

Summary of RTP Operating Rule and Schedule Changes Effective October 30, 2020

The RTP Business Committee has approved changes to the RTP Operating Rules and certain RTP schedules, effective October 30, 2020. These changes:

- support integration with Zelle,
- provide a standard, optional indemnity to correspond with the new “with indemnity” codes in the 2.9 version of a Request for Return of Funds (camt.056) message,
- align the definition of Payment Service Provider (PSP) with the definition of “money transmitter” as set forth in FinCEN regulations and guidance, and
- make certain other minor substantive or clarifying changes to support the RTP system.

The new versions of the RTP Operating Rules and Schedules are available at <https://www.theclearinghouse.org/payment-systems/rtp/document-library>.

The changes to the rules and schedules are summarized below.

- **Zelle Integration**
 - New RTP/Zelle Schedule
 - Revised Requirements for Directory Service Providers Schedule
- **Standard Optional Indemnity**
 - New RTP Standard Optional Indemnity Schedule
 - RTP Operating Rule VII.C.3 provides that a Participant may offer an indemnity with its RFRF, as provided in a schedule to the rules.
 - The new indemnity schedule
 - supports the new 2.9 “with indemnity” codes in RFRF (camt.056) messages;
 - is optional; and
 - is modeled on a standard NACHA indemnity.
- **Payment Service Provider (PSP) Changes**
 - Definitions
 - Definition of “Money Transmission Transaction” is deleted and all references to the term have been removed throughout the Rules.
 - Rule I.A.52 definition of “Payment Service Provider” is revised to mean a money transmitter as defined in FinCEN regulations and guidance that sends RTP Payments to complete payments between other parties. The new definition excludes payroll processors and entities that send and receive payments for corporate affiliates.
 - PSP Risk Management (Rule II.H)

- Rule II.H.5. changes the Sending Participant prohibition against unapproved PSP activity to a requirement that a Sending Participant have appropriate, risk-based measures that are reasonably designed to prevent a Money Transmitter customer from engaging in unapproved money transmission activity as a Sender.
- Rule II.H.5.b makes a Participant fully responsible and liable for its failure to have appropriate, risk-based measures that are reasonably designed to prevent a Money Transmitter customer from engaging in unapproved money transmission activity as a Sender rather than being fully liable and responsible for ensuring that no unapproved PSP activity occurs.
- PSP Compliance Criteria Schedule
 - Changes remove references to Money Transmission Transaction, make other minor changes to account for PSP status as money transmitters under FinCEN regulations, and conform the requirement for an OFAC program to the same language for Participant OFAC programs in the rules.
- **Other Substantive Changes**
 - Rule I.D (Technical Terminology) clarifies that entities identified in the “ultimate debtor” or “ultimate creditor” fields of a RTP message are not parties to RTP Payments.
 - Rule III.F.1 (Directory Services) changes the requirement that a Sending Participant “certify” that a directory meets TCH’s requirements for directory services to a requirement that it “ensure” a directory meets TCH’s requirements.
 - Rule V.E.2.a.ii (Receiving Participant Responses to Payment Messages) allows a Receiving Participant to provide an accept without posting response when a Payment is returning funds to an account that the Receiving Participant has closed due to unauthorized activity and the Receiver has another account (or another account is being established) with the Participant.
 - Funding Providers and Affiliated DIs.
 - Rule VI.B.1 permits a Funding Provider to be a member of a Non-funding Group for which it funds, if Funding Provider and all members of the group are affiliates under common ownership.
 - Rule VI.G.3.a excludes affiliated Non-funding Groups from the requirement for a Funding Provider to “settle up” with each member of a Non-funding Group based on each member’s Net Position at the close of a Reconciliation Window.
 - Rule VI.D.5.b (Supplemental Funding and Obligations to Manage Positions) emphasizes to Funding Providers the need to consider the impact of Reconciliation Windows and the automatic “zero out” of Non-funding Group Members’ Net Positions on Net Send Limits.
 - Rule VI.G.1 (Disbursements and Obligations between Funding Providers and Non-funding Group Members) is revised to permit a Third Party Service Provider to request disbursement for Receive-only Funding Participants.
 - Rule VI.G.3.a.iii (Disbursements and Obligations between Funding Providers and Non-funding Group Members) clarifies that a Non-funding Group Member’s Net Position for

purposes of the required “settle up” with its Funding Provider is determined by TCH’s reconciliation report.

- Confidentiality Provision
 - Rule XI.A.1 clarifies that the confidentiality provisions of the Rules supersede any prior confidentiality agreements between TCH and a Participant.
 - Rule XI.A.4 permits disclosure of Confidential Information
 - to a receiving party’s regulator even if the information is not requested or required by the regulator; and
 - to the Rules Enforcement Committee as reasonably necessary for the committee to perform its rules enforcement function and subject to the requirement that members of the committee be required to maintain the confidentiality of the information on terms no less restrictive than the confidentiality obligations of the RTP Operating Rules.
- **Minor Changes**
 - Rules I.A.27, 28, 29 and 30 revise terms used to describe Participants and their Customers that send or receive Non-payment Messages. New terms replace existing terms throughout the rules.
 - Rule I.A.82 clarifies that TCH Technical Specification are promulgated in various documents that TCH makes available to Participants.
 - Rule III.A.1 (Security Obligations) clarifies that there is not currently an information security standards schedule, though one maybe published in the future.
 - Rule II.E.1 (Searching for Accounts) is revised to simplify the rule’s language while keeping the same substantive requirement.
 - Rule V.E.3 (Receiving Participant Responses to Payment Messages) changes the requirement that a reject reason code be “accurate” to a requirement that it be “valid and most appropriate.”
 - Rule IX.A.2 (Participant Self-Audit) clarifies that material findings of non-compliance are determined by the Participant’s audit standards or risk management framework.