

Ombudsman Office

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

Ombudsman's Code of Conduct

1. Ombudsman's qualification

The Ombudsman acts within the framework of the law and respect for the persons. He or she must maintain his/her position as a third party and constantly check that the ethical and deontological conditions are respected throughout the mediation process.

Training

- The Ombudsman must have followed and possess the specific qualification for mediation, according to the standards or accreditation criteria in force in each organisation.
- The Ombudsman, in addition to participating in practice analysis sessions, updates and improves his/her theoretical and practical knowledge through continuous training (seminars, professional workshops, etc.).

The Ombudsman 's posture

The Ombudsman is a third party. He/she must meet the following requirements:

- **Independence**

The Ombudsman must be detached from any pressure inside and/or outside the mediation.

In particular, the Ombudsman undertakes to refuse, suspend or interrupt the mediation process whenever the conditions for that independence are not met.

- **Neutrality**

The Ombudsman assists individuals in resolving their dispute without having personal advice.

- **Impartiality**

The Ombudsman is obliged not to take sides or favour any of the persons in mediation. He/she refrains from accepting mediation with persons with whom he has private, professional, economic, consulting, or other connections.

The Ombudsman forbids having a direct or indirect financial interest in the outcome of the mediation. He/she must refuse the mission if one of /her team members has acted, and/or acts, as another for one of the persons involved in the mediation.

- **Loyalty**

The Ombudsman is ethically prohibited from serving as a representative or counsel to any of the participants in the mediation process. He/she can no longer be a referee.

The Ombudsman will have to direct or redirect people if the request is not or anymore within the scope of mediation.

2. Rules guaranteeing the Mediation process

- Consent

The Ombudsman must ensure that the consent of individuals is free and informed. He/she will refuse any mission where consent may be impaired. He/she is obliged to provide clear and complete information on the values and principles of mediation and on the practicalities of mediation. He/she must verify that the information given has been understood.

The Ombudsman should recall that mediation may be interrupted at any time without justification by the participants, or by him/herself if he/she considers that the conditions of mediation are no longer met.

- Confidentiality

The Ombudsman does not disclose or pass on to anyone the content of the interviews or any information gathered in the course of mediation, unless he/she has a legal obligation or if there is a breach of a public policy rule.

In particular, the Ombudsman cannot report on the elements he/she was aware of during his/her intervention and must not provide any report on them.

In the case of judicial mediation, he/she can, at most, tell the judge whether there has been agreement or not.

3. Responsibilities and Sanctions

In addition to the responsibilities already mentioned in this text, the Ombudsman has the following responsibilities:

- He/she is the guarantor of the smooth running of the mediation process.
- He/she informs people throughout the mediation process that they have the opportunity to seek advice from the professionals they wish to take. If he/she has any doubts about the feasibility and/or fairness of an agreement, knowledge of a risk of a breach of public order, he/she expressly invites people to take advice from the competent professional before any commitment.
- He/she should endeavor to assist the person or persons whom he/she would have received information in individual interviews to express it if they consider it necessary to progress the process.
- The Ombudsman should not be the subject of a civil or criminal conviction in connection with his/her activity as an Ombudsman.

The Ombudsman who signs this code is committed to respecting it. In the event of a breach, the Ombudsman may be excluded from the list of Ombudsman's of Terraxis SA.

Date:

The Ombudsman