XHK

XHK Limited
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Complaints Handling Procedure

1. General

XHK LTD. (further in the text as "XHK") being licensed and regulated investment services company, shall ensure the setting-up of efficient and effective complaints and redress procedures for the out of-court settlement of Clients disputes concerning the provision of investment and ancillary services provided by XHK and must put in resolution of complaints arising in connection with the performance of, or its failure to perform, any of its Regulated Activities (any such matter, a "Complaint").

These arrangements must include procedures for a Complaint to be fairly and impartially investigated by a person of sufficient competence who was not directly involved in the matter which is the subject of the complaint, and for the person making the Complaint ("Complainant").

Complaint which runs its full course will consist of the following key stages

a) All Complaints must be submitted in writing;

b) Upon receiving a complaint, XHK shall register the complaint in "Complaints Register";

c) At first instance, XHK will investigate the Complaint and attempt to resolve it. If the Complainant is dissatisfied with XHK's response or proposals to redress the Complaint, the Complainant may refer the Complaint to the Securities and Futures Commission ('SFC') or to seek alternative dispute resolution ('ADR') through the Financial Dispute Resolution Centre ('FDRC')

d) The SFC will investigate the case in accordance with it's rules, or

e) The FDRC will seek to resolve the dispute between XHK and the Complaint by way of Mediation or Arbitration or a combination of both depending on the circumstances of the case and the agreement between the parties.

2. Eligible complaints

Eligible Complaints are Complaints against XHK arising in connection with the performance of, or its failure to perform, any of its Regulated Activities:

A Complaint will not be an Eligible Complaint if it:

a) Relates to XHK's relationship with its employees;

b) Relates to the content of XHK's rules;

c) Is connected with a contractual or commercial dispute involving XHK and is not connected in any way with XHK's Regulated Activities;

d) Is made outside the period of 12 months from the date on which the Complainant becomes aware of the circumstances giving rise to the Complaint unless the Complainant can show reasonable grounds for delay;

e) Is of a frivolous or vexatious nature or amounts to an abuse of process.

3. Making a complaint

A Complaint should be made in writing and sent by authorised e-mail to complaints@xhk.asia and/or by registered mail to:

XHK LTD.
Unit 2001, 20/F Cheung Kong Center,
2 Queen's Road Central, Hong Kong

The Complaint should be signed on behalf of the Complainant, and in any case where it is made by a company, partnership or other body corporate, should be signed by a director or equivalent officer with appropriate authority.

If a Complaint is made orally, the Complainant will be asked to confirm its Complaint in writing. XHK shall not be obliged to investigate any Complaint unless and until the Complainant has submitted a written Complaint in accordance with these Procedures.

The written Complaint should include sufficient information to allow XHK to properly identify the matters to

which the Complaint relates, the activities complained of, and the basis for any alleged loss or other detriment of the Complainant.

4. Investigation of complaints

At the first instance, an investigation into the Complaint will be conducted by a suitably senior member of staff who has not previously been involved in the matter and who is not the subject of the Complaint.

XHK will acknowledge the Complaint within 7 days of receipt, giving the name and job title of the individual handling the Complaint and including a copy of these Complaints Handling Procedures.

XHK will seek to resolve any Eligible Complaint as quickly as possible. In normal circumstances, XHK should be in a position to respond within one month after receipt of the Complaint. However, where the scope of the Complaint reasonably demands further investigation, after one months XHK will write to the Complainant explaining why the matter has not been resolved, indicating when a final response is likely to be made. The notification should be sent within 3 business days after the end of the one month investigation period.

The Complainant has the right to refer the Complaint to the SFC or to seek alternative dispute resolution ('ADR') through the FDRC if the Complainant is dissatisfied with the final response of XHK.

Where, in the opinion of XHK, any Eligible Complaint is connected with or arises out of the same or similar facts or circumstances in respect of which an outstanding or otherwise unresolved Complaint has been made under these Procedures, XHK may, in its absolute discretion and upon giving notice in writing to any Complainant or Complainants so concerned, join such Eligible Complaints so that they may be addressed in the same investigation and/or any final response.

XHK shall not in such circumstances be obliged to disclose the identity of a Complainant or facts that in its opinion would be likely to reveal such identity when notifying any individual Complainant of such a joinder or in its drafting of a final response.

XHK may obtain professional advice as appropriate.

Complaints are investigated and handled free of charge.

5. Result of the investigation

XHK will inform the Complainant of the outcome of the investigation, together with any proposed remedial action within 3 business days of determining the results. The remedial action taken may include, but will not be limited to, offering an apology, taking steps to rectify the error, the offer of a compensatory payment on an ex gratia basis, or a combination of the above. If a Complaint is rejected, XHK will give its reason for doing so.

XHK may, where it deems it necessary, itself refer any Complaint to the Securities and Futures Commission for investigation.

6. Referral to the SFC and FDRC

Finally, the Company will inform the complainant that he/she may refer the complaint, if not satisfied with the Company's final response, to the **Securities and Futures Commission** ('SFC') for further investigation

Securities and Futures Commission
54/F, One Island East
19 Westlands Road
Quarry Bay, Hong Kong
Contact no.: (852) 2231 1222 (presss 5 after language selection)
Web-site: www.sfc.hk
E-mail: complaint@sfc.hk

or to the **Financial Dispute Resolution Centre** ('FDRC') to seek alternative dispute resolution ('ADR').

Financial Dispute Resolution Centre
Room 408-409, 4/F
West Wing, Justice Place
11 Ice House Street
Central, Hong Kong
Contact no.: (852) 3199 5199
Web-site: www.fdrc.org.hk
E-mail: fdrc@fdrc.org.hk

Important Note:
XHK shall cooperate with the SFC and FDRC in case they carry out their own investigation in relation to a client's complaint.

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7. Record-keeping

A copy of all documents and materials relating to Complaints should be sent to XHK.

XHK will retain such documents and materials for a minimum of seven years.

All Complaints that have been received must be registered on XHKs Complaints Register maintained in a hard copy and as Google document.

8. Confidentiality

XHK and any Complainant must each observe the strict confidentiality of the investigation of any Complaint, all information provided and all communications made for the purpose of the investigation.