

APPENDIX NO. 1

Requirements and Complaint Procedure

§1.

Nature and scope of the document

1. This document constitutes Appendix No. 1 to the Regulations for the Provision of SPX Services and defines the detailed formal requirements and the procedure for submitting, documenting and considering Complaints regarding the Services provided by the Operator.
2. The provisions of this Annex are binding and constitute an integral part of the Regulations.
3. In matters not regulated by this Appendix, the provisions of the Regulations and generally applicable law shall apply.
4. The procedure applies to Customers who are entrepreneurs, unless the Regulations provide otherwise.

§2.

Definition of the Complaint and the moment of its submission

1. A complaint is a written claim regarding the non-performance or improper performance of the Service by the Operator.
2. The complaint is considered to have been submitted on the date of its receipt to the Operator, provided that it contains all the required data and documents specified in this Appendix.
3. In the event of an incomplete Complaint, the Operator calls on the Customer to complete it. The deadline for consideration of the Complaint begins on the day of receipt of the complete documentation.
4. Complaints submitted after the expiry of the deadlines specified in the Regulations may be left without consideration.

§3.

Form and method of submitting a Complaint

1. The complaint can be submitted:
 - A) in writing – in person at the Operator's headquarters,
 - B) by letter to the address of the Operator's registered office,
 - C) via the ICT system made available by the Operator, in particular via the application form available at: (<https://sp.express/w2/site/contact>)(<https://sp.express/w2/site/contact>).
2. A complaint submitted in electronic form is considered to be successfully served when it is registered in the Operator's system.

3. The Operator is not responsible for the incorrect submission of the Complaint via communication channels other than those indicated in paragraph. 1.

§4.

Formal requirements of the Complaint

1. The complaint should contain at least:
 - A) Customer's identification data,
 - B) Shipment number,
 - C) the amount of the claim,
 - D) the currency of the claim (EUR/PLN),
 - E) bank account number for the refund,
 - F) a detailed justification of the claim,
 - G) e-mail address for correspondence.
2. The absence of any of the above elements may result in a call to supplement the Complaint.
3. The Operator reserves the right to request additional documents or explanations necessary to consider the Complaint.

§5.

Documents required depending on the type of Complaint

1. In the event of a shipment missing, the following are required before delivery:
 - A) shipping label,
 - B) a sales invoice documenting the value of the goods,
 - C) cost invoice for the purchase of goods.
2. In the case of questioning the delivery of the Shipment despite being given the status "delivered", the following are required:
 - A) shipping label,
 - B) a sales invoice documenting the value of the goods,
 - C) cost invoice for the purchase of goods,
 - D) a written statement of the recipient about the non-receipt of the Shipment containing:
 - name and surname or name of the entity,
 - delivery address,
 - contact details,
 - unambiguous statement of non-receipt of the Shipment,
 - date and legible signature.
3. In the event of damage to the Shipment, its contents or lack of contents, the following are required:
 - A) clear photos of the outer and inner packaging,
 - B) photos of damaged goods,
 - C) a damage report drawn up with the courier upon receipt - if it was drawn up,
 - D) the labelling,
 - E) sales invoice and cost invoice.

4. In the case of an unjustified return to the sender, it is required to present the shipping label and indicate the reason for the return.

5. In the case of a request for cancellation or reimbursement of transport costs, a shipping label is required.

6. In the case of an invoice complaint, it is required to present a summary in tabular form (e.g. Excel file) with a clear indication of the disputed items.

§6.

The evidential nature of system statuses

1. Data recorded in the Operator's ICT systems and cooperating operators, in particular the status of the Shipment, scan records, GPS data, the recipient's electronic signature and photographic documentation from the delivery process, constitute evidence of the Service.

2. Giving the Shipment the status of "delivered" constitutes a presumption of proper performance of the Service, unless the Customer demonstrates the opposite circumstances.

§7.

Terms of consideration of the Complaint

1. The Operator considers the Complaint within 30 calendar days from the date of receipt of the complete documentation.

2. Failure to respond on time does not mean that the Complaint is recognised.

3. In justified cases requiring additional verification, the deadline may be extended, about which the Customer will be informed.

§8.

Complaint decision

1. After the verification, the Operator issues a decision on:

- A) recognition of the Complaint in its entirety,
- B) recognising the Complaint in part,
- C) refusal to recognise the Complaint.

2. The decision is sent electronically to the address indicated in the application.

3. In the event of disclosure of new significant circumstances before the payment of compensation, the Operator has the right to re-verify the decision.

§9.

Wypłata odszkodowania

1. If the Complaint is recognised, the compensation is paid by transfer to the bank account indicated by the Customer.

2. Payment of compensation and issuance of any corrective invoice takes place no later than the end of the month following the month in which the decision was issued.

§10.

Cancellation

1. The customer has the right to appeal against the complaint decision within 7 days from the date of its delivery.

2. The appeal should contain justification and any new evidence.

3. Failure to file an appeal on time results in the decision being recognised as final.