

## **Rights and obligations of the Payment Organization and its participants**

### **1. The payment organization of the IPS has the right to:**

- 1.1. Change the Rules and procedural documents of the IPS in the manner of a unilateral transaction.
- 1.2. Make decisions on participation of the Participants in the IPS and conclude agreements on participation.
- 1.3. Give the Participant the right to involve Agents and indirect Participants in the provision of transfer services.
- 1.4. Determine the types and tariff rates for the provision of services in the manner of a unilateral transaction.
- 1.5. Exercise control over the observance by the Participants of the terms of participation in the IPS.
- 1.6. In the manner of a unilateral transaction to terminate / suspend participation / limit the activity of its Participants in the IPS, terminate the granted right to perform the relevant functions by the Participants (provision of certain transfer services) and Payment infrastructure service operator in case of violation of the Rules, procedural documents and terms of agreements concluded with PO and the Settlement Bank.
- 1.7. Instruct (delegate) Participants and Payment infrastructure service operator or other legal entities, with their consent, to perform certain functions in the IPS, which by these Rules and procedural documents are referred to the competence of the Payment Organization.
- 1.8. Establish a list of information that constitutes confidential information and trade secrets of the International Payment System.
- 1.9. Make decisions in the manner prescribed by the Rules of the IPS concerning disputes between the structural elements of the IPS among themselves and between the Participants and Users related to the functioning of the International Payment System.
- 1.10. Claim, after consideration of disputes, compensation for damages caused by the Participant and / or User to another Participant and / or User.
- 1.11. Apply to Participants who have violated the terms of these Rules and / or the terms of the Participation Agreement, the sanctions specified in the Rules and / or the Participation Agreement.
- 1.12. Initiate in the agreements concluded with the Participants the right to debit funds from the Participant's Account in the amount of the Participant's actual obligation to other IPS entities.
- 1.13. Post information about Participants, Agents and PISO on the Payment Organization's website and use it for marketing purposes.
- 1.14. Require and receive from the Recipient Participants paper and / or electronic documents confirming the facts of receipt / crediting to the Recipient Users of transfers made in the IPS.
- 1.15. Approve decisions on termination of the International Payment System.
- 1.16. Other rights in accordance with the current legislation of Ukraine.

### **2. The payment organization of the IPS undertakes to:**

- 2.1. Comply with the terms of the Rules of the IPS, procedural documents and agreements of the IPS concluded with the Participants within the framework of the International Payment System, to fulfill the undertaken obligations in good faith, on time and in full.
- 2.2. Ensure registration of the Participant in the Main Processing Center within 5 (five) working days from the moment of receipt from the NBU a notification on entering information about this Participant in the register.
- 2.3. Maintain (keep up to date) the register of the Point of provision of financial service indicating the types of payment devices.
- 2.4. Ensure organization of mutual settlements between the Participants regarding the provision of transfer services by them.



2.5. Ensure storage for 5 years of information on each transaction on the transfer of funds in the accounting system of the PO (in the hardware and software complex of the MPC) with the ability to recover data on the date, hour, minute and second of the transaction, the initiator (paying User) and recipient (receiving User) of the transfer, the place of initiation (identifier of the Point of provision of financial service and identifier of the sending Participant) and the place of receipt / crediting (identifier of the Point of provision of financial service and identifier of the receiving Participant), the amount and currency of transfer, the form of transfer initiation and payment (cash or non-cash).

2.6. Publish on the official website of the PO of the IPS up-to-date information on the activities of the IPS in the amount determined by the current legislation.

2.7. Post on the official website of the PO of the IPS or otherwise provide instructions and information materials required by the Participants and PISO to work in the International Payment System, as well as information received from the National Bank of Ukraine.

2.8. Inform the Participants about the planned changes in the work of the IPS, if such changes necessitate the suspension / reconfiguration of the HSC of the MPC or the HSC installed at the Participants.

2.9. Inform the Participants about the need to get acquainted with the changes to the Rules, as well as with the obligatory procedural documents of the IPS (their drafts), about the change of their name, address and bank details in advance so that these changes do not cause the Participant to fail to fulfill its obligations to the Payment Organization.

2.10. Provide explanations and advice to the Participants' specialists concerning work in the International Payment System and related risks: to new Participants - before they start providing services in the IPS; to current Participants - annually.

2.11. Ensure the preservation and non-disclosure of information that may threaten the security and integrity of the payment system, and information containing trade secrets and / or confidential information about the Participants of the IPS, both during the life of the Agreement with them and after its termination, except in cases directly provided by the current legislation of Ukraine.

2.12. Control annually the activities of Participants and PISO concerning the activities in the IPS and record the results of control in the Book of results of control.

2.13. Identify internal and external threats that may cause risks in the IPS and their sources. Carry out quantitative assessment, monitoring, management and control of risks. Establish acceptable risk limits in the IPS. Take measures to minimize and eliminate the effects of risks arising in the Payment System.

2.14. Provide Participants, Settlement Bank, PISO with information required to ensure business continuity and risk management in the IPS.

2.15. Register Users' requests for funds transfer, including requests for erroneous and improper transfers, by entering information in the Book of Users' requests.

2.16. Ensure timely final settlements between Participants.

2.17. Provide appropriate organizational and technical measures to maintain business continuity.

### **3. The IPS Participant has the right to:**

3.1. Carry out its activities within the International Payment System in accordance with the terms of the Rules of the IPS, procedural documents of the IPS and the Agreement on participation in the IPS, receive remuneration for this in the amount and manner specified in these documents.

3.2. Use trademarks and other objects of intellectual property rights used in the activities of the International Payment System, in the manner prescribed by the Rules, procedural documents of the IPS and agreements concluded with the Payment Organization.

3.3. Choose by themselves the components of their own HSC required to perform its functions in the International Payment System.

3.4. Upon a written application submitted to the Payment Organization, based on the conclusion of the Conciliation Commission (according to Section 12 of the Rules of the IPS) or the court decision to receive compensation for damages caused to it as a result of actions of any of the structural elements of the IPS and / or Users.

3.5. Apply to the Payment Organization with a request to expand (change) the functions of the Participant and, if agreed, enter into appropriate agreements.



3.6. Refuse to participate in the International Payment System due to the termination of the Agreement on participation in the IPS in the manner prescribed by this Agreement and the Rules of the IPS.

In addition, the Sending Participant has the right to:

3.7. Set tariffs for its Paying Users taking into account the restrictions set by the Payment Organization of the IPS.

3.8. Accept transfers in the IPS only in compliance with the requirements contained in the Rules of the IPS, procedural documents of the IPS and the Agreement on participation.

#### **4. The IPS Participant undertakes to:**

4.1. Comply with the Rules of the IPS, procedural documents of the IPS and agreements concluded with the Payment Organization of the IPS, fulfill its obligations in good faith, in a timely manner and in full in accordance with the type of Participant in the IPS.

4.2. The Participants who use a trade name / trademark other than the name of the IPS are obliged to indicate the name of the IPS before the trade name / trademark / mark of the transfer service during the provision of funds transfer services and / or their advertising. The name of the IPS shall be in a font and / or size not less than half of the font size and / or the size used in the trade name / trademark / mark for the services of the Participant's transfer.

4.3. Ensure reliable operation of the relevant components of its own HSC, which ensure the performance of functional responsibilities of the Participant.

4.4. Maintain (keep up to date) a register of PPFs, including for cash, indicating the types of payment devices.

4.5. Ensure storage for 5 years of information on each transaction on the transfer of funds in its accounting system (in the hardware and software complex) with the ability to recover data on the date, hour, minute and second of the transaction, the initiator (paying User) and recipient (receiving User) of the transfer, the place of initiation (identifier of the Point of provision of financial service) or the place of payment / crediting (identifier of the Point of provision of financial service), the amount and currency of transfer, the form of transfer initiation and payment (cash or non-cash).

4.6. Register Users' requests for funds transfer, including requests for erroneous and improper transfers, by entering information in the Book of Users' requests.

4.7. Publish on its own official website and displays of payment devices (if available) and / or other websites used for the provision of payment services in the IPS, up-to-date information on activities in the amount determined by the current legislation.

4.8. Publish and / or provide the User, upon request, in the PPFs, in which cash transfers are initiated / received in the IPS, up-to-date information on the activities in the amount determined by the current legislation.

4.9. Pay for the services provided to the Participant by the structural elements of the IPS in accordance with the current Tariffs in the IPS, give the Payment Organization, in the agreements concluded with it, the right to initiate debiting funds from the Participant's Account in the amount of the Participant's actual obligation to them.

4.10. Maintain on the Participant's Account the balance of funds (Collateral) necessary for fulfillment of the Participant's obligations, if it is stipulated by the agreement on participation with this Participant.

4.11. Keep secret information with limited access, which became known to the Participant during the performance of functional duties in the IPS.

4.12. Participate in resolving disputes and conflict situations in accordance with the terms of the agreements and in the manner prescribed by the Payment Organization of the IPS.

4.13. Reimburse the subjects of the IPS and the Users in full for the losses caused by the Participant. The damage (loss) must be reimbursed on the basis of the conclusion of the Conciliation Commission (according to Section 12 of the Rules) or a court decision.

4.14. Appoint from among its employees the persons responsible for the performance by the Participant of certain functions in the International Payment System, indicate their contact details in the agreement on participation.

4.15. Not later than 15 calendar days before the date of the relevant changes to inform the Payment Organization in writing about future changes in the HSC of the Participant, location of the Participant, responsible persons, their contact details, etc. and assume all risks associated with failure to provide relevant information or its delayed provision.

4.16. Provide appropriate organizational and technical measures to maintain business continuity.

4.17. Provide answers to inquiries of the Payment Organization on issues of current operational interaction.





- 4.18. Regularly, at least once a month, check for updates of information related to the work of the IPS on the official website of the Payment Organization. After receiving the e-mail about the update of information on the website of the Payment Organization, read it no later than the next business day.
- 4.19. Before starting working in the IPS, to perform the procedure of technical connection and testing (according to the requirements of the MPC). In case of change of technology of work of own HSC - to inform the Payment Organization about it according to the procedure set forth in clause 3.3.7.9 of the Rules.
- 4.20. At the request of the MPC to re-test or change the parameters of connection to the International Payment System (network addresses, port numbers, etc.).
- 4.21. Comply with the requirements of the legislation in the field of prevention and counteraction to legalization (laundering) of proceeds from crime, terrorist financing and proliferation of weapons of mass destruction in the manner prescribed by law, these Rules and internal regulations of the Participant.
- 4.22. Submit to the Payment Organization at its request, within the time specified in the request, financial statements in accordance with the forms established in the country of registration of the Participant.
- 4.23. Resident Participants must ensure the display of information about each transaction for receiving funds for further transfer and settlements with other Participants in the automation system of the Participating Bank (the bank servicing the Participant) on the same banking day (in case of initiating cash transfer by the Paying User during the transaction time) or no later than the next business day (in case of initiating a cash transfer after the end of transaction time). Non-resident Participants must perform accounting procedures in accordance with the legislation of the country of their registration.
- 4.24. Ensure the creation of archives of electronic documents, control over the integrity and protection of these documents during their storage in accordance with the requirements of these Rules and regulations of the National Bank of Ukraine / regulatory institution of the country of registration of the Participant.
- 4.25. Agree in advance in writing with the Payment Organization the possibility of using the services of a particular PISO for work in the IPS. Exercise control over the activities of the PISO within the services provided by the PISO to this Participant in the IPS.
- 4.26. When sending electronic documents to the MPC, to provide unique numbering of transfers in the Participant's accounting system.
- 4.27. Register on a mandatory basis, in accordance with the relevant procedural document of the IPS, the own PPFS and the PPFS of its indirect participants and Agents in the HSC of the MPC before they start working in the Payment System and after that - to update information on the PPFS (change of location, types and amounts of commission etc.) no later than the date of such changes.
- 4.28. Ensure that relevant information, identified as mandatory, is posted on its official website and at the points of acceptance / payment of transfers in accordance with the legislation applicable according to the agreement on participation in the IPS.
- 4.29. Ensure consideration of Users' inquiries in compliance with the norms set forth in the Rules of the IPS.
- 4.30. After initiating the transfer, provide the Paying User (in the form according to the legislation of the country of registration of the Sending Participant or the country of location of its PPFS) with the relevant document / information (receipt, check, etc.) confirming the initiation of the transfer of funds and containing mandatory details, established by the legislation of the respective country.
- 4.31. Acquaint the Paying User who initiated the cross-border transfer in national currency with information on the exchange rate in the international payment system and the total cost of the transfer service at the time of initiating such a transfer of funds.
- 1.32. Provide all Users with equal rights when providing services and a full range of services of the Participant within the IPS.

In addition, a direct Participant that involves indirect Participants / Agents for provision of transfer services undertakes to:

- 1.33. involve indirect Participants / Agents in the manner and under the terms specified by the Rules;
- 1.34. ensure reliable operation of the relevant components of its own HSC, through which the performance of the functional responsibilities of the indirect Participant / Agent involved by the direct Participant is ensured.
- 1.35. register the PPFS of the involved indirect Participant / Agent in the MPC in accordance with the requirements of the Rules, procedural documents of the IPS and agreements concluded with the Payment Organization.





1.36. maintain the Collateral in the amount required for the fulfillment of both its own obligations and the obligations of indirect Participants and Agents involved in the IPS, if provided by the Agreement on Participation;

1.37. bear full responsibility for the actions of the indirect Participant / Agent involved in the provision of transfer services, including:

1.37.1. ensure that the indirect Participant / Agent complies with the requirements of the Rules and current legislation on the protection of Payers' rights (informing about the conditions of transfers, providing a document confirming the initiation of a transfer, etc.);

1.37.2. ensure display of transactions of indirect Participants / Agents involved in the HSC of the MPC in the manner and within the timeframe specified in the Rules and procedural documents of the IPS and / or the Agreement on Participation in the IPS;

1.37.3. ensure creation of electronic archives of documents (storage of information about accepted cash, registers of accepted transfers, etc.) of indirect Participants / Agents involved, control over the integrity and protection of these documents during their storage;

1.37.4. be responsible for the finality of settlements on transactions carried out by the direct Participant on behalf of the indirect Participant / Agent, and for the procedure of processing these transactions;

1.37.5. reimburse the entities and Users of the IPS in full for the losses caused to them as a result of violation by the indirect Participant / Agent of the terms of these Rules;

1.37.6. ensure compliance by the indirect Participant / Agent with the requirements of the legislation in the field of counteraction to legalization (laundering) of proceeds from crime, terrorist financing and proliferation of weapons of mass destruction.