



ACH Operations Bulletin #1-2022

COVID-Related Relief from Certain Nacha Operating Rule Provisions Will Expire on October 1, 2022

July 7, 2022

Summary

In 2020, Nacha provided relief from certain provisions of the Nacha Operating Rules due to impacts of the Coronavirus pandemic. This relief generally took the form of a policy of non-enforcement of these provisions and the effective dates of some new rules.¹ Nacha has determined to allow this relief to expire as of October 1, 2022.

Discussion

Beginning in March 2020, Nacha provided relief from certain provisions of the Nacha Operating Rules due to impacts of the Coronavirus pandemic. In consultation with its Rules and Operations Committee and its Risk Management Advisory Group, Nacha has determined that these various reliefs now can be allowed to expire. As the relief generally took the form of non-enforcement, ACH participations can consider these Rule requirements to be enforceable again beginning after the expiration date of October 1, 2022.

Expiration of Relief

- The requirements for the delivery of a Record of Authorization, a Source Document/Item, and a Written Statement of Unauthorized Debit will return to the 10 banking-day timeframe. This will apply to requests for these documents made on or after Monday, October 3, 2022.
- Required response times within Nacha's Rules enforcement process will return to 10 banking days. This will apply to responses that are required for enforcement letters or other communications received on or after Monday, October 3, 2022.
- Written Statements of Unauthorized Debits will return to having a signature or similar authentication requirement. (Note that the Nacha Rules allow for the electronic

¹ A listing of affected provisions and effective dates is available in ACH Operations Bulletin #7-2020 - Nacha Provides Update on COVID-19 Relief and Upcoming Effective Dates (see <https://www.nacha.org/news/ach-operations-bulletin-7-2020-nacha-provides-update-covid-19-relief-and-upcoming-effective>).

signature of a WSUD, and that a rule became effective in September 2021 that codified and encouraged RDFIs to provide for electronic signatures of WSUDs.)

- The authorization of POP Entries will again require a signature.
- The authorization of POS Entries will again have a signed or similarly authenticated requirement when Originators elect not to ask customers to enter a PIN.
- Nacha will not automatically provide enforcement relief for elevated return rates and levels due to pandemic impacts. ODFIs will still be able to address factors contributing to elevated levels of administrative or overall returns in their responses to enforcement proceedings.

Effective Dates

Nacha affirms the effective dates of all newly adopted Rules. Of the rules for which additional grace periods were provided in 2020, all such periods have elapsed except for Phase 2 of the Supplemental ACH Data Security rule, which applies the new data security requirements to Originators and Third-Party Senders with ACH volume of two million or more transactions annually. The additional non-enforcement grace period continues through June 30, 2023 for those Originators and Third-Parties working in good faith to implement the rule.

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