

CP1352 – Remove option of postal FAA invoices

CP1352 proposes changes to sections 10.1 and 13.1 of the FAA Service Description.

We have redlined these changes against version 13.0 of the Service Description.

Section 17 is unchanged but is shown for reference/completeness.

[Sections 1-9 are unchanged]

10 Advice Notes

10.1 Despatch of Advice Notes

10.1.1 On each Advice Note Date, the FAA shall (in good time for Payment Parties to give all necessary instructions for payments to be effected on the relevant Payment Date) despatch to each Payment Party an Advice Note showing the amounts (inclusive of any VAT where applicable) which, according to its calculations, are to be paid either:

- (a) by each Payment Party to the BSC Clearer, or
- (b) to each Payment Party by the BSC Clearer,

on that Payment Date, in respect of the Advice Note Period.

10.1.2 In each Advice note under paragraph 10.1.1, the FAA shall set out in respect of each Notification Date in the Advice Note Period:

- (a) in relation to Initial Settlement Runs:
 - (i) an amount in respect of each of the items set out in paragraph 8.1.3(a)(ii) or 8.1.3(b) (as the case may be);
 - (ii) the Trading Charges; and
 - (iii) in respect of a Postponed Payment Date, any interest pursuant to paragraph 8.4.2.
- (b) in relation to Reconciliation Settlement Runs:
 - (i) the Reconciliation Charge;
 - (ii) the Reconciliation Charge excluding interest and any withholdings on account of taxation;
 - (iii) the interest included in the Reconciliation Charge pursuant to paragraph 8.3.3;

- (iv) the amount of any withholdings on account of taxation; and
 - (v) the Trading Charges in respect of which the FAA has calculated there to be a Reconciliation Charge due.
- (c) in relation to Ad-Hoc Trading Charges:
- (i) the Extra-Settlement Determination initial payment under paragraph 9.6.1; and
 - (ii) the Extra-Settlement Determination secondary payment (including interest) under paragraph 9.6.2.
- (d) the aggregate amount which is to be paid by that Payment Party to the BSC Clearer or to that Payment Party by the BSC Clearer on the relevant Payment Date over the Advice Note Period.
- (e) the amount of VAT in respect of the total amount payable or the total amount receivable.

10.1.3 The FAA shall despatch each Payment Party an Advice Note:

- (a) on each Notification Date where the aggregate amount payable or receivable by the Payment Party in respect of the Advice Note Period is equal to or exceeds the Advice Note Threshold Limit; and/or
- (b) where the Notification Date is a Quarter Date or, where a Quarter Date falls on non-working day, the last working day prior to that Quarter Date.

10.1.4 A Payment Party may request (by notice to BSCCo) that the FAA despatch an Advice Note (for such Notification Date or other period specified by the Payment Party) where the Payment Party:

- (a) has given a Withdrawal Notice to BSCCo;
- (b) has given notification to BSCCo of a change in VAT status that alters the liability of the Payment Party in respect of UK VAT; or
- (c) is a Defaulting Party.

and following such a request, the FAA will accordingly despatch an Advice Note to the Payment Party.

10.1.5 Without limitation to the foregoing, the FAA shall despatch an Advice Note to a Payment Party at such other times as may be requested by BSCCo.

10.1.6 The FAA shall despatch all Advice Notes by email ~~and optionally by first class post, or by such other means as BSCCo may reasonably direct from time to time.~~

[Sections 10.2-12.10 are unchanged]

13 Confirmation Notices in respect of a Payment Date

13.1 Despatch of Confirmation Notices

- 13.1.1 Within two Working Days after each Payment Date, the FAA shall issue a Confirmation Notice to each Payment Party in respect of that Payment Date setting out the information required in paragraphs 13.2 and 13.3 and any other information required in invoices for the purposes of VAT.
- 13.1.2 The FAA shall despatch Confirmation Notices by email ~~and optionally by first class post, or by such other means as the BSCCo may reasonably direct. In order to satisfy Her Majesty's Revenue and Customs (HMRC) requirements for VAT any posted Confirmation Notice shall be clearly marked 'copy'.~~

[Sections 13.2-16.5 are unchanged]

[Section 17 is unchanged but is shown for reference]

17 Email Despatchment

17.1 Content Specific Emails

- 17.1.1 In despatching Advice Notes, Confirmation Notices, and Backing Sheets the FAA shall ensure that it sends to each Payment Party a separate email for each of the following:
- (a) Advice Notes;
 - (b) Confirmation Notices;
 - (c) Trading Charges Backing Sheets;
 - (d) Default Charges Backing Sheets; and
 - (e) Ad-hoc Charges Backing Sheets.
- 17.1.2 When despatching each of the above by email, the subject of each email shall clearly identify the file which it contains.

17.2 Email Delivery Failure

- 17.2.1 Should an emailed Advice Note/Confirmation Notice fail to be delivered then the FAA will initially contact the affected Payment Party by telephone and either:
- (a) request a temporary email address to deliver the file electronically;
 - (b) request a fax number in order to fax the document to the Payment Party; or
 - (c) agree with the Payment Party to deliver the document by post.

- 17.2.2 In the event that the FAA is unable to contact the affected Payment Party, the FAA shall despatch Advice Notes/Confirmation Notices to the Payment Party by post until such time as the FAA is able to contact the Payment Party and resolve the situation.

17.3 Deemed Receipt

Advice Notes, Confirmation Notices and backing sheets sent by email shall be deemed to have been received one hour after being sent in the absence of any undeliverable return receipt received by the FAA.