

## 1. DESCRIPTION

1.1. The Merchant opts for a collection of services (hereafter called a “Pack”) that will be offered as a global package by KB SmartPay.

1.2. All acquiring services included in the Pack shall be performed by Worldline (the “Acquirer”)

1.3. KB SmartPay offers different types of Packs, which differ in the amount and type of services included, in order to best meet the different us-age profiles of different types of merchants. Between the different types of Packs, specific amounts (e.g., regarding the number of transactions or payment terminals) may also differ.

1.4. The available Packs parameters and prices are explained in the Order form. This documentation shall constitute an integral part of the Contract.

1.5. Per Pack configuration, different prices apply for surcharges (e.g., if the minimum or maximum amount imposed by a parameter would be exceeded).

## 2. DURATION

2.1. The Pack will be ordered for an initial term equal to a fixed duration of one, two or three years. The notice periods and duration set forth in the documents listed in clause 7 shall not apply in the context of Packs.

2.2. After the initial term, the Packs will have an undefined duration, unless if either party would notify the other party by registered letter or via relevant web form available on [www.kbsmartpay.cz](http://www.kbsmartpay.cz) of its intention to terminate the Pack, at the latest thirty days before the end of the initial term.

2.3. Once the Pack has an undefined duration,

- the Merchant can terminate the Pack by registered letter by taking into account a notice period of one month.
- KB SmartPay can terminate the Pack by registered letter by taking into account a notice period of two month.

The notice period shall start running as from the first day of the month after the month in which the notification was given.

## 3. PACKS

3.1. By accepting the Pack offer, the Merchant accepts that:

- KB SmartPay shall apply blended merchant service charges (MSC) instead of merchant service charges that are individually specified between different categories and brands of payment Cards;
- the amounts of the merchant service charges, the interchange fee and the scheme fee will not be separately listed in the Contract.

More information regarding these charges can be consulted and downloaded at any time through KB SmartPay’s extranet: [www.kbsmartpay.cz/mex](http://www.kbsmartpay.cz/mex).

## 4. MIGRATION TOWARDS OTHER PACKS

4.1. The Merchant has the right to migrate to other available Pack-configurations by submitting a new Order Form to KB SmartPay.

4.2. The migration shall take effect on the first day of the next month, if a correct Order Form is received by KB SmartPay at the latest on the fifteenth day of the month. If the Order Form is instead received on a later day of the month, then the migration shall take effect on the first day of the second month after the Order Form was submitted.

## 5. EARLY TERMINATION

5.1. If the Merchant would terminate the Pack for convenience during the initial term, then he shall pay a ‘De-Installation Fee’ defined in the Price List and a termination fee according to the formulas in the table below:

<i>Duration initial term</i>	<i>Termination moment</i>	<i>Early Termination fee</i>
2 year	Within 2 years	Monthly fee defined on Order form × 2
3 year	Within 3 years	Monthly fee defined on Order form × 3

## 6. MISCELLANEOUS

6.1. The Merchant accepts that the available Packs and their parameters can be changed by KB SmartPay. KB SmartPay shall use commercially reasonable efforts to migrate the Merchant to a similar Pack without any additional costs. If, however, the changes are simultaneously significant and detrimental for the Merchant, then the Merchant shall have the right to terminate the Pack free of charge, by sending a registered letter or via relevant web form available on [www.kbsmartpay.cz](http://www.kbsmartpay.cz) before the effective day of the change.

## 7. APPLICABLE CONDITIONS

The Product/Service/Special Conditions below shall be part of the Contract if a Pack is ordered:

### 7.1. Complete Start:

- General conditions
- Product Conditions Payment Terminals
- Common Conditions International Cards
- Service Conditions International Cards (desktop terminals and portable terminals)

### 7.2. Complete m-Start:

- General conditions
- Product Conditions Payment Terminals
- Common Conditions International Cards
- Service Conditions International Cards (desktop terminals and portable terminals)

### 7.3. Compact Start:

- General conditions
- Product Conditions Payment Terminals
- Common Conditions International Cards
- Service Conditions International Cards (desktop terminals and portable terminals)