

COMPLAINTS PROCEDURE MOBILUM PAY SP. Z O.O.

Adopted by resolution of the Board of Directors of Mobilum Pay Sp. z o.o. No. 6/2023 of 10 May 2023.

§ 1 Complaints handled by the Company	<p>1. Mobilum Pay Sp. z o.o. (hereinafter referred to as the "Company") investigates customer complaints regarding identified unauthorised, non-executed or improperly executed payment transactions. Customer complaints involving other objections to the services provided by the Company are also considered.</p>
§ 2 Method of notification	<p>1. A customer complaint can be made at any of the Company's customer service units.</p> <p>2. A customer complaint can be made:</p> <ul style="list-style-type: none"> a) in writing - by post to the address indicated in the contract or the regulations; b) in an e-mail sent to the address specified in the contract or the terms and conditions; c) orally - by telephone on +48 22 460 80 90, or in person for the record at the Company's registered office.
§ 3. Actions following receipt of a complaint	<p>1. The complaint should include:</p> <ul style="list-style-type: none"> a) for consumers at least: <ul style="list-style-type: none"> i. grounds for complaint; ii. an address for correspondence and, if the consumer requests a reply to the complaint by e-mail, an e-mail address; b) in the case of economic operators: <ul style="list-style-type: none"> i. data enabling identification of the customer and the transaction: company, business address of the entity, date of the payment transaction order; ii. identification of the contract to which the complaint relates, where a contract has been concluded; iii. a detailed description of the subject of the complaint; iv. specifying the client's request; v. copies of the documents (e.g. contracts, confirmations of execution or refusal of transactions) to which the complaint relates, if their provision is necessary for the investigation of the complaint. <p>2. Complaints are dealt with fairly, thoroughly and in a timely manner, with objectivity and with respect for generally applicable laws and good manners.</p> <p>3. Once a complaint is received, it is recorded in the Company's IT system.</p> <p>4. The Company's employee handling the complaint shall ascertain the circumstances relating to the concerns raised, in particular contacting other entities executing or participating in the execution of the transaction in order to obtain information as to whether the irregularities arose for reasons attributable to those entities.</p> <p>5. If the complaint relates to irregularities in the performance of the payment service by the Company and the customer has paid funds to the Company to perform the transaction, an employee of the Company shall contact the customer in order to find the most convenient solution for the customer.</p> <p>6. A customer who is an individual and who has not entered into a contract with the Company shall, within 7 days of the date on which such customer makes a claim against the Company, be provided with information on:</p> <ul style="list-style-type: none"> a) where and how to make a complaint; b) the time limit for handling the complaint; c) the manner in which the complaint is to be notified. <p>7. At the customer's request, the Company shall confirm in writing or by any other means agreed with the customer the fact of the make a complaint.</p>

<p>§ 4. Deadline for consideration</p>	<ol style="list-style-type: none">1. The complaint shall be answered without undue delay, but at the latest within 15 working days of receipt of the complaint. It is sufficient for the deadline to be met if the reply is sent before its expiry and, in the case of replies given in writing, if it is posted at the post office of the designated operator.2. In particularly complex cases that make it impossible to consider the complaint and respond within 15 working days, the Company will inform the customer who made the complaint of:<ol style="list-style-type: none">a) reasons for the delay;b) circumstances that must be established to clarify the case;c) the expected timeframe for handling the complaint and responding, but no longer than 35 working days from receipt of the complaint.
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	<ol style="list-style-type: none"> 3. In order to comply with the time-limit referred to in paragraph Error! The source of the appeal could not be traced. point Error! The source of the appeal could not be traced. above, it shall be sufficient for the time limit referred to in paragraph 1(a) to be observed if the response is sent before its expiry and, in the case of responses given in writing, posted at the post office of the designated operator. 4. In the case of complaints submitted by natural persons, failure to meet the deadline for responding to the complaint specified in paragraph Error! The source of the appeal cannot be found. above, and in certain cases the deadline specified in para. Error! Unable to locate source of appeal. letter Error! Unable to locate source of appeal. above, shall be deemed to have considered the complaint in accordance with the customer's wishes. 5. In the case of complaints submitted by a customer who is an individual in relation to services other than payment services, a response to the submitted complaint shall be provided in accordance with the provisions of the Act of 5 August 2015 on the handling of complaints by financial market entities and the Financial Ombudsman, no later than within 30 days of receipt of the complaint. In particularly complex cases, which make it impossible to consider the complaint and provide a response within this time limit, the Company shall explain the reason for the delay, indicate the circumstances to be determined and specify the expected time limit for considering the complaint and providing a response, which may not exceed 60 days from the date of receipt of the complaint. Paragraph 3 and 4 above shall apply mutatis mutandis having regard to the time limits provided for in this paragraph.
<p>§ 5. Explanation by the customer</p>	<p>The Company may request clarification or assistance from the customer on matters relating to the complaint within the period provided for resolving the complaint. The customer is informed that it should respond within 7 calendar days. Failure of the customer to respond within the aforementioned period does not affect the necessity to resolve the complaint.</p>
<p>§ 6 Response to a complaint</p>	<ol style="list-style-type: none"> 1. The response to the complaint is provided only to the customer who made the complaint. 2. Responses shall be given on paper or, by agreement with the user, on another durable medium. A reply given on paper, including in written form, should be written in full using a font that ensures that the content is legible. 3. The response to a complaint from customers who are individuals shall include: <ol style="list-style-type: none"> a) reasons in fact and in law, unless the complaint has been dealt with in accordance with the customer's wishes; b) comprehensive information on the Company's position with regard to the objections raised, including an indication of the relevant parts of the contract or the rules of procedure; c) the name of the person replying, indicating his/her official capacity; d) specifying the time limit within which a claim raised in a complaint handled in accordance with the customer's wishes will be met, taking into account paragraph Error! The source of the appeal could not be found. below. 4. Claims raised in a complaint considered in accordance with the customer's wishes shall be realised by the Company without delay, no later than within the time limits specified by law and in the provisions of the contract concluded with the customer, and in the case of customers who are natural persons, in any event no longer than 30 days from the date on which the response is drawn up. If the claims arising from the complaint of a customer who is a natural person are not accepted, the content of the response to the complaint shall contain, in addition to the elements indicated in paragraph Error! The source of the appeal cannot be found. above, also an instruction about the possibility: <ol style="list-style-type: none"> a) to request a review of the case with the Financial Ombudsman; b) to bring an action before the ordinary courts, indicating the entity that should be sued and the court with territorial jurisdiction to hear the case.
<p>§ 7. Fraudulent transactions</p>	<p>If the complaint indicates the occurrence of a fraudulent transaction, the Company employee handling the complaint shall notify the unit responsible for reporting fraudulent transactions in the Company.</p>
<p>§ 8 Record keeping</p>	<ol style="list-style-type: none"> 1. Complaint records are kept for five years from the date of complaint handling. 2. The Company shall report annually to the Financial Ombudsman, within 45 days of the end of the calendar year, on the handling of complaints and the number of customer referrals to court as a result of the failure to handle complaints in accordance with the wishes of those customers.

§ 9 Other rules

1. The Company shall include in its contracts with customers, including in the templates for such contracts, at least the following information regarding the complaint handling process referred to in this Procedure:
 - a) Place and form of complaint,
 - b) Deadline for handling complaints,
 - c) Manner of notification of complaint handling.In the event of a change to this information, in particular a change to this Procedure in this respect, the Company shall promptly update the customer agreement templates used.
2. The Company shall include at least the following information on out-of-court resolution of consumer disputes in contracts concluded with payment service customers who are natural persons, including in the templates for such contracts. This information shall include:
 - a) identification of the entities competent for the Company to conduct proceedings for out-of-court settlement of consumer disputes, in particular the Financial Ombudsman;
 - b) how and how the customer may obtain detailed information on the dispute resolution rules of the abovementioned entities, in particular in the form of links to their websites;
 - c) for contracts concluded over the Internet (online), the existence of an EU ODR platform and the possibility of using it to resolve a dispute, in particular in the form of a link to the ODR platform (ec.europa.eu/odr);In the event of a change to this information, in particular a change to this Procedure in this respect, the Company shall promptly update the customer agreement templates used. The above information is also posted on the Company's website in an easily accessible manner. In addition, information about the ODR platform shall be included in offers made via emails.
3. This procedure shall enter into force on the date designated in the resolution of the Management Board.
4. Any amendment to this procedure shall be made by resolution of the Management Board.