

#### ➤ **Definition of Complaint**

The Bank of Italy defines a Complaint as any written dispute (e.g. letter, fax, email) about conduct, including omissions, of the intermediary addressed to the latter by a Client (see Provisions on "Transparency of banking and financial transactions and services. Fairness of relations between intermediaries and clients" of the Bank of Italy of 29 July 2009 as amended) and qualifies as a Client "any person who has or has had a contractual relationship or has entered into a relationship with an intermediary for the provision of banking and financial services, including payment services. For factoring transactions, the Client is considered to be the assignor, as well as the assigned debtor to which the assignee has agreed to grant a payment extension. The definition of Client does not include parties that carry out professional activities in the banking, financial, insurance, pension and payment services sectors, unless they act for purposes unrelated to their professional activity" (cf. Provisions on the system for the out-of-court settlement of disputes relating to banking and financial transactions and services" of the Bank of Italy of 18 June 2009 as amended).

#### ➤ **How to make a Complaint**

The Client may submit a Complaint to MBFACTA S.p.A.'s Complaints Office by:

- ✓ mail addressed to MBFACTA S.p.A., via Siusi 7, 20132, Milan;
- ✓ email: [reclamifactoring@mbfacta.it](mailto:reclamifactoring@mbfacta.it);
- ✓ Certified email: [mbfacta@pec.mbfacta.it](mailto:mbfacta@pec.mbfacta.it)

#### ➤ **Complaint Management**

MBFACTA S.p.A. must respond within 60 days of the date of receipt of the Complaint.

If a Complaint is considered to be well-founded, MBFACTA S.p.A. must inform the Client in writing, indicating the time within which it undertakes to resolve the problem reported.

Otherwise, if MBFACTA S.p.A. considers the Complaint to be unfounded, it will give reasons for not accepting it.

#### ➤ **Out-of-court dispute resolution bodies**

If the Client does not receive a reply within the established terms or if the Client is not satisfied with the outcome of the Complaint, before making recourse to the competent Judicial Authority, it will be possible to make recourse to the following out-of-court dispute resolution bodies:

- Banking and Financial Ombudsman (ABF): to find out how to apply to the Ombudsman, it is possible to consult the website [www.arbitrobancariofinanziario.it](http://www.arbitrobancariofinanziario.it), or download the ABF Guide in this section under "Guides".
- Financial and Banking Mediator: to find out how to contact the Mediator, visit the website [www.conciliatorebancario.it](http://www.conciliatorebancario.it).

#### ➤ **Mediation Bodies**

Pursuant to the Legislative Decree "Implementation of article 60 of Law no. 69 of 18 June 2009 on mediation for the settlement of civil and commercial disputes" of 4 March 2010, no. 28 as amended, the Client and the intermediary may make recourse to:

- the Financial and Banking Mediator - Association for the resolution of banking, financial and corporate disputes (registered at no. 3 in the Register of mediation bodies kept by the Ministry of Justice). The Financial and Banking Mediator Regulations can be consulted on the site [www.conciliatorebancario.it](http://www.conciliatorebancario.it).
- one of the bodies enrolled in the special register kept by the Ministry of Justice and specialised in banking and financial matters.

In this regard, please note that the appeal presented to the ABF constitutes a condition for the admissibility of any legal action pursuant to art. 5 of the above-mentioned Legislative Decree no. 28/2010.