

PCNO Attestation of Compliance - Acquirer

Code of Conduct for the Payment Card Industry in Canada

Introduction

Acquirers 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 Acquirers and must reflect compliance of any Downstream Participants. A separate template is available for Downstream Participants to complete and submit to their Acquirers. Acquirer understands that when completing this AOC, it is completing on behalf of its organization as well its Downstream Participants.

The accountability of reviewing and addressing any issues included in a Downstream Participant's AOC is with each Acquirer. Each Acquirer is ultimately responsible and accountable for its respective Downstream Participant's non-compliance.

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

Acquirers are required to complete and submit a separate AOC and Schedule A (if applicable) to each 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). If there is an issue or item that is specific to a PCNO (e.g. an instance of non-compliance relating to that PCNO or an issue relating to a PCNO-specific product), the Acquirer must include that issue or item only in its AOC and Schedule A (if applicable) provided to the applicable PCNO. Notwithstanding the foregoing, the undersigned acknowledges and agrees, on its own behalf and on behalf the Acquirer, that the PCNOs may share information and documentation with other PCNOs, the Financial Consumer Agency of Canada, and the Department of Finance for the purposes of discussing, monitoring, reporting, and ensuring compliance with the Code.

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

Instructions

Due Date

March 31 of each year

If March 31 falls on a Saturday or Sunday, completed AOCs are due the Friday before March 31 or other date as may be specified by PCNOs.

Reporting Period

January 1 to December 31 (inclusive)

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

Obligations

Acquirers with Downstream Participants are required to:

1. distribute an AOC and Schedule A to each of its Downstream Participants for completion;

- a. retain copies of each of its Downstream Participants' completed AOC and Schedule A (if applicable);
2. complete an AOC and Schedule A inclusive of its Downstream Participants (if applicable) and submit to respective PCNO(s) by the due date; and
3. ensure its AOC, and Downstream Participant AOCs, are signed by an authorized officer of the entity responsible for completing the AOC.

If there are no confirmed instances of non-compliance, Acquirers are not required to submit supporting documentation and/or evidence of compliance with each AOC; however, by submitting the AOC Acquirers are attesting that supporting documentation and/or evidence has been retained and that it will be provided to PCNOs upon request.

Confirmed Non-Compliance

Acquirers must report any instance of non-compliance inclusive of its Downstream Participants, if applicable. As such, the AOC must include any instance of non-compliance and identify which entity is responsible for the non-compliance including relevant details within Schedule A and supporting documentation (if applicable).

If non-compliance is with one or more Downstream Participant(s), Acquirers must:

- submit a copy of that Downstream Participant's AOC and Schedule A to respective PCNO(s);
- ensure instances of non-compliance are either remedied and/or an action plan to address the issue has been initiated/created; and
- determine if the non-compliance meets the criteria of a [Reportable Compliance Issue](#) (RCI) and report the issue(s) to respective PCNOs.

Section 1. Acquirer Profile

Acquirer Name (Legal Name):

Payment Card Network(s) offered (select all Networks offered. If submitting separate AOC, select specific Network for that AOC only):

- | | | |
|---|--|--|
| <input type="checkbox"/> Amex Bank of Canada | <input type="checkbox"/> Interac Corp. | <input type="checkbox"/> UnionPay International |
| <input type="checkbox"/> Discover Financial Services (Canada), Inc. | <input type="checkbox"/> Mastercard International Inc. | <input type="checkbox"/> Visa Canada Corporation |

Acquirer Code Compliance Point(s) of Contact:

Name (s):

Title(s)/Position(s):

Email(s):

Section 2. Acquirer Training

Training Completed by Employees

Acquirer confirms that Code training (including applicable P&Ps and supporting controls) is in place for all applicable employees that are subject to the Code. Yes | No

In addition to the above, if yes, select training frequency (select all that apply):

- Annually Other:

If no, please provide explanation/rationale.

Training Completed for All Downstream Participants

Acquirer confirms that Code training (including applicable P&Ps and supporting controls) is provided either by Acquirer or Downstream Participant. Yes | No | N/A

In addition to the above, if yes, select training frequency (select all that apply):

- Annually Other:

If no or N/A, please provide explanation/rationale.

Section 3. Acquirer Mandatory Reporting

Semi-annual aggregate complaint reports

Acquirer confirms that semi-annual aggregate complaint reports are correct, complete and were submitted on time. Yes | No

If no, please provide explanation/rationale.

RCIs

RCI(s) identified during the Reporting Period.

 Yes No**If yes, select all that apply:**

- All issues that meet the RCI definition have been reported to each applicable PCNO.
- All RCIs have been reported within the required timelines.
- All RCI remediation activities are in progress or have been completed.

Section 4. Acquirer Code Attestation**Instructions:**

This form does not include detailed descriptions of the Code Elements. Please ensure that you review each Element of the [Code of Conduct for the Payment Card Industry in Canada](#) before completing this attestation.

If your organization and all Downstream Participants maintained compliance with the requirement, select the 'Meets Requirement' column.

If any requirement has not been met, select the appropriate option under the 'Does Not Meet Requirement' column to indicate if the non-compliance is by your organization and/or by your Downstream Participant(s) (i.e. if your organization has not maintained compliance, select the 'Acquirer' column. If your Downstream Participant(s) has not maintained compliance, select the 'Downstream Participant(s)' column and enter the Downstream Participant's name in the "Enter text." fillable field):

- If your organization has any compliance issues during the reporting period:
 - 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' column.
- If your Downstream Participant(s) has/have any compliance issues during the reporting period:
 - provide Downstream Participant AOC as part of your submission;
 - 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' column.

Disclosures and Communications

Meets Requirement	Does Not Meet Requirement				
	Acquirer	Downstream Participant(s)	RCI		Comments/explanation/rationale:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

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

Meets Requirement	Does Not Meet Requirement				
	Acquirer	Downstream Participant(s)	RCI		Comments/explanation/rationale:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

Policy Element 1a. Card Processing Applications

Meets Requirement	Does Not Meet Requirement				
	Acquirer	Downstream Participant(s)	RCI		Comments/explanation/rationale:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

Policy Element 1b. Merchant Agreements

Meets Requirement	Does Not Meet Requirement				
	Acquirer	Downstream Participant(s)	RCI		Comments/explanation/rationale:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

Policy Element 1c. Merchant Statements

Meets Requirement	Does Not Meet Requirement				
	Acquirer	Downstream Participant(s)	RCI		Comments/explanation/rationale:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

Policy Element 3. Ability to Cancel Agreements without Penalty

Meets Requirement	Does Not Meet Requirement				
	Acquirer	Downstream Participant(s)	RCI		Comments/explanation/rationale:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

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

Meets Requirement	Does Not Meet Requirement				
	Acquirer	Downstream Participant(s)	RCI		Comments/explanation/rationale:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

Policy Element 5. Limited Acceptance – Merchant Choice

Meets Requirement	Does Not Meet Requirement				
	Acquirer	Downstream Participant(s)	RCI		Comments/explanation/rationale:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

Policy Element 6. Negative Option Acceptance Not Allowed

Meets Requirement	Does Not Meet Requirement				
	Acquirer	Downstream Participant(s)	RCI		Comments/explanation/rationale:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

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

Meets Requirement	Does Not Meet Requirement				
	Acquirer	Downstream Participant(s)	RCI		Comments/explanation/rationale:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

Policy Element 8. Discounts for Different Payment Methods

Meets Requirement	Does Not Meet Requirement				
	Acquirer	Downstream Participant(s)	RCI		Comments/explanation/rationale:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

Code Complaint Handling Process

Meets Requirement	Does Not Meet Requirement				
	Acquirer	Downstream Participant(s)	RCI		Comments/explanation/rationale:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

Section 5. Industry Guidelines

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

If no, please provide explanation/rationale.

Section 6. Acquirer Policies and Procedures

Instructions:

Review all Downstream Participant policies and procedures related to Code compliance (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 and Downstream Participants. If any instances of non-compliance are identified within any Downstream Participant P&Ps:

- include the name of the Downstream Participant(s) in the appropriate row below; and
- provide all relevant details within Schedule A.

Acquirer confirms that the "P&Ps" are in effect and have attached them as part of this submission. Yes No

If no, please provide explanation/rationale.

Acquirer confirms that it has reviewed all Downstream Participant(s) P&Ps. Yes No

If no, please provide explanation/rationale.

Instances of non-compliance have been identified as part of Acquirer review of Downstream Participant(s) P&Ps.

Yes

No

If yes, please indicate the name of the Downstream Participant:

Section 7. General Attestation

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

- Such duly authorized officer has the authority to bind the Acquirer with his or her signature below;
- All information communicated in this AOC, including any accompanying Schedule A and any Downstream Participant AOC(s) if applicable, is accurate and complete;
- The AOC encompasses Downstream Participant(s) compliance, if applicable;
 - All Downstream Participant AOC(s) (including Schedule A(s), if applicable) have been reviewed and included as part of Acquirer AOC;
- Except as identified and explained in Schedule A, the Acquirer 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.

Acquirer Name:

Authorized Officer(s) Name(s):

Title:

Email:

Signature:

Date: