

Article 1 – PURPOSE OF THE CHARTER

This charter is intended for any person who refers a case to the Ombudsman. Its provisions, to which the parties are subject, govern the mediation process.

Article 2 - THE OMBUDSMAN

Pursuant to Article L. 621-19 of the Monetary and Financial Code, the Ombudsman of the Autorité des Marchés Financiers (AMF), a public consumer Ombudsman for financial matters, shall be appointed by the chairman of the AMF, after consultation with the Board, for a three-year renewable term. The Ombudsman carries out his consumer mediation duties under the conditions provided for in Title V of Book I of the Consumer Code.

Article 3 – JURISDICTION

Any consumer or "non-professional" within the meaning of the introductory article of the French Consumer Code is entitled to contact the Ombudsman with regard to a financial dispute of an individual nature falling within the jurisdiction of the AMF. However, the Ombudsman has no jurisdiction in the areas of banking, taxation or insurance.

Pursuant to Article L.612-2 of the Consumer Code, the Ombudsman is not authorised to intervene when:

- the consumer has no proof that he or she first attempted to resolve the dispute directly with - the professional via a written claim;
- the dispute has been heard by another Ombudsman or by a court;

the consumer submitted his or her request to the Ombudsman more than one year after filing a written claim with the professional.

Article 4 - APPLICABLE PRINCIPLES

Independence: As part of the AMF, an independent public body, the Ombudsman has sufficient resources and a team dedicated to carrying out his duties. He also has his own budget.

Impartiality: The Ombudsman examines cases with regard to the parties' respective positions in a strictly neutral manner. He receives no direction on how to deal with the individual cases for which he is responsible.

Voluntary: Both parties should willingly enter into mediation, and they can withdraw from the mediation process at any time.

Confidentiality: The Ombudsman, his team and the parties to the proceedings are bound to observe strict confidentiality. Communications that have taken place during the mediation process, as well as the Ombudsman's proposal, may not be submitted or referred to in court.

Free of charge: No fees or expenses are charged to the parties to the dispute.

Suspension of the limitation period: Referral to the Ombudsman suspends limitation of any civil or administrative action as from the day the Ombudsman is contacted. Said limitation shall resume for a period that may not be less than six months when the Ombudsman announces the close of the mediation procedure.

Transparency: The Ombudsman presents an annual report reviewing his activities to the AMF Board. This report is published.

Article 5 - MEDIATION PROCESS

Examination

The Ombudsman analyses and compares the parties' arguments. The examination is carried out in writing, but the Ombudsman may decide to hear the parties separately or together.

The parties may contact the Ombudsman without using an attorney. However, they may be represented or assisted by a third party of their choosing at any stage during the mediation process.

Duration

The Ombudsman renders an opinion within 90 days of receiving all necessary information from all the parties. This timeframe may be extended by the Ombudsman if the case is particularly complex.

Ombudsman's opinion and agreement of the parties

At the end of the process, the Ombudsman issues an opinion grounded in law and in equity in which, failing agreement between the parties, he issues a proposal for a solution. The mediation procedure ends with the delivery of this opinion or the withdrawal of one of the parties.

The parties may refuse or agree to follow the opinion of the Ombudsman who, where applicable, ensures the agreement is enforced.