

## Complaints and Disputes Regulations

### Article 1 Definitions

In these regulations, the terms below have the stated meaning:

Pension Fund:	Stichting Pensioenfonds DSM Nederland (PDN)
Board:	the Pension Fund Board.
Complaints and Disputes Committee:	the committee to which the Board mandates the handling of Complaints, including those of an escalated nature.
Administering Organization:	the organization to which the Board has outsourced the day-to-day, actual administration of the Pension Fund's business processes
DSM Pension Services BV:	the Administering Organization
Stakeholder:	a member, deferred member, other beneficiary, or pensioner of the Pension Fund who submits a Complaint, including of an escalated nature
Complaint:	any expression of dissatisfaction by a Stakeholder addressed to the Pension Fund.
Escalated Complaint:	a Complaint that has not been resolved to the satisfaction of the Stakeholder by the Administering Organization in the first instance and which is dealt with by the Complaints and Disputes Committee in the second instance.
Dispute:	a dispute that arises following the total or partial rejection by the Complaints and Disputes Committee of an Escalated Complaint about the administration of pension regulations. A dispute also arises when ten weeks have elapsed from receipt of the confirmation of

receipt of the Complaint, or twelve weeks from the submission of the Complaint, relating to the administration of the pension regulations and the Stakeholder decides to submit this Complaint directly to the Geschillen Instantie Pensioenfondsen (dispute settlement body).

## **Article 2 – Recording and handling of Complaint**

1. A Stakeholder should use the complaint form in Attachment 1, but other means of communication are also permitted.
2. Each Complaint received is recorded in the complaints file. The complaints file contains at least the following information on each Complaint:
  - a. the name and address of the Shareholder;
  - b. the Complaint and date of receipt of the Complaint;
  - c. a description of the Complaint;
  - d. a description of how the Complaint was handled (hereinafter referred to as the 'Complaint Report');
  - e. the date on which the Complaint was settled.
3. The Administrating Organization stores the data recorded in the complaints file for a period of at least seven years after the financial year in which the Complaint was settled.
4. The Administrating Organization confirms receipt of the Complaint within two weeks of receiving the Complaint and states the record number as well as the latest date on which the Stakeholder will receive a response.
5. The handling of the Complaint is carried out by a competent person employed by the Administrating Organization. A Complaint about unfair treatment is handled by a different staff member from the staff member to whom the Complaint relates.
6. If a Complaint can be settled by telephone or direct personal contact with a Stakeholder, and the Stakeholder does not wish to receive a written response, this is recorded in the complaints file in the Complaint Report.
7. If a Complaint cannot be settled by direct or personal contact with the Stakeholder, or the Stakeholder wishes to receive a written response, the Administrating Organization must, within four weeks of receiving the Complaint, communicate its position and any conclusions to the Stakeholder in writing, stating its reasons.

## **Article 3 – Recording and handling of an Escalated Complaint**

1. If a Complaint is not settled to the Stakeholder's satisfaction, and the Stakeholder reports this, this Complaint is regarded as an Escalated Complaint and is handled by the Complaints and Disputes Committee.
2. In order to report an Escalated Complaint, the Stakeholder should use the complaint form in Attachment 1, but other means of communication are also permitted.
3. The Complaints and Disputes Committee confirms receipt of the Escalated Complaint and states the latest date by which it will respond to the Escalated Complaint.
4. Each Escalated Complaint received is recorded in the complaints file. The complaints file contains at least the following information on an Escalated Complaint:
  - a. the name and address of the Shareholder;
  - b. the Complaint and date of receipt of the Complaint;
  - c. a description of the Complaint;
  - d. a description of how the Complaint was handled;
  - e. the date on which the Complaint was settled.

5. The Administrating Organization stores the data recorded in the complaints file for a period of at least seven years after the financial year in which the Complaint was settled.
6. The Complaints and Disputes Committee will investigate the Escalated Complaint.
7. Upon request, the Complaints and Disputes Committee gives the Stakeholder an opportunity to be heard during the investigation process.
8. The Complaints and Disputes Committee communicates its verdict in writing to the Stakeholder no later than eight weeks after the Committee receives the Escalated Complaint.

#### **Article 4 – Extension of timeframes mentioned in Articles 2 and 3**

If a Stakeholder is required to provide further information in order to resolve a Complaint or for the Complaints and Disputes Committee to reach a verdict on an Escalated Complaint, a timeframe for a response will be provided at the same time as the request for such information from the Stakeholder. The timeframes mentioned in Articles 2 and 3 are extended by the timeframe for a response, or by the timeframe within which the requested information is received.

#### **Article 5 – Dispute and referral to Geschillen Instantie Pensioenfondsen or civil court**

1. If a Stakeholder disagrees with the verdict of the Complaints and Disputes Committee, the Stakeholder may apply to the civil court or, in the event of a Dispute the Geschillen Instantie Pensioenfondsen. Within the Geschillen Instantie Pensioenfondsen, the Interested Stakeholder can opt for mediation by the Pensions Ombudsman or settlement of the Dispute.
2. The verdict of the Complaints and Disputes Committee states the address of the Geschillen Instantie Pensioenfondsen and the applicable timeframe.

#### **Article 6 – Reporting**

1. The Administrating Organization reports at least quarterly to the Complaints and Disputes Committee regarding the Complaints received in the sense of Article 2.
2. The Complaints and Disputes Committee reports to the Board about the Complaints and Escalated Complaints at least once a year.
3. If a Complaint leads to an Escalated Complaint, or if an Escalated Complaint leads to a Dispute, the Complaints and Disputes Committee notifies the Board.
4. The Board reports on the pending Complaints, Escalated Complaints, and Disputes annually in the Fund's Annual Report.

#### **Article 7 – Entry into effect and title**

1. Adopted by the Board at its meeting on September 26, 2007 and amended at its meeting on December 13, 2023. These Complaints and Disputes Regulations replace the previous regulations.
2. These regulations came into force under the name 'Complaints and Disputes Regulations' and may be amended and supplemented by the Board.

## COMPLAINT FORM

Attachment

### Your details

Name and initials: \_\_\_\_\_

Street and house number: \_\_\_\_\_

Postcode and town/city: \_\_\_\_\_

Telephone number: \_\_\_\_\_

Email address: \_\_\_\_\_

Date of birth: \_\_\_\_\_

Membership number PDN: \_\_\_\_\_

### **Description of complaint (phase 1/phase 2)<sup>1</sup>**

If you need more space, please use the back of this form or continue on another sheet.

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**Date:**

**Signature:**

**Send this form to: PDN, Antwoordnummer 130, 6130 VB Sittard  
(from outside the Netherlands, send it to: PDN, Poststraat 1, 6135 KR Sittard).**

You can also email us at [Info.PDN@dsm.com](mailto:Info.PDN@dsm.com). This is considered to be less secure and the use of email is your own responsibility.

<sup>1</sup> Cross out the option that does not apply the Brochure [Complaints and Disputes](#) explains the difference between between a (internal) complaint in phase 1 or in phase 2.

