

WORK INSTRUCTIONS FOR THE CONCLUSION OF ACCEPTANCE CONTRACTS IN PRESENCE BUSINESS

Please note the following provisions each time you conclude an acceptance contract in presence business (hereinafter referred to as “agreement” and/or “contract”), which you enter into in the name of SIX Payment Services.

1 GENERAL PROVISIONS

1.1 Scope of validity

The following provisions apply exclusively in connection with acceptance contracts for payments at the point of sale (presence business) where the customer and their card are actually physically there. In all other cases, for example in e-commerce, separate instructions apply.

1.2 Industry affiliation

Each merchant must be assigned to an industry, which must be the industry in which the contractual partner actually operates.

- a) If the merchant operates in several industries, for example “Restaurant” (5812) and “Pharmacy” (5912), they are required to conclude a separate contract for each industry. As the payment terminals commonly used today are not equipped to assign transactions to different industry codes, the merchant is also required to operate a separate terminal for each industry.
- b) Depending on the industry, the merchant may also be subject to a risk assessment in addition to the mandatory AML check (see point 1.3). The colour assigned to the respective industry on the traffic light list determines this: Green means that you can conclude the contract following a successful AML check without any further clarification or investigation. However, if the industry is classified as orange or red, please note the corresponding information in the traffic light list. Please note that the Risk department may also have its own queries. Please also note point 1.7 “AML check and risk assessment”.

1.3 Anti-Money Laundering Act (Anti-Money Laundering, AML)

The requirements of the Luxembourg Financial Market Supervisory Authority (Commission de Surveillance du Secteur Financier, Luxembourg [“CSSF”]) include the implementation of anti-money laundering legislation. These stipulate that SIX Payment Services is required to identify all of its merchants’ beneficial owners. In other words, we have to determine who the real owner of the company is.

Within the meaning of anti-money laundering legislation, beneficial owners are natural persons who have a direct or indirect capital share or voting share of at least 25% in the merchant. An indirect shareholding is where a natural person holds shares in a third-party company which in turn holds shares in a merchant. A direct shareholding is where a natural person directly holds shares in a merchant.

Please also note point 1.7 “AML check and risk assessment”.

1.4 Appendices

Please submit the following documents together with the contract:

- a) in all cases:
 - a copy of the passport or ID card for the business owner or the person who legally represents the merchant and signs the agreement, as well as any beneficial owners identified. If there has been no personal interaction with these people, i.e. personal identification has not taken place, a certified copy of the ID (Post-Ident also possible) must be requested.
 - depending on the legal form, an extract from the commercial register, the business registration, trading licence or partnership agreement (extract cannot be older than 3 months).
 - company statutes
- b) in addition in the following cases:
 - If the beneficial owner cannot be identified within the meaning of the Anti-Money Laundering Act: the form “Beneficial owner declaration”.
 - Travelling salesman: a copy of the travelling trading licence.
 - Tour operators: all documents pursuant to point 2.3.

1.5 Completeness of documents

Before you send the contract to SIX Payment Services, please check whether you have all of the documents and information required:

- Do you have all of the contract documents including enclosures, pursuant to points 1.3 and 1.4?
- Do you have any original supplemental agreements?
- Do you made copies of all of the documents you have submitted to the merchant (page 3 of the agreement)?

- Has the merchant signed the contract in a legally binding way?
- Has the merchant put their name in block letters below the signature?
- Does the company name and address on the contract match the information given in all of the other documents (commercial register, business registration, partnership agreement, trading licence, etc.)?
- Has the merchant answered all of the PCI questions on page 2 of the agreement in the affirmative?
- If not: has the merchant completed the PCI checklist?

1.6 Sending

Please send us the contract as a PDF and all of the documents required:

- by e-mail to: partnersupport.de@six-payment-services.com

As soon as SIX Payment Services has received all of the documents required, the merchant service will process the contract application.

1.7 AML check and risk assessment

Each dossier submitted is checked with respect to anti-money laundering legislation and risk. The merchant can only be activated following a successful risk assessment and AML check.

- If a merchant is classified as credible (traffic light list: green) based on the merchant code (MCC), the merchant service records the contract in the system following a successful AML check and sends the merchant the VP (merchant) number.
- If a merchant is marked yellow (low risk) on the traffic light list based on the MCC, the merchant service can also initiate a risk assessment to be carried out by the SIX Payment Services Risk department. A successful AML check is also required here.
- If a merchant is classified as being in a medium or high risk class (traffic light list: orange or red), the potential merchant is always subjected to a risk assessment (including an AML check).

1.8 Use of a short address

Please note that the post code must be specified in a short address on the contract document. Otherwise, the order cannot be processed and it will be returned to the sales partner. These requirements apply in particular to customers with branches or different site/management addresses.

Partner Main	Short Address (without deviation)	Short Address (with deviation)
Partner Name: SGG SGS Schweiz. Geolog. Ges.		
Add. Name:		
Validity: Current		
From/To: 13.10.2008		
Address:	From/To: 27.03.2009	From/To: 27.03.2009
Street/No: Weidlistrasse 3	Name: Swiss Geol. Society	Name: Swiss Geol. Society
P.O. Box:	ZIP: 8000	ZIP: 8000
ZIP/Location: 9500 Wil SG	Location: Wil SG	Location: Zurich

2 SPECIAL PROVISIONS

2.1 Contracts with young companies

Regardless of its company form, a “young” company is a company founded in the past 12 months. The following documents must also be submitted together with the contract:

- Balance sheets if available.
- Assessments of the current business situation (can generally be requested from the company’s tax adviser) or a business plan or profitability forecast.
- Shareholder agreement (only for sole traders not entered into the commercial register).
- Company-specific information such as URL, brochures, flyers, press articles, etc.

2.2 Contracts with small car rental companies

Small, independent car rental companies with merchant category code (MCC) 7512 who are in the traffic light list’s medium risk class (yellow or orange) are always subjected to an additional risk assessment.

2.3 Travel agencies (purely agents, no organisation of package holidays themselves)

- With which tour operators are holidays arranged? Please list incl. % share of the respective tour operator
- Total turnover of the travel agency with package holidays (all means of payment included)
- What % of this falls on package holidays, what % on individual services (e.g. flights or hotel bookings)?
- How much are the deposits in % and when does the customer pay the remainder?

2.4 Tour operators

- Total turnover of the travel agency with package holidays (all means of payment included)
- How much turnover should be invoiced through us?
- What % of this falls on package holidays, what % on individual services (e.g. flights or hotel bookings)?
- Average time between payment and departure of the journey
- How much are the deposits in % and when does the customer pay the remainder?
- If it is not only B2C business, we also need the division between B2B and B2C in %
- Seasonality effect (are there peaks in booking numbers during the year)?
- Balance sheets with profit/loss calculation for 2018 and 2019 (everything that is provided in addition serves as a good assessment).
- Is the merchant an IATA-certified travel agency? If yes, can the customer please send us the certificate?
- Proof of secured payment certificate (“Reisesicherungsschein”)

2.5 Contracts with tour operators who offer package holidays

A tour operator under MCC 4722 is a tour operator who offers travel in their own name. A package holiday is a trip that lasts at least 24 hours or includes an overnight stay and for which the tour operator provides all travel services at a single total price.

a) Secured payment certificate ("Reisesicherungsschein")

In accordance with the Industrial Code (Gewerbeordnung, GewO), such package holidays must be covered by a "secured payment certificate". This document must be submitted to the merchant service together with the contract. If the tour operator is affiliated with Deutsche Reiseversicherung (DRV), they are automatically insured. In this case, the DRV membership certificate must be appended to the contract.

LEGAL PROVISIONS

The obligation to supply a secured payment certificate **1** for each package holiday has been in force in German travel law since 1994 and is regulated in Section 651k of the German Civil Code (Bürgerliches Gesetzbuch, BGB). Tour operators are required to issue their customers with the secured payment certificate when booking, but no later than before initial payment. This certificate confirms to the traveller that the tour operator has taken out insurance against the risk of insolvency. If a provider breaches this, they can be fined under Section 147b of the GewO. Pursuant to Section 35 of the GewO, repeated non-compliance can lead to prohibition procedures under industrial law.

EXCEPTIONS

A secured payment certificate is not required if...

- the operator only organises trips occasionally and this does not fall within the scope of their commercial activities.
- the trip does not last longer than 24 hours, does not include an overnight stay, and the travel price does not exceed EUR 75.00.
- the tour operator is a legal entity under public law.


b) IATA licence

If the travel agency issues any flight tickets itself, it must also provide an IATA licence in addition to the secured payment certificate. This also has to be submitted together with the contract.

c) The following questions must also be answered:

1. Amount of total sales for the travel agency for package holidays (including all means of payment).
2. What sales would be billed through us.
3. What percentage of this is for package holidays and how much is for individual services (e.g. flights or hotel bookings).
4. What is the average time between payment and departure?
5. What do advance payments amount to (as a percentage) and when does the customer pay the outstanding balance?
6. Is it just B2C transactions? If not, we would need a B2B and B2C break-down in percent.
7. Seasonal effects (are there peaks in booking numbers throughout the year).
8. Ownership structure information
9. Balance sheets including the statement of profit or loss for the previous two financial years (everything that can additionally be provided helps to better evaluate or assess the customer).

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Addendum	
Insurance certificate number	██████████
Subject matter of the insurance	Guarantee insurance for tour operators under Section 651k of the BGB
Policyholder	Company
Contractual basis	General terms and conditions for guarantee insurance ██████████ (version 01/2008). Special terms and conditions for guarantee insurance for tour operators ██████████ (version 01/2008).
Contract start date	01/04/2007, midnight
Contract end date	01/04/2009, midnight
Method of payment	Yearly
Tour operator sales in EUR	Tour operator sales total EUR 160,000.00.
Number of travellers	The number of travellers is 450 per year.
Trip price in EUR	The average trip price per person is EUR 356.00.
Annual premium	The annual premium is EUR 1,000.00 and is charged in advance for the respective settlement period from the start of the guarantee insurance.

YOUR LOCAL POINT OF CONTACT CAN BE FOUND AT:

six-payment-services.com/contacts

six-payment-services.com
worldline.com