*[stamp: 03 JULY 2023]*

Page 1/5

On Complaint Handling[[1]](#footnote-1)

Introduction

1. Budapest Brand Nonprofit Private Limited Company (hereinafter referred to as “Company”) adopted this Complaint Handling Policy by supplementing the provisions of the current Privacy and Data Protection Policy and the Compliance Charter.

2. In its complaint handling procedure, the Company shall make every effort to investigate the complaint thoroughly, impartially and within the shortest time possible, to provide the Complainant with an appropriate and satisfactory response in all cases and to remedy substantiated complaints as soon as possible.

1. Purpose of the Complaint Handling Policy
2. The purpose of the Complaint Handling Policy is
3. to ensure a higher level of satisfaction, transparent and efficient management of the complaint handling needs of complainants lodging complaints related to the goods and services provided by the Company, and
4. to comply with the relevant legislation.
5. Complaint Handling Definitions
6. The following terms are used by the Company in this Complaint Handling Policy and the annexes thereof, and it is therefore proposed to review the following terms in detail:

* *Company:* Budapest Brand Nonprofit Private Limited Company (registered seat: H-1052 Budapest, Városház utca 9-11., company registration number: 0110-140962, tax number: 28748511-2-41; represented independently by: FAIX Csaba, CEO)
* *Complaint:* a request aiming at eliminating the violation of an individual right or interest, the addressing of which

is not subject to any other legally regulated procedure, in particular any other policy, judicial or administrative procedure. All objections, notifications and complaints related to the Company's products and services, in particular the various types of permanent and seasonal Budapest Cards, for the settlement of which the Complainant clearly and explicitly requests the Company's intervention in one of the ways set out in this Complaint Handling Policy, shall be considered as a complaint at our Company.

* *Complainant:* Any person who is considered a consumer under Act V of 2013, who has used the Company's services, purchased or ordered products and has made a complaint against the Company's service or failure and has submitted such complaint to the Company in one of the ways specified in this Complaint Handling Policy.
* *Consumer:* a natural person acting for purposes other than their independent occupation and economic activity, who buys, orders, receives, uses, relies on goods or is the addressee of commercial communication or an offer concerning the goods.
* *Employee:* a natural person who has an agency, employment or other legal relationship with the Company,

who is entrusted with the provision and performance of the Company's services, and in relation to the activities of whom the Company assumes full responsibility towards consumers, complainants and other third parties.

1. Scope of the Policy
2. The personal scope of this Policy covers any Consumer who buys, orders, receives, uses goods from our Company or to whom our Company provides services, as well as all Employees of the Company entrusted with complaint handling, who are obliged to familiarise themselves with the provisions of this Complaint Handling Policy and are personally responsible for compliance with them.
3. The material scope of this Policy covers complaints and all complaint handling activities in relation to the services provided by our Company, in particular the different types of permanent and seasonal Budapest Cards.
4. This Policy shall be in force from the date of signature until withdrawal.
5. Principles of the Policy

The principle of full investigation of and response to complaints

1. The most important thing for the Company is that Consumers are always satisfied with the services it provides. Therefore, the Company shall investigate complaints impartially and fully, within a procedure of equal treatment, which investigation may also contain important quality assurance and quality improvement information.
2. Complaint handling shall be prompt, fair and substantive, and in its course the reasons and grounds for the complaint shall be identified and the complaint shall be remedied as soon as possible.
3. The investigation of the complaint is free of charge; no extra fee shall be charged by the Company.
4. Lodging, Recording and Handling the Complaint
5. Methods available to Complainants to lodge a complaint:
   1. Oral complaint:
      1. In person at the Budapestinfo Tourist Information Office, which can be found on the <https://www.budapestinfo.hu/hu/budapestinfo-pointok-l> website (hereinafter referred to as “Budapestinfo Office”), during opening hours,
      2. Our Company shall promptly investigate the oral complaint and remedy it as necessary. A record shall be drawn up of the complaint made orally in all cases, on the basis of the information contained in the completed electronic form. A copy of the record shall be automatically sent to the Complainant to the e-mail address provided by them.
      3. The record of the complaint includes the following:
6. Complainant's name and address,
7. where, when and how the complaint was submitted,
8. a detailed description of the Complainant's complaint, a list of the papers, documents and other evidence presented (provided) by the consumer,
9. a statement on the Company's position regarding the complaint, if immediate investigation of the complaint is possible,
10. the signature of the person who drew up the record and – except in the case of an oral complaint made by telephone or other electronic communications service – the signature of the consumer,
11. the place and time of drawing up the record,
12. in the case of a complaint made by telephone or other electronic communications service, the unique identification number of the complaint.
    1. Written complaint:
       1. by post (addressed to Budapest Brand Nonprofit Zrt., to H-1052 Budapest, Városház utca 9-11.)
       2. by e-mail ([sales@budapestbrand.hu](mailto:sales@budapestbrand.hu)),
       3. electronically by completing the electronic JotForm on the <https://budapestbrand.hu/panaszbejelentes/> website.
       4. in the case of a written complaint, for the adoption of a decision on the complaint, a precise description of the specific case (in the case of multiple complaints, the complaints and their grounds shall be registered separately), an indication of the specific claim and a copy of the documents supporting the complaint shall be attached to the submission. If there is a history of the complaint, information relating thereto should also be investigated.
       5. The Customer's signature is required for a written complaint to be valid, except for complaints submitted by electronic mail and on an electronic form. If the written complaint is submitted by a representative or a proxy, the complaint must include the (legible) name of the natural person acting as a proxy and the original power of attorney bearing the signature of the proxy – handwritten and signed, with the signature of at least 2 witnesses – must be attached thereto.
       6. in the case of a written complaint, the Company shall investigate the complaint substantially and send its position and its substantive decision/action regarding the compaint, with precise reasoning, to the Complainant in writing to the e-mail address provided by the Complainant within 30 days of the notification of the complaint.
13. ***Description of the Complaint Handling Process***
14. The Complainant shall communicate their complaint to the Company by one of the means specified in Section V.
15. Once the complaint has been submitted, the Company's primary responsibility is to assign an identification number to the case. The identification number shall be indicated in the record.
16. The response shall be sent to the Complainant primarily by electronic mail (email), but it may also be sent by post or telegram upon explicit request.
17. The case shall be investigated as necessary by a designated employee of the Company's organisational unit to which the complaint relates, taking into account all relevant circumstances. The employee shall establish their position and then disclose the record, the complaint form, the circumstances and their position to the head of the department to which the complaint relates, who shall take a decision on the complaint, after consulting the Law Firm if necessary. The employee shall immediately inform the Complainant of the decision by one of the methods specified in Subsection VI.3 no later than 30 days after the submission of the complaint, in such a manner that the fact and date of dispatch can be verified.
18. The substantive decision on the complaint shall be accurate, easily understandable and clearly reasoned. If the document communicating the decision refers to a piece of legislation, the legal provision must be described in addition to indicating the source of the given piece of legislation. Simultaneously with communicating the decision, the Complainant shall be informed of the means of remedies and redress open to them, indicating the names and contact details of the relevant bodies.
19. Complaints Register
20. Having regard to the different methods of submitting a complaint, it is particularly important that complaints lodged by different means are managed in a single register.
21. The Company shall keep an identifiable and retrievable complaints register (for the period specified in the relevant applicable legislation: for 3 years from the date of registration pursuant to Section 17/A (7) of Act CLV of 1997 on Consumer Protection).
22. The register shall contain the facts giving rise to each complaint, the facts, events and procedural acts identified, the persons acting on behalf of the Company, the written complaint or a copy thereof and the relevant dates.
23. The period allowed for replying to each complaint must be clearly apparent from the register.
24. The Company has designed the complaints register in such a way that it can be used for making statistics, with a view, among other things, to measuring the efficiency of complaint handling and incorporating the experience gained from complaints into the quality management and quality assurance system.
25. Employees Responsible for Complaint Handling
26. On behalf of the Company, complaints may be dealt with by employees who have been verbally authorised to do so by the CEO on the recommendation of the head of the department concerned.
27. The employees in the position/role defined in Subsection 1 are not entitled to make any substantive decision and shall comply with the provisions applicable to the Company set out in this Complaint Handling Policy and in the legislation. Their task is to forward the complaint to the person specified in Subsection 3.
28. Only persons appointed by the Company's officer or officers with powers of representation shall be entitled to make substantive decisions regarding complaints.
29. Obligation to Provide Information on Complaint Handling
30. The Company shall fulfil its obligation to provide information related to complaint handling by making available to consumers a fillable model of the complaint form and the record, as well as the applicable version of the Complaint Handling Policy.
31. However, the Company points out that all written complaints, whether or not they are made by filling in the form, shall be handled and registered as complaints.
32. The Company may process and request from the Complainant the following data in connection with the complaint, the receipt, recording and/or registration of the complaint, in compliance with the applicable legislation, in particular Act CXII of 2011 on Informational Self-Determination and Freedom of Information and Act CLV of 1997 on Consumer Protection, as well as internal policies on data protection:

* complaint identification number
* the date of receipt of the complaint
* complainant's name
* complainant's e-mail address
* billing/mailing address
* service complained of
* attached documents
* reason for the complaint
* the complaint itself
* claim of the complainant

1. The personal data of the Complainant listed above are necessary for identification, communication and effective complaint handling.
2. The personal data requested and/or provided and the related non-personal data shall be used solely for the purpose of complaint handling and shall not be and cannot be used for any other data processing purpose.
3. The provisions of the Privacy and Data Protection Policy shall apply to other matters.
4. Legal Remedy
5. Given that the Company has introduced a period of 30 days for reply, if this period expires without a result, the complainant may apply to the following bodies or authorities:
6. The Consumer may contact the following institutions for assistance in solving their consumer protection problem:

* the consumer protection authority (https://fogyasztovedelem.kormany.hu/#/fogyasztovedelmi\_hatosag) acts in the event of a breach of consumer protection law,
* the conciliation board (<https://fog>yasztovedelem.kormany.hu/#/bestelteto\_testuletek) assists consumers in

settling individual cases,

* the European Consumer Centre

(https://fogyasztovedelcm.kormany.hu/#/europai\_fogyasztoi\_kozpont) assists consumers in resolving cross-border consumer disputes.

1. The condition for initiating the conciliation board procedure, i.e. the first step before the procedure, is that the Consumer, i.e. the buyer or the user of the service concerned, attempts to settle the complaint directly with the undertaking concerned. If direct settlement fails, a request may be submitted to the conciliation board.

To start the procedure, the request must include the following information:

* the name, domicile or residence of the Consumer, i.e. the person submitting the request,
* the name and registered seat of the undertaking to which the complaint relates,
* a brief description of the complaint, the facts substantiating it and their evidence (it is particularly important to refer to any written documents, contracts, delivery notes, invoices, receipts, etc., which relate to the substance of the matter); these documents must be attached to the request,
* a statement by the Consumer that they have tried to resolve the dispute directly with the undertaking,
* an explicit motion for a decision on the case.

1. Consumers can apply to the consumer protection authority if they have experienced a breach of consumer protection law by the undertaking and have previously tried to settle the dispute with the undertaking.

Disputes relating to the conclusion, validity, legal effects and termination of a contract between the Consumer and the undertaking, as well as the determination of the breach of contract and its legal effects, which typically relate to the fulfilment of warranty, guarantee or compensation obligations, do not fall within the competence of the consumer protection authority. In order to settle such individual consumer disputes, the Consumer may apply to court or initiate a conciliation board procedure.

The government offices act as consumer protection authorities.

1. The Company shall attempt to settle any disputes primarily through an out-of-court settlement procedure.
2. The Complainant is entitled to enforce their claim arising from the consumer dispute before the court in civil proceedings according to the provisions of Act V of 2013 on the Civil Code and Act CXXX of 2016 on the Code of Civil Procedure. The Complainant can find information on the territorial and material jurisdiction of courts on the [www.birosag.hu](http://www.birosag.hu) website.
3. Final Provisions
4. This Policy shall enter into force on the date of signature and, at the same time, Complaint Handling Policy No. 6/2020 (XI.6.) shall cease to apply.

Budapest, 3 July 2023.

|  |  |  |
| --- | --- | --- |
|  | *[seal: Budapest Brand Nonprofit Zrt.*  *BUDAPEST BRAND*  *H-1052 Budapest, Városház u. 9-11.]* | *[handwritten signature]* |
|  | FAIX Csaba  Chief Executive Officer  Budapest Brand Nonprofit Zrt. |

1. Policy No. 9/2023 (VII.3) [↑](#footnote-ref-1)