

ALCOHOL AND TOBACCO COMMISSION

Non-Rule Policy ATC #16

1. **NOTICE:** Under IC4-22-7-7, this document is required to be published with the Indiana Register and is effective on its date of publication. It shall remain in effect until the date it is superseded or deleted by the publication of a new document in the Indiana Register. The publication of the document will provide the general public with information about the Alcohol and Tobacco Commission's (ATC) official position concerning a specific issue.
2. **DISCLAIMER:** This non-rule policy is being established by the ATC consistent with the authority under IC 7.1-2-3-7. It is intended solely as guidance and shall be used in conjunction with applicable rules or laws. It does not replace applicable rules and laws, and, if it conflicts with these rules or laws, the rules or laws shall control.
3. **AUTHORIZED:** David E. Cook, Chairman
4. **SUPERSEDES:** New
5. **SUBJECT:** The purpose of this non-rule policy is to implement a uniform procedure for including electronic fund transfers (EFT) as cash payments under IC7.1-5-10-12 and or 905 IAC 1-21-1.
6. **SCOPE:** It is unlawful for a permittee to sell, offer to sell, purchase or receive, an alcoholic beverage for anything other than cash.
7. **POLICY:**
 - 7.1 Cash means and includes EFT that meets the following requirements;
 - 7.2 The use of EFT is by written agreement and voluntary between the parties.
 - 7.3 A permittee may not decline to do business with another permittee for refusing to pay by EFT.
 - 7.4 The EFT is the form of payment and must be noted on the invoice and initiated at the time of delivery.
 - 7.5 Each individual permittee using EFT will assume their own respective costs associated with the use of EFT.
 - 7.6 The EFT does not extend credit as prohibited in IC 7.1-5-10-12.
 - 7.7 The purchaser must ensure that the seller is paid with an irrevocable payment for the amount and quantity invoiced no later than one (1) "banking" business day after the initiation of the EFT by the seller.
 - 7.8 Each participating party must maintain for a period of two (2) years dating from the transaction date accurate records of transactions and EFT agreements for the ATC or its agent/employee to review.