



On approval of the Rules for the functioning of the interbank payment card system

Unofficial translation

Resolution of the Board of the National Bank of the Republic of Kazakhstan dated August 31, 2016 No. 217. Registered in the Ministry of Justice of the Republic of Kazakhstan on October 6, 2016 No. 14306.

Unofficial translation

Footnote. The heading was amended in Kazakh, the text in Russian does not change in accordance with the resolution of the National Bank of Kazakhstan Board dated August 27, 2018 No. 182 (shall be enforced upon expiry of ten calendar days after the day its first official publication) .

In accordance with subparagraph 19) of part two of Article 15 of the Law of the Republic of Kazakhstan “On the National Bank of the Republic of Kazakhstan” and subparagraph 7) of paragraph 1 of Article 4 of the Law of the Republic of Kazakhstan “On payments and payment systems”, the Board of the National Bank of the Republic of Kazakhstan hereby **RESOLVES:**

Footnote. Preamble as amended by Resolution No. 98 of the Board of the National Bank of the Republic of Kazakhstan dated November 22, 2021 (shall be enforced from July 1, 2022).

1. To approve the attached Rules for the functioning of the interbank payment card system

Footnote. Clause 1 was amended in the Kazakh language, the text in Russian does not change in accordance with the resolution of the Board of the National Bank of the Republic of Kazakhstan dated August 27, 2018 No. 182 (shall be enforced upon expiry of ten calendar days after the day its first official publication) .

2. Recognize invalid some of the resolutions of the Board of the National Bank of the Republic of Kazakhstan, as well as the structural elements of some resolutions of the Board of the National Bank of the Republic of Kazakhstan according to the list in accordance with the appendix to this resolution.

3. The Department of Payment Systems (Ashykbekov E.T.) in the manner prescribed by the legislation of the Republic of Kazakhstan, shall ensure:

- 1) together with the Legal Department (Sarsenova N.V.) the state registration of this resolution in the Ministry of Justice of the Republic of Kazakhstan;

- 2) the direction of this resolution to the republican state enterprise on the right of economic management "Republican Center for Legal Information of the Ministry of Justice of the Republic of Kazakhstan":

in the official publication for information in the legal system "Әділет" within ten calendar days after its state registration in the Ministry of Justice of the Republic of Kazakhstan;

for inclusion in the State Register of regulatory legal acts of the Republic of Kazakhstan, the Reference Control Bank of regulatory legal acts of the Republic of Kazakhstan within ten calendar days from the date of its state registration with the Ministry of Justice of the Republic of Kazakhstan;

3) posting of this resolution on the official Internet resource of the National Bank of the Republic of Kazakhstan after its official publication.

4. The Office for the Protection of the Rights of Consumers of Financial Services and External Communications (Terentyev A.L.) to ensure the direction of this resolution for official publication in periodicals within ten calendar days after its state registration with the Ministry of Justice of the Republic of Kazakhstan.

5. Control of execution of this resolution to assign to the Vice-President of the National Bank of the Republic of Kazakhstan Pirmatov GO

6. This resolution becomes effective after ten calendar days after the day its first official publication.

*The chairman
National Bank*

D. Akishev

Approved
by Resolution No. 217 of the
Board of the National Bank
of the Republic of Kazakhstan
dated August 31 2016

Rules for the interbank payment card system functioning

Footnote. Rules as amended by Resolution No.98 of the Board of the National Bank of the Republic of Kazakhstan (shall be enforced from 01.07.2022).

Chapter 1. General provisions

1. These Rules for the functioning of the interbank payment card system (hereinafter referred to as the Rules) have been developed in accordance with subparagraph 19) of part two of Article 15 of the Law of the Republic of Kazakhstan "On the National Bank of the Republic of Kazakhstan", subparagraph 7) of paragraph 1 of Article 4 of the Law of the Republic of Kazakhstan "On payments and payment systems" (hereinafter referred to as the Law on Payments and Payment Systems) and define the procedure for the functioning of the interbank payment card system (hereinafter referred to as the system).

2. The Rules use the concepts provided for by the Law on payments and payment systems, the Rules for issuing payment cards, as well as the requirements for servicing operations with their use on the territory of the Republic of Kazakhstan, approved by the resolution of

the Board of the National Bank of the Republic of Kazakhstan dated August 31, 2016 No. 205 , registered in the Register of state registration of regulatory legal acts under No. 14299, as well as the following concepts:

1) authorization – permission of the issuer of the payment card to carry out transactions using the payment card. The procedure for obtaining authorization is established in accordance with the agreement concluded between the operating center of the system and (or) the operator of the international payment card system and the participant of the system;

2) authorization message – a request (response) containing the information necessary for authorization and transmitted between the participants of the system through the operating center of the system;

3) interbank commission – the amount of money paid by one participant of the system to another participant of the system when performing an operation on payment cards issued by a participant of the system in the service network of another participant of the system;

4) interbank payments and (or) money transfers (hereinafter – interbank payments) – payments and (or) money transfers made by one participant of the system in favor of another participant of the system through transactions using payment cards in the service network of this participant of the system;

5) payment completion system – a mechanism used by the National Bank of the Republic of Kazakhstan to ensure the completion of settlements on interbank payments (or) money transfers made on the territory of the Republic of Kazakhstan using payment cards of international payment card systems issued by banks and processed in the system;

6) participant of the payment completion system – a participant of the system who joined the payment completion system on the basis of an agreement on participation in the payment completion system (hereinafter referred to as the payment completion agreement);

7) payment completion amount – the amount of money calculated by the National Bank of the Republic of Kazakhstan for each participant of the payment completion system, and intended for the completion by the National Bank of the Republic of Kazakhstan of payment on transactions of the participant of the payment completion system in the system in accordance with the terms of the payment completion agreement;

8) payment completion account – an account opened for a system participant on the basis of a payment completion agreement;

9) a participant of the system is a second-tier bank, a branch of a non-resident bank of the Republic of Kazakhstan and (or) an organization performing certain types of banking operations (hereinafter referred to as the bank) performing the functions of a payment card issuer and (or) acquirer in the system on the basis of a contract concluded with the operating center of the system;

10) bank identification number for issued payment cards of the system participant (hereinafter referred to as bank identification number) - a unique number assigned to the issuer

by the corresponding payment card system to identify the payment card issued by it in this system;

11) the operating center of the system - the Republican state enterprise on the basis of the right of economic management "Kazakhstan center for interbank payments of the National Bank of the Republic of Kazakhstan";

12) operational rules of the operating center of the system (hereinafter referred to as operational rules) – an internal document of the operating center of the system defining the order of its activities and the conditions for the implementation of the functions assigned to it;

13) financial message – a payment document containing information necessary for conducting an interbank payment on a payment card transaction, and representing monetary obligations (claims) of one participant of the system in relation to another participant of the system;

14) "overdraft" day loan - a short-term loan for one business day provided by the National Bank of the Republic of Kazakhstan to the participants of the system in case of absence or insufficiency of money in their positions in the interbank money transfer system for making money transfers based on the results of clearing interbank payments (hereinafter – clearing);

15) routing of messages on transactions using payment cards (hereinafter referred to as message routing) - the process of determining the route and transmitting messages on interbank payments between the participants of the system;

16) message – a group of information data used for the exchange of information between the operating center of the system and the participants of the system;

17) international payment card system – a payment card system that provides transactions using payment cards within the framework of this system on the territory of three or more countries, the participants of which are banks, and the operator is a legal entity established in accordance with the legislation of a foreign state;

18) expenditure limit (authorization limit) - the amount of money for the operations of a participant in the payment completion system, allowed to be processed in the system, calculated by the National Bank of the Republic of Kazakhstan.

Footnote. Paragraph 2 - as amended by the resolution of the Board of the National Bank of the Republic of Kazakhstan dated 24.04.2023 No. 28 (shall be enforced ten calendar days after the date of its first official publication).

3. The system is intended for making interbank payments on transactions performed in the territory of the Republic of Kazakhstan using payment cards issued by banks.

Message routing, authorization and clearing of transactions made on the territory of the Republic of Kazakhstan using payment cards is carried out by the operating center of the system on the basis of an agreement concluded with the bank and (or) the operator of the international payment card system.

Chapter 2. Provision of message routing, authorization and clearing services to banks

4. In the message routing, authorization and clearing, the following functions shall be assigned to the operational center of the system:

- 1) message routing associated with authorization messages;
- 2) organization of the exchange and transmission of financial messages between the system participants;
- 3) implementation of clearing;
- 4) formation and transmission of payment documents for money transfers based on the results of clearing in the interbank money transfer system;
- 5) protection of messages during their routing, clearing and transfer of money based on the clearing results in accordance with the requirements established by the laws of the Republic of Kazakhstan "On electronic document and electronic digital signature", "On informatization" and agreements;
- 6) formation and submission of reports on message routing, clearing and money transfer based on the clearing results.

5. Message routing and authorization in the system is carried out around the clock.

6. To identify a participant in the system, when routing messages, the operating center of the system uses the bank identification numbers provided by it.

In case of changing or updating bank identification numbers, the system participant shall immediately, but no later than the next business day from the date of updating, notify the system operating center via secure channels, which sends the updated details to other system participants.

7. Based on the results of transactions performed with the use of payment cards of other system participants in their service network, the system participants generate and transfer financial messages to the system in relation to other system participants for making interbank payments.

8. Clearing is carried out on the basis of offsetting counterclaims and obligations of the system participants on financial messages issued by them, as well as calculated interbank commissions for interbank payments made in accordance with operational rules.

9. The net positions of the system participants are determination by taking the difference in the amounts of counterclaims of the system participants' obligations, as well as the calculated interbank commissions. Calculation of the system participants' net positions is performed by the operation center of the system according to the operating day schedule approved by the system operating center.

10. When determining the system participants' net positions, the difference between the amounts of debit and credit net positions of all system participants is equal to zero.

11. Upon the clearing completion, the system operation center shall transfer information on financial messages processed in the system, interbank commissions to the system

participants in the manner and within the timeframes stipulated by the agreement between the system operating center and the system participant.

12. The transfer of money based on the clearing results is carried out after the end of the process of offsetting counterclaims and obligations of the system participants.

13. The transfer of money based on the results of clearing between the system participants is carried out in the interbank money transfer system in accordance with the net position of each system participant.

14. Based on the clearing results, the system operating center shall draw up and submit payment documents to the interbank money transfer system for money transfers in the following sequence:

1) first of all, money is transferred from the positions of the system participants, who on the clearing result have net debit positions, to the position of the system;

2) in the second place, money is transferred from the position of the system to the positions of the participants in the system, who, on the clearing result, have net credit positions.

15. Upon completion of the money transfer based on the clearing results, the system operating center shall issue a notification to the system participant about the completion of the money transfer in accordance with the net position of this system participant. The balance of money on the position of the system in the interbank money transfer system is equal to zero.

16. In case of insufficiency or absence of money of the system participant for the transfer of money based on the clearing results, the National Bank of the Republic of Kazakhstan provides an overdraft loan on the basis of an agreement between the system participant and the National Bank of the Republic of Kazakhstan, which determines the procedure and conditions for providing a day overdraft loan.

17. Creation of a reserve fund of the system participants and other risk management methods are allowed in accordance with the concluded agreements between the system operating center and the system participants to ensure timely money transfers based on the clearing results.

18. The formats for the electronic messages transmission used in the system, the features and standards of the system are developed and approved by the operating center of the system and they shall be observed by all the participants in the system.

20. Types of interbank commissions shall be applied in the system in accordance with internal documents of the operating center of the system.

21. The requirements of this chapter do not apply to relations pertaining to the provision by the system operating center to the operator of the international payment card system of services in message routing, authorization and clearing of interbank payments on transactions made in the territory of the Republic of Kazakhstan using payment cards of international payment card systems, in accordance with the terms of the agreement concluded between the operating center of the system and the operator of the international payment card system.

Chapter 3. Provision of message routing, authorization and clearing services to the international payment card system operator

22. Services for conducting interbank payments and (or) money transfers on transactions made on the territory of the Republic of Kazakhstan using payment cards issued by banks by processing, routing messages and clearing, are provided by the operating center of the system to the operator of the international payment card system in accordance with the requirements of these Rules, resolution of the Board of the National Bank of the Republic of Kazakhstan dated August 31, 2016 No. 216 "On approval of the Rules for interbank payments and (or) money transfers for transactions using payment cards in the Republic of Kazakhstan" (registered in the Register of state registration of regulatory legal acts under No. 14292) and internal documents of the operating center of the system.

Footnote. Paragraph 22 - as amended by the resolution of the Board of the National Bank of the Republic of Kazakhstan dated 24.04.2023 No. 28 (shall be enforced ten calendar days after the date of its first official publication).

23. In order to ensure the smooth functioning of the system, including in the framework of interaction with the operator of the international payment card system, the operating center of the system is required to fulfill the following requirements:

1) ensuring equal conditions for all participants of the international payment card system to access and use its services;

2) availability of technical and other premises for the safe placement and operation of the system;

3) availability of a backup center for storing information and restoring information systems, databases in case of emergencies and unforeseen situations;

4) ensuring interbank payments and (or) money transfers for transactions made on the territory of the Republic of Kazakhstan with payment cards issued by banks by processing and routing messages;

5) ensuring confidentiality of information on the operations of the system participants;

6) approval of the message formats used in the interaction between the participants and the operating center of the system.

Footnote. Paragraph 23 - as amended by the resolution of the Board of the National Bank of the Republic of Kazakhstan dated 24.04.2023 No. 28 (shall be enforced ten calendar days after the date of its first official publication).

24. Excluded by resolution of the Board of the National Bank of the Republic of Kazakhstan dated 24.04.2023 No. 28 (shall be enforced ten calendar days after the date of its first official publication).

25. The procedure for interaction between the operating center of the system and the operator of the international payment card system is established by these Rules and the agreement concluded between them.

Footnote. Paragraph 25 - as amended by the resolution of the Board of the National Bank of the Republic of Kazakhstan dated 24.04.2023 No. 28 (shall be enforced ten calendar days after the date of its first official publication).

26. Participation in the system of the international payment card system participant shall be terminated in the following cases:

1) deprivation (withdrawal) of the license to conduct transfer operations issued by the state body exercising state regulation, control and supervision of the financial market and financial organizations;

2) termination of the agreement between the payment card system participant and the international payment card system operator;

3) reorganization or liquidation of a participant in the international card payment system.

27. In the event of suspension and (or) termination of participation of a participant in international payment card system at the initiative of its operator, it is allowed to service this system participant by the operating center of the system on the basis of an agreement between the participant in the system and the operating center of the system.

28. Money transfers using payment cards of international payment card systems based on the clearing results shall be made in the national currency of the Republic of Kazakhstan in the interbank money transfer system.

29. For the system security, the system operating center shall:

1) ensure integrity, availability, authenticity and confidentiality of information at all stages of its processing and transmission;

2) perform procedures for secure distribution of cryptographic keys used in the processing and transmission of information between the system participants and the system operation center;

3) ensure the use of an electronic digital signature for incoming and outgoing electronic messages.

30. Uninterrupted functioning of the system shall be achieved through:

1) redundancy of the software and hardware complex of the system (main and backup centers);

2) data backup and archiving;

3) reservation of communication channels (main and backup) for interaction with system participants;

4) monitoring and analysis of the functioning of the system in order to identify the causes of malfunctioning of the system, devices, information systems, development and implementation of measures to eliminate them;

5) application by the operating center of the system of organizational and technical measures aimed to achieve uninterrupted functioning of the system.

31. The system operating center shall monitor compliance by the international payment card system participants with the requirements for information protection, determined by the agreement and internal documents of the international payment card system.

The operating center of the system shall take the necessary emergency measures, including disconnecting the international payment card system participant by notifying it in the manner prescribed by the terms of the concluded agreement in case of breaching by the international payment card system participant of the security requirements established in the Rules, the agreement and internal documents of the international payment card system.

Chapter 4. Functioning of the payment completion system on payment cards of international payment card systems

Footnote. The Rules are supplemented by Chapter 4 in accordance with the resolution of the Board of the National Bank of the Republic of Kazakhstan dated 24.04.2023 No. 28 (shall be enforced ten calendar days after the date of its first official publication).

32. Banks participating in international payment card systems participate in the payment completion system, if there is such a condition in the contract concluded between the operating center of the system and the operator of the specified international payment card system.

33. To participate in the payment completion system and obtain the status of a participant in the payment completion system, the following is required:

- 1) the existence of a contract to ensure the payment completion;
- 2) availability of the account for ensuring the payment completion of the participant of the system, opened in accordance with the agreement on ensuring the payment completion;
- 3) ensuring that the participant of the system has a balance on the account of ensuring the payment completion for the amount of ensuring the payment completion calculated by the National Bank of the Republic of Kazakhstan.

The payment completion account is used in accordance with the payment completion agreement in cases of non-fulfillment by a participant of the payment completion system of its obligations under these operations to other participants of the payment completion system.

34. For the purposes of compliance of the amount of ensuring the payment completion of the participant of the system of ensuring the payment completion with the amounts of transactions processed in the system, the National Bank of the Republic of Kazakhstan monthly, no later than the 5th (fifth) working day of the month, calculates (recalculates) the amount of ensuring the payment completion of the participant of the system of ensuring the payment completion and brings to his attention information on the amount of for the current month to ensure that the participant of the system completes the calculations of this amount on the account of ensuring the payment completion.

35. The participant of the system of ensuring the payment completion on a monthly basis, within the period established by the security agreement, but no later than the 7th (seventh)

working day of the month, ensures compliance with the requirements of paragraph 34 of these Rules.

36. Risk management in the system of ensuring the payment completion, including the establishment of an expenditure limit, is carried out by the National Bank of the Republic of Kazakhstan.

Appendix
to the Resolution of the Board
of the National Bank of the
Republic of Kazakhstan
dated August 31, 2016 No. 217

The list of some decisions of the Board of the National Bank of the Republic of Kazakhstan, as well as the structural elements of some of the decisions of the Board of the National Bank of the Republic of Kazakhstan, which are recognized as invalid

1. Decree of the Board of the National Bank of the Republic of Kazakhstan dated December 23, 2002 No. 510 “On the Approval of the Rules for the Functioning of the National Interbank System of Payment Cards Based on Microprocessor Cards” (registered in the Register of State Registration of Normative Legal Acts No. 2158).

2. Clause 2 of Resolution of the Board of the National Bank of the Republic of Kazakhstan dated October 27, 2003 No. 370 “On Amending and Adding to Some Decisions of the Board of the National Bank of the Republic of Kazakhstan on the Use of Payment Cards” (registered in the Register of State Registration of Normative Legal Acts under No. 2582, published on December 9, 2003 in the newspaper Kazakhstanskaya Pravda No. 353-354 (24293-24294)).

3. Clause 2 of Resolution of the Board of the National Bank of the Republic of Kazakhstan dated October 27, 2003 No. 371 “On Amendments and Additions to Resolution of the Board of the National Bank of the Republic of Kazakhstan dated August 24, 2000 No. 331“ On Approval of the Rules for the Issue and Use of Payment Cards in the Republic of Kazakhstan ”, Registered in the Ministry of Justice of the Republic of Kazakhstan under No. 1260, as well as in the resolution of the Board of the National Bank of the Republic of Kazakhstan dated December 23, 2002 No. 510“ On approval of the Rules for the functioning of the NAC of the interbank microprocessor card-based interbank payment card system ”, registered with the Ministry of Justice of the Republic of Kazakhstan under No. 2158” (registered in the Register of State Registration of Normative Legal Acts under No. 2581, published on December 4, 2003 in the newspaper Kazakhstanskaya Pravda).

4. Resolution of the Board of the National Bank of the Republic of Kazakhstan dated January 28, 2016 No. 28 “On approval of the Rules for the functioning of the interbank payment card system” (registered in the Register of State Registration of Normative Legal

Acts under No. 13188, published on March 14, 2016 in the legal information system “Әdilet "of the republican state enterprise on the right of economic management" Republican Center for Legal Information of the Ministry of Justice of the Republic of Kazakhstan”).

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