

Affiliation Rules

The purpose of these Rules is to define the terms applicable to the affiliation of service providers to the Foundation OFS Ombud Finance Switzerland (hereinafter "OFS"), in accordance with article 77 of the Federal Financial Services Act ("FinSA").

1. Any company offering financial services subject to the obligation to affiliate in accordance with art. 77 FinSA may apply to OFS for affiliation.
2. The application is made using the form on the OFS website and by paying the fees below. OFS will not accept an application for membership until the fees have been paid.
3. Once the services provider is affiliated, affiliation renews automatically from year to year, subject to payment by the Affiliate of the yearly recurring affiliation fee within the deadlines and in accordance with the terms and conditions specified below.
4. For initial affiliation, the form must be completed (legibly and in full), signed by an authorised representative of the services provider and sent by post (to OFS Ombud Finance Switzerland, 16 Boulevard des Tranchées, 1206 Geneva) and by e-mail (contact@ombudfinance.ch) with a copy of the payment order for the one time file constitution fee and the yearly recurring affiliation fee to OFS account with UBS, IBAN CH74 0027 9279 3609 2201 M. The service provider will automatically receive a confirmation of affiliation by email only, to the email address set forth in the affiliation form.
5. The Affiliate is responsible for the safekeeping of the confirmation of affiliation received from OFS, which attests to the proper fulfilment of its obligation to affiliate with a mediation organ approved by the Federal Department of Finance, and which may be requested by FINMA. In the event of loss, OFS will issue a new confirmation upon request and payment of CHF 100.-.
6. Each year, the Board of the Foundation sets the amount of the one time file constitution fee and the yearly recurring affiliation fee. Unless the Board decides otherwise, the fees are automatically carried forward unchanged from year to year. The yearly recurring affiliation fee is fixed per calendar year and is payable in full, irrespective of the time in the year when the affiliation is requested. The Board may offer a differentiated rate for members of a branch organisation that has contracted for a group affiliation with the OFS within the meaning of Art. 100 paragraph 1 of the Ordinance on Financial Services.
7. With its affiliation, an Affiliate is authorised to display the OFS logo on its website under the following conditions:

- 7.1 OFS grants the Affiliate the right to use the OFS semi-figurative logo shown below, in the form of a .jpg or .png file, only



- 7.2 The only authorised use is to include the said logo on the Affiliate's website, in order to indicate its affiliation to OFS as information for its clients and as required by art. 79 para. 2 FinSA.
- 7.3 The Affiliate must introduce a direct link to the OFS site [WEBSITE
www.ombudfinance.ch](https://www.ombudfinance.ch) site in connection with the logo.
- 7.4 The logo must always appear in its original sky blue colours as shown above.
- 7.5 The logo must be preceded on the Affiliate's website by the words: "Affiliated with ...", or any other indication with the same meaning.
- 7.6 Under the logo, the Affiliate shall indicate the address of the offices of OFS Ombud Finance Switzerland in Geneva, i.e. 16 Boulevard des Tranchées, 1206 Geneva, in accordance with the requirements of art. 79 para. 2 FinSA.
- 7.7 The right to use the logo automatically terminates when the affiliation ends. The service provider then undertakes to immediately take all necessary steps to remove the said logo or any other indication relating to OFS from its website. If the service provider does not comply within the time limit set by OFS, OFS is authorised to take all steps and to act on behalf of the Affiliate, all at the expense of the Affiliate, which includes all legal fees, costs and attorneys fees or any other technical personnel used by OFS. The services provider recognises, amongst other things, the right of OFS to intervene directly with the host of the services provider's website in order to have any mention of OFS removed and/or to take the site offline.
- 7.8 Any violation by the Affiliate of the rules governing the use of the OFS logo may lead to disaffiliation.
8. At the beginning of the year, OFS will send by e-mail only, to all members, that is for each to the contact person communicated by the Affiliate to OFS, a request for payment within 30 days of the yearly recurring affiliation fee. Payment of the yearly recurring affiliation fee automatically results in confirmation of affiliation being sent to the Affiliate by e-mail only. If payment is not made in time, OFS will send to the Affiliate by e-mail only a reminder to pay the yearly recurring affiliation fee within a period of at least 20 days. If payment is not made within that period of time, OFS will send to defaulting Affiliates by e-mail and registered post a notice to pay the said fee within 10 days, failing which they will be disaffiliated. Any Affiliate who fails to pay within this 10 day deadline is automatically disaffiliated and FINMA is informed. The payment reminder is charged CHF 30.- and the notice is charged CHF 60.-.

Any late payment is recognised and valid provided the reminder and notice charges were settled contemporaneously.

9. A service provider may apply for re-affiliation with OFS only upon effective payment of the yearly recurring affiliation fee and a re-affiliation charge of CHF 200.-.
10. OFS may conclude group affiliation agreements with any entity constituting a branch organisation within the meaning of art. 100 para. 1 of the Ordinance on Financial Services. In such a case, the group members are bound towards OFS by the provisions of articles 1, 5, 7, 10 and 11 above, only. In the event of termination of such a group contract, the group members become automatically and directly affiliated to OFS under the conditions of the present regulations as individual Affiliates and liable to OFS for the fees payable by individual Affiliates.
11. The provisions of the FinSA and the implementing ordinances remain applicable in all other respects.