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PURPOSE

The purpose of “ACBA BANK” OJSC procedure on consideration of customers' appeals (hereinafter referred to as Procedure) is to define the process of consideration of the appeals regarding private legal relations presented by the “ACBA BANK” OJSC's (hereinafter referred to as the Bank) customers against the Bank, protection of customers' rights and interests in the financial sector, prompt and effective discussion of their requests, as well as increasing the society's confidence about the Bank.

APPLICATION SCOPE

The present Procedure applies to the structural and territorial subdivisions of the Bank.

RELATED DOCUMENTS

RA Law “On Financial System Mediator”	
RA Central Bank Board Decree N 225-N “On Regulation 8/04 on Minimum Conditions and Principles for Internal Rules, Regulating the Procedure of Examination of Complaints/Claims of Customers”, dated 28.07.2009	
What to do, if you have an appeal	eFO 81-00-11
Application form of introducing appeals by the customers	eFO 81-00-13
Receipt of introduction of appeals by the customers	eFO 81-00-14
Receipt of introduction of appeals via email by the customers	eFO 81-00-15
Report on complaints	eFO 81-00-03

DEFINITIONS AND CONCEPTS

Law - the RA law on “Financial System Mediator”.

Financial System Mediator - an Individual who considers the requests of customers against the Bank and makes decisions on them by realization the authorities within the bounds of the law and this procedure.

Office of the Financial System Mediator (hereinafter referred to as “the Office”) - a non-profit organization, the main objective of which is to support the activities of the Financial System Mediator and to inform consumers about the financial industry.


Customer - an individual or a private entrepreneur or a legal entity, including a person who has provided a collateral for liabilities to the Bank, who has submitted a claim related to the services, provided by the Bank, or to the collateral.

Private entrepreneur or legal entity, at the time of applying to the Financial System Mediator, according to the Tax Code of the Republic of Armenia, a person considered a micro-enterprise, except for the organizations, envisaged by the Law.

Appeal – According to the Republic of Armenia Law on “Financial System Mediator” written appeal-request presented by the customer to the Bank which is connected to the services provided by the Bank or the collateral and consists of property, and in case of claims, related to the credit information or related to the requirements, defined by the RA Law “On Credit Information Circulation and Activities of Credit Bureaus” – also a non-property claim.

Sides – the customer who presents a request to the Financial System Mediator for the consideration and the Bank against which the request is presented.

Responsible employee – in the Head Office of the Bank, the Head of Customer Experience Analysing Division, who is responsible for the process of appeal management process in the Bank, and in the branches – the branch managers of the Bank, who are responsible in the branches for receiving and examining the appeals of the customers and for providing them with the necessary information, for the collection of the documents and information requested by the Financial System Mediator and for the implementation of duties defined by the Law and the present Procedure.

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DESCRIPTION OF THE PROCESS

CHAPTER 1. THE PROCESS OF PRESENTING THE APPEALS

1.1. The customer has right to apply to the Bank regardless of whether such right is envisaged by the contract signed between the Bank and the customer or not. The agreement or provision limiting the customer’s right to apply to the Bank is null.

1.2. The Bank is obliged to consider the customers’ appeals if it has been presented within one year starting from the moment, the customer knew or could know about the violation of his/her right.

1.3. The customer is considered to have submitted a complaint/claim to the Bank, in case the customer’s complaint/claim was submitted by the Office with the consent of the customer. The procedure for submitting customer complaints/claims to the Bank through the Office shall be established by the Board of trustees of the Office. This procedure is published on the official website of the Office.

1.4. No fee is being charged by the Bank from the customer for accepting, considering and making a decision on the request.

1.5. The customers’ appeals are received both personally by the employees in the Bank’s Head office or in the branches and by email by sending the appeal to the Bank’s e-mail address, which is acba@acba.am or via post. Moreover, the function of receiving and discussing the customers’ requests can’t be made by the employee who has been directly involved in the process of providing services to the customers.

1.6. Each employee of the branch, who has received an appeals or has been informed by the customer about the customer’s wish to present an appeal, accompanies the customer to the Responsible employee as well as provides the customer with the information on communication means with the Responsible employee (phone, e-mail, etc.).

1.7. The Responsible employee orally informs the customer who wishes to present an appeal about the following:

- a) The customer may submit the Appel in a written form in person, via post or by email, by sending it to the email acba@acba.am of the Bank.
- b) The customer can obtain the copy of the present Procedure.

1.8. The Responsible employee provides the customer wishing to present the appeal with the following materials:


- a) The document What to do, if you have an appeal [eFO 81-00-11](#), filled by the Bank,
- b) Application form of introducing appeal by the customer [eFO 81-00-13](#).

1.9. In case the appeal is received personally, in the branches – the Responsible Employee, and in the Head Office of the Bank – the employee of the administration of the Chief Executive Officer provides the customer with a receipt [eFO 81-00-14](#), whereas in case the appeal is received through an e-mail, the Bank sends a receipt [eFO 81-00-15](#) to the customer’s e-mail address. The latter two certify the fact that the appeal has been received.

1.10. In case of receiving the Appeal via the Office and replying to it electronically, the Bank shall send the Receipt of introduction of appeals via email by the customers [eFO 81-00-15](#), verifying the receipt of the Appeal immediately upon the receipt, but not later than the next working day, to the customer’s email, known to the Bank, or to the customer’s email, specified in the Appeal, received through the Office.

1.11. The application form of introducing appeal by the customers [eFO 81-00-13](#) must be formed in written form on behalf of the Bank’s Chief Executive Officer (CEO) and must include:

- a) the name, surname of customer,
- b) residence/location address and contact information (for example, email, phone number),
- c) the size of property demand (if available),
- d) the content of the appeal (circumstances on which the request is based),
- e) the date of submitting the appeal,
- f) in case of a private entrepreneur or legal entity customer, a reference, issued by the tax authority at the time of applying to the Bank, in accordance with the Tax Code of the Republic of Armenia, on being considered a micro-enterprise,
- g) the signature of customer, and in case of a legal entity – the signature of the person, representing the company.

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1.12. The appeal may be signed by the customer's representative. In this case the power of attorney, assuring authorities of representative, as well as the copy of the identification document of the customer's representative, shall be attached to the request.

1.13. In case of receiving oral appeal of the customer in the Bank's Head office, in the branches and/or by telephone, the employees orally present the information defined in section 1.7 of the present Procedure as well as provides the customer with the information on where the customer may acquire the information defined in section 1.8 of the present Procedure.

1.14. After receiving the appeal by email via acba@acba.am the staff of CEO forwards the email to the e-mail address law.businessprocesses@acba.am of the Legal department not later than 1:00 PM the next working day. After receiving the e-mail, on the same day before 6:00 PM the Legal department sends the "Receipt of introduction of appeal via email by the customers" [eFO 81-00-15](#) to the same e-mail address of the customer from which the appeal has been received.

1.15. If the Appeal has been received via another email of the Bank, receiving the email, the responsible for the given email shall immediately send it to acba@acba.am, after which the process is performed by the procedure, established under Clause 1.13 of this Procedure.

1.16. The verbal complaints, presented by the customers, are considered as comments and their discussion is performed according to "ACBA BANK" OJSC procedure on examination and consideration of opinions, suggestions and comments of customers [ACBA 72 PR 21](#).

CHAPTER 2. THE PROCEDURE ON EXAMINING THE APPEALS

2.1. The appeals received in the branches, if they comply with the definition of "appeal" given in the present Procedure, are considered to be appeals despite the name of the letter (application, demand, appeal, etc.) or absence of the name. On the receiving day the appeals are registered in the register of incoming correspondence, after which they are scanned by the Responsible Persons and sent acba@acba.am e-mail address, to give relevant progress defined by the present Procedure, and the originals are kept in the given branch together with the incoming correspondence. The exceptions are the appeals of the cardholders of the transactions, performed with their cards, the processing of which is regulated by the sequence of actions, specified by "ACBA BANK" OJSC order on issue, provision and service of payment cards [ACBA 72 ORD 34](#).

2.2. The appeals presented to the Head office, including those, received via acba@acba.am, if they comply with the definition of "appeal" given in the present Procedure, are considered to be appeal despite the name of the letter (application, demand, appeal, etc.) or absence of the name, are registered by the Bank's CEO's staff and given to Bank's CEO or his deputy. The exceptions are the appeals of the cardholders of the transactions, performed with their cards, the processing of which is regulated by the sequence of actions, specified by "ACBA BANK" OJSC order on issue, provision and service of payment cards [ACBA 72 ORD 34](#).

2.3. After receiving the customer's appeal, the Bank's CEO or his deputy appoints it to the Head of Legal department. The complaints of the customers, regarding the card services, provided by the Bank, shall be addressed also to the Head of Remote and Digital Bank Services Development Department or to the Head of Retail Business Products Planning and Management Division, and the claims, regarding the credit information or related to it – also to the Head of Back Office Division of the Head Office.


The appointed appeal is addressed by the administration of the Chief Executive Officer of the Bank to the Head of Customer Experience Analysing Division for information.

Head of Legal Department is responsible for defending the rights of the Bank's customers as well as for maintaining relations with the Financial System Mediator.

2.4. Legal Department, Remote and Digital Banking Services Development Department or Retail Business Products Planning and Management Division or Back Office Division of the Head Office, if necessary by involving the corresponding employees of interested subdivisions (in case the appeal is directed to the branch then also the branch manager), examines the submitted appeal in short terms, gathers and receives necessary interpretations, clarifications as well as documents and information on it. During the discussion process of an appeal the customer may not be asked to present the documents, that:

a) are not necessary for examining the appeal or the presence or absence of related circumstances or for the identification of the customer,

b) are available to the Bank due to the provision of services to the customer, and by the written confirmation of the customer the data defined in them have not been changed.

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2.5. After examining the questions related to the appeal presented to the Bank and gathering the documents and information concerning the operation, the Legal Department submits them to the CEO of the Bank or to the Deputy CEO and explains the drawbacks and/or violations (in case of their existence) committed by the employees of the Bank related to the given appeal or in case of their absence gives profound objections on not satisfying the appeal.

In case of card related appeals, the Remote and Digital Banking Services Development Department or Retail Business Products Planning and Management Division or Back Office Division of the Head Office, examining the issues, related to the Appeal, and collecting the relevant documents and information, related to the transaction, submits them to the Legal Department.

2.6. By the instruction of the Chief Executive Officer of the Bank or his/her deputy, the Legal Department or Remote and Digital Banking Services Development Department or Retail Business Products Planning and Management Division or Back Office Division of the Head Office shall prepare a written response-letter in the name of the Chief Executive Officer within ten working days upon receipt of the Appeal, addressed to the Customer. The letter includes the following:

- a) the bank’s exact position on rejecting, satisfying or partially satisfying the customers’ appeal,
- b) the explanation of the Bank’s decision,
- c) the details of the subdivision or person responsible for the examination of appeals (the subdivision’s name or person’s full name and position) and communication means (phone number, e-mail address),
- d) information on the fact that the customer may apply to the subdivision (person) mentioned in the “c” subsection of the present section in case of having any questions with respect to the examination results of his/her appeal,
- e) information on the fact that the customer may go to court or apply to the Financial System Mediator or to the Central Bank or to arbitration tribunal to defend his/her rights in case of not being satisfied by the written answer to the appeal,
- f) Information on in which terms the customer may apply to the Financial System Mediator, if he/she has not been satisfied with the written answer of the appeal.

In case of **rejection** or **partial** satisfaction of the customer’s appeal, within ten working days upon receipt of the Appeal, the Bank shall mandatorily send a reply to the Customer by the way the Appeal was received; in case of **satisfaction** of the Appeal, the Bank may send no reply to the Customer. In case of not providing a written reply, the Legal Department, Remote and Digital Banking Services Development Department or Retail Business Products Planning and Management Division or Back Office Division of the Head Office respectively shall inform the Customer of the satisfaction of the Appeal at least on the phone within ten working days upon receipt of the Appeal.


The appeal response drafts, prepared by the Remote and Digital Banking Services Development Department or Retail Business Products Planning and Management Division or Back Office Division of the Head Office, are submitted to the Bank’s Legal Department, and only in case of a positive opinion, they are signed by the Chief Executive Officer/Deputy CEO of the Bank and sent to the customer.

In addition, the copy of the answer-letter is being provided to the Head of Customer Experience Analysing Division who is responsible for the activities directed to the quality and customers’ satisfaction enhancement.

2.7. In case of rejecting or partially satisfying the appeal, the Bank along with the written answer provides, if appeal is presented via email, the Legal Department along with the written answer from the law.businessprocesses@acba.am e-mail address sends the document [What to do, if you have an appeal eFO 81-00-11](#), filled by the Bank.

2.8. After receiving the final answer of the Bank or in case of not receiving it on the date defined in the section 2.6 of the present Procedure, the customer gets the right to present his/her appeal to the Financial System Mediator, if:

- a) the property demand doesn’t exceed 10 million AMD or its equivalent foreign currency, or
- b) **non-property claim** is related to the credit information defined by the RA Law “On Credit Information Circulation and Activities of Credit Bureaus”.

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CHAPTER 3. THE EXAMINATION OF THE APPEALS PRESENTED TO THE BANK BY THE FINANCIAL SYSTEM MEDIATOR

3.1. The Financial System Mediator sends the copy of appeal received from the customer to the Bank.

3.2. After receiving the letter from the Financial System Mediator, the CEO of the Bank or his deputy appoints it to the Head of the Legal Department. The letter received from the Financial System Mediator for information is addressed to the Head of Customer Experience Analysing Division. The Head of Legal Department, if necessary by involving the corresponding employees of interested subdivisions (in case the appeal is directed to the branch then also the branch manager), examines the submitted appeal in short terms, gathers and receives necessary interpretations, clarifications as well as documents and information required by the Financial System Mediator.

3.3. After examining the questions related to the appeal presented to the Bank and gathering the required documents and information, the Legal Department submits them to the CEO or to the Deputy CEO of the Bank and explains the drawbacks and/or violations (in case of their existence) committed by the employees of the Bank related to the given appeal or in case of their absence gives profound objections on not satisfying the appeal.

3.4. After receiving the appeal from the Financial System Mediator, the Head of the Legal Department by the instruction of the Bank’s CEO or his Deputy within 14 working days prepares an answer-letter directed to the Financial System Mediator. In the letter the bank’s exact position on rejecting, satisfying or partially satisfying the customer appeal is expressed. Explanations, clarifications and/or objections in a written form as well as other documents and information required from the Financial System Mediator related to the appeal are being attached to the answer letter. In addition, the copy of the answer-letter provided to the Financial System Mediator is being provided to the Head of Customer Experience Analysing Division.

3.5. The Financial System Mediator makes a decision after receiving the explanations of the Bank or within 24 working days after the completion of the term mentioned in the section 3.4 of the present Procedure. In case of difficulty of the deal, the Financial System Mediator may extend the twenty-four day period with additional 14 days.

3.6. At the instance of the sides or one of the sides or by its own initiative, the Financial System Mediator may invite the sides in order to get their oral explanations and clarifications.

3.7. Upon the request of the Financial System Mediator the Bank must cooperate with the latter in the terms defined by the law. In case of absence of such terms, the Bank must present documents, give explanations and clarifications, provide the Financial System Mediator with the materials at its disposal that are related to the appeal, even if the latter include banking, insurance or trade secrecy.

3.8. The decision making order and the sequence of activities on satisfying, partially satisfying or rejecting the customer’s appeal by the Financial System Mediator is defined by the law.

CHAPTER 4. REGISTRATION OF CUSTOMER COMPLAINTS


4.1. The registration of complaints is performed in a centralized procedure by the Customer Experience Analysing Division, for which the Legal Department, Remote and Digital Banking Services Development Department, Call Centre and Retail Business Products Planning and Management Division shall fill out the Report on complaints [eFO 81-00-03](#) and send it to the Customer Experience Analysing Division on a monthly basis by the 5th working day of the month, following the given month.

4.2. The Customer Experience Analysing Division summarizes the received complaints and sends the Summary report [eFO 81-00-03](#) to the Compliance Maintenance and Assessment Division on a quarterly basis by the 10th working day of the month, following the quarter.

4.3. The Legal Department, Remote and Digital Banking Services Development Department, Call Centre, Retail Business Products Planning and Management Division and Customer Experience Analysing Division shall complete Report on cases, containing reputation risk [eFO 80-00-03](#) and submit it to the Operational Risks Management Division by the 5th working day of the month, following the given month.

CHAPTER 5. THE RISKS RELATED TO THE PROCESS OF CONSIDERATION OF THE CUSTOMERS’ APPEALS

5.1. The risks promoting the emergence of customers’ appeals, as well as the risks related to the discussion of appeals may appear while implementing those operations of the Bank such as examination of

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customers' proposals and opinions, adoption of new products and services in the Bank, elaboration of new internal legal acts, and examination of the appeals.

5.2. To prevent and manage the possible risks that may appear in the operations mentioned in section 5.1 of the present procedure, actions like sheets of “Examination of customers’ opinions, proposals and remarks”, the evaluation of possible risks during the adoption of new products and services and elaboration of new internal legal acts, the training arrangement for employees as well as the regular control upon the terms and quality of customers’ appeals’ consideration are taken in the Bank.

5.3. To evaluate the reputation risk responsible employees of the Legal Department, Remote and Digital Banking Services Development Department, Customer Experience Analysing Division and Retail Business Products Planning and Management Division presents to the Risk Management and Compliance Department the periodic reports of the reputation risk intervals and classes determined by the Risk Management and Compliance Department.

CHAPTER 6. TRANSITIONAL PROVISIONS

6.1. The present Procedure enters into force from 2 April 2021.

6.2. After the present Procedure enters into force, the “ACBA BANK” OJSC procedure on consideration of customers' appeals approved by the Board of the Bank on 14 August 2020 is to be declared void.

6.3. The Bank makes the present procedure available to the society also by posting it in the Bank's website.