



COMPLAINTS HANDLING PROCEDURE

DLA PIPER NEDERLAND N.V.

1. DEFINITIONS

For purposes of this complaints handling procedure:

"Complainant" means any former or current client or third party, or their legal representative, who makes a Complaint known to DLA Piper;

"Complaint" means any written expression of dissatisfaction by a former or current client or (interested) third party about DLA Piper's, an Employee's, or a Former Employee's conduct in the conclusion or performance of a contract for services, or about the quality of the services provided or the amount or breakdown of a bill, all this with the exception of:

- (a) complaints as referred to in Section 46c of the Dutch Lawyers Act (*Advocatenwet*);
- (b) complaints as referred to in Section 99 of the Dutch Civil-Law Notaries Act (*Wet op het notarisambt*); or
- (c) complaints as referred to in Section 11 of the Disciplinary Rules of the Dutch Organization of Tax Consultants (NOB);

"Complaints Form" means the standard form for filing a Complaint as available on DLA Piper's website;

"Complaints Officer" means the lawyer, civil-law notary, junior civil-law notary, or tax consultant whom DLA Piper has charged with the task of handling a Complaint;

"Employee" means any of DLA Piper's current lawyers, civil-law notaries, junior civil-law notaries, or tax consultants or any person working at DLA Piper under their supervision;

"Former Employee" means any lawyer, civil-law notary, junior civil-law notary, or tax consultant who used to work for DLA Piper Nederland N.V. ("**DLA Piper**") or any person who used to perform work at DLA Piper under the supervision of one of its lawyers, civil-law notaries, junior civil-law notaries, or tax consultants;

"Notarial Disputes Committee Rules" means the Rules of the Disputes Committee for the Notarial Profession (*Reglement Geschillencommissie Notariaat*) dated 16 October 2014;

"Parties" means the Complainant and the Subject of a Complaint or, for purposes of clause 6, the Complainant and DLA Piper;

"Rules for Consumers and Notaries" means the Rules for Consumers and Notaries (*Spelregels voor Notaris en Consument*) of April 2014;

"Subject of a Complaint" means an Employee or Former Employee against whom a Complaint has been filed or who appears to be the target of a Complaint;



"Voda" means the Regulation for the Legal Profession (*Verordening op de advocatuur*) of 4 December 2014.

2. SCOPE

- 2.1 As regards DLA Piper's lawyers and those working under their supervision, this complaints handling procedure is a complaints procedure as defined in Sections 6.28 ff. of the Voda.
- 2.2 As regards DLA Piper's civil-law notaries and the junior civil-law notaries or other persons working under their supervision, this complaints handling procedure is a complaints procedure as defined in clause 1 of the Notarial Disputes Committee Rules as well as a procedure implementing the complaints handling procedure as defined in Rule 6.1 of the Rules for Consumers and Notaries. This complaints handling procedure does not in any way detract from the provisions of the Notarial Disputes Committee Rules or the Rules for Consumers and Notaries.
- 2.3 This complaints handling procedure governs all contracts for services entered into by DLA Piper and a client.
- 2.4 If the Complainant so wishes, this complaints handling procedure will be declared applicable to the Complaint of a third party.
- 2.5 Each and every Employee must ensure that Complaints are handled in full compliance with this complaints handling procedure.

3. PURPOSE

The purpose of this complaints handling procedure is to ensure that Complaints are handled efficiently, effectively, and constructively within a reasonable period of time. In the light of DLA Piper's endeavour to improve its services and establish long-lasting relationships with its clients, a proper complaints handling procedure is essential.

4. INFORMATION AT THE OUTSET OF THE SERVICE PROVISION

At the start of the service provision, the Employee concerned must alert the client to the existence of this complaints handling procedure and confirm in writing that this Procedure also governs the services provided to the client. Details of the Procedure are available on DLA Piper's website. Clients will be sent a copy at their written request.

5. COMPLAINTS PROCEDURE

- 5.1 The Complaints Officer decides how a Complaint will be handled and informs the Parties of the progress made in his or her handling of the Complaint.
- 5.2 If a Complainant informs DLA Piper or an Employee of a Complaint, the person so informed will immediately forward the Complaint to the Complaints Officer. A Complainant may also, at his or her sole discretion, file a Complaint directly with the Complaints Officer.
- 5.3 The Complaints Officer reports to the Subject of the Complaint that a Complaint has been made against him or her and invites the Complainant to explain the Complaint in greater detail in writing if he or she so wishes. If the Complaint is directed against DLA Piper or

concerns a Former Employee, the Complaints Officer will designate an Employee to speak on behalf of the Subject of the Complaint in the complaints handling procedure.

- 5.4 The Complaints Officer invites the Subject of the Complaint to express his or her views on the matter in writing.
- 5.5 Where relevant, the Complaints Officer then affords the Parties an opportunity to reach an amicable settlement.
- 5.6 Having heard both Parties and (where applicable) having allowed the Parties to explore possibilities for an amicable settlement, the Complaints Officer will render his or her written decision on the Complaint and its merits. The Complaints Officer may attach recommendations to the decision. The decision completes the internal complaints procedure.
- 5.7 The Complaints Officer endeavours to handle Complaints within four weeks of receipt. If that deadline is impossible to meet, the Complaints Officer will send the Parties a written, reasoned notification informing them when the Complaint will be decided. No such extension of the complaints handling period applies where a Complaint falls within the scope of the Notarial Disputes Committee Rules.

6. BINDING ADVICE PROCEDURE

- 6.1 If a Complainant does not accept the Complaints Officer's decision, the Complaint will be submitted to an advisor for binding advice at the Complainant's written request.
- 6.2 The Parties jointly appoint a binding advisor.
- 6.3 In derogation from this clause 6, the Complainant may submit disputes as defined in clause 2 of the Notarial Disputes Committee Rules to the Disputes Committee for the Notarial Profession (Corporate). In matters involving consumers, the Committee issues binding advice; in all other matters, the Committee acts as an arbitral tribunal.
- 6.4 The binding advice procedure of Section 7:900 of the Dutch Civil Code serves as the dispute settlement scheme referred to in Section 6.29 of the Voda.
- 6.5 The binding advisor must be independent and impartial and must have evidence-based experience and knowledge in the field of corporate legal services provided by lawyers, civil-law notaries or tax consultants (as the case may be, depending on the nature of the Complaint).
- 6.6 DLA Piper supplies the Complainant with a list of binding advisors who are considered suitable.
- 6.7 The Complainant may nominate a binding advisor from the list referred to in clause 6.6. The nomination is binding and will be treated as an appointment made by both Parties.
- 6.8 If the Parties cannot reach agreement about the appointment, either Party may ask the Dean of the Dutch Bar Association in the judicial district of Arnhem to designate a binding advisor. That designation will be treated as an appointment made by both Parties.
- 6.9 The binding advisor decides how the dispute submitted to him or her will be handled.



- 6.10 The binding advisor endeavours to resolve disputes submitted to him or her by issuing binding advice within two months of his or her appointment. If that deadline is impossible to meet, the binding advisor will send the Parties a timely reasoned notification in writing informing them when he or she will issue the binding advice.
- 6.11 Binding advice is issued in writing.
- 6.12 The binding advisor also issues a cost award (including the costs of legal assistance) as part of the binding advice
- 6.13 The Parties may agree on the binding advisor settling the dispute other than in monetary terms.
- 6.14 The binding advisor sees to it that copies of all documents are sent to the Complaints Officer without delay.

7. RESPONSIBILITIES

- 7.1 The Complaints Officer is responsible for handling Complaints.
- 7.2 The Complaints Officer keeps a register of Complaints as well as files on all internal complaints and binding advice procedures.
- 7.3 Complaints about the Complaints Officer may be filed with the Board of DLA Piper.

8. REPORTING

The Complaints Officer must periodically report to the Board of DLA Piper about the Complaints handled. He or she may make recommendations to prevent Complaints or improve the complaints handling procedure.

9. CONFIDENTIALITY AND PERSONAL DATA PROTECTION

- 9.1 Complaints are handled confidentially.
- 9.2 All personal data is processed in full compliance with the Dutch Personal Data Protection Act (*Wet bescherming persoonsgegevens*).
- 9.3 Personal Data will be shared with third parties only with the express consent of the Subject of the Complaint or if there is another legitimate legal basis for sharing such data.

10. NO FEES

DLA Piper does not charge the Complainant any fees for having the Complaints Officer handle a Complaint.