

Terraxis Ombudsman Office

[Under the Federal Financial Services Act of June 15, 2018 (FinSA)]

ORGANISATIONAL RULES

(With FinSA reference)

To facilitate the reading, the masculine is used to refer to both female and masculine gender.

1. Role of Terraxis Ombudsman Office

Terraxis Ombudsman Office (TOO) provides its affiliated financial service providers and their clients with its mediation services within the scope of FinSA.

2. TOO Membership Conditions

A company applying for membership declare to be a financial service provider according to FinSA art. 3.

3. Obligation to participate

Financial service providers that are affected by a mediation request to an ombudsman for dispute resolution must participate in the proceedings. They must respond promptly to summonses, requests for comments, and any enquiries from ombudsman's offices. (Art. 78)

4. Disclosure requirement

Affiliated financial service providers inform their clients of the possibility of mediation by TOO. The information is provided in an appropriate form and includes the name and address of the TOO. (Art.79)

5. Exclusion

A financial services provider who repeatedly fails to comply with the obligations set out in Articles 3 and 4 of these rules will be excluded from TOO. (Art. 82)

6. Duty to inform

TOO shall inform the supervisory authorities as well as the registration body about the financial service providers it has admitted, those it has refused admission and those excluded. (Art. 83)

7. Selection of TOO mediators

TOO selects mediators with specific knowledge of financial instruments, financial services, financial and capital markets. In addition, the individuals in question must also have special technical knowledge of mediation. (Art. 84)

TOO regularly creates and updates a list of available mediators and selects from from its direct contacts and swiss mediation associations such as the SDM-FSM, SKWM-CMSC and/or FGEM.

8. The role of the mediator

The mediator helps the parties to resume the dialogue so that they can find a solution to their dispute. The mediator is in control of the way his mission is carried out and must be independent, neutral and impartial.

9. Mediator's Code of Ethics
The Mediator is committed to complying with the TOO code of ethics.

10. Activity report
TOO publishes an annual activity report. (Art. 86)

11. Exchange of information
FINMA, the supervisory organisation, the registration body, the reviewing body, the ombudsman's office and the FDF may exchange information not in the public domain which they require to fulfil their tasks. (Art. 88)

12. Exclusion of liability
Neither TOO nor any of its employees and/or mediators can be held responsible for any action or omission in connection with mediation conducted on the basis of these Regulations, unless it is shown that their action or omission constitutes an intentional unlawful act or extremely serious negligence.

13. Applicable law
The legal relationship between the parties and TOO is subject to Swiss law, with the for being in Geneva.

