



# Toco Complaints Policy

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## 1. The purpose of this policy

At Toco, we're committed to providing you with excellent service and treating all our customers fairly. As a digital currency, we are committed to environmental integrity, consumer protection and regulatory compliance.

We also understand that your honest feedback is critical to developing a sustainable business, so we've implemented the framework of a complaint for you to let us know if you're unhappy with our service or product.

We take all complaints seriously and strive to resolve them as quickly as possible. This Complaints Policy sets out what you should do if you have a complaint and what you can expect from us.

## 2. Terms we use in this policy

Complainant:	The person making the complaint;
Toco Complaints Officer:	The person who is appointed or assigned to your complaint in terms of section 8;
Toco Complaints Manager:	The person who oversees the complaints process at Toco may be requested to review your complaint in terms of section 8;

Toco Complaints Committee:	The committee of senior management convened by the Complaints Manager, as and when required to resolve a complaint in terms of section 8;
Toco Complaints Policy:	This Complaints Policy, which has been made available to customers, as amended from time to time; and
Resolution Notice:	The written confirmation of the outcome of your complaint provided to you as contemplated in section 8;

### 3. When to query and when to complain

Please submit a support ticket if you have a question about our products or services, require assistance with a support issue, need information about a transaction or have a similar query and we will do our best to assist you.

You can formally complain under this Complaints Policy if you believe that we have contravened an agreement or law, have caused you harm, prejudice or substantial inconvenience, have treated you unfairly, or if you would otherwise like to express your dissatisfaction about our products or services.

### 4. Phishing and fraud incidents

At Toco, we empathise with those who have fallen victim to phishing attacks and other fraudulent activities. Phishing attacks are a growing concern amongst all financial services and across the internet. We are committed to keeping our customers and our platform safe from harm and take active steps to help protect our customers. We also strongly encourage you to find out what measures you can take to protect your account.

If you have been a victim of fraud, please report the matter by submitting a support ticket to [support@tocos.org](mailto:support@tocos.org) as soon as possible. We will do everything we can to assist you.

It is, however, your responsibility as a customer to safeguard your funds and not to click on any unsafe links or give out your personal information to anyone else. Toco cannot be held responsible for a loss of funds where you have fallen victim to one of these attacks.

If, in connection with a fraud incident, you believe that we have contravened an agreement or law, that we have been the cause of your loss, have caused you harm, or your grievance otherwise meets the guidelines set out in section 3 above, you may lodge a complaint in accordance with this Complaints Policy.

## 5. What to include in a complaint

If you would like to submit a complaint, please include

1. Your full name & surname and, if applicable, your Toco account information such as your public wallet address.
2. An email address to which you'd like to receive communication and updates regarding your complaint
3. A full description of your complaint. Please be as specific as possible. Your description must demonstrate how Toco has:
  1. contravened an agreement or law, or
  2. caused you harm, prejudice or substantial inconvenience, or
  3. treated you unfairly, or
  4. dissatisfied you
4. Sufficient evidence, documents, correspondence, attachments or other information to allow Toco to respond to and/or investigate your complaint effectively and efficiently.

If your complaint is missing material information, or your account of what happened is too vague for us to assist, Toco will not be able to resolve your complaint and thus your complaint may be dismissed. You agree to cooperate with the relevant Toco Complaints Officer or Toco Manager to establish a complete account of the complaint.

## 6. Lodging complaints

Please lodge your complaint by emailing our Complaints address: [complaints@tocos.org](mailto:complaints@tocos.org). Please read [section 5](#) above carefully before submitting your complaint.

## 7. Who may complain?

Anyone can submit a complaint to us provided that you have a direct interest in the subject matter of the complaint. This means that you could be:

- A Toco customer
- A former Toco customer
- A potential Toco customer

A person (validly) acting on behalf of one of the above individuals (for example, as a trustee, curator, executor or similar legally-appointed official)

## 8. How the Complaint will be handled at Toco

Once we have received your complaint containing all of the necessary detail, you can expect the complaint to be handled as follows:

1. A Toco Complaints Officer will be assigned to your complaint and will acknowledge receipt of your complaint within 3 Business Days, by email to the email address provided in your complaint.

2. If the Toco Complaints Officer is able to resolve your complaint immediately, you will receive a Resolution Notice with feedback at the same time as the acknowledgement.
3. If the complaint is of a more complex in nature and cannot be resolved immediately, the Complaints Officer will investigate the matter further. As part of the investigation, the Complaints Officer is entitled to request further information from you or require you to make written representations. The Complaints Officer will do his/her best to resolve the complaint and provide you with a Resolution Notice within 15 Business Days. If the complaint involves multiple issues and reasonably cannot be resolved within 15 Business Days, we will resolve it as soon as reasonably possible and will keep you updated on a regular basis.
4. A Resolution Notice will set out, when applicable:
  1. Where your complaint was accepted and how your complaint was resolved
  2. Where your complaint was rejected and the reasons for this decision
  3. Where you have requested specific action or redress, whether the action or redress is possible and/or available
  4. Possible further steps which may be available to you

Complaints Officers are committed to demonstrating objectivity and decisions will be made on fact. Should you feel that the decision made was unfair or incorrect, you may request that the matter be reviewed. This process will involve the following:

1. You may request that the matter be reviewed by sending a written request to this effect within 7 days of receiving the Resolution Notice. You must include written reasons for taking the matter on review.
2. The review will be referred to the Complaints Manager for consideration. The Complaints Manager will acknowledge your request to review the matter within 3 Business Days, by email to the email address provided in your complaint.
3. Subject to point 4 directly below, the Complaints Manager will investigate and decide on the matter within 15 Business Days. During this time, the Complaints Manager is entitled to request further information from you or require you to make written representations.
4. Depending on the complexity of your complaint, the Complaints Manager may, in his/her discretion convene a Complaints Committee comprised of senior management at Toco to investigate and examine your complaint, in which event you will be notified. The Complaints Committee will be required to reach a decision within no more than 20 Business Days. The Complaints Committee is entitled to request further information from you or require you to make written representations.
5. The Complaints Manager will provide you with a written decision of the outcome of your review and any further steps which are available to you.

If your complaint has not been resolved by the Complaints Manager to your satisfaction, you may be entitled to take external adjudicative action depending on the nature of your complaint.

A summary of this process is demonstrated visually at the top of this Complaints Policy.

## **9. External adjudication**

Depending on the nature of the complaint, the country of origin, the Toco entity involved or a number of other factors, you may be able to approach an external adjudicator to review a decision made by Toco regarding the outcome of your complaint. Before approaching a potential adjudicator, please allow Toco to investigate and reply to your complaint first by following process outlined in this Complaints Policy.

If there are external adjudicative options available to you, the Complaints Officer / Complaints Manager will do his/her best to bring these to your attention but this does not exclude you from taking any steps yourself. Please be advised that there might be deadlines applicable to filing any action or specific conditions which apply to your complaint.

## **10. Legal action**

We draw your attention to the fact that, if you wish to institute legal action against Toco regarding the outcome of your complaint, you must do so within 1 year after the date on which the final decision is communicated to you by the Complaints Manager.