
<a href="mailto:hola@trive.com">hola@trive.com</a>	<b>Trive Financial Services Malta Limited, Sucursal en España</b> Calle Gran Via, 4 28013 Madrid	Spain	<b>Oficina de Atención al Inversor de la Comisión Nacional del Mercado de Valores – CNMV:</b> Calle Edison 4, 28006 Madrid Teléfono: 902 149 200 Sede Electrónica de la CNMV: <a href="https://www.cnmv.es/Portal/Inversor/Reclamaciones.aspx">https://www.cnmv.es/Portal/Inversor/Reclamaciones.aspx</a> .	Spanish