

- Merchant must clearly disclose to the Cardholder that surcharge is being charged by the Merchant and not by Visa

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5.5.1.6 Notification of Intent to Assess Surcharges – US Region and US Territories

In the US Region or a US Territory: An Acquirer must:

- **Effective through 14 April 2023** Ensure that its Merchant notifies Visa and its Acquirer in writing at least 30 calendar days before assessing a Credit Card Surcharge. Notice to Visa can be provided as specified on the “Merchant Surcharge Notification” link at www.visa.com.
- **Effective through 14 April 2023** Inform Visa upon request of all notifications of intent to surcharge received from its Merchants.
- **Effective 15 April 2023** An Acquirer must ensure that its Merchant notifies its Acquirer in writing at least 30 calendar days before publicly announcing its intention to impose a Credit Card Surcharge, or 30 calendar days before first assessing a Credit Card Surcharge, whichever is earlier.

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5.5.1.7 Similar Treatment of Visa Transactions – US Region and US Territories

In the US Region and US Territories: A Merchant must not assess a Credit Card Surcharge on Visa Credit Card Transactions in a specific payment channel if either:

- The Merchant is prohibited or effectively prohibited by a Competitive Credit Card Brand from assessing surcharges on the Competitive Credit Card Brand’s products in that payment channel.
- The Merchant’s ability to surcharge a Competitive Credit Card Brand in that payment channel is limited by that Competitive Credit Card Brand in any manner¹ and the Merchant assesses a Credit Card Surcharge on conditions that are not the same as the conditions on which the Merchant would be allowed to surcharge transactions of the Competitive Credit Card Brand in that payment channel, or on which the Merchant actually surcharges transactions of the Competitive Credit Card Brand in that payment channel, after accounting for any discounts or rebates offered at the Point-of-Transaction.

This prohibition does not apply and a Merchant may assess a Credit Card Surcharge on Visa Credit Card Transactions if one of the following:

- The Competitive Credit Card Cost of Acceptance or the Competitive Credit Card Product Cost of Acceptance to the Merchant is less than the Visa Credit Card Cost of Acceptance or Visa Credit Card Product Cost of Acceptance to the Merchant and the Competitive Credit Card Brand does not

prohibit or effectively prohibit surcharging credit card transactions.

- The Competitive Credit Card Brand prohibits or effectively prohibits surcharging on credit cards and the Merchant actually surcharges the Competitive Credit Card Brand's transactions in an amount at least equal to the lesser of either:
 - The Competitive Credit Card Cost of Acceptance
 - The amount of the Credit Card Surcharge imposed on a Visa Credit Card
- There is an agreement between the Merchant and the Competitive Credit Card Brand in which the Merchant waives or in any other way restrains or limits its ability to surcharge transactions on that Competitive Credit Card Brand, provided that:
 - The agreement is for a fixed duration, is not subject to an "evergreen clause" (i.e., automatically renewed unless terminated by the parties to the agreement) and is not a standard agreement generally offered by the Competitive Credit Card Brand to multiple merchants.
 - The Merchant's acceptance of the Competitive Credit Card Brand as payment for goods or services is unrelated to and not conditional upon the Merchant's entry into such agreement.
 - The agreement is supported by the exchange of material value.
 - The agreement expressly specifies a price under which the Merchant may accept the Competitive Credit Card Brand's products and surcharge those transactions up to the Merchant's Merchant Discount Rate for the Competitive Credit Card Brand, after accounting for any discounts or rebates offered by the Merchant at the Point-of-Transaction.

¹ This provision does not apply if the Competitive Credit Card Brand prohibits only surcharging for an amount greater than the Competitive Credit Card Cost of Acceptance.

5.5.1.8 Credit Card Surcharge Requirements – Canada Region, US Region, and US Territories

In the Canada Region, US Region, or a US Territory: A Merchant may assess a fixed or variable Credit Card Surcharge on a Visa Credit Card Transaction, subject to applicable laws or regulations.

The Merchant may assess a Credit Card Surcharge by applying the same fixed or variable Credit Card Surcharge to either:

- All Visa Credit Card Transactions (brand level)
- All Visa Transactions of the same credit product type (product level)

The Credit Card Surcharge at the brand level must be the same for all Visa Credit Card Transactions, regardless of the Card's Issuer or the product type, and after accounting for any discounts or rebates offered by the Merchant on Visa Credit Card Transactions at the Point-of-Transaction.

The Credit Card Surcharge at the product level must be the same for Transactions on a particular Visa Credit Card product type, regardless of the Card's Issuer, and after accounting for any discounts or rebates offered by the Merchant on Visa Credit Card Transactions on the product type at the Point-of-Transaction.

A Merchant must not assess a Credit Card Surcharge on Visa Credit Card Transactions at both the brand and product level.

Effective through 14 April 2023 The Credit Card Surcharge must be included in the Transaction amount.

Effective 15 April 2023 The Credit Card Surcharge must be included in the Transaction amount and be identified within the Transaction data.

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5.5.1.9 Credit Card Surcharge Maximum Amount – Canada Region, US Region, and US Territories

In the Canada Region: A Credit Card Surcharge assessed at the product level or brand level, as specified in *Section 5.5.1.8, Credit Card Surcharge Requirements – Canada Region, US Region, and US Territories*, must not exceed the Merchant's Visa Credit Card Surcharge Cap.

Effective 15 April 2023 In the US Region or a US Territory: The Credit Card Surcharge maximum amount is 3.00%.

In the US Region or a US Territory: A Credit Card Surcharge assessed at the brand level, as specified in *Section 5.5.1.8, Credit Card Surcharge Requirements – Canada Region, US Region, and US Territories*, must not exceed the Merchant's Visa Surcharge Cap.

In the US Region or a US Territory: A Credit Card Surcharge assessed at the product level, as specified in *Section 5.5.1.8, Credit Card Surcharge Requirements – Canada Region, US Region, and US Territories*, must not exceed the Merchant's Visa Credit Card Surcharge Cap less the Debit Card Cost of Acceptance.

In the Canada Region, US Region or a US Territory: In no case may the Credit Card Surcharge amount exceed the Maximum Surcharge Cap.

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5.5.1.10 Credit Card Surcharge Disclosure Requirements – Canada Region, US Region, and US Territories

In the Canada Region, US Region, or a US Territory: A Merchant must, at both the point of entry into the Merchant Outlet and the Point-of-Transaction, clearly and prominently disclose any Credit Card Surcharge that will be assessed.

The disclosure at the Point-of-Transaction must include all of the following:

- The exact amount or percentage of the Credit Card Surcharge
- A statement that the Credit Card Surcharge is being assessed by the Merchant and is only applicable to credit Transactions
- In the US Region or a US Territory: A statement that the Credit Card Surcharge amount is not greater than the applicable Merchant Discount Rate for Visa Credit Card Transactions at the Merchant

For example, the requirement for clear and prominent disclosure will be satisfied if the disclosure is made consistent with *Table 5-3, Surcharge Disclosure – Canada Region, US Region, and US Territories*;

Table 5-3: Surcharge Disclosure – Canada Region, US Region, and US Territories

Transaction Type	Point-of-Entry	Point-of-Transaction
Face-to-Face Transaction	Main entrance(s) of the Merchant Outlet, in a minimum 32-point Arial font, but in any case no smaller or less prominent than surrounding text	Every customer checkout or payment location, in a minimum 16-point Arial font, but in any case no smaller or less prominent than surrounding text
Electronic Commerce Transaction	The first page that references credit card brands accepted, in a minimum 10-point Arial font, but in any case no smaller or less prominent than surrounding text	Checkout page, in a minimum 10-point Arial font, but in any case no smaller or less prominent than surrounding text
Mail order Transaction	The first page of the catalog that references credit card brands accepted, in a minimum 8-point Arial font, but in any case no smaller or less prominent than surrounding text	Mail order form, in a minimum 10-point Arial font, but in any case no smaller or less prominent than surrounding text
Telephone order Transaction	The first page of the catalog that references credit card brands accepted, in a minimum 8-point Arial font, but in any case no smaller or less prominent than	Verbal notice from the telephone order clerk, including Credit Card Surcharge amount

Table 5-3: Surcharge Disclosure – Canada Region, US Region, and US Territories (continued)

Transaction Type	Point-of-Entry	Point-of-Transaction
	surrounding text	
Unattended Cardholder-Activated Terminal	Main entrance(s) of the Merchant Outlet (if applicable) (for example: gas [petrol] station store) in a minimum 32-point Arial font, but in any case no smaller or less prominent than surrounding text	On the Unattended Cardholder-Activated Terminal or virtual disclosure on the payment terminal screen, in a minimum 16-point Arial font, but in any case no smaller or less prominent than surrounding text

For an Electronic Commerce Transaction, a Mail/Phone Order Transaction, and an Unattended Transaction, the Cardholder must be provided the opportunity to cancel the Transaction subsequent to the Credit Card Surcharge disclosure.

In the US Region or a US Territory: Merchants with Acceptance Devices that offer Cardholder choice for debit Transactions in the form of “credit” and “debit” buttons must ensure that both:

- Debit Card Transactions are not assessed a Credit Card Surcharge
- It is made clear to the Cardholder that surcharges are not permitted on debit Transactions regardless of whether a Cardholder selects the “credit” or “debit” button

5.5.2 Convenience Fees – Allowances, Requirements, Restrictions, Amounts, and Disclosures

5.5.2.1 Convenience Fees – AP and US Regions

In the AP Region, US Region: A Merchant that charges a Convenience Fee must ensure that the fee is assessed as follows:

Table 5-4: Convenience Fee Requirements

Convenience Fee Requirement	AP Region	US Region
Charged for a bona fide convenience in the form of an alternative payment channel outside the Merchant’s customary payment channels and not charged solely for the acceptance of a Card	X	X

Table 5-4: Convenience Fee Requirements (continued)

Convenience Fee Requirement	AP Region	US Region
Added only to a Transaction completed in a Card-Absent Environment	X	X
Not charged if the Merchant operates exclusively in a Card-Absent Environment	X	X
Charged only by the Merchant that provides goods or services to the Cardholder	X	X
Applicable to all forms of payment accepted in the payment channel	X	X
Disclosed clearly to the Cardholder: <ul style="list-style-type: none"> As a charge for the alternative payment channel convenience Before the completion of the Transaction. The Cardholder must be given the opportunity to cancel. 	X	X
A flat or fixed amount, regardless of the value of the payment due In the AP Region: An ad valorem amount is allowed if required by applicable laws or regulations.	X	X
Included as part of the total amount of the Transaction and not collected separately	X	X
Not charged in addition to a surcharge	X	X
Not charged on a Recurring Transaction or an Installment Transaction	X	X

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5.5.3 Service Fees – Allowances, Requirements, Restrictions, Amounts, and Disclosures

5.5.3.1 Service Fee Assessment Requirements – AP (Thailand), Canada, CEMEA (Egypt), LAC (Brazil, Colombia, Trinidad and Tobago), and US Regions

A Service Fee may only be charged by a Merchant, Acquirer, or third party in countries specified in *Table 5-5, Service Fee Assessment Permitted MCCs* for the listed MCCs.

Visa Product and Service Rules

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Table 5-5: Service Fee Assessment Permitted MCCs

Region/Territory	Permitted MCCs
AP Region	
Thailand	9311 (Tax Payments) 9399 (Government Services [Not Elsewhere Classified]) 9222 (Fines)
Canada Region	
Canada	4900 (Utilities – Electric, Gas, Water, Sanitary) 6513 (Real Estate Agents and Managers – Rentals) 8050 (Nursing and Personal Care Facilities) 8211 (Elementary and Secondary Schools) 8220 (Colleges, Universities, Professional Schools, and Junior Colleges) 8351 (Child Care Services) 9222 (Fines) 9311 (Tax Payments)
CEMEA Region	
Egypt	4900 (Utilities – Electric, Gas, Water, Sanitary) 5541 (Service Stations) 5542 (Automated Fuel Dispensers) 8211 (Elementary and Secondary Schools) 8220 (Colleges, Universities, Professional Schools, and Junior Colleges) 8241 (Correspondence Schools) 8244 (Business and Secretarial Schools) 8249 (Vocational and Trade Schools) 8299 (Schools and Educational Services [Not Elsewhere Classified]) 9211 (Court Costs, Including Alimony and Child Support) 9222 (Fines)

Table 5-5: Service Fee Assessment Permitted MCCs (continued)

Region/Territory	Permitted MCCs
	9223 (Bail and Bond Payments) 9311 (Tax Payments) 9399 (Government Services [Not Elsewhere Classified]) 9402 (Postal Services – Government Only)
LAC Region	
Brazil, Colombia, Trinidad and Tobago	9211 (Court Costs, Including Alimony and Child Support) 9222 (Fines) 9311 (Tax Payments) 9399 (Government Services [Not Elsewhere Classified])
US Region	
US	8211 (Elementary and Secondary Schools) 8220 (Colleges, Universities, Professional Schools, and Junior Colleges) 8244 (Business and Secretarial Schools) 8249 (Vocational and Trade Schools) 9211 (Court Costs, Including Alimony and Child Support) 9222 (Fines) 9311 (Tax Payments) 9399 (Government Services [Not Elsewhere Classified])

A Merchant, third party, or Acquirer that charges a Service Fee must comply with the following requirements, unless otherwise specified in [Table 5-6, Service Fee Assessment Exceptions](#):

- Accept Visa as a means of payment in all channels where payments are accepted (for example: in a Face-to-Face Environment and a Card-Absent Environment, as applicable)
- Be authorized to process tax payment Transactions if the Service Fee is charged by a government taxing authority or its third party

- Disclose the fee clearly to the Cardholder as a Service Fee, or local language equivalent, before the Transaction is completed and provide the ability for the Cardholder to cancel the Transaction without incurring a fee or penalty
- Not represent the Service Fee as a fee charged by Visa
- Ensure that the Service Fee amount is:
 - A reasonable reflection of the costs associated with completing the Transaction (such as the Merchant Discount Rate, Merchant service fee, or any other costs paid to third parties for services directly related to accepting a Card) and, where possible, capped
 - A flat, fixed, banded, or ad valorem amount, regardless of the value of the payment due, as required by applicable laws or regulations
 - Assessed only on the final Transaction amount, after all discounts and rebates have been applied during the Transaction
 - Not charged in addition to a surcharge or Convenience Fee
- In the AP Region (Thailand): Ensure that the Service Fee amount does not disadvantage Visa against other payment scheme brands

Table 5-6: Service Fee Assessment Exceptions

	Canada Region	CEMEA Region (Egypt only)	US Region
These entities may assess Service Fees:	A Merchant in a permitted category, or its third party, that accepts Visa in all Card-Absent Environments where payments are accepted	A government Merchant, a fuel Merchant, its Acquirer, or its third party, that is registered with Visa.	A government agency or education Merchant, or its third party, that is both: <ul style="list-style-type: none"> • Registered with Visa • Assigned a unique Merchant Verification Value
The Service Fee amount:	<ul style="list-style-type: none"> • Must be limited to 1.5% of the final Transaction amount for debit and 2.5% of the final Transaction amount for credit and prepaid • If assessed by a third party, may be processed as a separate Transaction 	Must be flat or variable	<ul style="list-style-type: none"> • If assessed by a Merchant, may be processed as a separate Transaction • If assessed by a third party in a Card-Absent Environment, must be processed as a separate Transaction