

## COMPLAINTS PROCEDURE

### 1. GENERAL PROVISIONS

- 1.1. This Complaints Procedure ("**Procedure**") of Trečia diena UAB, legal entity code: 304211859, address Gynėjų g. 14-120, Vilnius, Lithuania ("**Röntgen**") sets out Röntgen's policy for handling complaints in order to ensure:
  - 1.1.1. Röntgen has a fast, fair, efficient, consistent and appropriate process for managing complaints received;
  - 1.1.2. storing complaints, the material relating to their handling, replies and information on the measures taken to resolve the complaint;
  - 1.1.3. continuously assessing the outcome of complaints and effectively addressing the causes of complaints;
  - 1.1.4. periodically assessing the implementation and effectiveness of these Procedures and, where necessary, reviewing and updating them;
  - 1.1.5. the proper implementation of the Regulation and the Rules and other legal acts.
- 1.2. These Procedures have been prepared in accordance with the requirements set out in Regulation (EU) 2020/1503 (the "**Regulation**"), the Rules on Handling of Complaints Received from Financial Market Participants (the "**Rules**") approved by the Board of the Bank of Lithuania by its Resolution No 03-105 of 6 June 2013, and other applicable legislation.
- 1.3. This Procedure applies to complaints about services provided by Röntgen and/or contracts concluded with Röntgen in relation to crowdfunding services provided by Röntgen. It does not apply to other claims, actions, requests from customers and/or third parties against Röntgen to enforce the terms of contracts or to provide information, clarifications, etc.
- 1.4. The implementation of Röntgen's complaint handling policy as set out in this Procedure shall comply with the requirements of the legislation on the legal protection of personal data and the rules on the processing of personal data adopted by Röntgen.

### 2. DEFINITIONS

- 2.1. Terms used in these Rules shall have the meanings set out below, unless the context otherwise requires:
  - 2.1.1. **Response** - Röntgen provides the Complainant with a reasoned written explanation of the complaint or decision;
  - 2.1.2. **Client** - Investor or Project Owner;
  - 2.1.3. "**Complainant**" means a Customer who has lodged a Complaint in relation to the services provided by Röntgen and/or the contracts concluded with Röntgen;
  - 2.1.4. **Röntgen** - Trečia diena UAB, legal entity code 304211859, address Gynėjų g. 14-120, Vilnius, Lithuania, which is a private limited liability company, registered in the Register of Legal Entities on 15 March 2016;
  - 2.1.5. **Complaint** means a written request from an applicant to Röntgen alleging that his/her rights or legitimate interests have been infringed in relation to Röntgen's activities as a crowdfunding platform operator within the meaning of the Regulation;
  - 2.1.6. **Complaints Handler** - the person who is responsible for the handling of Complaints at Röntgen, i.e. collecting the information necessary to investigate the Complaints received, investigating the Complaints, making decisions and preparing the Responses to Complainants;
  - 2.1.7. **Rules** - Rules on the handling of complaints received from financial market participants approved by the Resolution of the Board of the Bank of Lithuania No 03-105 of 6 June 2013;
  - 2.1.8. **A consumer** is a physical person who is involved in a contractual relationship with Röntgen and who acts to satisfy personal, family or household needs, but who also acts for purposes other than trade, business or profession;

- 2.1.9. **"Log"** means the electronic log of Complaints submitted to Röntgen, which contains the information set out in these Procedures.
- 2.2. Other terms used in these Rules shall have the same meaning as defined in the Regulation. Unless the context otherwise requires, words used in the singular in the Regulations shall include words used in the plural and vice versa.

### **3. COMPLAINTS PROCEDURE**

- 3.1. A complainant who considers that his/her rights or legitimate interests have been violated in his/her relationship with Röntgen may, in writing, submit a complaint to Röntgen in the form set out in Appendix 1 to this Procedure, either by himself/herself or by a representative.
- 3.2. The complaint must contain at least the following minimum information:
- 3.2.1. if the Applicant is a physical person, the Applicant's name, address and contact details;
  - 3.2.2. if the Applicant is a legal entity - the name, registration number and LEI code (if applicable), address of the registered office and contact details;
  - 3.2.3. if the Applicant is represented by another person - the name, surname or title, registration number and LEI code (if applicable), (registered office) address, contact details and the basis for the representation (accompanied by a power of attorney in the form prescribed by the legislation, or any other document confirming the authority of the Applicant's representative to act on behalf of the Applicant);
  - 3.2.4. a reference to the investment and/or contract to which the Complaint relates;
  - 3.2.5. The complaint is based on the acts/omissions of Röntgen in relation to the provision of services by the operator of the crowdfunding platform, which are the subject of the Complaint and on which the Applicant bases its claims;
  - 3.2.6. the date(s) of the events to which the Complaint relates;
  - 3.2.7. Place and date of the complaint;
  - 3.2.8. a list of documents to be submitted with the complaint (e.g. power of attorney, evidence of infringement, etc.).
- 3.3. The complaint must be complete, neat, legible and written in English or Lithuanian.
- 3.4. A complaint to Röntgen must be submitted in writing in any of the following ways:
- 3.4.1. by delivering it in person to Röntgen's registered office at Gynėjų g. 14-120, Vilnius, Lithuania;
  - 3.4.2. by post (courier or otherwise) to Röntgen's registered office at Gynėjų g. 14-120, Vilnius, Lithuania;
  - 3.4.3. by sending an email to [info@rontgen.lt](mailto:info@rontgen.lt) (attaching the Complaint as a separate scanned attachment to protect the text and identify the signature).

### **4. RECEIVING AND REGISTERING COMPLAINTS**

- 4.1. Upon receipt by Röntgen of a Complaint submitted in any of the ways set out in clause 3.4, the staff member receiving the Complaint shall forward the Complaint to the Complaint Officer on the same working day.
- 4.2. The Complaints Officer must acknowledge receipt of the complaint to the Complainant and decide on its admissibility within 10 working days from the date of receipt of the complaint by Röntgen.
- 4.3. If the Complaints Officer decides that the Complaint is not admissible to Röntgen, a clear and detailed explanation shall be provided to the Complainant as to why the Complaint is deemed inadmissible and cannot be processed by Röntgen.
- 4.4. Röntgen considers the following Complaints inadmissible:
- 4.4.1. if the Complaint submitted does not comply with the requirements set out in Chapter 3 of the Procedures;

- 4.4.2. if an identical Complaint is submitted to Röntgen, or a Complaint that is already being dealt with by another competent authority or court, or that is the subject of a decision by Röntgen, or of a judgment, ruling or order that has been issued and entered into;
- 4.4.3. if the Complaint is anonymous.
- 4.5. Following the decision of the Complaints Officer to accept the Complaint, the following information shall be provided to the Applicant within the time limit set out in paragraph 4.1:
  - 4.5.1. The identity and contact details, including email address and telephone number, of the Complaints Officer, to whom the Complainant may refer any matter relating to the Complaint;
  - 4.5.2. Time limit for examining the complaint and replying to the Applicant.
- 4.6. Each complaint received must be recorded in the Complaints Officer's Log Book (Annex 2). The log shall record and maintain the following details of the Complaint:
  - 4.6.1. Name of the applicant (if the applicant is a legal person);
  - 4.6.2. The address of the Applicant is stated in the complaint;
  - 4.6.3. Date and method of receipt of the complaint;
  - 4.6.4. Complaint registration number;
  - 4.6.5. The essence of the complaint (short content);
  - 4.6.6. the Röntgen services or products complained about, and the types of products;
  - 4.6.7. the date of sending the reply to the Applicant;
  - 4.6.8. the final outcome (decision) of the Complaint.
- 4.7. It is also recommended to keep a log of all other Röntgen actions related to the handling of the Complaint (e.g. referrals to external legal counsel, internal consultations on the circumstances of the Complaint, internal inspections, etc.).

## 5. HANDLING COMPLAINTS

- 5.1. When investigating complaints, Röntgen shall be guided by the principles of respect for human rights, justice, fairness, reasonableness, objectivity, impartiality, promptness and other principles set out in the Rules and other legal acts of the Republic of Lithuania.
- 5.2. Röntgen must take all reasonable steps to ensure that the Complaint is dealt with as promptly and fully as possible.
- 5.3. The Complaint Officer shall investigate the Complaint himself/herself and write a Response or instruct other competent Röntgen employees to do so within the shortest possible time, but not longer than the time limit set out in the **Error! Reference source not found.** Procedures to investigate the circumstances and claims set out in the Complaint and to submit a written draft Response to the Complaints Officer.
- 5.4. The Complaints Officer may not investigate complaints that are based on acts/omissions of the Complaints Officer or acts/omissions of his/her close relatives (if employed by Röntgen). In such a case, the Complaint Officer must recuse himself or herself from the handling of the particular Complaint by informing the Head of Röntgen in writing, who shall appoint another Röntgen employee who does not have a conflict of interest in the handling of the Complaint. The person whose action/inaction is complained of, a close relative of such person or a person under his/her direct authority may not be appointed to investigate the Complaint. If the persons referred to in this clause consider that, in the case of a particular Complaint, they are unable to deal with that Complaint because of other circumstances which give rise or may give rise to a conflict of interest, they must immediately inform the Head of Röntgen and recuse themselves from the handling or investigation of the Complaint in question. If the circumstances referred to in this clause become apparent during the course of the investigation of a Complaint, prompt action must be taken to eliminate the circumstances giving rise or likely to give rise to a conflict of interest and, if necessary, to appoint a different person to deal with or investigate the particular Complaint.
- 5.5. The person dealing with the complaint must, among other things:

- 5.5.1. collect and evaluate all documents and data relevant to the complaint;
  - 5.5.2. analyse and evaluate historical data relating to the Applicant's service;
  - 5.5.3. analyse and evaluate the Applicant's previous Complaints (if any);
  - 5.5.4. assess other available information relevant to the examination of the Complaint (contracts concluded by the Applicant, data relating to the fulfilment of obligations to Röntgen, etc.);
  - 5.5.5. communicate with the Applicant as necessary;
  - 5.5.6. if necessary, ask the Röntgen employee whose actions are complained about or his/her colleagues to give explanations about the circumstances of the complaint;
  - 5.5.7. if necessary, ask the Applicant or his/her representative to provide additional information necessary for the examination of the Complaint.
- 5.6. Complaints are dealt with in writing at Röntgen. In exceptional cases, meetings between the parties may be arranged in order to resolve the dispute amicably. The meeting may be arranged either by the Complainant or by Röntgen.
- 5.7. Complaints are dealt with by Röntgen free of charge.
- 5.8. The Complainant shall be informed by the Complainant of any additional action taken in the course of the Complaint and shall promptly respond to reasonable questions from the Complainant regarding the Complaint.
- 5.9. The Complainant's Hearing Officer shall investigate the Complaint and provide a detailed, reasoned and documented Response to the Complainant no later than 14 calendar days from the date of receipt of the Complaint by Röntgen.
- 5.10. If, for exceptional reasons beyond Röntgen's control, it is not possible to provide a Response within 14 calendar days, Röntgen shall inform the Customer of the delay, stating the reasons for the delay in responding to the Complaint and the deadline by which the Customer will receive a final Response.
- 5.11. If, during the course of the Complaint, the Complainant, having lodged the Complaint, withdraws his/her claim in writing, the Complaints Officer shall terminate the Complaint proceedings. In such a case, an entry shall be made in the Register to that effect indicating the withdrawal of the Complaint and the termination of the Complaint proceedings.

## **6. TAKING A DECISION AND PROVIDING A REPLY**

- 6.1. The reply shall take into account all the points raised in the Complaint and give the reasons for the decision. The decision on the Complaint shall be consistent with all previous Röntgen decisions on similar Complaints, unless Röntgen can justify different decisions.
- 6.2. The original reply, together with the attached documents, shall be provided to the Applicant by e-mail or, if the Applicant so requests, in paper form.
- 6.3. The reply to the Complainant shall include at least:
  - 6.3.1. Date of reply;
  - 6.3.2. Reasoned Response;
  - 6.3.3. list of attached documents (if any);
  - 6.3.4. Name, title and signature of the person who drafted the reply to the complaint.
- 6.4. Responses to Complainants' Complaints must in all cases be agreed with the Röntgen Manager.
- 6.5. If Röntgen is not responsible for the performance of the activities referred to in the Complaint received, Röntgen shall indicate to the Complainant the reasons for the refusal to accept and process the Complaint, as well as, where possible, the financial market participant responsible for the processing of the Complaint in question.
- 6.6. If Röntgen does not satisfy or partially satisfies the Applicant's claims and the Applicant is a Consumer, the Applicant shall have the right to appeal to the Bank of Lithuania in writing or

- electronically within 1 (one) year from the date of contacting Röntgen for the resolution of the arising dispute. If the Applicant misses the deadline for contacting the Bank of Lithuania, he/she shall lose the right to contact the Bank of Lithuania in respect of the same dispute, i.e. in respect of the same subject matter (the claim against Röntgen) and on the same grounds (the circumstances on which the claim is based), irrespective of the fact that he/she has repeatedly contacted Röntgen.
- 6.7. You can find out more about the procedure for consumer disputes with financial services providers on the Bank of Lithuania's website: <https://www.lb.lt/lt/daugiau-apie-gincius-su-finansiniu-paslaugu-teikeju>.
  - 6.8. If Röntgen does not satisfy or partially satisfies the Complainant's claims and the Complainant is not a Consumer, the Complainant shall have the right to apply to court in accordance with the procedure established by the laws of the Republic of Lithuania.
  - 6.9. The investigated Complaints, together with all documentation, must be kept in a separate file in the Complaints Binder or in Röntgen's electronic record-keeping system in accordance with the statutory procedure, but at least 3 years from the date of the final response to the customer.

## **7. ASSESSING THE OUTCOME OF COMPLAINTS HANDLING**

- 7.1. Röntgen continuously evaluates the outcome of its Complaint Handling to identify its shortcomings and potential legal or operational risks. During this assessment, a member of staff appointed by the Röntgen CEO:
  - 7.1.1. collect information on similar Complaints in relation to Röntgen's activities as a crowdfunding platform operator, analyse this information to identify the root cause of the Complaints, and make suggestions to the Head of Röntgen on the prioritisation of the resolution of the causes of the Complaints;
  - 7.1.2. assess whether the root cause of the occurrence of certain Complaints is likely to lead to the occurrence of Complaints about other services or products provided by Röntgen in relation to Röntgen's activities as a crowdfunding platform operator;
  - 7.1.3. assesses whether the root causes of Complaints can be eliminated and makes suggestions to the Head of Röntgen on how to eliminate them;
  - 7.1.4. where necessary, take action to address the identified root causes of Complaints;
  - 7.1.5. ensure that information on recurring or systemic causes of Complaints is regularly provided to the Röntgen Manager to enable him to carry out his functions effectively.
- 7.2. The Head of Röntgen, after taking into account the information referred to in Article 7.7.1 on the Complaints received by Röntgen and the results of the investigation thereof, and after considering the suggestions received as to the priorities for addressing the causes of the Complaints and the means of their elimination, take the appropriate decisions in order to eliminate the identified root causes of the Complaints.
- 7.3. Information on the decisions of the Head of Röntgen regarding the remediation of performance deficiencies and risk management based on Complaints shall be kept for at least 3 years in accordance with the procedures established by law.

## **8. RESOLVING DISPUTES BETWEEN PARTIES TO A FINANCING TRANSACTION**

- 8.1. If the Applicant considers that the other party to the financing transaction has violated its rights or legitimate interests, the Applicant shall have the right to apply to Röntgen in accordance with the same procedures set out in this Procedure. However, in such cases, the Applicant must indicate that he/she is referring to a dispute between the parties to the financing transaction.
- 8.2. After reviewing the information provided by the Applicant regarding the dispute between the parties to the Financing Transaction, Röntgen may make a proposal to the parties to the Financing Transaction on a possible way to resolve the dispute within a period of time of no more than 35 working days. Such proposal shall not be binding or binding.

- 8.3. In accordance with the Rules 8.1 of the Procedures, the information provided by the Applicant shall not be considered as a Complaint and shall not be subject to the other provisions applicable to Complaints under the Procedures. In all cases, Röntgen endeavours to act in the best interests of its Customers, but assumes no responsibility for the offer made to resolve the dispute, its suitability or its consequences.
- 8.4. In the event of failure to resolve a dispute between the parties to a financing transaction in accordance with the procedure set out in paragraphs 8.1 to 8.3 of the Procedure, the dispute between the parties to the financing transaction shall be settled in accordance with the procedure set out in the applicable legal acts.

## **9. FINAL PROVISIONS**

- 9.1. The Head of Röntgen shall be responsible for the proper implementation and control of this Procedure. The Head of Röntgen shall determine who shall act as the Complaints Handler.
- 9.2. All Röntgen employees are required to read and comply with the Regulations and any amendments thereto.
- 9.3. Amendments and/or additions to these Rules shall enter into force on the day following the date of their adoption, unless a different effective date is specified. The Head of Röntgen shall ensure that Röntgen employees are informed in a timely manner of amendments and/or additions to the Schedule.
- 9.4. Complaints Officers must have sufficient skills, knowledge and experience to properly implement the requirements of these Procedures.
- 9.5. The person dealing with complaints must be given access to all the information necessary for the handling of complaints.
- 9.6. Röntgen collects and, upon request of the Bank of Lithuania, provides information on the number of Complaints received, broken down by the reasons for submission and the outcome of the investigation.

**COMPLAINT FORM**

*1.a Personal data of the complainant:*

SURNAME/NAME OF LEGAL ENTITY	NAME	REGISTRATION NUMBER AND LEI (IF ANY)

ADDRESS: STREET, HOUSE NUMBER, FLOOR (registered office of companies)	POST CODE	CITY	COUNTRY

PHONE	EMAIL

*1.b. Contact details (if different from those in 1.a):*

SURNAME/NAME OF LEGAL ENTITY	NAME

ADDRESS: STREET, HOUSE NUMBER, FLOOR (registered office of companies)	POST CODE	CITY	COUNTRY

PHONE	EMAIL

*2.a. Personal details of the legal representative (if applicable) (power of attorney or other official document proving the appointment of the representative):*

SURNAME/NAME OF LEGAL ENTITY	NAME	REGISTRATION NUMBER AND LEI (IF ANY)

ADDRESS: STREET, HOUSE NUMBER, FLOOR (registered office of companies)	POST CODE	CITY	COUNTRY

PHONE		EMAIL	
-------	--	-------	--

2.b. Contact details (if different from those in 2.a):

SURNAME/NAME OF LEGAL ENTITY	NAME

ADDRESS: STREET, HOUSE NUMBER, FLOOR (registered office of companies)	POST CODE	CITY	COUNTRY

PHONE		EMAIL	
-------	--	-------	--

### 3. Information about the complaint

3.a Full reference to the investment or arrangement to which the complaint relates (i.e. registration number of the investment, name of the project owner/company or crowdfunding project, other references to relevant transactions...)

3.b. Description of the subject matter of the complaint (clearly state the subject matter of the complaint)

Please provide supporting documentation for these facts.

3.c. Date(s) of the facts complained of

3.d. Description of the damage or loss caused (where relevant)

3.e *Other comments or relevant information (where relevant)*

(location)

(date)

---

*SIGNATURE*