

# Internal Complaints Resolution Manual

**JBS Brokers (Pty) Ltd**  
FSP number 47852



Date : 1 March 2025 (updated from 30 March 2023)

Author : Samantha Jonker (as assisted by Masthead)

Owner : JBS Brokers (Pty) Ltd

Intended Audience : All staff, Clients 3<sup>rd</sup> Party Operator and Product Providers

<b>Overview</b>	This is the official Complaints Resolution Manual implemented for JBS Brokers (Pty) Ltd	
<b>Purpose</b>	<p>The Financial Advisory and Intermediary Services Act (FAIS Act) requires that a financial service provider (i.e. our brokerage) must maintain an internal complaints resolution system and procedure in the event that a customer complains about a financial service rendered by the financial services provider.</p> <p>Treating Customers Fairly (TCF) Outcome 6 provides that “<i>Customers do not face unreasonable post-sale barriers imposed by firms to change a product, switch providers, submit a claim or <b>lodge a complaint</b></i>”.</p> <p>The Protection of Personal Information Act (POPI Act) that a responsible party implement processes and procedures to address the handling of complaints regarding personal information breaches.</p> <p>This document not only provides a complaints procedure in conformance with legislative expectations, but it also explains the procedure should you wish to complain about any of the financial services rendered by our brokerage or personal information breached, and sets out the process which our brokerage will follow in order to resolve the complaint.</p>	
<b>Objectives</b>	<ul style="list-style-type: none"> <li>• To deliver a <b>consistent, high-quality</b> and <b>accountable</b> response to complaints across <i>JBS Brokers (Pty) Ltd</i></li> <li>• To ensure that our complaints procedure is in line with the overall regulatory requirements and Treating Customer Fairly outcomes and industry ‘best practices’.</li> </ul>	
<b>Services Covered</b>	JBS Brokers (Pty) Ltd, is licenced to deliver products to clients in two classes of business, namely, Short Term Commercial Lines and Short-Term Personal Lines	
<b>Document Control</b>	Samantha Jonker is the responsible person to review and update the process. This is to be done annually.	
<b>Date</b>	1 March 2025	
<b>Author</b>	Samantha Jonker with assistance from Masthead	
<b>Complaints Manager</b>	Name Telephone Number Email	Samantha Jonker 082 332 5252 samantha@jbsbrokers.co.za
<b>Reviewed by</b>	Samantha Jonker	

<b>Next Review Date</b>	April 2026
<b>Senior Management Approval</b>	Samantha Jonker:  Karin Bopp:

## Definitions<sup>1</sup>

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1. **“Complaint”** means an expression of dissatisfaction by a complainant, relating to a product or service provided or offered by JBS Brokers (Pty) Ltd, or to an agreement with JBS Brokers (Pty) Ltd in respect of its products or services and indicating that -
  - a) JBS Brokers (Pty) Ltd has contravened or failed to comply with an agreement, a law, a rule, or a code of conduct which is binding on JBS Brokers (Pty) Ltd or to which it subscribes.
  - b) JBS Brokers (Pty) Ltd’s maladministration or wilful or negligent action or failure to act, has caused the complainant harm, prejudice, distress or substantial inconvenience; or
  - c) JBS Brokers (Pty) Ltd has treated the complainant unfairly.

and regardless of whether such an expression of dissatisfaction is submitted together with or in relation to a customer query.

2. **“Complainant”** means a person who has submitted a specific complaint to JBS Brokers (Pty) Ltd and who –
  - a) is a customer or prospective customer of JBS Brokers (Pty) Ltd and has
  - b) a direct interest in the agreement, product or service to which the complaint relates; or
  - c) has submitted the complaint on behalf of a person mentioned in (a)

provided that a prospective customer will only be regarded as a complainant to the extent that the complaint relates to the prospective customer’s dissatisfaction in relation to the application, approach, solicitation or advertising or marketing material contemplated in the definition of “prospective customer”.

3. **“Customer”** of JBS Brokers (Pty) Ltd means any user, former user or beneficiary of one or more of the financial products or services provided by JBS Brokers (Pty) Ltd and their successors in title.
4. **“Customer Query”** means a request to JBS Brokers (Pty) Ltd by or on behalf of a customer or prospective customer, for information regarding the financial products, services or related processes, or to carry out a transaction or action in relation to any such product or service.
5. **“FAIS”** means the Financial Advisory and Intermediary Services Act No. 37 of 2002 (as amended) which was designed to protect customers of financial services providers; regulate the selling and advice-giving activities of the FSP’s; ensure that the consumers are provided with adequate information about the financial products they use and about the people and institutions who sell these financial products and establish a properly regulated financial services profession.

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<sup>1</sup> Please refer to Section 1 of the FAIS Act in this regard.

6. **“FAIS Ombud”** the FAIS Ombud deals with complaints submitted to the Office by a specific customer against a financial services provider.
7. **“Financial Services Provider”** means **JBS Brokers (Pty) Ltd** with FSP Number; **47852** and place of business: **2 Cactus Road, Fairview Office Park, Fairview, Gqeberha.**
8. **“Prospective customer”** of JBS Brokers (Pty) Ltd means a person who has applied to or otherwise approached JBS Brokers (Pty) Ltd in relation to becoming a customer of JBS Brokers (Pty) Ltd, or a person who has been solicited by JBS Brokers (Pty) Ltd to become a customer or has received marketing or advertising material in relation to JBS Brokers (Pty) Ltd’s products or services.
9. **“Routine Complaints”** is where a customer submits an expression of dissatisfaction together with a customer query or relating to a customer query and which further can be resolved internally within a period of 15 days. Routine complaints are therefore customer queries which have been escalated by the customer previously but now the customer has become dissatisfied with the process being followed to resolve the customer query.
10. **“Serious Complaints”** are complaints that contravene regulatory requirements and are likely or may already have caused a customer to suffer financial prejudice.
11. **“Service provider”** means another person with whom the financial services provider to whose products or services the complaint relates has an arrangement in relation to the marketing, distribution, administration or provision of such products or services, regardless of whether or not such other person is the agent of the financial services provider.
12. **“Resolved”** in relation to a complaint means that the **complaint has been finalised** in such a manner that the complainant has explicitly accepted that the matter is fully resolved or that it is reasonable for JBS Brokers (Pty) Ltd to assume that the complainant has so accepted. A complaint should only be regarded as resolved once any and all undertakings made by JBS Brokers (Pty) Ltd to resolve the complaint have been met.
13. **“TCF”** Treating Customers Fairly is an outcome based regulatory and supervisory approach designed to ensure that specific, clearly articulated fairness outcomes for financial services customers are delivered by regulated financial service providers FSP’s. FSP’s are expected to demonstrate that they deliver the required 6 TCF Outcomes to their customers throughout the product life cycle, from product design and promotion, through advice and servicing, to complaints and claims handling – and throughout the product value chain.

## Process Overview

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The following key steps must be followed for all customer complaints received by the staff of **JBS Brokers (Pty) Ltd.**

**How to lodge a Complaint** – the person who is the first point of call to the complainant must explain the process to be followed to the complainant and advise the client that the complaint must be concluded in writing and must include all relevant supporting documents. If need be, such a person must assist the complainant in this regard.



**Responsible Person** – the written complaint, together with all supporting documentation received, must be submitted to Samantha Jonker. A reference number will be allotted to the complaint.



**Receive & Classify** – Samantha Jonker is to assign a risk classification to the complaint and the complaint will be categorised.



**Acknowledge** – Samantha Jonker will acknowledge receipt of the complaint within 24 hours.



**Investigate** – the complaint will be fully investigated by Samantha Jonker. The complainant will be kept up to date of the progress.



**Resolve & Confirm** – a signed off resolution is to be documented and discussed with the client.



**Respond to Customer** – the client is to be provided with a written report regarding the process followed and the outcome

## Process

### 1. How to lodge a Complaint

- 1.1. If you as a customer or prospective customer have a complaint against JBS Brokers (Pty) Ltd, it must be submitted to us in **writing**. It can be submitted either by hand or email at the contact details that appear in this document.
- 1.2. You should provide sufficient detail of the complaint including policy number or investment number details.
- 1.3. We will keep a record of the complaint and maintain such record for 5 years as required by legislation.

### 2. Who will handle your Complaint?

- 2.1. Once your complaint has been received it will be allocated to and dealt with by **Samantha Jonker (the KI)**.
- 2.2. We will furnish you with her contact details (if you do not already have it) and the reference number of your complaint.

### 3. Receive and Classify

- 3.1. Any complaint, issue or negative customer interaction must be reduced to writing and must be logged and classified for action.
- 3.2. A third party acting on behalf of a complainant must deliver a certified or original consent or power of attorney to act on behalf of a complainant. Should such third party fail to deliver a consent or power of attorney, no further dealings will be pursued with such third party until the proper authority is obtained.<sup>2</sup> **The complaint will however be taken up directly with the complainant on whose behalf the complaint is made.**
- 3.3. All complaints must be formally logged using the following system:

The process to be adopted to log complaints whether manual or via computer database system can be described as the following:

All Clients complaints are to be sent to [samantha@jbsbrokers.co.za](mailto:samantha@jbsbrokers.co.za) in writing, no longer than 3 years after the date that the complainant became aware of the complaint (or should reasonably have become aware of the complaint)

- 3.4 All complaints will be prioritised according to the risk which the complaint may pose to JBS Brokers (Pty) Ltd:

Risk Type:	Description of Risk:	Process to be followed:
Risk 1	Routine complaints, potential low business impact: however, they have the potential of becoming serious or official complaints should they be disregarded or ignored.	Once received, the complaint should be investigated by Samantha Jonker (the KI). A response must be provided to the customer <b>within 15 working days</b> of receipt.

<sup>2</sup> Complaints from third parties and/or legal advisors will be responded to within 24 hours, acknowledging receipt of the complaint and further requesting authority to act on the complainant's behalf such as a power of attorney or consent by the complainant to deal with the complaint on the complainant's behalf. No information will be divulged to a third party who does not have the proper authority to act on a complainant's behalf.

Risk 2	Urgent complaints <sup>3</sup> serious business impact.	Once received, the complaint should be investigated by Samantha Jonker (the KI) A response must be provided to the to the customer <b>within 5-10 working days</b> of receipt.
Risk 3	Urgent official complaints received from regulators e.g. FAIS Ombud.  Data Breach Complaints	Official complaints should be handled by Samantha Jonker. Once an investigation into the matter has been completed (timeously), she will compile the response to the regulator. The response to the Regulator should be made within the stipulated turn-around time. The regulator usually stipulates a response time of 30 days from receipt of the complaint.

### 3.5 Categorisation

Complaints will be categorised according to their nature, e.g. service, product related, features, performance, advice given, etc. and are then narrowed down to the impact on customers. The impact of the complaint is measured by further categorising it according to the following TCF Outcomes:<sup>4</sup>

Risk Categorisation	TCF Outcome	Description
Design of a product or service	Outcome 2	Product features and charges
Information provided to a customer	Outcome 3	Unsuitable, inaccurate, misleading, confusing or unclear information provided to a customer throughout the life cycle of a product. This could vary from advice, product information, information provided in advertising or marketing material about a product or service rendered etc. These disclosures would include the conflict of interest disclosures required by the General Code of Conduct of FAIS (Code); Section 4 and 5 of the Code or any other disclosure requirements in terms of the Code or any other legislation.
Advice given	Outcome 4	The advice given to a customer by an advisor which was misleading, inappropriate and/or tainted with conflicts of interest which was not disclosed.

<sup>3</sup> Serious complaints are complaints logged on media platforms, received from legal advisors or immediately evidence contravention of legislation requirements such as failure to conduct a proper needs analysis. These complaints from the outset may cause reputational harm to a financial services provider and/or may cause financial loss to a customer.

<sup>4</sup> Other categories may be developed which are appropriate to this outcome and will be incorporated into the policy and attached complaint register.

		Inappropriate advice given as a result of lack of knowledge, skill or experience on the part of the advisor of the product or service being rendered, the failure to conduct a needs analysis and to consider the customers financial position, goals or life stage
Product performance and service-related issues	Outcome 5	Complaints relating to a customer's disappointment with limitations in a product or service performance of which they were unaware The inability of a product to meet a customer's expectations. Complaints related to a product supplier's exercise of a right to terminate a product or amend its terms.
Product accessibility and changes or switches	Outcome 6	Product Provider complaints handling and complaints relating to claims.

#### 4. Acknowledge

- 4.1. All complaints must be acknowledged within 24 hours of receipt.
- 4.2. A complaint reference number will be despatched to the complainant on acknowledgment of the complaint.

#### 5. Investigate

- 5.1. The investigation will be driven by analysing the root cause of the complaint to enable the complaint to be appropriately dealt with and to avoid, if possible, its reoccurrence.
- 5.2. This may require that both internal and external key facts are identified and clarified.
- 5.3. Should a complaint relate to product features or services handled solely by a product supplier, this matter will be escalated and appropriately dealt with in conjunction with the product supplier, ensuring that the matter is resolved to the satisfaction of the complainant.
- 5.4. All areas of interaction and communication will be documented and where appropriate, consent obtained from the complainant to ensure that no personal information is divulged or processed without the complainant's knowledge or consent.
- 5.5. During the investigation process the complainant will be kept appropriately updated of the progress of the investigation.

#### 6. Resolve and Confirm

- 6.1. Ensure that the proposed resolution meets Treating Customer Fairly Outcomes, does not prejudice the financial services provider or complainant and does not involve any unnecessary legal or financial implications.
- 6.2. The signed off resolution will then be discussed and reviewed with the complainant to ensure fairness and clarity and to further ensure that the resolution deals with the root cause of the complaint.
- 6.3. The review should include recognition and documentation of any underlying issues that have contributed to the complaint and recommendations for actions to prevent further occurrence.



## 7. Respond to Customer

- 7.1. The details of the findings and proposed resolution should be clearly explained (in written or verbal form as appropriate) to the customer - within the agreed timescales.
- 7.2. Where a complaint cannot be addressed within **three weeks** by the financial services provider, a written acknowledgment of the complaint, with contact details of the FAIS Ombud, must be sent to the complainant.
- 7.3. If within **six weeks** of receipt of a complaint that **JBS Brokers (Pty) Ltd** has been unable to resolve the complaint to the satisfaction of a complainant, the complainant may:
  - refer the complaint to the Office of the FAIS Ombud if he/she wishes to pursue the matter; and
  - the complainant **MUST** do so within **six months** of receipt of such notification.

### IMPORTANT CONTACT DETAILS

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#### **FAIS Ombud**

Postal Address	FAIS Ombudsman P.O. Box 41 Menlyn Park 0063
Telephone	+27 (0) 12 762 5000 / +27 (0) 12 492 9711
Sharecall	086 066 3274
E-mail	info@faisombud.co.za
Website	www.faisombud.co.za

#### **National Financial Ombud Scheme South Africa NFO**

Postal Address	110 Oxford Road, Houghton Estate, Illovo, Johannesburg, 2198 Claremont Central Building, 6 <sup>th</sup> Floor, 6 Vineyard Road, Claremont, 7700
Telephone	0860 800 900
E-mail	info@nfosa.co.za
Website	www.nfosa.co.za

#### **Financial Sector Conduct Authority (FSCA) and Registrar**

Physical address	P.O. Box 35655 Menlo Park 0102
Telephone	+27 (0) 12 428 8000
Contact Centre	0800 20 37 22 or +27 (0) 12 346 6941
E-mail	info@fsca.co.za
Website	www.fsca.co.za

*Explanatory note:*

*The FAIS General Code of Conduct requires that JBS BROKERS (PTY) LTD must promptly acknowledge receipt of a complaint in writing with particulars of the staff involved in the resolution of the complaint.*

*This template letter should be pasted onto a letterhead with full details of JBS BROKERS (PTY) LTD. Keep a record or proof that the letter has been sent. The style and format may be changed according to the brokerage's own style and individual requirements.*

Dear Mr / Mrs **[Name of Customer]**

We acknowledge receipt of your written complaint, received by us on **[date]**.

We will investigate the matter and attempt to resolve the complaint within a period of **[timeframe]**. If we are unable to resolve the complaint within this time, we will notify you of the reasons for the delay.

The staff member who will be dealing with your complaint is **[staff member's name]**. **[He/She]** may be contacted at the details that appear above.

While we regret that you have cause for concern regarding our financial services rendered, be assured that we will investigate and attempt to resolve your complaint in a timely and fair manner.

Thank you for bringing this to our attention, and for your patience while we investigate this matter.

A copy of our *Complaints Resolution Manual* is available from our offices, upon request.

Yours faithfully

**[JBS BROKERS (PTY) LTD]**

## EXAMPLE: LETTER WHERE OUTCOME IS NOT IN FAVOUR OF CUSTOMER

### *Explanatory note:*

*The FAIS General Code of Conduct requires that where the complaint cannot be resolved in favour of the customer, the customer must be informed in writing of the full reasons for not resolving the complaint and the customer must be informed that he/she may refer the matter to the FAIS Ombud within 6 months of this notification.*

*This template letter may be used for this purpose and should be pasted onto a letterhead with the date. Insert full details of the reasons why the complaint could not be settled as this letter will be considered by the Ombud if the matter is referred to him.*

Dear Mr / Mrs **[Name of Customer]**

We refer to your written complaint that was received by us on **[date]**.

Thank you for your patience whilst we conducted a thorough investigation into the matter.

We unfortunately regret to advise that we were unable to resolve the complaint in your favour. Our decision is based on the following reason(s):

- 1.
- 2.
- 3.

We hereby advise that should you wish to pursue the matter further, you may refer the complaint to the FAIS Ombud. This should be done within **six months** of receipt of this letter.

The office of the FAIS Ombud may be contacted at:

Postal Address	FAIS Ombudsman P.O. Box 41, Menlyn Park, 0063
Telephone	012 7625 000 / 012 492 9711
Sharecall	086 066 3274
E-mail	info@faisombud.co.za
Website	www.faisombud.co.za

Further steps available to you include seeking legal advice from an Attorney or you may refer the matter to arbitration.

Yours faithfully

**[JBS BROKERS (PTY) LTD]**

## EXAMPLE: LETTER WHERE OUTCOME IS IN FAVOUR OF CUSTOMER

### **Explanatory note:**

*The FAIS General Code of Conduct requires that where the complaint is resolved in favour of the customer, JBS BROKERS (PTY) LTD must ensure that a full and appropriate redress is offered to the customer without any further delay.*

*This template letter may be used for this purpose and should be pasted onto a letterhead with the date. Insert full details of the settlement offer including the amount payable, whether any costs will be covered and the manner in which the amount will be settled.*

*It is suggested that if the offer is acceptable to the customer, he or she acknowledges in writing that the complaint has been resolved to his or her satisfaction.*

Dear Mr / Mrs **[Name of Customer]**

We refer to your written complaint which was received by us on **[date]**.

Thank you for your patience whilst we conducted a thorough investigation into the matter.

It gives us pleasure to advise that the complaint has been resolved in your favour. The decision is based on the following reasons:

- 1.
- 2.
- 3.

We would like to offer you the following redress:

- 1.
- 2.
- 3.

Kindly advise whether this is acceptable to you, so that we can confirm our agreement in writing.

Once again, our sincere apologies for the cause which led to this complaint. We hope that we can still be of service to you in the future.

Yours faithfully

**[JBS BROKERS (PTY) LTD]**