



Guidelines for Establishing Direct Debit Requests Electronically or by Telephone

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Version 3

1. Introduction

These guidelines are practical recommendations for businesses (which are approved Debit Users) wanting to establish Direct Debit Requests (DDRs) for their customers electronically or by telephone.

The essential ingredients to establish a DDR which does not have the customer's signature on it are:

- you must identify the customer;
- the customer must confirm they have the authority to act on the account to be debited;
- the customer must indicate that they approve of the content of the DDR and intend to be bound by it;
- your method must be reliable; and
- you must keep a record of the DDR and be able to access it later.

The purpose of these guidelines is to highlight the importance of satisfactorily identifying the authenticity and authority of customers giving DDRs electronically or by telephone so that you can rely on the DDR and the risk of fraud to your company is minimised.

This document should be read in conjunction with the Sponsorship Agreement you have with your Sponsor Financial Institution and with the [BECS Procedures](#), which can be downloaded from the Australian Payments Network Limited (AusPayNet) website www.auspaynet.com.au.

These guidelines are not contractually binding. Your Sponsorship Agreement and the BECS Procedures take priority if there are any inconsistencies.

2. What you need to know.

The direct debit system is generally a cost-effective way for businesses to collect regular payments. Before you can use the system to debit your customers' accounts you need to obtain their authority using a DDR.

If you wish to obtain DDRs from your customers electronically or by telephone, you must have prior approval from your Financial Institution.

Your Financial Institution may require you to agree to certain conditions before approval is granted. As an example, a condition may be that you complete an indemnity, which makes you liable for all claims in relation to DDRs obtained electronically or by telephone, or for certain types of such claims.

You will need to consider the following:

- What is your relationship with the customer?
- Do you have a reliable method to formally identify your customer?
- Are you offering an appropriate service?

- Do you have a suitable refund policy?
- Can you meet the BECS Procedures' requirements for establishing DDRs electronically or by telephone, Account Switching, Redirections, Cancellations and DDR Claims?

Once you have confirmed that your business meets the recommended criteria, you will need to put an appropriate Identity and Access Management Policy in place before you can start establishing DDRs electronically or by telephone. (See Section 8 "Getting started")

3. Your customer relationship.

- Only DDRs authorising payments for services that establish or continue an ongoing relationship with your customer should be submitted electronically or by telephone.
- Once you receive the DDR, it is your responsibility to keep evidence of the authorisation to direct debit the customer's nominated account.

The DDRs you obtain could cover any one or a combination of the following situations:

- Your customer wants to make regular automatic payments from a nominated account;
- Your customer wants to establish a DDR to initiate payments as and when needed.

The payments will be processed through the direct debit system, which is part of AusPayNet's Bulk Electronic Clearing System (BECS).

4. Identifying your customer.

When establishing the DDR electronically or by telephone, you will need the customer to confirm that they have the authority to act on the account that will be debited, and is actually your customer, the owner of the account or holds authority from the owner.

Once you have satisfactorily identified your customer, you may also consider confirming the account details (provided on the DDR) with the Financial Institution where the account is held or with the customer. The type of details a Financial Institution is able to confirm will vary depending on its privacy policy.

In some cases, the person providing the DDR may not be your customer. For example, a person may want to make payments for services you are providing to a customer, e.g. an employer paying for an employee's tuition fees. In such cases, you will need to identify the person whose account will be debited, and the DDR must be authorised by that person, not by your customer.

5. Assessing the type of service to minimise risk

Only DDRs authorising payments for appropriate services should be established electronically or by telephone to minimise fraud risk to your business. An appropriate service, for these purposes, is considered to be any service with limited opportunity for fraud. Higher risk services are generally one-off and there is no ongoing relationship with the customer. Your business may be exposed to financial loss if a DDR is found to be fraudulent because the customer is not the owner of the nominated account.

Examples of appropriate service:

- All levels of government services (but not government retailing services);
- Insurance premiums for insurance contracts;
- Utility services to fixed domestic addresses such as electricity and gas, water and telecommunications; and
- Educational institution fees where a student is enrolled long term.

Examples of services which may have a higher risk:

- Transfers to credit facilities (e.g. credit cards, lines of credit) charge cards, or transaction accounts;
- Share offers, transfer to investment accounts and other investment payments;
- Gambling payments;
- Goods and services that either are quickly consumable or are easily re-sold for cash; and
- Any one-off service that is of a high value – such as overseas travel.

6. Refund Policy

Your business must have a suitable refund policy to reduce the risk of refund fraud. An example of refund fraud could be a customer asking for money to be returned to an account that is different to the one from where the money was originally debited. Only refunding (crediting) payments back to the original account is an effective way to minimise this risk and should form part of your refund policy.

7. What you are required to do

You must comply with the Sponsorship Agreement you have with your Sponsor Financial Institution and with the [BECS Procedures](#) regarding your responsibilities as a Debit User. You must also comply with the general requirements regarding the DDR.

In brief, your business is required to:

- Obtain clear instructions authorising a direct debit transaction (the DDR) from the customer. More detail is set out in Section 9 of these Guidelines;
- Keep details of the DDR and make sure you can access it. You should keep it for 7 years after the date of the last processed debit;
- Ensure that the terms and conditions of the DDR and the Service Agreement are made available to the customer at the time the DDR is given;
- Ensure that the Service Agreement explains how the customer can cancel the DDR, including that a cancellation request may be directed either to you or directly to the customer's own Financial Institution;
- Provide to your customer either a printed or a non-changeable electronic copy of the DDR and Service Agreement (or direct your customer to a copy of the Service Agreement) within 7 days; and
- Comply with your obligations under the Service Agreement, including acting promptly to cancel a direct debit when the customer requests you to do so.

8. Getting started

Once you (and your Financial Institution) have decided that establishing DDRs electronically or by telephone is suitable for your business generally, or for particular customers, you will need to put an appropriate "Identity and Access Management Policy" in place.

This policy should outline customer identification procedures for verifying the identity of your customers and for gaining access to your system.

Your procedures should cover, but not be limited to:

- Customer ID;
- Proof of Identity (e.g. password access);
- A limit to the number of attempts allowed before the customer is denied access to the system; and
- In the case of business customers, the customer ID should include the ABN and you should try to obtain proof of identity of the director, or a recently dated letter of authority from the CEO or a director, authorising a person who is not a director.

9. Establishing a DDR electronically or by telephone.

Your business should follow the steps below, as a minimum:

- a) You need to set up an electronic identity for your customer including mandatory and optional personal details.
- b) The customer must agree to the debit arrangements. The customer must confirm that they approve of the contents of the DDR and intend to be bound by it. This should be done by a reliable method using secure technology tools for verification and authorisation. (Your business must comply with its Sponsorship Agreement and the BECS Procedures referred to in section 7. "What you are required to do").
- c) Your customer must provide the name of their financial institution, their BSB number, account number and account name of their nominated account to the electronic identity you have set up.
- d) You must verify that all the necessary account details have been entered. You must also have a process in place for validating that the BSB is genuine and current. (Refer to [BSB Numbers](#) in AusPayNet's website for information on obtaining BSB data).
- e) You must provide to your customer either a printed or a non-changeable electronic copy of the DDR and Service Agreement (or direct your customer to a copy of Service Agreement) within 7 days. You should keep a record that you have done so (e.g. a copy of your email). You may also provide your customer with a DDR establishment receipt number for their records. This number should be logged as part of the DDR's electronic record retained by your business.
- f) You should keep a record of the customer's agreement to the DDR which you can access when you need to. If the customer later queries the DDR, you will need to be able to prove that the customer authorised you to debit their account. You may need to show evidence of your method for verifying the customer's identity and getting their approval to the DDR.

10. Direct Debits

Your customers must provide the appropriate verification details when they establish a regular automated payment from a nominated account, when they wish to make a one-off payment from a nominated account, and when they wish to make a payment as and when needed. You should record and log all payments and, where reasonable, provide a receipt number.

Ongoing payments must be consistent with the terms of the DDR and Service Agreement. They must comply with the BECS Procedures and with your Identity and Access Management Policy.

11. Ending a DDR arrangement

If the customer asks you to cancel the DDR you should act promptly to do so. You are not entitled to debit a customer's account if you no longer have their authority to do so.

You should act promptly on a request whether it comes directly from the customer or through the Customer's financial institution and your Sponsor.

You could also put a DDR cancellation method on your website.

If you require any further information regarding establishing DDRs electronically or by telephone, please contact your Sponsor Financial Institution.