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25 January 2020

## Prepare your mediation request

**The Ombudsman handles complaints and mediation requests in accordance with law and equity, issuing recommendations in order to reach out-of-court settlement and avoid legal proceedings. The mediation procedure is set down in a charter and takes place in several stages.**

To facilitate the handling of your case, you must prepare a written complaint that is both clear and precise. You should give

- a full description of your case, together with a timeline, and the initiatives you have already taken
- details of the amicable settlement you wish to reach (cancellation, execution, compensation). In the case of compensation, provide an estimate of the damages you feel you have suffered.

When submitting your complaint, you should include copies of any items that may be useful to the Ombudsman when examining the case, notably your correspondence with the person responsible for the damages you consider you have suffered, as well as all supporting documents.

The evidence to be submitted to the Ombudsman varies depending on the nature of your complaint. The table below lists the documents that will be useful for dealing with your case. The list is indicative only, and you may send any other document you think relevant. Likewise, when examining your case, the Ombudsman may ask more additional materials.



## Documents to submit




Your complaint	Information / documents to provide
<p>A buy/sell order for a financial instrument is not executed properly.</p>	<ul style="list-style-type: none"> <li>— ISIN code of the financial instrument (2 letters and 10 digits, shown on your execution advice or portfolio statements)</li> <li>— security account agreement</li> <li>— your instructions (screen dumps, fax, post code)</li> <li>— execution advice and/or portfolio statements showing the disputed transactions</li> </ul>
<p>You have a complaint about the Deferred Settlement Service, SRD (margin/rollover/purchase)</p>	<ul style="list-style-type: none"> <li>— security account agreement</li> <li>— email/letter /telegram from the financial intermediary with a margin call</li> <li>— account statements</li> <li>— your rollover instructions</li> </ul>
<p>A trade is cancelled</p>	<ul style="list-style-type: none"> <li>— security account agreement</li> <li>— transaction notes and/or portfolio statements generated by the cancellation</li> <li>— cancellation request, screen dumps</li> </ul>
<p>A request to buy or redeem fund units or shares is not executed properly.</p>	<ul style="list-style-type: none"> <li>— ISIN code of the financial instrument</li> <li>— your purchase/redemption instructions</li> <li>— transaction notes and/or portfolio statements</li> </ul>
<p>Your request to redeem fund shares/units is denied.</p>	<ul style="list-style-type: none"> <li>—             <div style="border: 1px solid black; padding: 5px; margin-left: 20px;"> <ul style="list-style-type: none"> <li>■ ISIN code of the financial instrument</li> <li>■ your instructions</li> </ul> </div> </li> </ul>



Your complaint	Information / documents to provide
<p>You are not provided with information about a material change in the characteristics of a fund you have invested in.</p>	<ul style="list-style-type: none"> <li>— ISIN code of the financial instrument,</li> <li>— details about the change that led to the dispute.</li> </ul>
<p>You receive a personal recommendation about a financial instrument transaction or an investment service that does not comply with your aims, financial situation and experience in the field of finance.</p>	<ul style="list-style-type: none"> <li>— client questionnaire filled in by you (if not, any evidence that the firm/entity in question had information about your aims, financial situation and experience in the field of finance)</li> <li>— documentation received along with the recommendation, subscription form</li> </ul>
<p>The financial instruments you invested in on the advice of your usual financial intermediary or a direct seller have fallen in value.</p>	<ul style="list-style-type: none"> <li>— client questionnaire filled in by you (if not, any evidence that the firm/entity in question had information about your aims, financial situation and experience in the field of finance)</li> <li>— documentation you received prior to the investment, subscription form, signed contracts</li> </ul>
<p>You are charged fees that do not match the general terms and conditions of business you received.</p>	<ul style="list-style-type: none"> <li>— general terms and conditions of business of the firm/entity in question</li> <li>— security account agreement, management agreement (if any)</li> </ul>
<p>When a financial product (structured fund, EMTN, etc.) matures, you receive an amount that is inconsistent with what was shown in the documentation supplied when you invested.</p>	<ul style="list-style-type: none"> <li>— ISIN code of the financial instrument</li> <li>— documentation provided when you invested</li> <li>— subscription form</li> <li>— account statement showing the disputed entry</li> </ul>
<p>Your request to transfer or close your security account or personal equity plan is not executed on time.</p>	<ul style="list-style-type: none"> <li>— your transfer/closing instructions</li> <li>— security account agreement</li> </ul>
<p>You are not informed beforehand about a corporate action (eg share contribution/exchange in a tender offer, exercise or sale of pre-emptive rights in a capital increase).</p>	<ul style="list-style-type: none"> <li>— security account agreement</li> <li>— portfolio statement showing the securities concerned by the corporate action</li> </ul>

Your complaint	Information / documents to provide
The instructions you gave about a corporate action are not executed properly.	<ul style="list-style-type: none"> <li>— security account agreement</li> <li>— your instructions</li> <li>— corporate action notice received beforehand</li> <li>— transaction report and/or account statements</li> </ul>
Financial instruments, or cash from the sale of them, are delivered late.	<ul style="list-style-type: none"> <li>— ISIN code</li> <li>— your instructions</li> <li>— account statements showing the disputed transactions</li> </ul>
Buy/sell entries are recorded on your security account with no prior instructions from you.	<ul style="list-style-type: none"> <li>— portfolio statements showing the disputed entries</li> </ul>
An asset manager carries out a transaction that does not comply with the investment objective in the mandate.	<ul style="list-style-type: none"> <li>— investment mandate</li> <li>— portfolio statements showing the disputed transactions</li> </ul>

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20 April 2022

The AMF Ombudsman publishes her 2021 Annual Report

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MEDIATION

26 November 2021




Marielle Cohen-Branche is reappointed as AMF Ombudsman for a three-year term

**ANNUAL REPORT** MEDIATION

15 June 2021

AMF Ombudsman Annual Report 2020



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