

## Rules Enforcement

1. What is the purpose of the ACH Fines and Enforcement?

**It is the intent of this enforcement mechanism to maintain the quality of ACH services and the satisfaction of Participating DFIs and their customers by ensuring compliance by DFIs with the NACHA Operating Rules and reducing the risks to parities by limiting the number of Unauthorized ACH Entries.**

2. The Rules Enforcement Panel may direct an ODFI to suspend the Originator or Third-Party Sender from originating if it has determined that there is a ***Class 3*** Rules Violation.
3. An ODFI that is unable to provide NACHA with a copy of a requested ACH Audit report will be considered as a ***Class 2*** Rules Violation.
4. After the fourth Rules Violation of failure to comply with an NOC, an ODFI is assessed a \$100,000 fine by NACHA for a Class 2 Rules Violation. The ODFI made every attempt to let its Originator know it was the Originator's obligation to correct the payment information; however, the Originator continued to send the entry incorrectly. The ODFI is pursuing legal action toward the Originator to recoup the \$100,000 fine. The dispute is interpreted according to the provisions of
  - a. *NACHA Operating Rules.*
  - b. State corporate law.
  - c. ***State contract law.***
  - d. UCC Article 4A
5. What is the maximum fine for a 3<sup>rd</sup> recurrence of a Class 1 Rules Violation?

**Answer is \$5000**

6. The maximum fine for a Class 3 Rules Violation is \_\_\_\_\_.

**Answer \$500,000 per month until resolved**

7. A fourth recurrence of a rules violation is a Class \_\_\_\_\_ violation.

**Answer Class 2**

8. The \_\_\_\_\_ may suspend an Originator if there is a Class 3 violation. **Answer: Rules Enforcement Panel**