

Aspera Operations B.V.

Player Complaints Policy

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- Version 1.0 – Draft Based on CGA Player Complaints Policy Guidelines
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Purpose and Scope

Aspera Operations B.V. ("the Operator") is committed to fostering a transparent, fair, and efficient framework for the handling of player complaints and disputes. This Player Complaints Policy ("Policy") is established in accordance with Article 5.3 of the National Ordinance on Games of Chance (Landsverordening op de kansspelen, "LOK"), under the oversight of the Curaçao Gaming Authority (CGA).

Adherence to this Policy is a condition of the Operator's license under the LOK, and failure to comply may result in enforcement action by the CGA. The Policy guarantees players access to an effective complaint resolution process, including free Alternative Dispute Resolution (ADR) services as mandated by the CGA.

This Policy is incorporated by reference into the Operator's Terms and Conditions and is made available on the Operator's website. It is issued based on regulatory requirements and does not override any applicable private law obligations (including Book 6 of the Civil Code of Curaçao on general terms and conditions). The Operator remains responsible for compliance with all relevant civil law obligations and recommends that players seek independent legal advice for any issues beyond the scope of this Policy.

In accordance with Article 5.3 of the LOK, the CGA may introduce additional rules or guidelines regarding player complaints and ADR processes from time to time, which will be published on the CGA's website. The Operator will update this Policy as necessary to remain compliant with any such future requirements, and any revised versions will be made available to players (and provided to the CGA as required). Failure to comply with this Policy constitutes a breach of licensing obligations and may result in enforcement measures by the Curaçao Gaming Authority.

Intended Audience

This Policy is applicable to:

- All registered players engaging with Aspera Operations B.V.'s gaming services;
- Aspera Operations B.V. customer support, compliance, and responsible gaming teams;
- External stakeholders such as ADR entities and regulatory authorities.

Core Principles

- **Accessibility:** Players must be able to file complaints easily, in multiple languages, and through clearly marked submission channels.
- **Fairness:** Each complaint will be evaluated impartially, based on facts and applicable rules.
- **Transparency:** Players will receive timely acknowledgments, updates, and final responses.
- **Data Protection:** All complaint data will be processed in compliance with relevant data protection legislation.
- **Continuous Improvement:** Complaint records will inform periodic reviews and improvements in service delivery and compliance.

Scope

This Policy covers:

- Submission, handling, and resolution of all player complaints and disputes;
- Internal timelines and procedures for handling complaints, including those relating to Responsible Gaming;
- The role of ADR (Alternative Dispute Resolution) mechanisms;
- Reporting obligations to the CGA;
- Use of Artificial Intelligence in the resolution process (if applicable).

This Policy is legally binding and forms part of the Terms and Conditions of service for all users of Aspera Operations B.V. platforms.

Definitions

2.1 Complaint

A Complaint is a written expression of dissatisfaction submitted by a player, concerning Aspera Operations B.V.'s services, conduct, terms, or decisions. A complaint signifies that the player is dissatisfied and expects a response or resolution. For reporting purposes, a complaint must include submission of a formal Complaint Form and/or any matter escalated to an ADR body.

2.2 Dispute

A Dispute refers to a complaint that has not been resolved to the player's satisfaction through the internal complaint handling process and is escalated further, either internally, to an ADR provider, or to a competent legal authority.

2.3 Player Interaction

Player Interaction includes any written communication initiated by a player toward the operator's customer support team, such as general inquiries, feedback, clarification requests, or service issues. Not all interactions qualify as complaints unless they express dissatisfaction and request resolution.

2.4 Responsible Gaming Complaint

A complaint specifically related to responsible gambling measures, such as self-exclusion, time-out periods, or the protection of vulnerable players. These complaints are prioritized due to their potential impact on player well-being.

2.5 Alternative Dispute Resolution (ADR)

An independent, CGA-certified third-party entity responsible for resolving unresolved complaints in accordance with Article 5.3 of the LOK and CGA guidelines.

2.6 Eligibility: Only the registered account holder may file a complaint. In accordance with Article 1.3(c) LOK, complaints cannot be sold, leased, or assigned to third parties.

Policy Visibility and Player Agreement

3.1 Purpose

To ensure transparency and informed consent, players must be aware of the Complaints Policy before engaging with Aspera Operations B.V.'s services.

3.2 Visibility on Platform

- The Policy is a standalone document, accessible on the homepage and registration page.
- A direct link to the policy must be included in the platform's Terms and Conditions.
- The policy must be presented in a format that is mobile-friendly and readable across devices.

3.3 Acceptance and Consent

- Players are deemed to have accepted the Complaints Policy by registering an account or continuing to use Aspera Operations B.V.'s services.

- Where applicable, players may be required to tick a checkbox or acknowledge a popup confirming review and acceptance of the Complaints Policy.

3.4 Updates and Communication

- Aspera Operations B.V. reserves the right to update this Policy to reflect regulatory or procedural changes.
- Updates shall be communicated through one or more of the following: email notifications, platform popups, or amended Terms and Conditions.
- Continued use of the services after notification constitutes acceptance of the updated policy.

Complaint Submission Channels and Format

4.1 Complaint Window

1. Players may lodge a complaint **free of charge** within **six (6) months** of the settlement of the bet or the incident that gave rise to the complaint.
2. For **peer-to-peer (P2P) games** (such as poker) and **ante-post fixed-odds betting**, the six-month period begins after the bet is settled or the relevant event has concluded.
3. For **in-running (live) betting**, players must act promptly within the six-month period, as relevant data may not be retained for extended periods due to the dynamic nature of live betting.

4.2 Submission Channels

1. Complaints may be submitted through the following channels:
 - **Customer Support Contact:** Players may initially raise issues via email or live chat. If the initial complaint is not resolved via the support channel, the player may request a Complaint Form, which will be emailed to them.

4.3 Mandatory Form Fields

To be valid, a Complaint Submission Form must include the following minimum information:

- Full name and residential address of the player;
- Registered account username and/or email address;
- Date of the complaint and the date of the disputed event;
- Description of the complaint and relevant **category**;
- Supporting evidence or documentation (if applicable).

Incomplete complaints may be rejected if the player fails to provide the requested information after being notified.

4.4 Free of Charge

All complaint submissions and subsequent ADR referrals are provided **free of charge to the player**. All costs are borne by the Operator.

4.5 Legal Recourse

Referral of a complaint to an ADR provider does not restrict the player's right to pursue legal remedies before a competent court, unless both the player and the Operator have expressly agreed that the ADR decision shall be final and binding.

Internal Resolution Timelines and Handling

5.1 Acknowledgement

- All complaints submitted via the official Complaint Submission Form will receive a written acknowledgment within two (2) business days for Responsible Gaming issues, and within seven (7) calendar days for all other issues.
- The acknowledgment will include:
 - Confirmation of receipt;
 - Information on how the complaint will be processed;
 - An estimated timeline for resolution.

5.2 Responsible Gaming Complaints

- Complaints involving Responsible Gaming concerns, such as self-exclusion, targeting of vulnerable players, or cooling-off period enforcement, shall be prioritized.

- These complaints shall be resolved within five (5) business days where feasible.
- If resolution is delayed:
 - The player will be informed of the reason and updated timelines;
 - The delay shall not exceed a total of fourteen (14) days unless extended by another two (2) weeks due to a lack of player response.

5.3 Other Complaints

- Complaints not related to Responsible Gaming will be addressed within a standard period of four (4) weeks.
- Where additional time is needed due to complexity or incomplete submissions:
 - One (1) extension of up to four (4) additional weeks may be applied with prior notice to the player.

5.4 Delays and Justifications

- If Aspera Operations B.V. cannot reach a resolution within the maximum allowed timeframe:
 - A formal communication will be sent to the player explaining the reason for the delay;
 - Clear timelines will be set for final resolution or escalation steps.

Final Response and Escalation Rights

6.1 Components of Final Response

- Every player who submits a complaint will receive a final written determination.
- The final response will include:
 - A reasoned assessment of the complaint outcome;
 - Any supporting documentation or evidence relied upon, where applicable;
 - Clear conclusions about whether the complaint was upheld or rejected.
- If the complaint is not addressed due to missing information, evidence of prior requests for the missing documentation will be included.

6.2 ADR Referral

- If a player is dissatisfied with the resolution, they will be informed of their right to escalate the matter to an independent Alternative Dispute Resolution (ADR) provider.
- The ADR service will be provided free of charge to the player, and all costs will be borne by Aspera Operations B.V.
- The contact details and process for accessing ADR will be included in the final response.

6.3 Internal Sign-Off

- All final responses must be reviewed and approved by a senior compliance officer or authorized manager before being issued to the player.
- This ensures consistency, fairness, and adherence to regulatory requirements

Use of Artificial Intelligence in Complaint Handling

7.1 AI Usage Scope

- Aspera Operations B.V. may utilize Artificial Intelligence (AI) technologies to assist in processing and analyzing player complaints.
- AI may be used to:
 - Classify complaints into predefined categories;
 - Detect patterns and flag high-risk or repeat issues;
 - Generate draft responses based on historical resolutions and similar cases.

7.2 Human Oversight

- AI will never be used to process or resolve complaints relating to:
 - Responsible Gaming issues;
 - Complex or nuanced complaints requiring legal or ethical judgment.
- All AI-generated outcomes will be reviewed and approved by a qualified human reviewer before final communication with the player.

7.3 Quality Audits

- Regular audits will be conducted to ensure AI-generated suggestions and classifications are accurate, consistent, and compliant with applicable standards.
- Any anomalies or unfair outcomes detected through audit processes will be corrected and logged for training and system improvement purposes.

- AI models used in the complaints process will be periodically updated to reflect new regulatory guidance, case history, and complaint trends.

Alternative Dispute Resolution (ADR) Access

8.1 ADR Overview

- Aspera Operations B.V. is required under the LOK and CGA guidelines to provide access to independent Alternative Dispute Resolution (ADR) services.
- ADR services are intended to provide impartial resolution in cases where the player is not satisfied with the internal resolution process.

8.2 Player Referral Rights

- If a player receives a final internal response and remains dissatisfied, they may refer the complaint to an approved ADR provider.
- Referral to ADR is free of charge to the player. Aspera Operations B.V. bears the full cost of the ADR process.
- ADR contact details, instructions, and player eligibility will be clearly communicated in the final response issued to the player.
- Once an ADR case is initiated and concluded, it cannot be re-opened or referred to another ADR provider by either party.

8.3 Ongoing Communication

- Throughout the ADR process, Aspera Operations B.V. will maintain timely communication with the player and the ADR provider.
- In the event the player discontinues the ADR process after initiation, the complaint will be considered closed and cannot be re-submitted.
- Players retain their right to pursue legal recourse, unless restricted by specific ADR terms reviewed and approved by the CGA.

Record-Keeping and CGA Reporting

9.1 Complaint Ledger

- Aspera Operations B.V. will maintain a centralized complaint ledger documenting all complaints submitted via the official Complaint Submission Form.

- The ledger will include:
 - Player identification (pseudonymized where necessary);
 - Complaint category and description;
 - Date of receipt and final resolution;
 - Resolution outcome (e.g., upheld, rejected, referred to ADR);
 - Actions taken and communications issued.

9.2 Biannual Reporting

- In accordance with CGA requirements, Aspera Operations B.V. will submit reports twice annually:
 - By January 15th (covering July–December);
 - By June 15th (covering January–June).
- Reports will include:
 - Total number of complaints received;
 - Number of resolved (upheld/rejected) and unresolved complaints;
 - Categorization by complaint type;
 - Number escalated to ADR;
 - Number of legal proceedings initiated by players.

9.3 Data Security

- All complaint data shall be stored securely in accordance with applicable data protection laws.
- Records will be retained for a period of five (5) years or in accordance with statute of limitations, data protection obligations, or CGA directives—whichever is shorter.
- The CGA reserves the right to request access to all complaint records for supervisory and enforcement purposes.

Accessibility and Language Options

10.1 Language Availability

- The Complaints Policy, Complaint Submission Form, and relevant supporting materials will be made available in English.
- Additionally, these materials will be offered in the primary language(s) of each Aspera Operations B.V. platform domain to ensure inclusivity.
- Where a player requests support in another language, reasonable efforts will be made to assist them via multilingual customer support representatives.

10.2 Accessibility Design

- All complaint submission methods (web forms, downloadable forms, help pages) will be designed in accordance with industry accessibility standards (e.g., WCAG 2.1).
- This includes compatibility with screen readers, alternative text for images, and high-contrast viewing modes for visually impaired users.

10.3 Support Accessibility

- Players requiring additional assistance to submit a complaint due to a disability, language barrier, or other accessibility concern may contact customer support for personalized assistance.
- Support services will be available through multiple channels, including email and live chat.
- Aspera Operations B.V. is committed to ensuring all players have equal opportunity to file a complaint and receive a fair response.

Policy Governance and Review

11.1 Review Cycle

- This Complaints Policy shall be reviewed on a biannual basis or more frequently if required due to regulatory changes or operational developments.
- The review process will assess:
 - Compliance with CGA guidelines and legal obligations;
 - Effectiveness and fairness of complaint handling procedures;
 - Feedback received from players, staff, and ADR providers.

11.2 Version Control

- All versions of the Complaints Policy will be clearly labeled with a version number and date of implementation.
- A historical log of previous versions will be maintained and available upon request.

11.3 Feedback Integration

- Feedback from players, internal stakeholders, and regulators will be considered in each review cycle.
- Where feasible, policy updates will reflect lessons learned from actual complaint cases and ADR outcomes.

Compliance and Monitoring

12.1 Regulatory Compliance

- Aspera Operations B.V. will ensure that all aspects of this Complaints Policy align with the National Ordinance on Games of Chance (LOK) and the requirements issued by the Curacao Gaming Authority (CGA).
- Any non-compliance identified by internal audits or CGA supervisory actions will be promptly addressed with corrective measures.

12.2 Internal Monitoring

- The compliance team will regularly monitor:
 - Timeliness and adequacy of responses to player complaints;
 - Adherence to procedural steps for escalation and resolution;
 - Quality and consistency of final determinations.

12.3 Staff Training

- Relevant staff members, especially those in customer service and compliance, will receive periodic training on:
 - This Complaints Policy and its practical application;
 - Responsible gaming complaints and escalation protocols;

12.4 Continuous Improvement

- Trends identified from complaint data will inform proactive improvements in:
 - Platform usability and customer experience;
 - Operational or compliance frameworks.
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