

# Terraxis Ombudsman Body

[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 Body

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

### 2. TOB Membership Conditions

A financial services provider applying for membership must, from that moment on and as long as it retains membership be affiliated at an official regulation body.

### 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 TOB. The information is provided in an appropriate form and includes the name and address of the TOB. (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 TOB. (Art. 82)

### 6. Duty to inform

TOB 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 TOB mediators

TOB 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)

TOB regularly creates and updates a list of available mediators and selects from relevant swiss mediator associations such as the FSM, CSMSC and 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 TOB code of ethics.

10. Activity report

TOB publishes an annual activity report made available to its affiliates. (Art. 86)

11. Exchange of information

FINMA, the supervisory body, the registrar, the supervisory body, TOB and the FDF can exchange information not available to the public so as they need to carry out their tasks.

(Art. 88)

12. Exclusion of liability

Neither TOB 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 TOB is subject to Swiss law, with the for being in Geneva.

