COMMERZBANK

Terms and conditions for data carrier exchange

(as amended on 15 November 2013)

I. Scope of services

1. The Bank and the Customer agree that the Customer may also submit payment orders to the Bank by means of data carriers and accompanying documents.

2. The Bank will accept files with
   - SEPA Credit Transfers,
   - SEPA Direct Debits,
   - DTAUS direct debits generated at a point of sale with the aid of a payment card (ELV – electronic direct debits),
   - DTAUS credit transfers from consumers (up to 01/02/2016) or
   - payment orders for external transactions for countries outside of the European Economic Area and in foreign currencies within the European Economic Area (credit transfers and cheque payments; "DTAZV payments") in accordance with Annex 3 of the EBICS standard for remote data transmission

   submitted on a 3.5'' disk or on a CD-ROM ("data carrier") or on some other medium agreed upon separately. The Bank will provide the Customer and/or the authorised account representative with data carriers containing information on account activity (e.g. credits and debits) insofar as this has been separately arranged between the Bank and the Customer.

3. The files must comply with the data record and file structure and the data format specifications in the format standard published on the website www.ebics.de ("EBICS standard"). There are also specifications published on the www.ebics.de website regarding the use of keys to identify the payment type and instruction keys for DTAZV payments.

4. The Customer may only submit one file with SEPA Credit Transfers, SEPA Direct Debits, ELV electronic direct debits or DTAZV payments per data carrier.

II. Order placement by the Customer

1. Before submitting a data medium to the Bank, the Customer is obliged to verify that the data fields have been completed in accordance with the completion and control guidelines for the relevant format as stipulated by the EBICS standard. The Customer must indicate the total of the individual amounts in the accompanying document and insert the total of the amount from the data element "Instructed Amount" into the file in the data field marked "ControlSum". Contrary to the regulations in Annex 3 of the "DFÜ-Abkommen" (agreement regarding remote data transmission), filling in the "ControlSum" data field is mandatory.

2. By submitting the duly signed order document within the agreed deadline, the Customer authorises the Bank to execute the credit transfer and direct debit orders contained in the data carrier medium within the agreed deadline for the submission of an accompanying document. The accompanying document must contain the minimum details as laid out in Appendix 1.

3. The Customer is obliged to generate a copy of the file included in the data carrier and to keep said copy for a minimum of ten calendar days from the date of submission/from the date of execution. The customer must provide the Bank with said copy on a specially labelled duplicate data carrier at the Bank's request.

III. Revocation

1. A data carrier may no longer be recalled once the Bank has begun to process it. Individual order data can only be amended if the entire file is recalled and subsequently submitted anew.

2. The Bank can only honour a recall if it is received in good time for the Bank to be able to process it within its ordinary workflows. To revoke an order, the Customer must furnish the Bank with the individual details of the original order.

3. The revocability of an order depends on the special conditions that apply (e.g. payment service terms and conditions).

IV. Handling of order data received by the Bank

1. The Bank verifies that the order data complies with the provisions of the EBICS standard and checks the issuer's authority to place the order. A check to determine that the order data submitted on a data carrier is authorised correctly on the basis of the accompanying document provided shall be carried out as follows:

1.1 Verification in the case of SEPA Credit Transfers and SEPA Direct Debits
The "NumberOfTransactions" as stated on the accompanying document is checked against the number of transactions in the file. In addition, the total of all the individual amounts as stated in the accompanying document must tally with the total of the individual amounts given as the "InstructedAmount".

1.2 Verification in the case of a DTAUS collective order
The "NumberOfTransactions" and the "Total of individual amounts" as stated on the accompanying document are checked against the number of transactions in the file and the total of the individual amounts. The information on the document and in the file must tally.

1.3 Verification in the case of DTAZV payments
The "Number of data records T" as stated on the accompanying document is checked against the control sum in field Z4 of the file. In addition, the sum of the amounts as stated in the accompanying document is checked against the file's total of the amounts in a single currency, taking into account the places before the decimal point only.

2. If the Bank determines that it is unable to process a data carrier either partially or at all due to its condition or due to the condition of the data stored on it or that there are discrepancies between the data carrier and the accompanying document pursuant to item 3.1, it shall refrain from executing the order and shall notify the Customer of this without undue delay.

3. In the event that the outcome of an order data check shows errors, the Bank shall refrain from processing said data and shall notify the Customer of this without undue delay.

4. The Bank is entitled to delete order data which is not fully authorised on expiry of the time limit of which the Customer is notified by the Bank separately.

5. The parties agree that the Bank shall destroy the data carriers it has received subsequent to their processing, taking into account the applicable data protection provisions.

V. Executing orders

1. The Bank will execute an order if all the following conditions of execution are met:
   – the order was authorised in accordance with item II.2,
   – the checks pursuant to item III show that the order data can be processed and
   – the execution parameters have been met in accordance with the payment service terms and conditions and the agreement concerning the collection of receivables by means of direct debits, as applicable to the order type in question.

2. If the execution conditions stipulated in V.1 have not been met, the Bank shall refrain from executing the order and shall notify the Customer of this without undue delay by means of the agreed communication channel. The Bank shall, insofar as is possible, inform the Customer of the reasons and errors which resulted in the order not being executed and of how said errors may be rectified.

Minimum details in an accompanying document
The following minimum details are required, in addition to the wording "Bulk payment order document".

1. SEPA Credit Transfer / SEPA Direct Debit

	Data element of the ISO message	
	pain.001 (Credit Transfer)	pain.008 (Direct Debit)
Payment type	SEPA Credit Transfer	SEPA Direct Debit
File ID	MessageIdentification	
Creation date and time	CreationDateTime	
Originator	Debtor/Name	Creditor/Name
Payment infor-mation block reference	PaymentInformationIdentification	
BIC	DebtorAgent[1]	CreditorAgent[1]
IBAN	DebtorAccount	CreditorAccount
Execution date/Collection date	Requested-ExecutionDate	Requested-CollectionDate
Number of transactions	NumberOfTransactions	
Total of individual amounts	Total of the individual amounts stated as the "InstructedAmount".	

2. DTAUS

	Data element in the DTAUS file
Payment type	Details from field A3
Creation date	Details from field A7
Sender's name	Details from field A6
Sender's account number	Details from field A9
Sender's bank code	Details from field A4
Number of transactions	Details from field E4
Control sum for account numbers	Details from field E6
Control sum for bank codes	Details from field E7
Total of individual amounts	Details from field E8

3. DTAZV collective order (payment orders for external transactions)

	Explanations/Data element in the DTAZV file
Payment type	Bulk order for cross border payments (DTAZV)
Creation date	Details from field Q6
First execution date	Details from field Q8
Originator	Originator's name and address – Details from field Q5
Number of data records T	Control sum from field Z4
Total of individual amounts in all currencies in data records T	Control sum from field Z3
Order currency	Stated as an ISO code; in the case of euro countervalue pay-ments (field T 19=91), the order currency is EUR
Sum of the amounts	Sum of the order amounts in one currency to be debited from the originator's account number below (places before the decimal point only)
Account number	Account number for collection of the order value
Account currency	Stated as an ISO code
Execution date	Only needed if the file contains payments with different execu-tion dates
Payment currency	Stated for euro countervalue payments only

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[1] Providing the BIC will be optional for national payments as of 1 February 2014 and for all SEPA payments as of 1 February 2016.