Complaint Handling Rules

Article 1 – Definitions

The following definitions apply in these Rules:

complaint handling rules:	the present rules;
complaint:	any expression of dissatisfaction – whether oral or in writing – by or on behalf of a client regarding the service provided by VanNiekerkCieremans to the client, including in any event complaints about the conclusion or performance of a contract for professional services (*overeenkomst van opdracht*), the quality of the service or the amount of the invoiced fee;
complainant:	a client who makes a complaint, either personally or through a representative;
complaint form:	an internal form to be used by the complaints officer in applying the procedure laid down in the complaint handling rules;
complaint handler:	the person charged with handling a complaint on behalf of the complaints officer.

Article 2 – Object

The object of these complaint handling rules is:

1. to establish a procedure by which complaints can be constructively resolved within the shortest possible period of time;
2. to establish a procedure for identifying the causes of a complaint;
3. to help maintain and improve existing client relationships by handling complaints in an effective and solution-oriented manner;
4. to impress on all members of the firm the importance of handling complaints in a client-friendly manner;
5. to improve the quality of the service by adequately handling and analysing complaints;
6. to prevent disputes with clients from possibly escalating into a claim for liability or the submission of a disciplinary complaint.

Article 3 – Notification of the complaint handling rules

If a client has made a complaint – or there are reasonable grounds for assuming that the client is considering making a complaint – about one or more members of the firm, each member of the firm has a duty to inform the client of the existence of the complaint handling rules.

Article 4 – Complaints officer

VanNiekerkCieremans appoints Mr Van der Vorst and Ms Krikke as complaints officers.

Article 5 – Procedure

5.1 Each member of the firm who becomes aware of a complaint made in a case in which he or she is involved must give notice of this to the complaints officer once it becomes apparent that the complaint cannot be immediately resolved in proper consultation with the client.

5.2 After becoming aware of a complaint, the complaints officer appoints a complaint handler. The complaint handler immediately contacts the member or members of the firm against whom the complaint is made.

5.3 The member or members of the firm concerned and the complaint handler together decide who should contact and keep in touch with the complainant and how the complaint should be discussed and resolved with the complainant. In the event of a difference of opinion about how the complaint should be handled the complaint handler has the last word. The complaint will then be handled in this manner and, if possible, resolved. Within a month of receipt of the complaint, the complaints officer will give written notice to the complainant and the person against whom the complaint is made of whether or not the complaint is deemed to be well-founded, stating the reasons and possibly also making recommendations. If the period of a month is exceeded, the complaints officer must notify the complainant and the person against whom the complaint is made of the reason for the delay and inform them within what period they can expect to receive an opinion on whether the complaint is well-founded.

5.4 If the contacts referred to in paragraph 3 of this article with the complainant do not result, without further measures, in resolution of the complaint in a manner satisfactory for the complainant, measures may be taken either by the complaint handler or by the relevant member of the firm (who may only do so after obtaining the approval of the complaint handler) to resolve the complaint, such as:

a) transferring the case to one or more other members of the firm;

b) having the case dealt with under the supervision of another member of the firm.

5.5 To avoid any misunderstanding, it should be noted that the measures referred to above are merely examples and that other measures too are possible. Whatever measures are taken, they cannot constitute an acknowledgement of liability and will not therefore result in the payment of damages; the consent of the partners is always required for this purpose. The amount of the invoiced fee may be reduced in accordance with the usual procedure for this.

5.6 Agreements made with the complainant will be carefully recorded in writing by or under the supervision of the complaint handler, regardless of whether or not the complaint is resolved to the complainant's satisfaction.

5.7 If there is a justified expectation that a complainant may suffer financial loss as the result of the subject matter of a complaint and that VanNiekerkCieremans may be held liable for this, the complaint handler will inform the partners.

5.8 The complainant is not charged for the costs of the complaint handling.

5.9 If the complaint has not been resolved upon completion of the complaint handling procedure, the District Court of Rotterdam (*Rechtbank Rotterdam*) will be competent to hear the complaint.

Article 6 – Miscellaneous provisions

6.1 Each member of the firm involved in a complaint is personally responsible for the proper handling of the complaint in accordance with the provisions of these complaint handling rules. The complaint handler has overall responsibility for the handling of the complaint and the implementation of these rules. The complaint handler is also responsible, wherever possible, for concluding and performing agreements with the complainant.

6.2 Each member of the firm is obliged to cooperate fully with the complaints officer or complaint handler in handling a complaint, regardless of the identity of the person against whom it is made. All information requested by the complaint handler should be supplied immediately and in full.

6.3 A member of the firm who is involved in a complaint must refrain from communicating in any way whatever with the complainant about the complaint and its handling as long as there has been no consultation with the complaint handler about the substance and manner of communication, and even after such consultation he or she may communicate only in accordance with the agreements made with the complaint handler.

Article 7 – Applicability and professional rules

These complaint handling rules apply to all practising members of the firm, subject to all professional rules and codes of conduct applicable to them.

Rotterdam, 3 April 2025