



## 2024 ACH Origination Guide ACH Facts & ACH Originator Responsibilities

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The ACH Network, which provides for the interbank clearing of electronic payments, is governed by *The NACHA Operating Rules and Guidelines (Rules)*. The *Rules* apply to all entries and entry data transmitted through the ACH Network. **As an ACH Originator, you must comply with and are bound by the *Rules*.** To ensure compliance, all ACH Originators must have access to a current copy of the *Rules*. The ACH Rules for Corporate Originators is published annually and may be ordered at <https://epayresources.org/>. Alternately, an electronic version of the ACH Rules may be viewed online by registering at <https://www.achrulesonline.org/>.

American National Bank (*Bank*) provides this document as a brief summary of ACH facts and ACH Originator Responsibilities. It is not a replacement or substitution for the *Rules*, which are subject to change.

### **ACH Facts**

- ACH entries are categorized as “consumer” or “corporate.”
- ACH is capable of crediting or debiting checking or savings accounts.
- ACH entries are received by most financial institutions.
- ACH is a batch system (not real time).
- ACH entries are irrevocable once they have been sent for processing.
- ACH stop payments do not have an expiration date.

### **ACH Legal Framework**

You are required to abide by multiple rules and agreements including, but not limited to, the following when initiating ACH transactions:

- NACHA Operating Rules ([www.nacha.org](http://www.nacha.org))
- Regulation E (for consumer entries)
- UCC4 (for corporate credits)
- *Bank* Deposit Agreement and Terms and Conditions
- *Bank* Cash Management Agreement
- Authorizations from employees, customers, etc.
- *Bank* and Corporate agreements

### **Definitions of ACH Participants**

**Originator** – The Originator is the entity or company that agrees to initiate ACH entries into the payment system according to an arrangement with a Receiver. The Originator is usually a company directing a transfer of funds to or from a consumer or another company’s account.

**Originating Depository Financial Institution (ODFI)** – The ODFI is the financial institution that receives the payment instructions from Originators and forwards the entries to the ACH Operator.

**Automated Clearing House Operator** – An ACH Operator is the central clearing facility operated by a private organization or the Federal Reserve Bank on behalf of Depository Financial Institutions

**Receiving Depository Financial Institution (RDFI)** – The RDFI is the Depository Financial Institution that receives ACH entries from the ACH Operator and posts the entries to the accounts of its depositors (Receivers).

**Receiver** – A receiver is a natural person or an organization that has authorized an Originator to initiate an ACH entry to the Receiver’s account with the RDFI. A Receiver may be either a company or a consumer, depending on the type of transaction.

### **How Does the ACH Network Function?**

As the Originator, your company must first obtain authorization to initiate a transaction to the Receiver’s account or provide notice to the Receiver that a transaction will be initiated to their account. Your

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company (Originator) then creates a file of ACH transactions assigning a company name that is easily recognized by the Receiver. The file is then sent to your Originating Depository Financial Institution (ODFI), American National Bank.

The ODFI collects ACH files from Originator with which it has contractual relationships, verifies the validity of these files and at specified times, transmits these files to the ACH Operator. The ACH Operator receives ACH files from the ODFI, edits the file to make sure they are formatted properly and distributes files of entries to the Receiving Depository Financial Institution (RDFI). The RDFI receives files of entries from the ACH Operator for its account holders. Entries are posted based upon the Settlement Date and account Number. Periodic statements are provided to the Receiver with descriptive information about the ACH transaction, including the date of the transaction, dollar amount, payee (Originator) name, transaction description (i.e. Payroll, water bill).

#### **How Are ACH Funds Settled?**

Settlement is the actual transfer of funds between financial institutions to complete the payment instructions of an ACH entry. The Federal Reserve Bank provides settlement services for ACH entries. The timing of settlement is based upon the Effective Entry Date indicated on the ACH file and the time of its delivery to the ACH Operator. Your company as the Originator will determine the Effective Entry Date of the file you send to your ODFI. This is the date your company intends the entries to post to the accounts of the Receivers (employees or customers). When the ACH Operator processes an ACH file, the Effective Entry Date is read and entries are settled based upon that date, known as the Settlement Date. The Effective Entry Date in most cases is the same as the Settlement Date, but it is possible that the Settlement Date could be after the Effective Entry Date. For example, if the ACH Operator cannot settle on the Effective Entry Date due to untimely file delivery, a stale date, weekend or holiday, the ACH Operator will apply a Settlement Date of the next business day.

#### **Your Responsibilities as an Originator**

- Obtain proper authorizations, dependent upon the transaction type, and retain authorizations for two years past revocation.
- If requested by the *Bank*, provide a copy of the authorization. The *Bank* may request to see your authorizations from time to time as part of an annual audit.
- Send entries on the proper date.
- Give appropriate notice to debtor if changing amount or date.
- Cease subsequent entries when notified.
- Make necessary changes to payee account information within three (3) banking days upon receipt of a Notice of Correction or before another entry is sent.
- Check payees against OFAC compliance checklists.
- Protect the banking information received to originate transactions.
- Ensure your computer and you are protected as outlined in the *Bank* Cash Management Agreement.
- Ensure the Originator is clearly identified as the source of the ACH transaction. Specifically, populate the Company Name Field of the NACHA formatted file with a name known to and readily recognized by the Receiver of the entry.

#### **Direct Deposit Payroll Authorizations (Consumer)**

- Use a direct deposit authorization form that collects employee account information. This form should allow the company to make credit and debit entries in the event a payroll adjustment is necessary.
  - Obtain a voided check from the employee (if possible).
  - The most common SEC code for direct deposit is PPD.
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**Consumer Debit Authorizations**

- For consumers, an authorization to debit an account must be in writing or “similarly authenticated.”
- The most common SEC code for consumer debits is PPD.

**Corporate Authorizations**

- For companies, there must be a record of an agreement between the two parties.
- The most common SEC codes for corporate transactions are CCD or CTX, depending upon addenda origination. It is used for debits and credits.

**Changing Date or Amounts of Debits**

- ACH Rules require you to notify your debtors of any changes in date or amount debited under the following circumstances:
  1. Seven (7) calendar days’ notice for a change of date (consumer and corporate).
  2. Ten (10) calendar days’ notice for a change in amount (consumer only).
- Sending the notice via U.S. Mail is acceptable.

**Prenotifications (Prenotes)**

- Prenotes are zero-dollar entries that precede the first live entry. The purpose of a prenote is to verify account information.
- Prenotes are optional for you to send. However, if sent, prenote rules must be followed and a prenote must precede the first live entry by at least three (3) banking days.
- The Receiving Bank is not required to validate the name of the payee on the prenote, although many do; they are only required to check the account number.

**Notice of Change (NOC)**

- NOC is created by the Receiver’s financial institution to notify the originator (via the *Bank*) that:
  1. Previously valid information in an ACH entry (Direct Deposit/Direct Payment) is now outdated, and needs to be **changed**
  2. Information in an ACH entry (Direct Deposit/Direct Payment) is erroneous, and needs to be **corrected**.
- The *Bank* will notify you of any NOCs received on your behalf.
- ACH Rules require the originator to make changes or corrections within three (3) banking days of receiving the information from the *Bank* or before another entry is sent.
- The Receiving Bank warrants that the Information they provide to you is correct.
- The *Bank* may pass along any fines received based upon your non-compliance.
- The Originator has the option of responding to NOCs for Single Entry (non-recurring) payments. This applies to the following SEC Codes only: ARC, BOC, POP, POS, RCK and XCK entries, as well as, TEL and WEB entries bearing a single entry indicator (“S” or “blank” for TEL and “S” for WEB).

**Notification of Change (NOC) Codes (most common)**

NOC Code	Reason	Description
<b>C01</b>	Account Number	Account number is incorrect or is formatted incorrectly.



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<b>C02</b>	Transit/Routing Number	Due to a merger or consolidation, a once valid routing number must be changed.
<b>C03</b>	Transit/Routing Number and Account Number	Due to a merger or consolidation, a once valid transit/routing number must be changed and the account number structure is no longer valid.
<b>C04</b>	Account Name	Customer has changed name.
<b>C05</b>	Transaction Code	Transaction code is incorrect and this is causing the ACH entry to be routed to the wrong application (demand or savings).
<b>C06</b>	Account Number and Transaction Code	Account number is incorrect or is formatted incorrectly and the transaction code is incorrect causing the ACH entry to be routed to the wrong application (demand or savings).
<b>C07</b>	Transit/Routing Number, Account Number and Transaction Code	Due to a merger or consolidation, a once valid transit/routing number must be changed, the account number structure is no longer valid and the transaction code is incorrect causing the ACH entry to be routed to the wrong application (demand or savings).
<b>C09</b>	Individual Identification Number	The individual id number was incorrect.
<b>C13</b>	Addenda Format	Information in the Entry Detail Record was correct and the entry was processed and posted by RDFI. However, information found in the addenda record was unclear or was formatted incorrectly.

### Returns

- Returns must be processed by the Receiving Bank within 24 hours of settlement. Returns that are unauthorized beyond the 24 hours are the company’s liability and any disputes may have to be settled outside of the banking network. Review your account activity daily.
- An exception to the 24-hour rule is consumer unauthorized returns, which may be returned within 60 days of posting.
- The use of consumer (PPD) or corporate (CCD) entry codes determines the applicable ACH return rules.
- If the Receiving Bank receives a dispute claiming a debit was unauthorized, the Receiving Bank must get a signed Written Statement of Unauthorized Debit from the account holder. You may obtain a copy of that statement by requesting a copy through the *Bank*.
- You may re-initiate a debit entry up to two times if (1) the entry has been returned for insufficient or uncollected funds (Return Reason Code R01 and R09), (2) the entry has been returned for stopped payment and re-initiation has been authorized by the Account Holder, or (3) the *Bank* has taken corrective action to remedy the reason for the return.
- A “Stop Payment” return may be re-initiated only if you receive approval from the payee to re-send the item.
- It is a violation of NACHA Rules to re-initiate the debit entry if a return is received for any other reason.
  - **Disagreements regarding authorization should be handled OUTSIDE of the ACH Network**
  - **Originators must maintain a return rate below .5% for entries returned as unauthorized.**
  - **Originators can have no more that 3% of your total debit entries returned due to administrative or account data errors.**
  - **Originators can have no more than 15% of your total debit entries returned for any return reason.**

#### **Reinitiation of Return Entries**

An Originator may reinitiate an entry that was returned if:

- the entry was returned for insufficient or uncollected funds (the entry cannot be reinitiated more than two times following the return of the original entry);
- the entry was returned for stopped payment and reinitiation has been authorized by the Receiver; or
- the Originator has taken corrective action to remedy the reason for the return.

All reinitiated entries must include the description “**RETRY PYMT**” in the Company Entry Description field to identify entries that are permissible resubmissions of returned entries under the rules for reinitiation. This description supersedes any existing entry description and notifies the Receiver that the entry relates to a previously returned entry; it will facilitate research and dispute resolution for RDFIs. Except for reinitiated reversals, the description “**RETRY PYMT**” must replace the original content of the Company Entry Description field transmitted in the original entry, even in cases where the original entry contains a description required by the Rules, such as REDEPCHECK, RETURN FEE, etc.

The Rules explicitly prohibit the reinitiation of entries outside of the limited circumstances stated above. The Rules clarify four categories of entries that are not considered reinitiations. First, a debit entry in a series of preauthorized recurring debit entries will not be treated as a reinitiated entry, even if the subsequent debit entry follows a returned debit entry, as long as the subsequent entry is not contingent upon whether an earlier debit entry in the series has been returned. For example, if a consumer arranges for his minimum payment on a credit card balance to be paid monthly from an account based on a preauthorization for recurring debits, and the consumer’s debit entry for the September minimum payment is returned for insufficient funds, the debit entry for the October minimum payment would not be considered a reinitiation of the debit entry with respect to the returned September entry.

Second, a debit entry is not be considered a reinitiation if the Originator obtains a new authorization for the debit entry after the receipt of the return. For example, if an Originator has twice attempted to re-present an entry returned as NSF, and the consumer later provides a new authorization because he now has funds in his account, the Originator is permitted to debit the account. The timing requirement is important, however, since Originators will not be permitted to obtain advance approval to debit an account in a manner that would otherwise violate the reinitiation rule.

Third, an entry that has been returned due to invalid or incorrect routing and account information (i.e., R03/R04) is not considered to be a reinitiated entry when corrected and subsequently transmitted into the ACH Network. By definition, a Reinitiated Entry is an entry to the same Receiver’s account. In this situation, a new entry with corrected routing and/or account number information would be the first presentment to the correct Receiver’s account and should not be identified as a reinitiated entry. To identify the correct entry as a reinitiated entry would cause confusion to the Receiver, since there was no previous attempt to post the entry to the correct Receiver’s account.

Lastly, if the RDFI returns an entry using R11 - Customer Advises Entry Not in Accordance With the Terms of the Authorization, and the Originator is able to correct the reason for the return, the Originator can submit a new entry without obtaining a new authorization. The new entry must be submitted within sixty days of the Settlement Date of the R11 return entry. The new entry will not be treated as a reinitiated entry if the defect is corrected to conform to the terms of the original authorization.



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The following errors causing the return of the original entry as R11 cannot be corrected, and transmission of a new entry in these cases is prohibited:

- (1) the Originator did not provide the required notice for an ARC, BOC, or POP entry prior to accepting the check, or the notice did not conform to the requirements of the Rules;
- (2) the source document for an ARC, BOC, or POP entry was ineligible for conversion; or
- (3) the reversal was improperly initiated.

### Return Entry Codes (most common)

Reason for Return	Action by Originator	Available SEC Codes	Return Deadline
<b>R01 – Insufficient Funds</b>	Originator may initiate a new ACH entry within 180 days of original Settlement date.	ALL	24 HOURS
<b>R02 – Account Closed</b>	Originator <u>must stop</u> initiation of entries and obtain an authorization from the Receiver for another account.	ALL	24 HOURS
<b>R03 – No Account / Unable to Locate</b>	Originator <u>must stop</u> initiation of entries and contact the Receiver for correct account information.	ALL	24 HOURS
<b>R04 – Invalid Account</b>	Originator <u>must stop</u> initiation of entries until account number / structure is corrected.	ALL	24 HOURS
<b>R05 – Unauthorized Debit to Consumer Account Using Corporate SEC Code</b>	Originator <u>must stop</u> initiation of entries.	CCD, CTX	60 Days – Written Statement of Unauthorized Debit
<b>R06 – ODFI Request for Return</b>	Originator must accept requested return.	ALL	Not Applicable
<b>R07 – Authorization Revoked</b>	Originator <u>must stop</u> initiation of entries until new consumer authorization is obtained.	PPD, TEL, WEB	60 Days – Written Statement of Unauthorized Debit
<b>R08 – Payment Stopped</b>	Originator must contact Receiver to identify the reason for the Stop Payment and obtain authorization before reinitiating the entry.	ALL	24 HOURS
<b>R09 – Uncollected Funds</b>	Originator may initiate a new ACH entry within 180 days of the original Settlement Date.	ALL	24 HOURS
<b>R10 – Customer Advises Not Authorized, Notice Not Provided, Improper Source Document, or Amount of Entry Not Accurately Obtained from Source Document</b>	Originator <u>must stop</u> initiation of entries.	ARC, BOC, POP, PPD, TEL, WEB	60 Days – Written Statement of Unauthorized Debit
<b>R11- Customer Advises Entry Not in Accordance with the Terms of the Authorization</b>	Originator <u>must stop</u> initiation of entries.	ARC, BOC, POP	60 Days – Written Statement of Unauthorized Debit



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<b>R12 – Account Sold to Another DFI</b>	Originator <u>must stop</u> initiation of entries and obtain correct routing number information for initiation of subsequent entries.	ALL	24 HOURS
<b>R16 – Account Frozen</b>	Originator <u>must stop</u> initiation of entries.	ALL	24 HOURS
<b>R20 – Non Transaction Account</b>	Originator <u>must stop</u> initiation of entries.	ALL	24 HOURS
<b>R24 – Duplicate Entry</b>	Originator should accept the return. If the entry has already been reversed, Originator should contact the RDFI to determine a solution. An Originator may reverse an erroneous or duplicate ACH entry/file up to 5 banking days after the Settlement Date of the entry/file. OR it may request the RDFI to send a return.	ALL	24 HOURS
<b>R29 – Corporate Customer Advises Not Authorized</b>	Originator <u>must stop</u> initiation of entries until subsequent authorization has been obtained.	CCD, CTX	24 HOURS

### Reversals

- If a reversing entry must be made, please consult the ACH Manager User Guide or contact Customer Service for instructions.
- Reversals may only be made for the following three conditions:
  1. wrong dollar amount
  2. wrong account number
  3. duplicate transaction
- When initiating a reversal, the reversing entry must be for the full amount, must be sent within five (5) banking days of original entry and must be sent within 24 hours of discovering the error.
- The Receiving Bank is under no obligation to post the reversing debit if it overdraws the payee’s account or if the payee’s account is closed.
- A payee must be notified if a reversing entry debits his or her account. However, a payee does not need to authorize the reversing debit.
- The word “REVERSAL” must be placed in the Company Batch Header Field and if the file is reversing an erroneous file, then a correcting file must be initiated with the reversing file.

### OFAC (Office of Foreign Asset Control)

- You are required to check payees against OFAC compliance checklists.
- OFAC lists countries, groups and individuals with which U.S. Companies are not permitted to send or receive funds.
- The *Bank* must protect itself by informing every client that it is against the law to send debit or credit entries to OFAC-blocked entities.
- You may check the OFAC SDN list at: <http://sdnsearch.ofac.treas.gov>

### What is an ACH Application (SEC) Code?

ACH applications are payment types used by Originators, such as your company, to identify ACH debit and/or credit entries transmitted to a corporate or consumer account at the RDFI. Each ACH application is identified and recognized by a specific Standard Entry Class (SEC) code, which appears in the ACH record format. The SEC code also identifies the specific record layout that will be used to carry the payment and payment-related information

### Standard Entry Class (SEC) Codes

Standard Entry Class (Sec) Code	Title	Transaction Type	Account Type	Required Agreement Or Authorization	Reference - NACHA Operating Rules and Guidelines ( <i>Rules</i> )
PPD	Prearranged Payment and Deposit	Credit or Debit Single or Recurring Entry	Consumer	In writing and signed for Debits. Orally or other written or non- written means for Credits.	Section V - Chapter 45
CCD	Corporate Credit or Debit Entry	Credit or Debit Single Recurring Entry	Non-Consumer	Agreement between Originator and Receiver	Section V - Chapter 39
ARC	Accounts Receivable Entry	Debit Single Entry	Consumer or Non-Consumer	Written Notice	Section V - Chapter 37
BOC	Back Office Conversion Entry	Debit Single Entry	Consumer or Non-Consumer	Posted Notice and Written Notice	Section V - Chapter 38
CIE	Customer Initiated Entry	Credit Single Entry	Consumer Originated	Agreement between Originator and Receiver	Section V - Chapter 40
CTX	Corporate Trade Exchange	Credit or Debit Single or Recurring Entry	Non-Consumer	Agreement between Originator and Receiver	Section V - Chapter 39
POP	Point-of-Purchase Entry	Debit Single Entry	Consumer or Non-Consumer	Posted Notice and in writing and signed or similarly authenticated	Section V - Chapter 44
POS	Point-of-Sale Entry	Debit Single Entry	Consumer	In writing and signed or similarly authenticated	Section I - Chapter 1
RCK	Re-presented Check Entry	Debit Single Entry	Consumer	Posted Notice	Section V - Chapter 46
TEL	Telephone-Initiated Entry	Debit Single or Recurring Entry	Consumer	Orally authorized over telephone	Section V - Chapter 47
WEB	Internet-Initiated/Mobile Entry	Debit Single or Recurring Entry	Consumer	In writing and signed or similarly authenticated	Section V - Chapter 48

**Proper Use of SEC Code**

The ODFI warrants that every transaction complies with the Rules. Specifically, Subsection 2.4.1.2: The Entry Complies with The Rules, and states “The Entry Complies with these Rules, including the use of the proper Standard Entry Class Code.” Another major concern is that these entries may be returned for an extended period of time, typically not afforded CCD or CTX entries posting to non-consumer accounts.



### **What are the Fraud Risks for ACH?**

ACH Origination fraud is a challenge for Financial Institutions and ACH Originators like your company. In one origination system hacking scheme, perpetrators hack into the originator's (your company) computer system using compromised User IDs and passwords and originate ACH credits to "mule" accounts created for the express purpose of committing fraud. Those accounts are then emptied and abandoned. The true originator's account (your account) is debited for the invalid origination file. The credits are usually irretrievable by the time the fraud is discovered. The originator's credentials may have been compromised by an insider within the organization or stolen through key loggers or Trojan Horse programs on the compromised computer.

Due to the risk of this type of fraud, it is essential that all computer equipment used by your company to operate American National Bank's Cash Management ACH Origination program is regularly updated and patched for security vulnerabilities (including the use of and updating of firewall, virus protection, anti-malware protection, anti-spam protection.) You may also want to consider having one computer in your office which is not used to browse the internet or read e-mail to be your sole source of access to the Cash Management system. Limiting access to the computer which is used to house and transmit ACH data may help avoid the accidental downloading of harmful programs/viruses that could potentially compromise your transactions.

The appropriate steps should be taken within your company to ensure that all User ID's, Passwords, Authentication Methods and any other applicable security procedures issued to your employees are protected and kept confidential. All staff should be aware of the need for proper user security, password controls and separation of duties.

As ACH Origination is a higher risk commercial banking function, we suggest that your company perform your own internal risk assessment and controls evaluation periodically to be sure you are considering all available security options.

For additional information on protecting your business from Internet fraud, please visit the U.S. Chamber of Commerce website and view the free link to the "Internet Security Essentials for Business" handbook (<https://www.uschamber.com/CybersecurityEssentials>).

### **What types of controls are in place to help combat ACH Origination fraud?**

The Bank's ACH Origination system requires the use of a token which creates a random code to be used in conjunction with your User ID and PIN. While this will hamper a hacker from gaining access outside of your company, the risk still exists for internal fraud by one of your employees or from a hacker who had gained access to your computer system through sophisticated key loggers or Trojan Horse programs.

American National Bank (Bank) strongly encourages companies to have separation of duties for ACH processing, in which one employee generates the ACH batch and the system requires a secondary employee to log in and approve the ACH batch. Dual-approval procedures such as this go a long way in preventing ACH origination fraud. If you don't currently have the Dual-approval security feature in place, you can request to enable it by contacting Bank's Customer Service Department to discuss the options available.

Cash Management ACH transaction rights are limited to personnel with appropriate business need for functionality. Company ensures that all individuals with access to the Cash Management program received training necessary to understand their responsibilities and utilize the program in accordance with the applicable terms, agreements and ACH rules.

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It is also very important for your company to make it a practice of monitoring your accounts online daily. Reviewing both the balances and the account transaction daily within the Cash Management system will ensure that you are aware of all transactions, even when they have not yet posted to your account. The sooner account or ACH fraud can be detected, the more successful the bank will be in assisting to recover your company's potentially lost funds.

American National Bank has automatically enabled security alerts to send notifications when your password has been changed, or when an outgoing ACH transaction has been generated.

Please keep in mind that we will **never** email you requesting your Cash Management password or token credential. We may on occasion call to verify other information regarding your on line activity should we see something of concern in your login patterns.

### **What happens if a Security Breach occurs?**

Immediately contact the bank if you suspect an ACH data breach. As an ACH Originator, you are required to immediately report the breach to BAC who must report it to NACHA.

### **ACH Rule Changes and Rules of Awareness**

The National Automated Clearing House Association (NACHA) is the rule-making body governing the ACH network and therefore all participants of the ACH network must comply with the NACHA Operating Rules. Each company sending ACH entries through American National Bank using its Cash Management ACH Origination program must comply with the NACHA Operating Rules as stated within the ACH agreement between American National Bank and the Corporate Customer.

American National Bank will annually communicate applicable Operating Rules changes to ensure that our companies are educated on those Rules and make any necessary changes to its daily process as a result of these changes. Annually, you may purchase a copy of the updated NACHA Operating Rules & Guidelines by visiting [www.nacha.org](http://www.nacha.org) or you may obtain free limited access to the basic NACHA Operating Rules in a read-only format by visiting [www.achrulesonline.org](http://www.achrulesonline.org).

**Minor Rules Topics** - These changes will amend the *Nacha Operating Rules* to address a variety of minor issues and will become effective June 21, 2024. <https://www.nacha.org/rules/minor-rules-topics-2>

#### ○ **General Rule for WEB Entries (Article Two, Subsection 2.5.17.1)**

All consumer-to-consumer credits must be originated using the WEB SEC Code, "regardless of whether the authorization is communicated via the Internet or Wireless Network."

- That is, no matter what the consumer Originator's communication channel is for the payment instruction, the entry must be coded as a WEB credit.

The current reference to the Internet or Wireless network in the context of P2P WEB credits is confusing to some industry participants. Some ODFIs and P2P service providers are coding consumer-to-consumer credits as PPD entries when the consumer's instruction has been communicated through non-internet means (e.g., via phone, in person).

This change would re-word the WEB general rule to make clear that WEB must be used for ALL consumer-to-consumer credits, regardless of how the consumer communicates the payment instruction to the ODFI or P2P service provider.

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#### ○ **Definition of Originator (Article Eight, Section 8.71)**

Current rules define an Originator only by the relationship it has with the ODFI - "a Person that has authorized an ODFI (directly or through a Third-Party Sender) to Transmit...an entry to the Receiver's account at the RDFI."

The existing definition is silent with respect to the Originator's obligation to have obtained the Receiver's direct authorization to credit or debit the Receiver's account. By contrast, Receiver is defined as the party that has authorized the Originator.

Current language is confusing to some industry participants when analyzing Originator versus Third-Party Sender relationships.

This change would expand the definition to identify the Originator as the party authorized by the Receiver to credit or debit the Receiver's account at the RDFI.

#### ○ **ODFI and Originator Action on Notification of Change (Article Two, Section 2.12.1)**

The Rules currently allow the Originator discretion on whether it will act on NOCs received with respect to ARC, BOC, POP, RCK, single-entry WEB, single-entry TEL, XCK. This list identifies SEC Codes that, by definition, are one-time entries, and those that previously required a single/recurring indicator within the entry.

Current wording of this section is out of date and requires minor modification for clarity and reflection of current business practice.

- Current NOC rules are silent as to whether an Originator has discretion to make NOC changes related to single entries bearing other SEC Codes (e.g., PPD, CCD, CTX, IAT); nevertheless, in practice and in enforcement situations, Originators and Nacha have supported uniform treatment of NOCs for any one-time entries, regardless of SEC Code.
- A previously-required flag to identify certain TEL and WEB entries as single entries is no longer required by the Rules, rendering any perceived difference between single-entry TELs and WEBs and other SEC Codes (PPD, CCD, CTX, or IAT entries) moot.

This change would give Originators discretion to make NOC changes for any Single Entry, regardless of SEC Code.

#### ○ **General Rule for Prenotifications (Article Two, Subsection 2.6.1) & Definition of Prenotification Entry (Article Eight, Section 8.81)**

The Rules currently allow Originators to transmit prenotification entries for account validation prior to initiating the first credit or debit entry to the Receiver's account.

Originators indicate a need to re-validate that certain accounts are open and can accept ACH entries, even after live entries have been transmitted (ex: re-validation of inactive or dormant accounts before renewed ACH activity).

- Originators want the ability to use ACH Network-based account validation methods for this purpose.
- In practice, many Originators already use prenotes for re-validation, regardless of language limiting use to prior to the first live entry.
- The recent Rule on Micro-Entries does not limit validation to before first use.

This change would align the prenote rules with industry practice by removing language that limits prenote use to only prior to the first credit or debit entry.



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### **Right to Audit / NACHA Enforcement Authority**

Upon written request, American National Bank shall have the right to examine your ACH Operations to ensure that ACH data is being processed correctly and that processing is adequate to meet the terms of our agreement and all NACHA Operating Rules. American National Bank may voluntarily provide to NACHA, information such as return data that may be indicative of a potential Rules violation by any of our customers.

If you have any questions relating to ACH Origination Rules, please contact American National Bank Electronic Banking Department at: (954) 267-8101.