

DISPUTE RESOLUTION PROCEDURES

FOR

PENNYLANE CONSULTING PTY LTD ACN 089 956 954 Australian Credit Licence Number 387582

AND

SILVER RIVER HOLDINGS PTY LTD ACN 104 567 151 Australian Credit Licence Number 383084

Receiving complaints

Complaints can be lodged by contacting Darin Yacopetti or Jon Elliott, the Complaints Officers, by:

- Phone: 08 9328 3600
- Email: darin@ablefinance.com.au or jon@ablefinance.com.au
- Mail: PO Box 8207, Perth Business Centre, PERTH WA 6849

or by speaking to any representative of our business who will refer complainants to a Complaints Officer. We will acknowledge receipt of the complaint as soon as possible.

We adopt the definition of '**complaint**' as 'an expression of dissatisfaction made to an organisation, related to its products or services, or the complaints handling process itself, where a response or resolution is explicitly or implicitly expected'. This means we will treat informal complaints seriously and refer them to our IDR (Internal Dispute Resolution) scheme unless they are resolved by the end of the next business day.

Where the *National Consumer Credit Protection Act 2009* and the *National Consumer Credit Protection Regulations 2010* refer to 'dispute', we will treat that term as having the same meaning as 'complaint'.

Any complaint which is resolved to the customer's satisfaction by the end of the fifth business day (starting from when the complaint was received) will not require a final written response unless:

- the complainant asks for a written response; or
- the complaint relates to hardship.

Investigating complaints

The Complaints Officer will review the complaint carefully and promptly, taking such steps and reviewing such documents as a reasonable person would do.

Responding to complaints within appropriate time limits and referring unresolved complaints to an EDR (External Dispute Resolution) scheme

If a complaint or dispute (except for a complaint or dispute relating to hardship) is resolved to the customer's complete satisfaction by the end of the fifth business day after the complaint or dispute was received, no further action is required other than to include comments in the Complaint register.

In all other cases, the Complaints Officer will provide a written **'final response'** to the complainant within 45 days (21 days where the complaint relates to default notices), which states:

- the final outcome of the dispute at IDR;
- the right to take their dispute to EDR (no matter what the result of the investigation was at IDR); and
- the name and contact details of our EDR scheme.

If the Complaints Officer is unable to give a final response within the specified period (ie 45 or 21 days), the Complaints Officer will, before the end of the period:

- inform the complainant of the reasons for the delay;
- advise the complainant of their right to complain to EDR; and
- provide the complainant with the name and contact details of our EDR scheme.

We will deal with all disputes promptly, but will ensure that disputes are prioritised according to their urgency.

Legal proceedings

Unless the statute of limitations is about to expire, legal proceedings may not be commenced or continued nor will any other enforcement action be taken during the IDR period and for at least 14 days after giving a final response.

Recording information about complaints and identifying and recording systemic issues

We will record information in the following tabular form (see pro forma below).

We will keep this data in a form which will enable analysis according to the type, subject or outcome of complaints or the timeliness of a response.

Personally identifiable information is actively protected in line with our Privacy Policy and our APP obligations, and will not be disclosed unless it is needed for the purposes of addressing the complaint or the complainant provides express consent.

Date of Complaint & Reference	Name of Complainant	Type (e.g., rates too high; didn't disclose all fees; didn't return calls)	Acknowledged receipt on ...	Result of investigation (e.g., our mistake; client mistaken; to EDR for resolution)	Complainant advised/Date (Phone; Fax; Email; Letter) NB: keep copy of notification on file:	Number of days to resolve dispute (if shorter than 5 business days, no written response required)
1 July 2010 Complaint # 001	Fred Bloggs	"Didn't return my calls in time" via email at 5.07pm on 1 July	Emailed Mr Bloggs dated 1 July 2010	Our mistake: resolved the following day by return email	2 July at 10.10am. Copy of email on client file # 7631	

If the complaint discloses a systemic issue, the Complaints Officer will immediately bring the matter to the attention of the business owners.

The types of remedies available for resolving complaints or disputes

If a complaint is justified, the Complaints Officer will recommend a solution comprising one or more of the following:

- an apology
- compensation
- vary contractual obligations
- a free service.

Internal structures and reporting requirements.

We will do our best to consider complaints fairly and equally. If we are unable to do so we will consider seeking outside assistance to resolve the dispute. We will review these procedures at least annually.

Guiding Principles

- **Visibility** – We will take reasonable steps to ensure customers know about the existence of our IDR procedures and how to make a complaint or apply for hardship or postponement. This information will be readily available, not just at the time a consumer wishes to make a complaint or dispute. All staff who deal with customers, not only complaints or disputes handling staff, should have an understanding of our IDR procedures and we will provide training for this purpose.
- **Objectivity** – We will address each complaint objectively and in an equitable manner. Where possible, the complaint will be investigated by staff not involved in the subject matter of the complaint.
- **Charges** – The IDR procedures are free of charge.
- **Confidentiality** – We will keep information confidential.
- **Customer focused approach** – We will be helpful, user friendly and communicate in plain English, showing our commitment to resolving complaints.
- **Commitment** – We are actively committed to efficient complaint handling.

Analysis and Evaluation of Complaints – All complaints will be classified and then analysed to identify systemic recurring and single incident problems and trends.