

**Regulations for Receiving and Processing Complaints
with regard to payment services of
Diners Club Polska Sp. z o.o.**

§ 1

General provisions

1. These Regulations for receiving and processing complaints with regard to payment services using Diners Club payments cards, hereinafter referred to as the “Regulations”, define the rules for receiving and processing complaints by Diners Club Polska Sp. z o.o.
 2. These Regulations shall be applied in conjunction with relevant product or service Regulations.
 3. The terms used herein shall mean:
 - Diners Club** – Diners Club Polska Sp. z o.o. in Warsaw, ul. Senatorska 12, 00–082 Warsaw, initial capital PLN 7,500,000.00, NIP (taxpayer’s ID no.): 527-17-28-928, Regon (statistical no.) 012411231, KRS (National Court Register no.) 0000025953, PFSA licence no. IP 16/2013,
 - Customer Service** – Diners Club Customer Service Office, **through which you can file a complaint**, ul. Senatorska 12, 00–082 Warsaw, open **24 hours 7 days a week**, tel. 22 826 07 66, fax: 22 826 07 68, e-mail: customer.services@dinersclub.pl.
 - Customer** – natural person, legal person, organisational unit without legal personality to **including a person or organizational unit** whom/which Diners Club provides payment services, or who used the services of payment, **on the basis of a contract for payment card**.
 - External entity:**
 - 1. contractor / foreign contractor or bank that Diners Club:**
 - 1.1 entrusted with the performance of certain factual activities related to the conducted activity or**
 - 1.2 entrusted the intermediation in the promotion / sale of products and services to Diners Club under the concluded cooperation agreement or**
 - 2. contractor / foreign contractor or bank that entrusted Diners Club:**
 - 2.1 performing factual activities related to the activity carried out, including activities referred to in art. 5 and 6 of the Banking Law,**
 - 2.2 intermediation in the sale of products and services on its behalf under the concluded cooperation agreement,**
- Regulations - these Regulations**

Complaint –Customer's request addressed to Diners Club and includes reservations regarding services provided by Diners Club or services provided by an external entity to Diners Club or services provided by Diners Club to an external entity (eg bank) including faulty provision of services, proceedings unlawful, requests to clarify the issue raised, others.

4. The remaining terms used herein shall have the meaning identical to the terms defined in the relevant product or service Regulations.
5. In an event of inconsistencies between these Regulations and the relevant product or service regulations, the relevant product or service regulations shall prevail.
6. **Information regarding the processing of personal data of Customers who are not a party to the card agreement who submitted a Complaint or which the Complaint relates to are submitted together with these Regulations.**

§ 2

General terms for receiving complaints

1. The Customer may submit their complaints as follows:
 - 1) electronically via e-mail addressed to: customer.services@dinersclub.pl,
 - 2) verbal to the Customer Service by phone or personally at Diners Club registered address to Company representative,
 - 3) in the form of a written complaint signed by the Customer and submitted to the Diners Club office personally by the Customer or through a Customer's representative or sent by fax to the fax number of Diners Club or sent of the letter to Diners Club address,
2. **Complaints related to the processing of personal data or sending commercial information The Customer may submit:**
 - 1) in writing to the Diners Club address (Senatorska 12, 00 -082 Warsaw) with the inscription "personal data" / "commercial information" or
 - 2) in electronic form to the following address: daneosobowe@dinersclub.pl or customer.services@dinersclub.pl or,
 - 3) by phone at 022 826 - 07 - 66.

Diners Club has appointed the Personal Data Protection Inspector with whom you can contact through the indicated channels / means of communication.
3. To ensure the highest quality of our services, telephone conversations with the Customer Service are recorded **for evidence purposes**, and **continuing with it, he agrees to register the conversation**. The content of the conversation may be used exclusively as a proof of complaint **/disposition** submission or in a proceeding conducted by judicial, law enforcement or payment services or consumer market

regulatory bodies, also upon a request of such bodies in situations indicated by the commonly applicable law. **If the Customer not consent to the registration of the conversation, the Customer may submit a Complaint in a different form.**

4. Diners Club shall keep a record of complaints received and the Customer receives of the feedback information by phone/email information on the date of the feedback information about the date of the impact of the complaint, its scope and time to respond,
5. **In the event that the subject of the Complaint is the processing of personal data, the complaint should additionally contain information about what processing the Customer is advertising and which processing operations the complaint relates to.**
6. A complaint should include: name, surname, mailing address, PESEL number or date of birth and a signature (in the case of written complaints), a detailed description of the events the Customer is complaining about and Customer's expectations as to the manner of complaint resolution.
7. Complaints should be submitted immediately upon the occurrence of the event that the Customer has reservations to.
8. Submission of a complaint does not release the Customer from the obligation to timely perform their obligations towards Diners Club.

§ 3

Terms for receiving complaints about payment transactions

1. The Customer shall verify their monthly transaction statements (Statements) in order to control the correctness of payment transactions, fee/commission settlements. Financial complaints may refer to unauthorised, non-performed or improperly performed payment transactions, fees/commissions.
2. Diners Club may request the Customer whose card was used to perform the claimed payment transaction to submit additional documents related to the circumstances of the event.
3. If the Customer finds inconsistencies in their Statement received from Diners Club regarding the elements indicated in item 1 (unauthorised, non-performed or improperly performed payment transactions, fees/commissions), the Customer should submit their written complaint to Diners Club immediately, however, no later than on the date specified in the relevant product/service regulations.
4. Failure by the Customer to submit a complaint about an unauthorised, non-performed or improperly performed payment transaction, or fees/commissions referred to in item 1 within 13 months from the date the payment account (card account) was debited or from the day on which the payment transaction was to be

performed, shall result in the expiry of the Customer's claims against Diners Club under such transactions **or fee/commission**.

5. If the complaint refers to a transaction that the Customer claims to have not performed, Diners Club may request the Customer to provide a document that confirms the unauthorised transaction was notified to law enforcement authorities or, if there are grounds to do so, Diners Club may initiate a proceeding before law enforcement authorities on its own. The Customer may authorise Diners Club to exercise their rights as an aggrieved party in a criminal proceeding.

§ 4

Responding to complaints

1. Response to a complaint should be received in the written form (**paper**) or using another durable medium, **if agreed with the Customer**. In electronic form, the answer is given at the request of the customer.
2. In case of complaint, to which the answer is to be given in electronic form Diners Club sends the message to the e mail address specified by the Client in the complaint and failing that, to the email address registered in the system Diners Club . (if the Complaining Party is a Diners Club Client). The answers given in writing sent to the address specified in the complaint the customer in case of his absence to the address the customer registered in the system Diners Club (if the Complaining Party is a Diners Club Client)..
3. A response to a complaint includes:
 - 1) Factual and legal justification unless this is not required by the nature of the reservations indicated or the complaint was considered in accordance with the will of the customer.
 - 2) Exhaustive information on the issue notified, with indication of the relevant parts of the agreement, regulations, terms and conditions, table of fees and charges or another binding document and the applicable provisions of the law unless this is not required by the nature of the reservations indicated.
 - 3) Indication of the person providing the response with the person's position,
 - 4) To determine the period within which a claim raised in the complaint dealt with in accordance with the will of the customer will be carried out, this period should not be longer than 30 days from the date of preparation of answers.
 - 5) If the Customer's claims were not admitted, the response should include information on the possibility of:
 - appeal of the statements in response to a complaint,
 - a request for consideration of the case to the Financial Ombudsman.
 - referral to the mode of extra-judicial settlement of the dispute between the

Client and Diners Club in front of the Financial Spokesman¹

- make use of the institution of mediation or arbitration proceedings,
- to bring an action before the Court public with an indication of who should be sued and the court locally competent to hear the case.

§ 5

Processing of complaints

1. Diners Club shall process complaints in accordance with the rules and periods provided for in the law and internal regulations..
2. The answer to the complaint should be made no later than within 15 working days of receipt of the complaint.
3. In particularly difficult cases requiring additional information/documents to be obtained by Diners Club from third parties, or additional clarifications/documents from the Customer, the period of complaint processing may be extended. Diners Club shall notify the Customer of the reason for extension of the complaint processing and indicates the expected date of its consideration, which may not exceed 35 working days from the date of receipt of the Complaint.

§ 6

Miscellaneous

1. Diners Club may amend these Regulations if:
 - new or amended commonly applicable laws enter into force,
 - there appear new or changed interpretations of the commonly applicable **laws as a result of court decisions or decisions, recommendations, guidelines or recommendations of supervisory authorities**
 - new or amended internal regulations applicable to Diners Club as a card company operating in the Diners Club International franchise network are introduced,
 - products/services are changed **or extending the functionality of existing products** as a result of technical/technological/IT changes (which alter or improve the functionality of the existing products/services), affecting the provisions hereof,
 - there are changes to the services provided by Diners Club under card agreements, which affect these Regulations.
2. Diners Club shall notify Customers on the amendment hereof 14 days before the amendments enter into force by posting relevant information at www.dinersclub.pl.

¹ The ability to resolve disputes out of court before Financial Spokesman - from 01.01.2016

In addition, Diners Club informs the Customer about changes to the Regulations by notifying:

2.1 in electronic form via e-mail sent to the address of the Customer registered in the Diners Club system or,

2.2 in the form of a text message sent to the Customer's phone number registered in the Diners Club system or

2.3 in writing - in paper form sent to the Customer's correspondence address registered in the Diners Club system.

3. All the tasks related to complaint receipt and processing shall be made in Polish. In the case of foreign language-speaking Customers, responses to complaints shall be provided in two languages.
4. If the complaint is not **admitted (excluding complaints regarding the protection of personal data)** or if it is processed against the Customer's request, the Customer may appeal to Diners Club within 14 **working** days from the date of response receipt **in the form provided for in § 2 point. 1. Diners Club resolves the appeal within 14 working days of its receipt, and in cases of particularly complex terms, the appeal may be extended up to 30 working days, which is notified to the Customer when the reasons preventing the appeal are considered**
5. In an event of a dispute between the Customer and Diners Club, the parties shall undertake actions to resolve the dispute amicably, and should amicable resolution be impossible, the Customer shall have the right:
 - 5.1 **apply for assistance to consumer organizations, including the appropriate locally Municipal or Poviát Consumer Ombudsman (concerns Customers who are consumers), or**
 - 5.2 **Apply for a financial Ombudsman to consider a case under the terms of the Act of 05.08.2015 on handling complaints by financial market entities and on the Financial Ombudsman, or**
 - 5.3 **apply for the initiation of proceedings for out-of-court settlement of the dispute. The entity authorized to conduct such proceedings is the Financial Ombudsman (www.rf.gov.pl) or,**
 - 5.4 **apply for a dispute to be settled in court before the competent local court.**
6. **In the event of unaccounted complaints related to the protection of personal data, the Customer may lodge a complaint with the supervisory body regarding the protection of personal data (www.uodo.gov.pl)**
7. A regulatory body competent for consumer protection shall be the President of the Office of Competition and Consumer Protection, Plac Powstańców Warszawy 1, 00 – 950 Warsaw. Free legal aid consumers can get at the municipal or county Consumer Advocates, Advocates search engine is available at: <https://uokik.gov.pl>.

8. A regulatory body supervising Diners Club operations shall be the Polish Financial Supervision Authority, Plac Powstańców Warszawy 1, 00 – 950 Warsaw.

Warsaw, **July 2018**