

PCNO Attestation of Compliance

Downstream Participant

Code of Conduct for the Payment Card Industry in Canada

Introduction

Downstream Participants must abide by the Code of Conduct for the Payment Card Industry in Canada (Code) and applicable Market Conduct Obligations (MCO). MCOs include, but are not limited to, the current versions of the Financial Consumer Agency of Canada's (FCAC) Guidelines, Supervision Framework, Mandatory Reporting Guide and Compliance Bulletins.

This Attestation of Compliance (AOC) must be completed by all Downstream Participants. The AOC will be completed by the Downstream Participants and submitted to their Acquirers. Downstream Participant, as defined by the Code, is any person or entity that:

- (i) has either a direct or indirect relationship with an Acquirer operating in Canada as described above;
- (ii) is directly or indirectly covered by a PCNO's network rules; and
- (iii) interacts with a merchant located in Canada to provide or offer any payment processing services and/or payment processing equipment for Payment Card transactions in Canada.

Unless otherwise defined here, all capitalized terms in this document have the meaning outlined in the Code and/or other relevant MCOs.

Market Conduct Obligations

[Code of Conduct](#)

[FCAC Supervision Framework](#)

[FCAC Guidelines](#)

[Mandatory Reporting Guide](#)

[Compliance Bulletins](#)

Confidentiality

If there is an issue or item that is specific to one Payment Card Network Operator (Amex Bank of Canada, Discover Financial Services (Canada), Inc., Interac Corp., Mastercard International Incorporated, UnionPay International and Visa Canada Corporation) (each, a PCNO) that does not apply to the other PCNOs, Downstream Participants are required to complete and submit a separate AOC and Schedule A (if applicable) to their Acquirer (e.g. an instance of non-compliance relating to a specific PCNO or an issue relating to a PCNO-specific product).

Should a PCNO/Acquirer require further information, it will contact the Code Compliance Point of Contact, identified below, directly.

Instructions

Due Dates

For Downstream Participants, January 31 of each year

For Acquirers, March 31 of each year

If any due date falls on a Saturday or Sunday, completed AOCs are due the Friday before the due date or other date as may be specified by PCNOs.

The staggered dates of January 31 and March 31 are provided for Acquirers to receive and review attestation forms for compliance.

Reporting Period

January 1 to December 31 (inclusive)

The AOC must attest to the Downstream Participant(s)' Code compliance for the preceding calendar year.

Obligations

- provide all relevant details within Schedule A.
- confirm if the non-compliance meets the RCI definition under 'RCI' column; and
- provide any commentary, as necessary, in the 'Comments/explanation/rationale'

Disclosures and Communications

Meets Requirement	Does Not Meet Requirement	
	RCI	
	Comments/explanation/rationale:	
	Yes	No

Policy Element 1. Transparency and Disclosure by Acquirers and Downstream Participants

Meets Requirement	Does Not Meet Requirement	
	RCI	
	Comments/explanation/rationale:	
	Yes	No

Policy Element 1a. Card Processing Applications

Meets Requirement	Does Not Meet Requirement	
	RCI	
	Comments/explanation/rationale:	
	Yes	No

Policy Element 1b. Merchant Agreements

Meets Requirement	Does Not Meet Requirement	
	RCI	
	Comments/explanation/rationale:	
	Yes	No

Policy Element 1c. Merchant Statements

Meets Requirement	Does Not Meet Requirement	
	RCI	
	Comments/explanation/rationale:	
	Yes	No

Policy Element 3. Ability to Cancel Agreements without Penalty

Meets Requirement	Does Not Meet Requirement	
	RCI	
	Comments/explanation/rationale:	
	Yes	No

Policy Element 4. Notice to Merchants of Acquirer/Processor Fee and PCNO Core Fee Changes

Meets Requirement	Does Not Meet Requirement	
	RCI	
	Comments/explanation/rationale:	
	Yes	No

Policy Element 5. Limited Acceptance – Merchant Choice

Meets Requirement	Does Not Meet Requirement	
	RCI	
	Comments/explanation/rationale:	
	Yes	No

Policy Element 6. Negative Option Acceptance Not Allowed

Meets Requirement	Does Not Meet Requirement	
	RCI	
	Comments/explanation/rationale:	
	Yes	No

Policy Element 7. Renewal of Merchant Agreements and Related Service Agreements

Meets Requirement	Does Not Meet Requirement	
	RCI	
	Comments/explanation/rationale:	
	Yes	No

Policy Element 8. Discounts for Different Payment Methods

Meets Requirement	Does Not Meet Requirement	
	RCI	
	Comments/explanation/rationale:	
	Yes	No

Code Complaint Handling Process & Semi-Annual Aggregate Complaint Reporting

Meets Requirement	Does Not Meet Requirement	

Meets Requirement	RCI		Comments/explanation/rationale:
	Yes	No	

Section 4. Industry Guidelines

Downstream Participant confirms that it is, and has continuously been, in compliance with the Industry Guidelines. Yes No

If no, please provide explanation/rationale:

Section 5. Downstream Participant Policies and Procedures

Instructions:

Review all your policies and procedures pursuant to the Code (the “P&Ps”), as applicable. Attach and submit your organization’s P&Ps pursuant to the Code as part of this PCNO Attestation of Compliance. Complete the sections below on behalf of your organization. If any instances of non-compliance are identified within any P&Ps:

- provide all relevant details within Schedule A.

Downstream Participant confirms that the “P&Ps” are in effect and have attached them as part of this submission.

If no, please provide explanation/rationale:

Section 6. General Attestation

The undersigned, duly authorized officer(s) of the Downstream Participant, hereby attests that:

- Such duly authorized officer has the authority to bind the Downstream Participant with his or her signature below;
- All information communicated in this AOC, including any accompanying Schedule A, is accurate and complete;
- Except as identified and explained in Schedule A, the Downstream Participant has complied with the Code and applicable MCOs; and
- Supporting documentation/evidence of compliance has been retained and will be provided to PCNOs upon request.

Authorized Officer Attestation and Signature

Please complete the following fields to finalize the attestation:

Downstream Participant Name:
 Authorized Officer(s) Name(s):
 Title:
 Email:
 Signature:
 Date: