



Firm's Complaints Procedure – Onyx Advocaten

Article 1 - Definitions

In this Firm's Complaints Procedure, the following terms are defined:

- a) *complaint* any written expression of dissatisfaction by or on behalf of the client towards the lawyer or the persons working under their responsibility with respect to the conclusion and performance of an engagement agreement, the quality of the services provided or the amount of the invoice, not being a complaint as referred to in Section 4 of the Dutch Counsel Act (*Advocatenwet*);
- b) *complainant*: the client or their representative who makes a complaint;
- c) *complaints officer*: the lawyer entrusted with the handling of the complaint.

Article 2 – Scope

- a) This Firm's Complaints Procedure is applicable to all engagement agreements between Onyx Advocaten and the client.
- b) Every lawyer of Onyx Advocaten is responsible for handling complaints in accordance with this Firm's Complaints Procedure.

Article 3 - External Complaints Procedure

Complaints as referred to in Article 1 of this Firm's Complaints Procedure, that have not been resolved, may be submitted to the competent Dutch Court. Unless otherwise provided by law, the District Court of Oost-Brabant, location 's-Hertogenbosch, will have jurisdiction to take cognisance of the dispute.

Article 4 - Internal Complaints Procedure

- a) If a client approaches the firm with a complaint, the complaint will be forwarded to M.L.A. van Hurne, LL.D., who will then act as the complaints officer. If the complaints officer is the lawyer handling the case, the complaint will be forwarded to the second complaints officer, M.A.J. Emonds, LL.D.
- b) The complaints officer will notify the person who is the subject of the complaint that the complaint has been lodged and will give the complainant and the person who is the subject of the complaint the opportunity to explain the complaint.
- c) The person who is the subject of the complaint will attempt to find a solution together with the client, possibly through the intervention of the complaints officer.
- d) The complaints officer will deal with the complaint within four weeks of receiving it, or will notify the complainant if this term is exceeded, stating reasons, and indicating the term within which the complaint will be decided.
- e) The complaints officer will notify the complainant and the person who is the subject of the complaint in writing of the opinion on the merits of the complaint, whether or not accompanied by recommendations.
- f) If the complaint has been dealt with satisfactorily, the complainant, the complaints officer and the person who is the subject of the complaint must sign the opinion on the validity of the complaint.



Article 5 - Confidentiality and Free Complaints Handling

- a) The complaints officer and the person who is the subject of the complaint will maintain confidentiality during the handling of the complaint.
- b) The complainant is not liable to pay any compensation for the costs of handling the complaint.

Article 6 - Responsibilities

- a) The complaints officer is responsible for dealing with the complaint in a timely manner.
- b) The person who is the subject of the complaint will keep the complaints officer informed about any contact and a possible solution.
- c) The complaints officer will keep the complainant informed about the handling of the complaint.
- d) The complaints officer keeps the complaint file up to date.

Article 7 - Complaint Registration

- a) The complaints officer registers the complaint and the subject of the complaint.
- b) A complaint may be classified into several subjects.
- c) The complaints officer will report periodically on the handling of the complaints and will make recommendations for the prevention of new complaints and for the improvement of procedures.
- d) At least once a year, the reports and recommendations are discussed at the firm and submitted for decision.