



**RU-1944.1.01**

# **Rules for the Submission and Review of Customer Complaint- Claims and Chargeback**

YEREVAN – 2024

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# 1. DEFINITIONS AND ABBREVIATIONS

**Bank:** ARDSHININVEST CJSC

**Customer:** A resident or a non-resident Legal Entity, a Private Entrepreneur (PE) or an individual who, for the purpose of benefiting from the Bank's services, applied online on the premises of the Bank for the procession or activation of the service/services preferred by himself/herself, a micro-entrepreneurial entity benefiting from, or applying to benefit from, the services of the Bank, as well as a person who provided a security for the performance of the obligations (except for the cases of filing an inquiry and/or an opinion), in which case the applicant may be any person;

**Complaint-Claim:** a complaint submitted to the Bank by the Customer in writing with a property (financial) claim, or a claim regarding, or dealing with, information prescribed by the law of the Republic of Armenia "On the Circulation of Credit Information and the Activities of Credit Bureaus", in which case the complaint may be non-property related in nature. A

Complaint-Claim implies a mandatory response by the Bank provided it was submitted within a year from the moment the Customer gained knowledge or could have gained knowledge of the violation in essence. Moreover, within the meaning of the present clause, the fact of filing a complaint through the Financial System Mediator of the Republic of Armenia may, upon the Customer's consent, be also deemed as a submission of a complaint;

**Chargeback:** information submitted to the Bank as a Claim of Chargeback in the event of a disagreement to transactions performed with the Customer's card account. Meantime, all the Customers' claims shall be considered and reviewed, which implies a mandatory response by the Bank. The information shall be reviewed by the Bank provided it was submitted in a year from the moment the Customer gained knowledge of, or could have gained knowledge of, the violation of his/her right;

**Responsible Officer:** Branch manager (Customer Service Division), Head of the Client Service Department or an employee acting in the capacity of a financial counsellor responsible for the acceptance of the Complaint-Claims and the inquiry, as well as,

in the event of applications under primary review through the Bank's Call Center, an employee of the Bank's Call Center.

**FSM (Mediator)** A financial system mediator as prescribed by the law of the Republic of Armenia “On the Financial System Mediator”.

## 2. GENERAL PROVISIONS

**2.1** Customers shall submit their Complaint-Claims and Chargeback addressed to the Bank in any of the manners specified below:

- **Electronically:** by sending messages to the Bank's official email addresses ([ashb@ardshininvest.am](mailto:ashb@ardshininvest.am), [mbanking@ardshininvest.am](mailto:mbanking@ardshininvest.am), [distance@ardshininvest.am](mailto:distance@ardshininvest.am) [office@ardshininvest.am](mailto:office@ardshininvest.am))
- **Via calls:** by contacting the Bank's Call center (contact number: 060655000)
- **From Bank's official website:** by accessing the Feedback section on the Bank's official website ([www.ardshininvest.am](http://www.ardshininvest.am));

➤ **Via paper submission:**

- ✓ **By hand:** Via submission to any branch of the Bank or the Head Office
- ✓ **By postal delivery:** by sending a letter to “42 H.Paronyan, 0015, Yerevan”;

➤ **Via the mobile app:** By accessing *Contact the Bank* section on the Bank's Mobile Banking application;

➤ **Through the social networks:** By sending the Bank a message via the social networking sites;

➤ **FSM:** Via the Office of the Financial System Mediator of the Republic of Armenia.

**2.2** Meantime, an inquiry//Complaint-Claim submitted by the Customer shall be subject to review and a mandatory submission for a written response provided it contains at least the Customer's first name and family name (title), details for feedback information (including the residence address and phone number) and the Customer's identification details (ID details and/or social services number for a Customer acting in the capacity of a individual, and TIN and state registration number for a Customer acting in the capacity of a Legal Entity),

plus signature in case of paper submission, **as well as the description of the complaint**. A complaint not satisfying the **indicated** reference details shall not be a Complaint-Claim submitted in line with the requirements set forth in regulation 8/04 (regardless of the Bank's submission of a response).

**2.3** A Complaint-Claim may be accepted from a Customer (authorized person) exceptionally in cases when the said requirement applies to the services rendered to him or her.

**2.4** A response letter shall be sent/submitted to the Customer:

- Electronically, i.e. – simultaneously to the email address registered by the Customer in the data provided to the Bank and the email address from which the Customer's letter was received. If no email address is available in the Customer's data, and the Customer sent the letter from another email address, no response letter containing banking secrecy shall be sent to such an email address.
- Via postal communication if the Customer submitted the letter in a paper format – by mail or by hand - or the Customer specified, in the letter sent electronically, his/her willingness to receive the response by mail. In that case, the

response shall be sent to the (mailing) address provided as part of the Agreement with the Customer, and in the event of a different address specified by the Customer – to the address in question.

- By hand, if the Customer indicated a willingness to receive the response by hand.

### 3. REVIEW OF COMPLAINTS AND CLAIMS

**3.1** Complaint-Claims satisfying Clause 2.2 of the present Rules and submitted subject to the procedures prescribed by Clause 2.1 of the present Rules shall be reviewed by the Bank.

**3.2** Customers shall be informed of the procedure for filing a Complaint-Claim with the Bank and the further process from the Bank's official website, as well as by visiting the Bank to consult with the Responsible Officer or to the information available on the panels in the Bank's service halls, as well as from the Bank's Call Center.

3.3 The service halls of the Bank are equipped with information panels, with an attached checklist entitled *What to Do if You Have a Complaint?* (FO-1944.1.02.02) and the *Complaint-Claim Checklist Completion Form* (FO-1944.1.02.01), whose copies shall be provided to the Customer who has expressed a willingness to submit a Complaint-Claim. The Customers willing to submit a Complaint-Claim shall be given complete information about the procedure for filing a Complaint-Claim and the further process from the Responsible Officer of the branch (the Head Office)

3.4 Customers may submit their Complaint-Claims to any branch of the Bank or the Bank's Head Office regardless of the branch of the Bank (Head Office) whose service resulted in the Complaint-Claim in question.

3.5 If, as a result of the information and consulting provided by the Bank, the Customer is willing to submit a Complaint-Claim with the Bank, it shall be submitted in any of the manners described under Clause 2.1 of the present Rules.

3.6 The Responsible Officer of the Bank shall complete the *Complaint-Claim Checklist Completion Form* (FO-1944.1.02.01)

to which, at the Customer's discretion, a letter composed in free style may be attached.

3.7 A Complaint-Claim shall be deemed duly submitted and accepted if:

- in case of paper submission it was signed by the Customer, and the Customer received the completed copy of the *Customer Complaint-Claim Completion Form* (FO-1944.1.02.01);
- in case of electronic submission the Bank shall, in the same manner, no later than on the following business day, submit to the Customer a letter (warrant) verifying the fact of receiving the complaint. Meantime, in the event of submitting the complaint electronically after 1:00 pm of the given business day, it shall be deemed submitted on the following business day;
- In case of Complaint-Claims sent by postal delivery, the receipt on sending the letter shall be deemed as a basis thereof. Meantime, the business day following the entry thereof into the Bank database shall be deemed the date of the Bank's receipt of the Complaint-Claim.

➤ In the event of receipt through the mediator, the Bank shall, no later than on the following business day, send the Customer a letter (warrant) verifying the fact of receiving the complaint. Meantime, in the event of submitting the complaint electronically after 1:00 pm of the given business day, it shall be deemed submitted on the following business day.

3.8 The response letter referred to the Customer shall reflect the Bank's clear-worded decision on satisfying, partially satisfying, or rejecting the Customer's Complaint-Claim; it shall contain the reasoning behind the Bank's decision, the data of the specialist conducting the review (first name, family name and title) and the means of communication with the latter (telephone, email address), as well as information:

- that the Customer may, in the event of having questions as to the outcomes of the review of the Complaint-Claim, turn to the given person (specialist)
- in the event of being dissatisfied with the written response thereto, the Customer may resort to court for the protection of his/her rights, turn to the Mediator (provided

the Customer's Complaint-Claim meets the requirements subject to review by the Financial System Mediator under the law of the Republic of Armenia on the Financial System Mediator), the Central Bank of Armenia or arbitration tribunal (if there is an arbitration agreement)

➤ In case of being dissatisfied with the written response to the Complaint-Claim, the Customer shall be entitled to resort to court, turn to the Mediator within six months from the date of receiving the final response to the Complaint-Claim, provided the Customer's Complaint-Claim meets the requirements subject to review by the Financial System Mediator under the law of the Republic of Armenia "On the Financial System Mediator".

3.9 In the event of rejecting or partially satisfying the Complaint-Claim, the Customer acting in the capacity of an individual shall be provided also with the checklist entitled *What to Do if You Have a Complaint* (FO-1944.1.02.02).

3.10 The Customer may, for the purpose of receiving the response not received by the Customer, turn to the Bank's Head

Office no earlier than 15 days after the date of the application entry into the Bank database.

## 4. CHARGEBACK REVIEW

4.1 In the event of problems resulting from any transaction involving the use of a payment card or the reference details thereof (including charging of extra fees, goods or services not delivered or provided, non-compliance of goods, etc.), the cardholder may, in a prescribed manner, turn to the Bank for charging back the transaction whenever all the possible resources and options for settling the issue directly with the sales and service unit are exhausted.

4.2 The Customer may submit the Claim of Chargeback in the manners described in Clause 2.1 of the present Rules.

4.3 The services specialist shall, before accepting the Claim of Chargeback, conduct a Customer identification based on a personal ID document, and in the event of submission electronically or to the Bank's Call Center – perform necessary actions for a remote identification as prescribed by the internal legal acts of the Bank,

4.4 A letter composed in free style may be enclosed to the Claim of Chargeback completion form (FO-670.0.01-01).

4.5 Whenever the Customer submits to the Bank a letter already completed (in a form other than that set by the Bank), it shall be accepted by the Responsible Officer, whereafter the Responsible Officer shall complete the *Claim of Chargeback* checklist form (FO-670.0.01-01) (after considering the necessary issues with the Customer) and shall submit it to the Customer for signing in verification of the acceptance of the Claim of Chargeback, enclosing the letter submitted by the Customer.

4.6 A Claim of Chargeback shall be deemed duly submitted and accepted if:

- upon submission by hand it was signed by the Customer, and the Customer received the copy of the *Claim of Chargeback* (FO-670.0.01-01);

- In case of electronic submission, the Customer shall, in the same manner, no later than the following business day, receive a letter (warrant) from the Bank, verifying the fact of receiving the Claim of Chargeback. Meantime, in the event of submitting the Claim of Chargeback electronically after



1:00 pm of the given business day, it shall be deemed submitted on the following business day;

4.7 The process of reviewing the Claim of Chargeback and the submission of a response to the Customer who submitted a Claim of Chargeback shall be carried out pursuant to the present Rules and the rules of international payment and settlement systems.

4.8 The final response letter referred to the Customer shall reflect the Bank's clear-worded decision on satisfying, partially satisfying or rejecting the Customer's Claim of Chargeback; it shall contain the reasoning behind the Bank's decision, the data of the review specialist (name, family name, title) and the means of communication with the latter (telephone, email address), as well as information that:

- the Customer may, in the event of having questions as to the outcomes of the review of the Claim of Chargeback, apply to the given person (specialist);
- in the event of being dissatisfied with the written response thereto, the Customer may resort to court for the

protection of his/her rights, turn to the Mediator (provided the Customer's Claim of Chargeback meets the requirements subject to review by the Financial System Mediator under the law of the Republic of Armenia on the Financial System Mediator), the Central Bank of Armenia or the arbitration tribunal (if there is an arbitration agreement);

- In case of being dissatisfied with the written response of the Claim of Chargeback, the Customer shall be entitled to turn to the Mediator within six months from the date of receiving the final response to the Claim of Chargeback, provided the Customer's Claim of Chargeback meets the requirements subject to review by the Financial System Mediator under the law of the Republic of Armenia "On the Financial System Mediator".

4.9 In the event of rejecting or partially satisfying the Claim of Chargeback, the Customer acting in the capacity of an individual shall be provided also with the checklist entitled *What to Do if You Have a Complaint* (FO-1944.1.02.02).