The mediation Charter

In application of Article L.621-19 of the Monetary and Financial Code, the Autorité des Marchés Financiers is authorised to receive claims relating to matters that fall within its jurisdiction from any interested party, and to deal with them appropriately. When relevant, it proposes an out-of-court settlement of the disputes brought to its attention, via conciliation or mediation.

The submission of a dispute to the Autorité des Marchés Financiers to find an out-of-court settlement, implies the suspension of the statute of limitations for civil and administrative proceedings. It starts to run again when the Autorité des Marchés Financiers declares the mediation as ended.

The Autorité des Marchés Financiers cooperates with foreign stockmarket regulators in the resolution of cross-border disputes.

Contacting the Ombudsman

The Ombudsman may be contacted by any person or legal entity, involved in a dispute of an individual nature falling within the Autorité des Marchés Financiers jurisdiction, only if no legal action or AMF investigation, regarding the same facts, is in progress. The mediation procedure is free of charge.
A claim may only be brought to the attention of the Ombudsman when a prior action has been taken against the investment services provider or issuer, and your complaint has remained unanswered or has been rejected either totally or partially.

**The mediation process**

The necessary means to carry out mediation in a neutral, impartial and independent manner are registered in the budget of the Autorité des Marchés Financiers.

The Ombudsman may only undertake the mediation procedure with the consent of both parties.

In principle, mediation lasts three months from the time when all useful evidence has been supplied to the Ombudsman by the parties.

The mediation procedure is a contradictory procedure. It is carried out in writing, but the Ombudsman may decide to hear the parties separately or together.

The Ombudsman and the parties are bound by the strictest obligations of confidentiality.

**Legal action**

Both parties retain the right to bring the dispute in front of the courts at any time. The submission of the dispute to the courts brings the intervention of the Ombudsman to an end.

On this assumption, any exchange that has taken place during the mediation procedure may not be used or submitted to the courts.

**End of the mediation procedure**

The mediation procedure ends either by an out-of-court settlement, or by the statement of a persistent disagreement, the withdrawal of one of the parties, or by the start of legal action relating to the dispute.

Whatever the outcome of the procedure, the Ombudsman informs the parties, in writing, of the end of his intervention.

**Annual report**
The Ombudsman presents an annual report to the Board of the Autorité des Marchés Financiers, in which his activities are reviewed. This report is published.