

Philips Pensioenfonds



Complaints Committee: rules of procedure

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Article 1

Scope of application

These rules of procedure are an integral part of the internal complaints procedure, and govern how the Complaints Committee reviews complaints.

Article 2

Definitions

These rules of procedure use the following definitions:

- 2.1 Complaint: means any expression of dissatisfaction presented to the Complaints Committee by a client, for example in connection with a decision of, or an act or omission by, Philips Pensioenfond's or its pension administrator in connection with the performance of the pension plan rules. An act or omission also extends to the manner in which the client was treated or addressed.
- 2.2 Complaints Committee: means the committee that decides on complaints as defined in these rules of procedure, being made up of the Managing Director, the Investments Director and the legal adviser to the Board of Trustees of Philips Pensioenfond's.
- 2.3 Client: means a member, former member, pension beneficiary or other member (beneficiary) who submits a complaint.
- 2.4 Philips Pensioenfond's pension administrator: means BSG Pensioen Management B.V.
- 2.5 Philips Pensioenfond's: means Stichting Philips Pensioenfond's.

Article 3

Procedure for submitting a complaint

- 3.1 At a minimum, a complaint should include:
- a. the client's name and address;
 - b. a date (i.e. the date of the letter);
 - c. a description of what the complaint is about, in as much detail as possible;
 - d. if the complaint is submitted by letter: the client's signature, and/or the signature of the client's authorised representative.

If the complaint is submitted by an authorised representative acting on the client's behalf, it must be accompanied by a power of attorney signed by the client and evidencing that the representative is authorised to act for the client. This power of attorney is not required if the authorised representative is a lawyer.

- 3.2 Complaints should be addressed to:
- the Complaints Committee (Klachtencommissie)
c/o Philips Pensioenfond
Postbus 80031
5600 JZ Eindhoven
The Netherlands
Email: klachtencommissie.ppf@philips.com

Article 4

Procedure for reviewing complaints

- 4.1 The Complaints Committee will register the complaint and sends the client confirmation of its receipt as soon as possible, though within 10 working days at the latest. The confirmation of receipt will state the deadline by which the complaint will be reviewed.
- 4.2 The Complaints Committee will ask the Pensions Director to respond to the complaint and will seek internal legal advice about the complaint.
- 4.3 Within 10 weeks after the date of the confirmation of receipt meant at 4.1, the Complaints Committee will inform the client of its decision on the complaint, with an explanation of the reasons for that decision.

- 4.4 If the Complaints Committee requires further information from the client to review the complaint, it will ask the client in writing (which may also be by email) to provide that information. The Complaints Committee will specify a reasonable period for the client to respond. The decision deadline meant at 4.3 will be extended by this response period.
- 4.5 The Complaints Committee may defer reviewing the client's complaint if it has compelling reasons to do so. The client will be notified accordingly in writing.
- 4.6 The client may engage an authorised representative to present their interests. If this carries any cost, that cost is for the client's own expense.
- 4.7 If the complaint concerns decisions or acts by the Complaints Committee, or part of the Complaints Committee, and/or employees of Philips Pensioenfondsen, or if the complaint was submitted by a current or former employee of Philips Pensioenfondsen, and if the legal adviser of the Board of Trustees of Philips Pensioenfondsen believes this is advisable in order to prevent any conflict of interests, or the appearance of a conflict of interests, one or more members of the Complaints Committee will step aside and be replaced by one or more other members of the Board of Trustees.

Article 5

External dispute resolution authorities

- 5.1 If the client disagrees with a decision made by the Complaints Committee, they may refer their complaint to:
- a. The Dutch Institute for pension fund complaints and disputes, for mediation and/or dispute resolution; and/or
 - b. the competent court.
- 5.2 *Dutch Institute for pension fund complaints and disputes*
- The Dutch Institute for pension fund complaints and disputes (*Geschilleninstantie Pensioenfondsen*) reviews disputes between clients and their pension funds about how the pension plan rules are implemented or applied. Further details are available online at [Geschilleninstantie Pensioenfondsen](#).
 - Mediation and/or dispute resolution by the Dutch Institute for pension fund complaints and disputes does not carry any cost.
 - If the client requests mediation, they reserve the right to subsequently ask for dispute resolution.
 - If the client requests dispute resolution, the opinion of the Dutch Institute for pension fund complaints and disputes is binding (for both the pension fund and

the client) if the matter represents a value of less than €250,000 and the client asks for the opinion to be binding. In all other situations, the opinion of the Dutch Institute for pension fund complaints and disputes is non-binding.

- If the client requests mediation and/or a non-binding opinion, they reserve the right to subsequently refer the matter to the competent court.

5.3 *Competent court*

- Legal proceedings before the competent court carry costs, such as court registration fees (payable to the court) and the cost of legal assistance.
- The court's judgment is binding, except in so far as it is appealed and a higher court issues a different judgment.

- 5.4 When the Complaints Committee sends its decision to the client, it will include information about the possibilities for appeal described in this article.

Article 6

Final provision

- 6.1 Any matter for which these rules of procedure do not make provision will be decided by the Board of Trustees of Philips Pensioenfond's.
- 6.2 The Board of Trustees of Philips Pensioenfond's reserves the right to amend and update these rules of procedure.