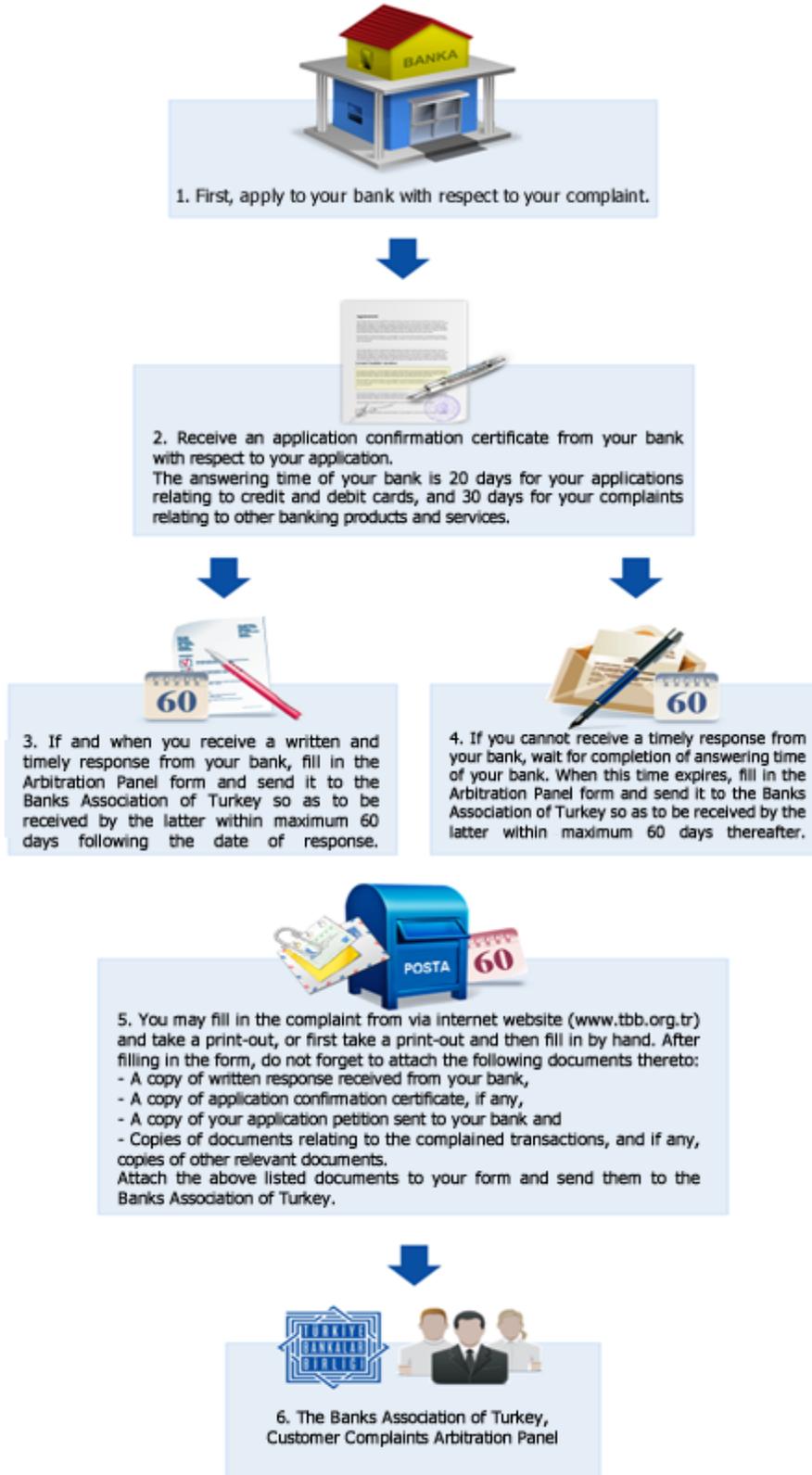


CUSTOMER COMPLAINTS ARBITRATION PANEL MEMORANDUM OF INFORMATION

This Memorandum of Information has been prepared to inform you about the actions required to be taken before application of the Banks Association of Turkey, Customer Complaints Arbitration Panel, and about the conditions of application.

Please carefully review the following diagram before application to Arbitration Panel!





What is the Banks Association of Turkey, Customer Complaints Arbitration Panel? From whom is it composed?

The Banks Association of Turkey, Customer Complaints Arbitration Panel is a conciliation panel entrusted with the task of resolving the disputes between bank members of the Banks Association of Turkey on one side and their individual customers on the other side.

- There are four types of Panels within the organization of the Banks Association of Turkey:
 - *Debit Cards and Credit Cards Arbitration Panel*
 - *Consumer Credits Arbitration Panel*
 - *Insurance Transactions Arbitration Panel*
 - *Other Banking Products and Services Arbitration Panel*
- These Panels have been formed within the frame of a Communiqué issued with a consent of the Banking Regulation and Supervision Authority in reliance upon the duties and powers vested in the Banks Association of Turkey by the Banking Law no. 5411.
- Each Panel is composed of five full and five associate members.
- At least two of full members are graduates of law faculties.
- Three full and three associate members of Panels are elected by the Association's Board of Directors from among the nominees nominated by bank members of the Banks Association of Turkey, and the remaining two full and two associate members are representatives elected and appointed by the Banking Regulation and Supervision Authority ("Authority").
- Members elected by the Association's Board of Directors are required to have an at least seven years' past banking experience.

How to apply to the Banks Association of Turkey, Customer Complaints Arbitration Panel?

- Before application to the Arbitration Panel, you must first apply to the relevant bank.
- Application to the bank must be in writing, and an "application confirmation certificate" verifying that the application is made must be received from the bank.
- Signature of the bank officer who receives the original copy of petition must be taken on a copy of the petition delivered by hand to the bank officer.
- Application to the bank may further be filed by electronic mail, whereupon the reply sent by the bank by electronic mail, verifying that the application is received, must be kept for use as the application confirmation certificate.



- Another way of proof of an application to the bank is to send the application “by registered mail, return requested”. Thus, the acknowledgement of receipt signed by the bank officer, to be sent back by the post office in response to the letter of application sent to the bank, may also be used as an application confirmation certificate.

Attention to Periods!

- After filing an application to the bank, you must wait for completion of the bank’s answering period of **thirty days** starting from the date of the application confirmation certificate. This period is **twenty days** for complaints relating to debit and credit cards.
- The bank may respond thereto within thirty days of receipt of application, or may request an additional time of ten days.
- If the bank responds in a timely manner, an application may be made by filling in a complaint form within **sixty days** following receipt of written response of the bank.
- If the bank fails to respond in a timely manner, an application may be made by filling in a complaint form within **sixty days** following the end of answering time of the bank.
- Should the bank fail to respond in writing, application must be made timely by taking the date of the application confirmation certificate as the starting date of application period.

Do not forget!

- Answers and application confirmation messages to be sent by the bank by electronic mail are also accepted. Accordingly, in applications based on such an answer or an application confirmation message, a copy of such message showing the date, sender and recipient of the message is required to be attached to the complaint form.
- It is a must to fill in a complaint form for an application to the Banks Association of Turkey, Customer Complaints Arbitration Panel.

How to fill in a complaint form? What to pay attention to?

- Your filing in the complaint form completely will expedite your application process. Therefore, please respond to all questions contained in the complaint form.
- Fill in the complaint form legibly and with blue or black ink.
- Describe your complaint clearly and explicitly.
- Explain the reasons and events underlying your complaint by stating the date thereof, and which type of a transaction it is related to, and why you had a problem with the bank with respect to such transaction.
- One of the most important rules you must pay attention to in filling in the complaint form is that you must clearly and concretely state your claim from the bank.
- After explaining the transactions and events underlying your complaint, **do not use** such general statements as listed below in the claims section of the complaint form:
 - *"I want review and inspection of my accounts..."*
 - *"Please identify and indemnify my losses, if any, to me..."*
 - *"relief of my losses..."*
 - *"determination of my losses arising out of all such transactions..."*



- Formulate your claim from the bank very briefly and concretely. If you raise claims with respect to more than one transaction, you have to list the said transactions with reference to their dates and amounts.
- You may file several complaints against the same bank, or you may file the same complaint against more than one bank. However, in this case, you have to submit a separate application for each of your complaints.
- For example, let's assume that you have complaints against X Bank with respect to both your credit card and your TL deposit account. You have to fill in a separate complaint form for each of your complaints, and to receive a separate application confirmation certificate and/or a separate answer from the bank for each of your complaints.
- On the other hand, let's assume that you have the same complaint relating to your TL deposit account against both X Bank and Y Bank. You have to make an application by filling in a separate complaint form for each of these banks, and by receiving a separate application confirmation certificate and/or a separate written answer from each of these banks.
- Attachment of all substantiating documents in your possession to your complaint form will expedite the process of evaluation of your complaint by the Arbitration Panel.
- Please send copies, not the originals, of substantiating documents in attachment to your complaint form.
- A copy of the filled-in complaint form and originals of substantiating documents attached thereto must remain in your possession.
- If the complained transaction is related to a joint account opened together with another person or other persons, you must declare it, and take signatures of joint account holders on the form.
- If the applicant is authorized to act for and on behalf of one or more complainants, for all and any activities relating to evaluation and handling of complaint by the Arbitration Panel (for instance, signature of complaint form, receipt of all and any correspondences sent by the Arbitration Panel, answering of such correspondences, acceptance or refusal of proposals of the relevant person, etc.), the application must submit in attachment a written certificate of authorization or signature declaration certified by the relevant official authorities. Thereupon, it must be stated in the relevant section of page 1 of the complaint form that the application is made in the name of other person or persons.
- If the recipient of bank services has died, a copy of the certificate of inheritance proving your legal interests therein must be attached to the complaint form.
- Information or documents attached to a previously filed application must be sent again with a complaint form to be refilled in.

Who may apply to the Banks Association of Turkey Customer Complaints Arbitration Panel?

- Only natural persons may apply, providing that it is related to a retail or individual transaction. Applications of legal entities are not accepted.
- Nor are applications of natural persons with respect to transactions relating to their commercial, agricultural, etc. activities accepted.

Which applications are not accepted?

The Arbitration Panel reviews all complaints about banks, other than those listed below. The following complaints are directly refused by the Secretariat without reference to the Panel:

- Those which are not escalated to the Panel within sixty days of receipt of a response from the bank head offices or relevant bank branch;
- Those which are not escalated by the complainant to the Panel within two years following the date of occurrence of the underlying transaction or action;
- Those which are already referred to courts;
- Those which arise out of banking transactions that are by nature not individual or retail;
- General complaints about banks and their range of services;
- Those related to decisions taken by a bank adjudged bankrupt or decided to be liquidated;
- Acts that are classified and defined as a crime in the applicable laws;
- Those related to transactions which are at bidding and evaluation stage, and are related to pricing policies of banks, and are not yet executed;
- Those which have already been reviewed and resolved by the Panel; and
- Complaints which have been resolved between the complainant and the bank, without prejudice to the complainant's rights of objection thereto.

Complaints which, after escalation to the Panel, are referred to courts or to Consumer Problems Arbitration Panels cease to be handled by the Panel. Complaints referred to courts are reported to the Panel by the complainant or the relevant bank.

By which ways can applications be sent?

- Applications can be sent to Arbitration Panel by electronic mail, fax or ordinary mail.
- In applications by electronic mail, a print-out of the complaint form in "Customer Complaints Arbitration Panel" section of internet page of the Banks Association of Turkey at the address of (www.tbb.org.tr) must be taken and filled in bank or via internet, and scanned, and attached to the electronic mail message.

What are the duties of the Secretariat?

- All applications filed to the Panel are first received by the Secretariat.
- Basic duty of the Secretariat is to put the applications through the process of preliminary examination before submission to the Panel, and to organize the meetings of Arbitration Panels.
- Another duty of the Secretariat is to ensure communication and coordination between the Arbitration Panel and banks, and to request comments and opinions of the bank for each application deemed fit for submission to the Panel.
- The Secretariat is not entitled to procure the information or documents which are required for an application to the Arbitration Panel, but cannot be obtained from the relevant bank.



How and in which time are the applications responded?

- Your application documents are registered upon receipt by the Banks Association of Turkey.
- The registered applications are subject to preliminary examination by the Secretariat. If any illegible, deficient or non-understandable document or information is detected, the applicant may be requested to provide additional information and documents.
- A written response is sent within 15 days to the holders of applications, deemed fit and eligible, to inform them that their application is found eligible for processing.
- Beside the notice sent to the applicant, application documents are sent to the bank in attachment to a cover letter, and its comments are requested.
- If the application is found non-eligible and unfit for submission to the Arbitration Panel, a notice explaining the reasons thereof is sent to the applicant within no later than 90 days thereafter. This notice states either that the application is refused or that if an application is made in accordance with the applicable laws, the applicant's complaint will be handled and examined.
- As for the applicants whose application is not refused, but who is requested to complete various information and document deficiencies, their rights relating to periods of time are kept reserved on the basis of their original application date, even if they complete the document deficiencies after the end of the term thereof.
- Applications submitted to the Arbitration Panel are responded and finalized within maximum 90 days.
- A copy of the award of the Arbitration Panel is sent both to the bank and to the applicant within no later than 20 days following the date of award.
- Rights of the parties to apply to courts with respect to the complaints escalated to the Arbitration Panel are, however, reserved.

DO NOT FORGET !

Review of complaints by the Arbitration Panel does in no case suspend or stop the legal periods or limitations relating to reference of the matter to courts or arbitration.

Are the banks obliged to comply with the awards in favor of complainants?

- Awards of the Arbitration Panel with respect to disputes of an amount **up to two thousand lira** will be enforced by the banks, providing that the judicial remedies are reserved.
- Upon receipt of an award given by the Arbitration Panel in favor of the complainant with respect to disputes of an amount up to two thousand lira, the bank will, within fifteen days following receipt of the award, enforce the award and inform the complainant and report both enforcement and information to the Banks Association of Turkey in writing.
- Your notices about the banks which do not comply with the awards given by the Arbitration Panel in favor of the complainant with respect to disputes of an amount up to two thousand lira will be evaluated and handled in accordance with principles and procedures determined by the Board of Directors of the Banks Association of Turkey.
- Against the banks which are detected not to comply with the awards given by the Arbitration Panel in favor of the complainant with respect to disputes of an amount up to two thousand lira, the provisions of 3rd paragraph of article 81 of the Banking Law no. 5411 will be applied by the Board of Directors of the Banks Association of Turkey.



Are complaints against all banks acceptable and permitted?

- One may complain against all banks being members of the Banks Association of Turkey. A list of member banks is given in the last page of this brochure.
- Complaints about foreign branches of member banks are not acceptable.
- For your complaints against participation banks, you are required to apply to the Participation Banks Association of Turkey.
- Contact information of the Participation Banks Association of Turkey are given below:

Internet website: (www.tkbb.org.tr)

Mail Address: Kısıklı Caddesi No 24 Altunizade 34662 Üsküdar İstanbul

Fax No: 0 216 651 94 39

Tel. No: 0 216 651 94 35-36-37

How to contact the Arbitration Panel?

- For information about your applications, you may contact the Arbitration Panel Secretariat through the telephone 0 212 282 09 73.

What is the fee payable for application to the Panel?

- All services of the Arbitration Panel are free of charge.

Memorandum of Information and Customer Complaints Arbitration Panel Complaint Form are free. You may receive the complaint form from banks or from Customer Complaints Arbitration Panel Secretariat (Nispetiye Caddesi Akmerkez B3 Blok Kat 13 Etiler İstanbul) or the internet website address (www.tbb.org.tr).

Member Banks of the Banks Association of Turkey

- Adabank A.Ş.
- Akbank T.A.Ş.
- Aktif Yatırım Bankası A.Ş.
- Alternatifbank A.Ş.
- Anadolubank A.Ş.
- Arap Türk Bankası A.Ş.
- Bank Mellat
- BankPozitif Kredi ve Kalkınma Bankası A.Ş.
- Birleşik Fon Bankası A.Ş.
- Burgan Bank A.Ş.
- Citibank A.Ş.
- Denizbank A.Ş.
- Deutsche Bank A.Ş.
- Diler Yatırım Bankası A.Ş.
- Fibabanka A.Ş.
- Finans Bank A.Ş.
- GSD Yatırım Bankası A.Ş.
- Habib Bank Limited
- HSBC Bank A.Ş.
- ING Bank A.Ş.
- İller Bankası A.Ş.
- İstanbul Takas ve Saklama Bankası A.Ş.
- JPMorgan Chase Bank N.A.
- Merrill Lynch Yatırım Bank A.Ş.
- Nurol Yatırım Bankası A.Ş.
- Odea Bank A.Ş.
- Portigon AG
- Soci t  G n rale (SA)
- Standard Chartered Yatırım Bankası T rk A.Ş.
- Şekerbank T.A.Ş.
- Taib Yatırım Bank A.Ş.
- Tekstil Bankası A.Ş.
- The Royal Bank of Scotland Plc.
- Turkish Bank A.Ş.
- Turkland Bank A.Ş.
- T rk Ekonomi Bankası A.Ş.
- T rk Eximbank
- T rkiye Cumhuriyeti Ziraat Bankası A.Ş.
- T rkiye Garanti Bankası A.Ş.
- T rkiye Halk Bankası A.Ş.
- T rkiye İş Bankası A.Ş.
- T rkiye Kalkınma Bankası A.Ş.
- T rkiye Sınai Kalkınma Bankası A.Ş.
- T rkiye Vakıflar Bankası T.A.O.
- Yapı ve Kredi Bankası A.Ş.