mangopay

Appendix - Service Level Agreement

1. Definitions and General rules

Incident: Any situation generating a malfunction or a reduction in the quality of Mangopay API.

Major Incident: An Incident that creates material loss of functionality where key use cases that are critical to the activity of the Website are dysfunctional (loss of ability to make payments on the Website via Payment Methods) and the size of the impact can be quantified at more than 20% of total transactions processed by Mangopay.

Unavailability or Unavailable: period during which Mangopay API is inaccessible owing to a Major Incident and that leads to compensation, as specified in Section 2 of this Appendix "Service Level and Compensation in case of Unavailability".

P = Mangopay Availability Percentage

NHDM = Estimated number of hours per month

NHIM = Number of hours when the Mangopay API is unavailable over a month

Monthly Fees: Calculate from your pricing base

CT = Maximum Compensation

ECF = Eligible Compensation Factor

AT = Actual Compensation

Unless otherwise specified, the time definitions are 7 days a week and 24 hours a day.

Incidents are classified at the time they are discovered during the triage stage of the Incident management.

For the avoidance of doubt, the payment authorisation rates will not contribute to any Unavailability metric but shall be seen as a characteristic of the payment processing domain itself, and therefore it should be excluded from the calculation of the overall Unavailability.

2. Service Level and Compensation in case of Unavailability

Mangopay agrees to use its best efforts to make the Mangopay API available with an availability level of 99%, this commitment applies only for Major Incidents (as defined in Section 1 "Definitions and General Rules").

This commitment does not apply to any Unavailability of the following nature:

(i) Caused by factors beyond Mangopay's control,

(ii) Which results from any action or inaction by the Partner or a service provider of the Partner,

(iii) Which results from hardware, software or other technology, owned by a third party (other than facilities under the direct responsibility of the Partner) or by the Partner,

(iv) Which results from a planned maintenance window, extension or rectification, that has been communicated to the Partner in advance.

Calculation base for Compensation:

P = (NHDM – NHIM) x 100 / NHDM
- **NHDM** =
  - In a full month there are 720 hours (30d x 24h = 720h)
  - However, as we apply a discount of 50% for the hours included between midnight and 8 am of the morning, the monthly hours are assumed as 600 hours (30 x 16 + 30 x 8 x 50% = 600h)
- **NHIM** = the number of hours of system unavailability
- **CT** = Monthly Fees * (1 – P)
- **AT** = CT * ECF

Example :

Let's take the example of a 30 hours service unavailability and a monthly bill of 27500€/month (220M€ / 12month x 0,15 (price on the transfer)):
- **NHDM** = (30 x 16) + (30 x 8 x 50%) = **600 hours**
- **NHIM** = **30h**
- **P** = (600 – 30) * 100 / 600 = **95%**
- **CT** = 27500 * (1 – 0.95) = **1375€**
- **AT** = We must then refer to the grid below to look up the Eligibility Compensation Factor (ECF). In our example the availability (P) is 95%, which falls under 97%, hence we shall assume the eligible compensation factor (ECF) of **100%**
- Hence, the total actual compensation is : 1375€

Availability (P) to Eligible compensation Factor (ECF) mapping:

Availability ranges	Eligible Compensation Factor (ECF)
99% - 98.5%	30%
<98.5% - 97.5%	50%
<97.5% - 97%	70%
< 97%	100%

The Partner's sole and exclusive remedy for Mangopay's breach of the SLA is the compensation described in the SLA, to the exclusion of any other remedy. This SLA (and in particular the compensation sets out in section 2 "Service Level and Compensation in case of Unavailability") states Mangopay's sole and entire liability and the Partner's sole and exclusive remedy for any failure by Mangopay to meet the requirements set out in this SLA, and in particular for unavailability of Mangopay API whatever the type of incidents (including incidents other than Major Incident(s)).