



Redressal of Investor Grievances

Pakistan Mercantile Exchange Limited (PMEX) has taken several measures to redress investor grievances against PMEX members/brokers like:

- (i) Issuance of instructions to members/brokers to set up a complaint resolution mechanism.
- (ii) Providing redressal through dedicated Investors Grievance Cell within Regulatory Affairs Division (RAD) of PMEX. Exchange coordinates with the member/broker and claimant/complainant in order to resolve the disputes.

Lodging a Claim/Complaint at PMEX

PMEX has a dedicated Investors Complaint Cell within the Regulatory Affairs Division (RAD) to redress investor grievances against members/brokers of the Exchange and vice versa. Following is the procedure of lodging a claim/complaint at PMEX:

- Initially, the claimant/complainant shall discuss his issues with the concerned member/broker of PMEX and shall take their response. In case, the claimant/complainant is not satisfied with the response of the concerned member/broker, he may follow step 2 as provided hereunder.
- If the member / broker is unable to resolve the issue satisfactorily within reasonable time, the complainant may then lodge his claim/complaint with PMEX along with documentary evidences in support of claim/complaint.
- Any claim/complaint lodged with PMEX in the prescribed “Client Claim/Complaint Registration Form (CCRF)” vide annexure “A” shall be processed/evaluated as under:
 - The comments/feedback of concerned member/broker shall be sought in the first instance. The same shall be reviewed for deciding further course of action in the light of applicable statutory and regulatory provisions vide chapter 15 of the PMEX General Regulations deal with Arbitration.
 - Exchange even do appropriate counseling to the parties in dispute for the redressal of the issue in discussion through mutual settlement process. In this respect, the Exchange may provide opportunity to the parties to resolve their issues amicably and may provide them forum for discussion. The Exchange role is such discussion would be limited to apprise the parties about regulatory requirements or clarification of technical issues (if any),
 - If the claim/complaint remains unresolved, the Exchange may ask the parties to file reference for arbitration as per General Regulations 2007.

- **The Claimant/Complainant before lodging a Claim/Complaint to PMEX shall ensure that:**
 - The case is not pending with any legal forum.
 - The claim/ complaint pertain to registered members/brokers of PMEX and issue is related to Commodity Futures Contracts or any issue in relation thereto.
 - Legible photocopy of all relevant record/evidences/correspondence with the members/brokers is attached with the claim/complaint form.
 - Incomplete / unsigned forms or complaints not supported with necessary details/documents will not be processed and will be returned to the claimant/complainant.
 - All claim/complaints are required to be lodged with the Exchange within 6 months from the date when the dispute arose or deemed to have arisen, otherwise, the same may be considered time barred.
 - Reference of dispute to the Arbitration Committee is subject to payment of Rs. 5,000/- as provided under Regulation 15.4.1(a) and submission of undertaking as required under 15.4.1 (b).(copy attached)

- **All Claims/Complaints must be addressed to:**

Syed Mumtaz Ali
Chief Regulatory Officer (CRO)
Investors Grievance Cell
Pakistan Mercantile Exchange Limited
3B, 3rd Floor, Bahria Complex IV
Ch. Khalique-uz-Zaman Road
Gizri, Karachi – 75600, Pakistan
Phone: (+92 21)-111 623 623

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3B, 3rd Floor, Bahria Complex IV
Ch. Khalique-uz-Zaman Road
Gizri, Karachi – 75600, Pakistan

(Annexure A)

REFERENCE FOR ARBITRATION

Mr./Miss/Mrs./M/s. _____
(Claimant/Complainant / Client)

Vs.

Mr./Miss/Mrs./M/s. _____
(Member / Broker of Pakistan Mercantile Exchange Limited)

| Reason for lodging claim against broker | Tick the applicable |
|--|----------------------------|
| 1. Non-receipt of security deposit given to the broker | |
| 2. Execution of trades without consent of client | |
| 3. Non-receipt of funds after sale of commodity contract after settlement | |
| 4. Non receipt of commodity after purchase at settlement of a contract | |
| 5. Non-receipt of credit balance as per the statement of account (in case other positions are not outstanding and sufficient credit balance is lying with the broker to fulfill margin requirements) | |
| 6. Non-issuance of documents (Contract notes, bills, statement of account, agreement copy) | |
| 7. Non-execution of orders even sufficient margins available to broker. | |
| 8. Suspension of trading activities without serving notice or giving any reason | |

Details of claim amount:

Total claim amount:

In figures Rs. _____

In words Rupees _____

Client code allotted by the Member: _____

Claimant Information (Individuals)

| | |
|-------------------|--|
| Name: | |
| CNIC No: | |
| Home Address: | |
| Telephone: | |
| Mobile: | |
| Fax: | |
| E-mail: | |
| | |
| Business Address: | |
| Telephone: | |
| Fax: | |
| E-mail: | |

Complainants' Information (Companies)

| | |
|----------------------------|--|
| Name of the company: | |
| Nature of Business: | |
| Name of Chief Executive: | |
| Registered Office Address: | |
| Telephone: | |
| Fax: | |
| E-mail: | |
| Contact Person: | |
| Office Address: | |
| Telephone: | |
| Fax: | |
| E-mail: | |

Complaint Against

| | | |
|---|-----|----|
| Name of PMEX Member/Broker: | | |
| Business Address of the Member / Broker: | | |
| Telephone: | | |
| Fax: | | |
| E-mail: | | |
| Were you involved in trading with broker in PMEX registered | Yes | No |

| | | |
|--|-----------------------------------|----|
| contracts? | | |
| Have you consulted before approaching us to the concerned member / broker for resolution of your issue as per PMEX procedures? | Yes | No |
| If "Yes" then please provide details of the actions taken by the member / broker along with documentary proof | | |
| Have you taken any legal action in any court of law or other regulatory bodies/agencies for resolution of issue/dispute? | Yes | No |
| Any additional information related to your complaint | Use additional sheet if necessary | |

Enclosures

Following are enclosed herewith:

| Particulars | Tick the box |
|--|--------------|
| 1. Pay order/Cheque of Rs. 5000/- for filing reference fee and payment of stamp paper. | |
| 2. Application for reference of arbitration as Per attached undertaking. | |
| 3. Copy of standardized Account Opening Form | |
| 4. List of securities deposited with the broker | |
| 5. Contract Notes, Confirmation slips | |
| 6. Trading details | |
| 7. Detail of payments made and received | |

I/We, Mr./Miss/Mrs./M/s. _____ do hereby state that whatever is stated above is true to best of my/our knowledge and nothing is concealed.

Name: _____

Designation: _____

Signature: _____

Date: _____

Place: _____

UNDERTAKING. (Non judicial stamp paper of Rs. 100)
(Annexure B)

This Undertaking is executed by Ms./Mr./Messer. _____ who is carrying out business of buying and selling of Commodities Futures Contract and other listed contracts as per PMEX General Regulations with PMEX member/Broker _____.

WHEREAS, a dispute has arisen between the Executants of this undertaking and M/s. _____ Member/Broker of PMEX having seat No. _____ carrying out business at _____ regarding _____

_____ **(Detail of Dispute).**

AND WHEREAS, THE EXECUTANT OF this Undertaking at her/his/its own free will and accord requested PMEX Arbitration Committee/Managing Director to initiate proceedings with respect to arbitration of said dispute in accordance with the PMEX General Regulations. Such request having been accepted by PMEX Arbitration Committee/Managing Director, the executants hereby undertakes and covenants as under:-

1. That I/we shall be bound and abide by the PMEX Regulations, as amended and enforced from time to time.
2. That I/We shall at all time render unconditional assistance to the PMEX Arbitration Committee/Managing Director or any arbitrator appointed with respect to the said dispute for its resolution or of passing award.
3. That I/We shall at all times ensure that all written instructions of PMEX Arbitration Committee/Managing Director or any Arbitrators appointed with respect to the said dispute are properly complied with.
4. That I/We shall not do anything which may be prejudicial to the arbitration proceedings.
5. That the decision of the arbitration shall be binding on myself/ourselves.
6. That I/We shall not seek any alternative redress/remedy, including but not limited to the initiation of legal proceedings before a Court of Law, concerning the said dispute.

7. That the arbitrators shall be fully empowered/competent to decide all matters/issues regarding the said dispute.
8. That the Arbitrator shall have the power to call for the production of any information, including but not limited to documents, books, papers in my/our possession regarding the said dispute and I/We shall ensure the same is made available to the Committee within a maximum period of 4 working days.
9. That the arbitrators shall be at liberty should it so thinks, for reasons to be recorded in writing, to order submission of such written statements and explanations and other information evidence and materials as it deems expedient for ascertaining the facts of said dispute.
10. That the arbitrators shall be fully empowered/competent to proceed Ex-Parte against me/us, provided I/We shall without the due cause and notice neglect or fail to attend any meeting/hearing/written direction/notice of the Committee.
11. That I/We shall at no time after the passing of the award regarding the said dispute by PMEX Arbitration Committee, hold PMEX or any member of the Committee responsible for any losses, costs, damages, actions, expenses, claims, demands incurred by the Regulations.

IN WITNESS WHEREOF, THIS UNDERTAKING has been entered into at the place and on the date aforementioned.

(EXECUTANT)

Witnesses:-
