

COMPLAINTS REGULATIONS CMS CIVIL LAW NOTARIES

1. DEFINITIONS

'complaint': an oral or written expression of dissatisfaction that can be reasonably considered as a complaint by or on behalf of the client regarding the services rendered by the civil-law notary.

'complainant': the client or its representative expressing a complaint.

'civil-law notary': civil-law notary, assigned civil-law notary or junior-civil-law notary.

'complaints procedure': the procedure applied at the civil-law notary's office to deal with complaints.

'complaints regulations': this document, i.e. the written account of the complaints procedure applied at the civil-law notary's office.

'complaints officer': the person, not being the civil-law notary against whom the complaint is directed, charged with handling the complaint.

'complaints registration form': a form for internal use for implementing the procedure set out in the complaints regulations.

'Disputes Committee for the Notarial Profession': the committee established by the Netherlands Foundation for Consumer Complaints Boards (SGC) and the Netherlands Foundation for Professional and Commercial Complaints Boards (SGB), where the civil-law notary's office may submit contested and payable fee statements, c.q. invoices, and where disputes pertaining to rates/quality may be submitted, if the solution put forward by the civil-law notary's office is deemed unsatisfactory.

'dispute settlement regulations for the Notarial Profession': the procedure applied by the Disputes Committee for the Notarial Profession for settling disputes between civil-law notaries and clients.

'regulations pertaining to the Disputes Committee for the Notarial Profession': the regulations containing the working procedures of the Disputes Committee for the Notarial Profession.

2. OBJECTIVES

The complaints regulations have the following objectives:

- (i) To provide a procedure to deal with clients' complaints in a constructive manner and within a reasonable term.
- (ii) To provide a procedure to determine the causes of the clients' complaints.
- (iii) To maintain and improve existing relationships by means of a proper complaints handling.
- (iv) To train employees to respond to complaints in a client-focused manner.
- (v) To improve the quality of the services rendered by means of handling and

analysing complaints.

3. INFORMING THE CLIENT

The civil-law notary

- 3.1 Advises the client that the civil-law notary's office applies a complaints regulations.
- 3.2 Informs the client about the possibility to submit unsolvable problems, c.q. disputes to the Disputes Committee for the Notarial Profession.
- 3.3 Notifies the client that the regulations pertaining to the Disputes Committee for the Notarial Profession may be requested by contacting the committee's secretary at the address Postbus (PO Box) 90600, 2509 LP The Hague, the Netherlands or on the website www.degeschillencommissie.nl.

4. INTERNAL COMPLAINTS PROCEDURE

- 4.1 The civil-law notary in question should be notified if a client approaches the civil-law notary's office with any complaint whatsoever.
- 4.2 The civil-law notary in question will try to reach a solution in concert with the client, whether or not after consulting the complaints officer.
- 4.3 The civil-law notary in question, c.q. the complaints officer is responsible for handling the complaint in a proper manner, under observance of these complaints regulations.
- 4.4 Confidentiality should be maintained and guaranteed under all circumstances.
- 4.5 The decision on the complaint will be communicated to the client.
- 4.6 If the complaint is not handled satisfactorily in concert with the client, the matter will be submitted to the Disputes Committee for the Notarial Profession.

5. REGISTRATION AND CLASSIFICATION OF THE COMPLAINT

- 5.1 All complaints are registered in accordance with the complaints registration form.
- 5.2 The complaints officer registers and classifies the complaint.
- 5.3 The complaint is classified
 - According to the manner of submission, either
 - (i) Orally, or;
 - (ii) In writing.
 - According to the nature of the complaint under the following classification
 - (i) complaints about the working method applied by/treatment by the civil-law notary;
 - (ii) complaints about the substantive-legal aspects of the services rendered;
 - (iii) complaints about the financial aspects of the services rendered;
 - (iv) complaints about the practice in general.

5.4 A complaint can be classified in multiple categories.

5.5 If the complaint has been handled satisfactorily, the civil-law notary in question and the complaints officer will sign the complaints registration form

6. RESPONSIBILITIES

6.1 The civil-law notary in question and subsequently the complaints officer are responsible for dealing with and settling the complaints.

6.2 The complaints officer is responsible for completing the complaints registration form.

6.3 The civil-law notary in question will keep the complaints officer informed about the further settlement of the complaint.

6.4 The complaint should be settled in writing within four weeks.

6.5 The complaints officer will communicate the response to the complainant.

6.6 The complaints officer keeps the complaints file.

7. COMPLAINTS ANALYSIS

7.1 The complaints registration forms are collected by the complaints officer once the complaints have been settled.

7.2 The complaints officer periodically reports on the settlement of complaints.

7.3 The complaints officer processes the information and draws up an analysis on an annual basis.

7.4 The complaints officer also makes recommendations in order to prevent new complaints, and to improve the procedures.

8. INTERNAL DISCUSSIONS

8.1 Annually, the complaints information is discussed at the civil-law notary's office by means of an analysis.

8.2 Improvement measures are prepared and planned.

8.3 The complaints officer is responsible for preparing this meeting and for drawing up an analysis.

9. PREVENTIVE ACTION

9.1 The civil-law notary's office will decide on any preventive measures to be taken to improve the quality of the services rendered on the basis of the annual analysis drawn up by the complaints officer.

9.2 The measures to be taken, as well as the analysis, will be proposed at a meeting held at the civil-law notary's office.