



Interactive Brokers Central Europe Zrt

ANNOUNCEMENT

Annex 6 to the GBR:

COMPLAINTS HANDLING

Procedure

Valid from: 29 June 2022

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1 PURPOSE

The purpose of IBCE's ("Company") Complaints Handling Procedure ("Procedure") is to establish the control framework and minimum standards for effective management of complaints handling in accordance with applicable laws and regulations.

This Procedure ensures that IBCE provides clear and up to date information on the complaints handling process. This Procedure allows this process to be implemented in an efficient and transparent manner in line with both the local legal requirements and those of IBCE.

This Procedure is designed to supplement and operationalize certain legal and regulatory requirements applicable to complaints handling by IBCE and does not supersede, replace, or modify any such legal and regulatory requirements.

2 LEGAL / REGULATORY REFERENCE

The key legal regulatory framework and requirements used for the Complaints Handling Procedure are as follows:

- Commission Delegated Regulation (EU) 2017/565 of 25 April 2016 supplementing Directive 2014/65/EU of the European Parliament and of the Council as regards organisational requirements and operating conditions for investment firms and defined terms for the purposes of that Directive
- Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)
- Act CXXXVIII of 2007 on Investment Firms and Commodity Dealers, and on Regulations Governing their Activities
- Act CXII of 2011 on the Right of Informational Self-Determination and on the Freedom of Information
- Government Decree 435/2016 (XII. 16.) on rules and procedures for the complaint handling of payment institutions, electronic money issuing institutions, voucher issuers, financial institutions and independent financial intermediaries
- MNB Decree 66/2021. (XII. 20.) laying down detailed rules concerning the form and manner in which complaints are to be dealt with by financial institutions
- MNB Recommendation 16/2021 (XI. 16.) on the complaint handling procedures for financial institutions

3 SCOPE

The abbreviations used in this Procedure to identify Departments of IBCE are the same as the abbreviations used in the Organizational and Operational Charter (OOC or SZMSZ).

3.1 PERSONAL SCOPE

This Procedure applies to all employees of IBCE without limitation and to all service providers and affiliates of Interactive Brokers Group (IBG) acting for or on behalf of IBCE (hereafter the "affiliates") and all activities undertaken by IBCE.

It is the responsibility of each affected department manager within IBCE to ensure that this Procedure is known and conformed to within his/her respective area of responsibility. Each affected IBCE staff member is also responsible for ensuring their own compliance with the Procedure.

3.2 MATERIAL SCOPE

The scope of the Procedure extends to complaints handling process of IBCE.

4 KEY DEFINITIONS

TERMS	DEFINITIONS
CCO	Chief Compliance Officer
CEO	Chief Executive Officer
FAB	Financial Arbitration Board
IBCE	Interactive Brokers Central Europe Zrt.
IBG	Interactive Brokers Group
MNB	Magyar Nemzeti Bank (Central Bank of Hungary)

5 WHAT IS A COMPLAINT?

A complaint is an expression of dissatisfaction made by or on behalf of a client to IBCE where a response or resolution is explicitly or implicitly expected by the complainant.

At times, complaints can be expressed by way of negative feedback, which may not require a resolution or formal follow-up. While IBCE recognizes that this type of feedback is valuable, this Procedure does not apply to feedback of this nature.

Requests for the resolution of technical, primarily IT issues do not qualify as complaints.

6 HOW TO MAKE A COMPLAINT?

A complaint can be made directly to IBCE in written form or verbally.

IBCE publishes this Procedure on the opening page of its website (www.interactivebrokers.hu).

IBCE provides written information to the complainants on their complaint handling Procedure when acknowledging receipt of a complaint. In the case of a verbal complaint, IBCE draws the complainant's attention to the availability of this Procedure.

6.1 WRITTEN COMPLAINT

This can be in the form of the following:

- Using a form downloaded from the IBCE or MNB website. (See Appendix 'A' for the form)
- Via post by means of a signed letter sent to IBCE (1075 Budapest, Madách Imre út 13-14.), free of formalities, or using a form downloaded from the IBCE or MNB website.
- By email, free of formalities.
- By creating a Web-ticket in Client Portal.

Note: the creation of a Web-ticket is the preferred IBCE method for logging a complaint as the tickets are processed faster than emails or letters. This does NOT mean however that complaints logged through other means are not handled in a timely manner.

6.2 VERBAL COMPLAINT

A verbal complaint may be made:

- By telephone: On 36 (80) 088 401 from Monday to Friday from 8:00 to 20:00.

In the case of a verbal complaint made by telephone, the Company must act in the manner that would normally be expected in a given situation in order to check in live within 5 minutes of the start time of the call being initiated.

An audio recording of a verbal complaint over the telephone is made and must be kept by IBCE for 5 years.

A verbal complaint should be investigated and, if possible, remedied immediately.

If it is not possible to investigate and remedy the complaint immediately, or if the client does not agree with the handling of the complaint, the complaint transmitted verbally by a client, will be summarised in written form when the client indicates he / she wishes to register a complaint. The verbal complaint is summarised in two copies, one of which will be handed over to the client after signing and logged in the client's file and the complaints system before signing.

In the case of a complaint submitted by telephone, after completing the summary, IBCE will send a copy of the summary to the complainant together with the response to the complaint. At the client's request, IBCE provides a replay of the audio recording and will provide the transcript of the audio recording or a copy of the audio recording free of charge within the time limit set by law (currently 25 calendar days). The summary of the complaint shall include at least the following:

- the name of the client,
- the client's address/registered office and, if necessary, mailing address,
- the place, time and manner of submitting the complaint,
- the name and address of the company and its intermediary involved in the complaint,
- the detailed description of the complaint, recording each element of the complaint separately,
- the number of the contract affected by the complaint and, depending on the case, the client number or other identifier,
- the list of documents and other evidence presented by the client,
- the place and time of the recording of the summary.

If a complaint is logged by a third party (e.g. family member, introducing broker), IBCE agents will ask that the IBCE client submits the complaint in writing as this will avoid misinterpretation of what the client's issue is. In both instances the client is informed by IBCE that the complaint will be reviewed in line with the IBCE Complaints Procedure that is also available on the Interactive Brokers website. The client will also be informed in case IBCE's Compliance Function needs additional information.

6.3 HANDLING OF A COMPLAINT

The investigation of the complaint is free of charge. The complaint will be investigated taking into account all relevant circumstances.

When the complaint is received, it goes through the following process:

A written acknowledgement is sent to the client, without undue delay, informing him of the complaint's individual identification number, the next steps and the timeline he / she can expect to get a response to advise the complaint is still being investigated or a final response from IBCE. The deadline for resolving the complaint or informing the complainant is not more than 30 calendar days

If additional information available to the client is required, IBCE will contact the client immediately and obtain it.

If IBCE needs additional information during the complaint handling, the following data and documents can be requested from the clients and can be recorded:

- the name of the complainant and the complainant - if they do not match,
- contract number, client identification number given by IBCE,
- the registered office, address and mailing address of the complainant,
- the telephone numbers of the complainant,
- the method of notification,

-
- the product or service complained of;
 - description of the complaint, reason;
 - complainant's claim;
 - a copy of the documents in the complainant's possession required in support of the complaint, which are not available at the department handling the complaint;
 - a power of attorney (and details thereof) for a complainant acting through a third party;
 - other data necessary for the investigation and response of the complaint.

Once the complaint has been fully investigated a final response is sent to the client by the complaints team summarising the investigation and providing a detailed explanation of how IBCE reached its final decision. The reply to the client, whether it be positive or negative, must indicate the reasons for the decision, a copy is kept in the client's file and the complaints log must be updated accordingly.

The CCO is assigned to oversee client complaints (responses to clients will be provided under his/her authority and responsibility). Should the client feel that they did not obtain a satisfactory answer at the level at which the complaint was submitted in the first instance, the client has the right to appeal directly to IBCE's CEO. In this respect, the staff member provides a generic email address which is routed to IBCE's CEO.

All communications to clients regarding complaints and the complaint process must be in clear and plain language that is easy to understand. The complaints submitted in Hungarian will be handled and responded in Hungarian.

The complainant's personal data are subject to personal data protection regulations, the GDPR and the Infotv. and shall be handled in accordance with IBCE's internal data protection regulations.

7 COMPLAINANT'S RIGHT OF RECOURSE TO THE FAB, MNB OR COURT

If the complaint is rejected or the 30-calendar-day deadline for investigating the complaint is not met, the client may initiate proceedings before the MNB, the FAB or the court.

- If the client seeks an investigation into a breach of consumer protection provisions, he / she may seek redress to the Financial Consumer Protection Centre of the MNB (registered address: 1122 Budapest, Krisztina krt. 6., mailing address: 1534 Budapest, BKKP Pf. 777, phone: +36-80-203-776, e-mail address: ugyfelszolgalat@mn.hu, <https://www.mnb.hu/fogyasztovedelem/penzugyi-panasz#formanyomtatvanyok>), For the request to Financial Consumer Protection Centre of the MNB, please see Appendix B.
- If the client concerns a dispute concerning the conclusion, validity, effects and termination of a contract, as well as a breach of contract and its effects, he / she may seek redress to the FAB (registered office: 1013 Budapest, Krisztina krt. 55., customer service: 1122 Budapest, Krisztina krt. 6., mailing address: H-1525 Budapest Pf. 172, phone: +36-80-203-776, e-mail address: ugyfelszolgalat@mn.hu, <https://www.mnb.hu/fogyasztovedelem/penzugyi-panasz#formanyomtatvanyok>) or to the court competent according to the registered office of IBCE. For the request to the FAB, please see Appendix C.

The procedure of the FAB and the MNB can be initiated by anyone who qualifies as a consumer.

A consumer is a natural person who is acting for purposes other than his own occupation and economic activity. It does not qualify as a consumer, therefore the procedure of the FAB or the MNB cannot be initiated by sole proprietors, sole proprietorships, companies, legal entities, organizations without legal personality, condominiums.

If the client is a consumer, and its complaint is rejected by the IBCE, the company will inform the client of the remedies (including the mailing address and telephone number of the MNB and the FAB) in accordance with its reply letter.

In the reply letter, IBCE is obliged to inform the client whether IBCE has made a general submission declaration to the FAB's procedure, by which it has accepted the decision made by the FAB as binding and enforceable.

If the client's complaint concerns the settlement of a consumer dispute related to a product / service purchased with an online sales / online service contract concluded between the client and IBCE (hereinafter: online shopping) and the complaint is rejected, the above-mentioned consumer dispute may be settled out of court.

In addition to the remedies available, the client may exercise the following option. After registering on the website of the online dispute resolution platform set up by the European Union (<http://ec.europa.eu/odr>), the client can initiate an online purchase dispute settlement by filling in an electronic form.

IBCE appointed a contact person who is responsible for consumer protection matters at the Company and notified the MNB in writing of the person responsible or of any change thereof within 15 days.

8 MONITORING / REPORTING

It is the responsibility of the authorized employee to record the complaint and the process of resolving the complaint. The employee is obliged to record the data of the complaint and the resolution process in the complaint management register of IBCE.

Correspondence and other (electronic and printed) documentation related to the complaint, the document containing the complaint and the answer to it must be retained for 5 years and presented at the request of the MNB, as supervisory authority.

IBCE monitors the complaints on the basis of the register of complaints and

- groups them at reasonable intervals according to their subject matter,
- reveals and identifies the facts and events giving rise to the complaint,
- examines whether the identified facts and events may affect another process, product or service,
- initiates proceedings to correct the identified facts and events, and
- summarizes recurring or systemic problems and legal risks.

The CCO consults the customer complaints log on a regular basis (at least monthly) and performs the following tasks:

- Review the complaints log to ensure complaints are being logged correctly,
- Ensure the complaints Procedure is being complied with,
- Carry out a root cause analysis on logged complaints to ensure the on-going improvement of internal processes and Procedures in order to avoid the same mistakes being repeated,
- Escalate to CEO immediately if it becomes apparent that the complaint results from a major deficiency that requires immediate rectification,
- Produce a monthly report that is provided to management including Risk Management.

9 REVIEW AND MANAGEMENT OVERSIGHT

9.1 MANAGEMENT ACCOUNTABILITY

IBCE's management body oversees that this Procedure provides for the effective handling of complaints within IBCE. IBCE's management body endorses this Procedure and must endorse any future updates to it.

9.2 PERIODIC REVIEWS

The Compliance function periodically reviews the updates on complaints handling.

9.3 RESPONSIBILITIES OF COMPLIANCE

The Compliance Function analyses independently the data relating to complaints and complaints handling by IBCE, on an on-going basis, in order to enable the identification and treatment of any recurring or systemic issues, as well as any potential legal and operational risks, for example:

By carrying out an analysis on registered complaints in order to identify the root cause of certain types of complaints and correcting identified issues at source.

By considering whether the root cause may also affect other processes or products, including those to which the complaints do not relate directly.

Moreover, IBCE's CEO should be informed by Compliance on an on-going basis of any recurring or systemic problems as part of their overall oversight on the IBCE Complaints Procedure.

10 RECORDS MANAGEMENT

IBCE keeps register about the records of each complaint and the measures for their settlement and resolution, which includes:

- the description of the complaint, indicating the event or fact which is the subject of the complaint,
- the date on which the complaint was lodged,
- the description of the action taken to resolve the complaint, or, in the event of rejection, the reasons for it,
- the time limit for completion of the action and the name of the person responsible for implementation,
- the date on which the reply letter to the complaint was sent.

The retention period of related records is 5 years, in compliance with legal requirements.

APPENDIX 'A'

COMPLAINT to be filed with the financial organisation (bank, insurer etc.) FOR RESOLVING DISPUTES ASSOCIATED WITH THE FINANCIAL ORGANISATION

Financial organisation affected by the complaint	
Name:	

The parties' data

Client	
Name:	
Contract/client number:	
Residential address/registered office/postal address:	
Telephone:	
Notification method (mail, email):	
Attached documents (e.g. invoice, contract, power of attorney)	

Center of management (e.g. branch office, headquarters, registered office, intermediary):*

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* if the complaint is filed in person

APPENDIX 'B'

You may file a petition with the Magyar Nemzeti Bank, if all of the following conditions are concurrently satisfied:

- **You are a consumer**, i.e. you are using/have used the financial services for purposes falling outside your economic or professional activity, i.e. typically as a private person,
- **you have attempted to resolve the dispute directly with the financial service provider** (i.e. you have filed a complaint with the service provider) to no avail,
- **the financial service provider has acted illegally or deceitfully**,
- **less than five years have passed** since the infringement,
- **you have attached copies of the complaint filed with the financial service provider and the response you received** to your petition,
- if you are acting via a proxy, **you have attached the original Power of Attorney**,
- **you have signed** your petition and **have indicated your residential address**.

CONSUMER PETITION
ADDRESSED TO THE
MAGYAR NEMZETI BANK

Please complete the boxes marked with an asterisk, as a minimum, and sign your petition. In addition, please attach all documents pertaining to your case.

Please send your petition to the following address:

Magyar Nemzeti Bank
1534 Budapest, BKKP Postafiók: 777.

***Name:**

***Place of residence:**

Telephone:


Fax:

E-mail:

***The financial service provider concerned** (e.g. bank, insurer):

Type of service (e.g. home loan, MTPL):

APPENDIX 'C'

	<h3>150. GENERAL CONSUMER PETITION</h3>	place of bar code
CASE NUMBER:		
	<i>To be submitted in 1 copy to the Financial Arbitration Board</i>	
Place of receipt	<p>You may download this form from the website of the Financial Arbitration Board (www.penzugyibekeltetotestulet.hu) and fill in legibly or by typewriter. You may ask for the assistance of the Network of Financial Advisory Offices for filling in the form; for contact details see www.penzugyifogyaszto.hu.</p> <p>You may send the filled in form to our postal address (Pénzügyi Békéltető Testület 1525 Budapest, Postafiók 172) or submit in person at the customer service desk of the Magyar Nemzeti Bank (address: H-1013 Budapest, Krisztina krt. 39.).</p> <p>The petition may also be submitted via the designated Bureaus of Civil Affairs or in electronic form via the e-government portal. (www.magyarorszag.hu)</p>	

1A. PETITIONER'S data: (Any person qualifying as a CONSUMER, i.e. a natural person acting for purposes falling outside his independent occupation and economic activity, may be a petitioner.)

1A.1	Petitioner's name:				
1A.2	Residential or postal address:				
1A.3	Date of birth:	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>			
1A.4	Telephone number:				
1A.5	Capacity: Please mark with X as applicable	<input type="checkbox"/> debtor	<input type="checkbox"/> demand guarantee provider	<input type="checkbox"/> mortgager	<input type="checkbox"/> heir
		<input type="checkbox"/> in the case of insurance contracts contractor	<input type="checkbox"/> insured	<input type="checkbox"/> beneficiary	<input type="checkbox"/> fund member
		<input type="checkbox"/> other (please describe)			

1B. ADDITIONAL PETITIONER'S data: (Any person qualifying as a CONSUMER, i.e. a natural person acting for purposes falling outside his independent occupation and economic activity, may be a petitioner.)

1B.1	Petitioner's name:				
1B.2	Residential or postal address:				
1B.3	Date of birth:	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>			

1B.4	Telephone number:				
1B.5	Capacity: Please mark with X as applicable	<input type="checkbox"/> debtor	<input type="checkbox"/> demand guarantee provider	<input type="checkbox"/> mortgager	<input type="checkbox"/> heir
		<input type="checkbox"/> in the case of insurance contracts contractor	<input type="checkbox"/> insured	<input type="checkbox"/> beneficiary	<input type="checkbox"/> fund member
		<input type="checkbox"/> other (please describe)			

150-A	Name of petitioner as per point 1A.: _____	Date of birth: <table border="1" style="display: inline-table; vertical-align: middle;"> <tr> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> </tr> </table>							

2. PROXY'S data

If you wish to act via a proxy, please also fill in and sign the POWER OF ATTORNEY form, obtain the signature of two witnesses and attach the original copy as annex to the petition.

2.1	Proxy's name:				
2.2	Residential or postal address:				
2.3	Telephone number:				

3. Data of the FINANCIAL SERVICE PROVIDER:

3.1	Name of the financial service provider:				
3.2	Address of the financial service provider:				

Data of ADDITIONAL SERVICE PROVIDER *(Please fill in this section only, if you request that the procedure be launched against the additional service provider.)*

3.3	Name of the additional financial service provider:				
3.4	Address of the additional financial service provider:				

4. DECLARATION ON DISQUALIFYING REASONS HINDERING THE INSTITUTION OF PROCEEDINGS:

Please be informed that the Financial Arbitration Board may only start the proceeding, if none of the disqualifying reasons listed below exists. It is important to indicate your response for each item.

Based on the same factual data and for the same right		
4.1	– a Financial Arbitration Board proceeding has been initiated before	<input type="checkbox"/> no / <input type="checkbox"/> yes
4.2	– a mediation procedure has been initiated before	<input type="checkbox"/> no / <input type="checkbox"/> yes
4.3	– there is a pending civil action	<input type="checkbox"/> no / <input type="checkbox"/> yes

4.4	– already a final judgement has been passed in the case, or there is a binding warrant for payment	<input type="checkbox"/> no / <input type="checkbox"/> yes
4.5	– the petitioner has formerly submitted an equity petition to the Financial Arbitration Board	<input type="checkbox"/> no / <input type="checkbox"/> yes

5. Data related to the COMPLAINT SUBMITTED TO THE FINANCIAL INSTITUTION:

Please be informed that the Financial Arbitration Board may only start the proceeding, if you have attempted to resolve the dispute directly with the financial service provider and your complaint (equity petition) has been rejected. If you have not lodged a complaint (equity petition) with the financial service provider, you may not initiate the proceeding of the Financial Arbitration Board.

5.1	When did you submit your complaint/equity petition to the financial institution? day month 201... year
5.2	Please mark with X, if the financial institution <u>did not respond</u> to your complaint/equity petition and already 30 days have elapsed since the receipt of the complaint.	<input type="checkbox"/> yes
5.3	When did you receive the financial institution's letter on the rejection of the complaint/equity petition? day month 201... year

150-B	Name of petitioner as per point 1A.:	Date of birth:
	_____	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>

6. SUBJECT OF THE PETITION AND DESCRIPTION OF THE REASONS:

6.1 Describe the subject of the petition and indicate the amount involved:

6.1.1	Reference number of the contract being the subject of the petition:	
6.1.2	Petition of equity:	<input type="checkbox"/> yes
6.1.3	Description of the petition:	
6.1.4	Amount involved in the petition:	HUF

6.2 Detailed presentation of the reason for the petition:

Attach the copies of the instruments supporting your allegations and indicate in **point 7** the documents you attached to support your allegations.

Please mark with X, if you continue Point 6.2 on additional sheet 150-B/1: **yes**

150-B/1	ADDITIONAL SHEET FOR POINT 6.2 Name of petitioner as per point 1A.: _____	Date of birth: <table border="1"><tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr></table>								

Detailed presentation of the reason for the petition (continuation of Point 6.2):

150-C

Name of petitioner as per point 1A.: _____

Date of birth:

□	□	□	□	□	□
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7. ANNEXES TO THE PETITION:

The launch of the proceeding is **conditional upon** attaching the documents supporting your allegation to the petition. In the case of Points 7.1.1-7.1.4 and 7.2.1–7.2.3 it is sufficient to mark with X on the form that you have attached the instrument, while in the case of Point 7.2.4, please list the additional instruments you have attached.

7.1 Annexes related to Points 2-5 of the petition:		
7.1.1	Complaint/equity petition you have submitted to the financial institution	attached: <input type="checkbox"/>
7.1.2	Letter of the financial institution on the rejection of the complaint/equity petition	attached: <input type="checkbox"/>
7.1.3	If you have not received a response to your complaint from the financial institution, the document evidencing the submission of the complaint (e.g. the post office receipt of the registered mail)	attached: <input type="checkbox"/>
7.1.4	Original copy of the filled in and signed Power of Attorney form, if you have filled in Point 2 of the petition	attached: <input type="checkbox"/>

7.2 Annexes related to Point 6 of the petition:		
7.2.1	Document confirming the legal relationship pertaining to the financial services (e.g. contract, insurance proposal, insurance policy)	attached: <input type="checkbox"/>
7.2.2	Documents related to the insurance service claim (e.g. claim assessment protocol, expert opinion, quotation or invoice)	attached: <input type="checkbox"/>
7.2.3	Warrant for payment, litigation and foreclosure instruments related to the subject matter of the petition	attached: <input type="checkbox"/>
7.2.4	Additional documents supporting the petition: (Please list the attached additional documents.)	

150-D

Name of petitioner as per point 1A.:

Date of birth:

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8. I submit the following definite petition for the decision of the Financial Arbitration Board, based on which I request that the procedure be conducted.

Performed on _____, day month 201.... year

.....
Signature of the Petitioner specified in Point 1A.*

.....
Signature of the Petitioner specified in Point 1B.*

** By signing this form I also declare that the Financial Arbitration Board may manage my data in the proceeding launched on the basis of this petition for the necessary time as specified in Section 5(2) of Act CXII of 2011 on the Right of Informational SelfDetermination and on Freedom of Information, and may transfer it to third parties if it has a statutory obligation to do so.*

Please be informed that the petitioner may receive information on the personal data managed in respect of him/her at any time, and in the case of any infringement he/she may initiate court action or the proceedings of the Hungarian National Authority for Data Protection and Freedom of Information.

