

Complaints Handling Policy

In relation to MiFID II Services

AINVESTING.eu

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1. Introduction

1.1. “UP TREND” Ltd. (hereinafter called the “Company” or “Up Trend” or “we” or “us”) is a Bulgarian Investment Firm (“BIF”), a company incorporated and registered under the laws of Republic of Bulgaria under UIC 121527003 having its registered office at 51A Nikola Y. Vaptsarov Blvd., 1st floor, Lozenets district, Sofia, Bulgaria, holder of investment firm license by decision № ПГ-03-110 of the Bulgarian Financial Supervision Commission (hereinafter “FSC”).

1.2. Ainvesting is a registered brand of the Company for providing trading services in CFDs offered by the Company on its website Ainvesting.eu

According to its license and to provisions of the Markets in financial instruments act (hereinafter the “Law”), the Company shall offer the following services to its Clients:

Investment Services:

1. reception and transmission of orders in relation to one or more financial instruments;
2. execution of orders on behalf of clients;
3. dealing on own account in financial instruments;
4. portfolio management;
5. investment advice;
6. underwriting of financial instruments and/or placing of financial instruments on a firm commitment basis;
7. placing of financial instruments without a firm commitment basis;

Ancillary services:

1. safekeeping and administration of financial instruments for the account of clients, including custodianship and related services such as cash/collateral management and excluding maintaining securities accounts at the top tier level;
2. granting credits or loans to an investor to allow him to carry out a transaction in one or more financial instruments, where the firm granting the credit or loan is involved in the transaction;
3. advice to undertakings on capital structure, industrial strategy and related matters and advice and services relating to mergers and the purchase of undertakings;
4. foreign exchange services where these are connected to the provision of investment services;
5. investment research and financial analysis or other forms of general recommendation relating to transactions in financial instruments;
6. services related to underwriting;
7. investment services and activities under para. 2 and items 1-6 related to the underlying of the derivatives under Art. 4, items 5, 6, 7 and 10 where these are connected to the provision of investment or ancillary services.

1.3. A complaint is a statement of dissatisfaction addressed to the Company by a natural or legal person relating to the provision of an investment service provided under the revised Markets in Financial Instruments Directive 2014/65/EU dated May 15 2014 (“MiFID II”). A complaint can be made by potential, actual or former clients, regardless of whether they are categorized as retail, professional or eligible counterparty. This can be communicated by any reasonable means (e.g. by letter, telephone, e-mail, or in person). It is noted that all complaints should be able to be submitted ***free of charge***.

1.4. The Complaints Handling Policy (hereinafter the “the Policy”) explains the complaints procedures that the Company has put in place for the purposes of the handling of complaints introduced by MiFID II as implemented in the Law, the MiFID II and Commission Delegated Regulation (EU) 2017/565 of 25 April 2016 (the “Delegated Directive”).

1.5. For the purposes of constructing this Policy, we have considered the following legal and regulatory sources and guidance including Articles 16(2) MiFID II and Article 26 of the MiFID II Delegated Directive and applicable guidelines in relation to complaints handling.

2. Scope

2.1. Entity scope

The Policy applies to Up Trend Ltd.

2.2. Service scope

The Policy applies to all services of the Company.

2.3. Client scope

The Policy applies to products sold and services provided to all types of end-clients, including professional clients, regardless of whether they are per se or elective professional clients, and potential end-clients or firms. That is to say it applies to end clients who are categorized as retail, professional or eligible counterparty clients under MiFID II.

2.4. Jurisdictional scope

The Policy applies when the Company carries out MiFID Services wherever the end-client is based. The Company will adopt a proportionate approach and will take into account different regulatory systems across EU jurisdictions or non-EU jurisdictions.

3. Complaints process

3.1. Receipt, Investigation and Response

Clients, former and actual, and potential clients, can submit complaints to the Company free of charge. In the general course of business, complaints are likely to be received directly by the Company. The Company has designated a complaints management function for the investigation and management of complaints which is performed by the Compliance department. However, this does not prevent complaints being received in any other part of our business. In general a complaint should be passed on to the Company’s special emails complaints@Ainvesting.eu and complaints@uptrend.bg or directed in writing to the attention of the Compliance department of the Company at the address as provided below or expressed orally on the Company’s telephone number as provided below.

THE DETAILS ARE AS FOLLOWS:

Contact Address: 51A Nikola Y. Vaptsarov Blvd., 1st floor, Lozenets district, Sofia, Bulgaria,

Contact Email: complaints@Ainvesting.eu and complaints@uptrend.bg

Contact Phone: +359 2 815 56 60; **Fax:** +359 2 815 56 66

When the Company receives a complaint, it shall execute the following procedure:

- An employee of the Company will record the complaint in a complaint form and complaint register, describing nature of the complaint, making a summary of the complaint in Bulgarian, including all relevant documentation. If there is any doubt if it concerns a complaint, the Compliance Department chief officer is consulted.
- The complaint will be immediately reported to the Management and to the Compliance Department if it was received by employee from other departments of the Company.
- The Compliance Department of the Company will communicate within 2 working days to the client that the complaint has been received and will be dealt with.
- The Compliance Department shall report to the Management of the Company regarding the approach or outcome of the investigation of the complaint and the way it should be dealt with and responded to.
- The Company will report back to the client within 5 working days and, if necessary, provide further timelines for dealing with the complaint, taking in to account that the response to the complaint will be provided without any unnecessary delay.
- The Company shall communicate to the client in plain language that is clearly understood.
- The Company will explain to the client or potential client its position on the complaint and set out the client's options, where relevant, to refer to an alternative dispute resolution entity, or for the client to take civil action.

The Firm will aim to handle MiFID complaints in an independent manner, where possible, by managing any potential conflicts and ensuring that individuals named in the complaint do not investigate the complaint, or where this is not possible, that four eyes checks take place prior to issuing the final response. Such checks may be carried out internally or via third party (compliance) consultants/legal advisors.

3.2. Complaints reporting

The Compliance Department will record all the complaints in its monthly Compliance report to the Management of the Company

The Company shall provide information on complaints and complaints-handling, to the extent requested or mandatory, to the relevant competent authority and if applicable under national law to an alternative dispute resolution entity.

3.3. Record Retention

The Company shall keep a record of the complaint received and the measures taken for their resolution, which will be retained for five years, and on request of Financial Supervision Commission, for seven years. This requirement might be fulfilled through a secure electronic register.

3.4. Address of the Company for filing a Complaint

Visiting and Postal Address: 51A Nikola Y. Vaptsarov Blvd., 1st floor, Lozenets district, Sofia, Bulgaria, for the attention of Up Trend Compliance Department

Contact Email: complaints@ainvesting.eu and complaints@uptrend.bg

Contact Phone: +359 2 815 56 60; **Fax:** +359 2 815 56 66

4. Policy Adherence Monitoring

The Compliance Department will be responsible for monitoring and reviewing the Policy. It will analyse complaints and complaints handling data to ensure that they identify and address any issues. They will also review whether there are any similarities between the complaints we have received in order to identify and address any standing risks or issues in the way we provide services to our clients.

5. Update Requirements

The Policy will be reviewed and approved annually.

The Complaints Handling Policy is made available to all relevant staff of the Company through an adequate internal channel.