

## **AGBAR CUSTOMER COUNSEL Regulations**

### **I. General provisions**

#### **Article 1. Purpose**

The purpose of these Regulations is to regulate the functioning of the Customer Counsel Office (hereinafter, OCC), which will provide support to customers of the affiliated AGBAR companies.

The OCC's main objectives are to **defend and protect customers'** rights with regard to their dealings with any of the affiliated AGBAR companies, as well as to foster a culture of communication and effective dialogue aimed at ensuring full customer satisfaction. Customers<sup>1</sup> are thus understood to be the titleholder of a contract for the supply of drinking water signed with any of the group companies listed on the form of our website ([www.customercounsel.agbar.es](http://www.customercounsel.agbar.es)).

#### **Article 2. Working principles**

All actions carried out by the OCC shall be governed by the principles of **objectivity and fairness** and it shall promote dialogue between the company and its customers based on the principles of **good faith and mutual trust**, in order to improve the quality of customer services and make them truly effective.

### **II. Scope of application**

#### **Article 3. Scope of activity**

These Regulations shall be applicable in all the OCC's activities concerning AGBAR.

The OCC shall deal with important matters that affect relations between affiliated AGBAR companies and any other natural or legal person considered to be a customer, whether this be in person or through a representative.

---

<sup>1</sup> Consumers and users who have been registered for customer services without their consent and for reasons attributable to the affiliated AGBAR companies shall also be considered customers, as shall consumers and users who continue to receive bills for a service from which they have asked to be removed for reasons not attributable to them.

### **III. Functions assigned and matters excluded**

#### **Article 4. OCC functions**

The functions assigned to the OCC are as follows:

- **Resolve** complaints which have been submitted voluntarily by customers if and when discrepancies arise with the decisions made by AGBAR companies' Customer Services regarding said complaint.
- **Provide recommendations and proposals for improving** the service.
- **Promote dialogue with** stakeholders.

#### **Article 5. Matters not included in the OCC's sphere of action**

The matters excluded from the OCC's sphere of action are detailed below:

- Disputes that may arise in relation to activities carried out outside Spain by any of the AGBAR group companies.
- Complaints arising from commercial relations held by the customer with companies other than AGBAR group companies.
- Disputes pending ruling by a court of law, public administration, or any body dependent on such an authority, or by arbitration or an Arbitration Board concerning any matter.
- Any disputes that may arise in relation to the exercising of administrative powers that must be resolved by the competent public administration.
- Complaints involving claims for compensation for damages and/or loss of earnings resulting from contractual or extra-contractual liability.
- Disputes related to fraudulent use of the water supply service provided by AGBAR companies.

### **IV. Procedure for handling complaints**

#### **Article 6. Second instance complaints**

As a general rule, the OCC intervenes in the **second instance**, when the customer disagrees with the decision made by AGBAR companies' Customer

Services detailed on the electronic form of the website [www.customercounsel.agbar.es](http://www.customercounsel.agbar.es).

The OCC shall decide whether or not to accept complaints received within **5 days** of receiving them and shall notify customers accordingly. When a complaint is accepted, a code or identification number shall be provided to facilitate its future monitoring.

### **Article 7. Format, timeframe and requirements for making complaints**

Complaints submitted to the OCC should be made as follows:

- In writing, by completing and signing the complaint form in line with the model attached as **Annex 1** and sending it to:

**Customer Counsel Office**  
**Paseo de la Zona Franca, 48**  
**08038 Barcelona**

[customercounsel@customercounsel.es](mailto:customercounsel@customercounsel.es)

- Using the electronic form which can be found at the website:

<http://www.customercounsel.agbar.es/es/solicitar-intervencion>

The OCC shall acknowledge receipt of complaints, noting the date on which they are submitted.

The maximum timeframe within which a complaint may be submitted to the OCC shall be one year after a decision regarding the complaint was issued by affiliated AGBAR companies' Customer Services.

### **Article 8.- Processing the complaint.**

The procedure shall follow the principles of a fair hearing, equality of the parties, and shall be free of charge.

In order to resolve the complaint, the OCC shall ask the affiliated AGBAR companies to provide all the information related to the matter.

## **Article 9. Confidentiality of information**

Information related to the files shall be **confidential** and only the affected parties shall be entitled to know its content.

The OCC is required to maintain the confidentiality of the information obtained during the course of the proceedings.

As indicated on the complaint form and electronic form, when a customer submits a complaint to the OCC, this means that they automatically authorize the OCC to ask the AGBAR group companies to provide the information strictly needed to handle and settle the complaint.

The personal data of the claimant, to which the OCC will have access as a result of the complaint submitted, will be included in the 'Customer Counsel' file, which is the responsibility of Suez Spain, S.L., for the sole purpose of handling and resolving your complaint.

The owner of the personal data should submit any requests (in writing and providing proof of identity) to access, rectify, cancel or oppose the use of said data to the registered offices in Barcelona, located at Paseo de la Zona Franca, 48 or by e-mail to [customercounsel@customercounsel.com](mailto:customercounsel@customercounsel.com).

## **V. Customer Counsel decisions**

### **Article 10. Decisions**

OCC decisions shall be based on the principles of conciliation, justice and fairness.

Decisions should resolve all issues raised by the parties in a reasonable manner.

### **Article 11. Content and deadline for decisions**

The OCC shall issue a decision within a maximum period of **two months** after the date on which the appropriate acknowledgement of receipt of the complaint is sent to the customer.

In exceptional and justifiable circumstances, as a result of the complexity of a particular case, the OCC may decide to extend this period to a maximum period of six months and, in this event, shall notify the customer accordingly.

### **Article 12. Communication of the decision**

The OCC shall communicate its decision through the channel used by the customer, and shall notify Customer Services of the company affected by the complaint, so that they are aware of the decision and may take the necessary action if applicable.

### **Article 13. Effect of decisions**

Acceptance by the claimant of the decision issued by the OCC is **voluntary**, and the former should notify the latter of their acceptance in writing within the maximum period of one month.

OCC decisions shall be **binding** for the company, which should proceed to comply with them within the timeframe indicated in the decision.

### **Article 14. Termination of the procedure**

The complaint procedure submitted to the OCC shall be considered concluded when a reasoned decision is reached, when it is withdrawn by the parties, when an agreed settlement is reached and signed or, when appropriate, by positive silence.

The affected parties shall be notified of the termination of the complaint procedure and any recommendations that the OCC may make.

## **VI. Rights and obligations**

### **Article 15. The company's obligations to the AGBAR OCC**

The affiliated company shall take on the following commitments with the OCC:

- Collaborate in order to provide the OCC with all the information it requests in order to fulfil its duties correctly. The OCC may contact all the managerial staff, employees and the different departments of the company in order to obtain the information it needs to fulfil its duties correctly.
- Promote the role of the Customer Counsel and the content of these Regulations.
- Execute the decisions issued by the OCC when applicable and in the timeframe indicated.

## **VII. Report and annual information**

### **Article 16. Report**

The OCC shall publish a Report detailing its activities on an annual basis.

Customers and any other related parties may consult this report via the website [www.customercounsel.agbar.es](http://www.customercounsel.agbar.es).

## **VIII. Final provisions**

### **Article 17. Entry into force**

These Regulations shall come into force on the date they are published on the website [www.customercounsel.agbar.es](http://www.customercounsel.agbar.es).

### **Article 18. Publication**

These Regulations shall be published on the website [www.customercounsel.agbar.es](http://www.customercounsel.agbar.es) for general information purposes.

**ANNEX 1.- COMPLAINT FORM MODEL****CUSTOMER COUNSEL OFFICE COMPLAINT FORM FOR THE CUSTOMERS OF  
AGBAR GROUP COMPANIES.**

1. First name and surname(s):
2. Tax ID/Foreign resident ID number:
3. Address for notification purposes:
4. If representing a third party: The same data as requested above for the represented party and authorization of the representation.
5. Brief description of the facts and short explanation of the complaint, stating the amount, the evidence and the documentation on which the complaint is based, if applicable

Pursuant to the provisions of Article 11.2 c) of the Organic Law on Personal Data Protection, we hereby notify you that by submitting your complaint to the Customer Counsel Office (OCC), you are authorizing the aforementioned OCC to ask the AGBAR group companies for the information strictly needed to handle and resolve this complaint.

Your personal data, to which the OCC will have access as a result of the complaint submitted, will be included in the 'Customer Counsel' file, which is the responsibility of Suez Spain, S.L., for the sole purpose of handling and resolving your complaint.

The owner of the personal data should submit any requests (in writing and providing proof of identity) to access, rectify, cancel or oppose the use of said data to the registered offices in Barcelona, at Paseo de la Zona Franca, 48 or by e-mail to [customercounsel@customercounsel.com](mailto:customercounsel@customercounsel.com).

*[City, date]*

*[Signature of claimant]*