

EBA/CP/2017/12

24 July 2017

Consultation Paper

Draft Regulatory Technical Standards setting technical requirements on development, operation and maintenance of the electronic central register and on access to the information contained therein, under Article 15(4) of Directive (EU) 2015/2366 (PSD2),

and

Draft Implementing Technical Standards on the details and structure of the information entered by competent authorities in their public registers and notified to the EBA under Article 15(5) of Directive (EU) 2015/2366 (PSD2)

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1. Responding to this consultation

The EBA invites comments on all proposals put forward in this paper. Comments are most helpful if they:

1. respond to the question stated;
2. indicate the specific point to which a comment relates;
3. contain a clear rationale;
4. provide evidence to support the views expressed/ rationale proposed; and
5. describe any alternative regulatory choices the EBA should consider.

Submission of responses

To submit your comments, click on the 'send your comments' button on the consultation page by 18.09.2017. Please note that comments submitted after this deadline, or submitted via other means may not be processed.

Publication of responses

Please clearly indicate in the consultation form if you wish your comments to be disclosed or to be treated as confidential. A confidential response may be requested from us in accordance with the EBA's rules on public access to documents. We may consult you if we receive such a request. Any decision we make not to disclose the response is reviewable by the EBA's Board of Appeal and the European Ombudsman.

Data protection

The protection of individuals with regard to the processing of personal data by the EBA is based on Regulation (EC) N° 45/2001 of the European Parliament and of the Council of 18 December 2000 as implemented by the EBA in its implementing rules adopted by its Management Board. Further information on data protection can be found under the Legal notice section of the EBA website.

2. Abbreviations

CRD IV	Directive 2013/36/EU (Capital Requirements Directive)
EBA	European Banking Authority
EBA Register	Electronic central register of the EBA
EMD2	Directive 2009/110/EC (Electronic Money Directive)
ITS	Implementing Technical Standards
NCA	National Competent Authority
PSD1	Directive 2007/64/EC (Payment Services Directive)
PSD2	Directive (EU) 2015/2366 (Revised Payment Services Directive)
RTS	Regulatory Technical Standards

3. Executive Summary

Article 15(1) of the Directive (EU) 2015/2366 on payment services in the internal market (PSD2) provides that 'EBA shall develop, operate and maintain an electronic central register that contains information as notified by competent authorities (CAs)'. In support of the above, the PSD2 confers a mandate on the EBA to 'develop draft regulatory technical standards (RTS) setting technical requirements on development, operation and maintenance of the electronic central register and on access to the information contained therein'. Article 15(5) of the PSD2 continues by mandating the EBA to 'develop draft implementing technical standards (ITS) on the details and structure of the information pursuant to paragraph 1 of Article 15 of the PSD2'.

In fulfilment of the mandate under Article 15(4), the RTS proposed in this Consultation Paper set out requirements in relation to:

- the access to the EBA register by the various users of the register;
- the provision of information by CAs to the EBA and the validation of that information;
- the safety, availability and performance of the EBA Register;
- the responsibilities of the EBA related to the management and maintenance of the EBA register; and
- the search of information in the EBA Register and the display of the search results.

Having considered the pros and cons of various options, the EBA is proposing a technological solution that will support both manual insertion and automated transmission of information by CAs to the EBA. The manual functionality would require a member of staff of a national competent authority to log into the application of the EBA Register and manually insert or modify information. The automated functionality, by contrast, would require an application of a national public register to transmit to the application of the EBA Register the whole set of information contained in the respective national register.

In fulfilment of the mandate under Article 15(5), and after assessing the existing national practices related to the operation and maintenance of the national public registers under Directive 2007/64/EC (PSD1), the EBA has reached the conclusion that the ITS should propose to cover information about payment and electronic money institutions, exempted payment and electronic money institutions, account information service providers, agents, branches established in a Host Member State, the institutions referred to in points (4) to (23) of Article 2(5) of the Directive 2013/36/EU, and certain service providers that carry out the activities referred to in points (k)(i) and (k)(ii), and point (l) of Article 3 of the PSD2.

Finally, the ITS also specifies the precise information that needs to be inserted by CAs to the EBA register for each of the above-mentioned service providers, as well as its format.

Next steps

The consultation period will run from 24.07.2017 to 18.09.2017. The final draft RTS and ITS will be published after the end of the consultation period.

4. Background and rationale

4.1 Background

1. On 13 January 2016, Directive (EU) 2015/2366 on Payment Services in the Internal Market (PSD2) entered into force, and will apply from 13 January 2018. The PSD2 aims, *inter alia*, at enhancing transparency of the operation of payment institutions that are authorised by, or registered with, competent authorities of the Member States, and ensure high level of consumer protection in the European Union (EU), by providing for easy public access to the list of all natural and legal persons providing payment services.
2. In order to meet the above-mentioned objectives, Article 15(1) of the PSD2 requires the European Banking Authority (EBA) to “develop, operate and maintain an electronic central register that contains information as notified by competent authorities in accordance with paragraph 2 of Article 15”. The paragraph further specifies that “EBA shall make the register publicly available on its website, and shall allow for easy access to and easy search for the information listed, free of charge”.
3. Furthermore, Article 15(2) of the PSD2 imposes an obligation on competent authorities of the Member States to “notify without delay EBA of the information entered in their public registers”.
4. In support of the above provisions, Article 15 of the PSD2 entrusts the EBA with two mandates related to the establishment and operation of the electronic central register. More specifically, Article 15(4) of the PSD2 mandates the EBA to “develop draft regulatory technical standards setting technical requirements on the development, operation and maintenance of the electronic central register and on access to the information contained therein”. This paragraph further specifies that “the technical requirements shall ensure that modification of the information is only possible by competent authorities and the EBA”. Article 15(5) of the PSD2 also requires the EBA to “develop draft implementing technical standards on the details and the structure of the information to be notified in accordance with paragraph 1 of Article 15, including the common format and model in which this information is to be provided”.
5. Finally, according to Article 3(1) of Directive 2009/110/EC (EMD2), as amended by Article 111 of the PSD2, the above requirements shall also apply *mutatis mutandis* to electronic money institutions and the electronic money services they provide.

4.2 Rationale for the RTS and ITS on the EBA Register

6. In the remainder, this chapter sets out the approach the EBA has taken to develop the RTS and the ITS on the electronic central register of the EBA (EBA Register) and invites respondents to provide their views, on the EBA’s approach as well as on the resulting requirements set out below in chapter 5 and 6 of the Consultation paper. This includes a summary of the external input the EBA sought and received before starting its work and an explanation of the policy choices made and alternative options considered during the development of these Standards.

7. At the start of the process, the EBA sought input from the national competent authorities of the Member States and two EU trade associations (The Electronic Money Association and the European Payment Institutions Federation) asking them to share the experiences they have gained over the years with the national public registers established pursuant to Article 13 of the PSD1. The aim was to collect information about the content of the national public registers under the PSD1, national competent authorities' (NCAs) practices for uploading and modifying the information, and the information to be included in the NCAs' national public registers under the PSD2 and the future EBA Register.

Rationale for the draft RTS on the technical requirements for the EBA Register

8. After assessing the mandate pursuant to Article 15(4) of the PSD2, the EBA came to the conclusion that the technical requirements related to the development, operation and maintenance of the EBA Register should contain high level technical requirements related to the insertion of information in the register, including the automated transmission of information between NCAs and the EBA; the access of the different users to the register; safety, security and integrity of the information contained in the register; the recording of the information; and the search of information in the register.

Transmission of information by NCAs to the EBA

9. At the beginning of the process of developing the two technical standards, the EBA considered different approaches for transmission of information by NCAs to the EBA. In order to use its resources in the most efficient way, the EBA reached the conclusion that it would be most appropriate to use a single technological solution for the EBA Register with one common functionality for all NCAs to use. The EBA also explored potential synergies with the already existing technological solutions established by the Authority in the past, such as the EBA Credit Institutions Register. Taking into account all of the above, the EBA considered 3 different approaches for transmission of information by NCAs to the EBA:
 - a) *A manual approach*, which would require a member of the staff of a NCA to log into the application of the EBA Register and manually insert, modify or delete information in the register;
 - b) *A semi-automated approach*, which would require a member of the staff of a NCA to log in the application of the EBA Register and manually upload a standardised file. The file could be manually filled in or generated automatically by an application. For any modifications of information in the register, a member of the staff of a NCA should log into the application and manually carry out those actions;
 - c) *An automated approach*, which would allow the information contained in the EBA Register to be directly extracted from the national public registers held by the NCAs without any intervention either by NCA staff or by EBA staff.
10. After assessing those three options and the input provided by the NCAs on the level of information contained in their national public registers and the current practices for insertion and modification of information in those registers, the EBA came to the conclusion that it would not be possible to introduce a technological solution with one common functionality that will suit all NCAs. The main rationale for this decision lies in the significant difference in the number of natural and legal persons entered in the various national public registers, which varies

between 7 and 63 000 persons for 2016, as well as the divergent practices for updating the information in the national registers, ranging from several different updates per day to one update per month.

11. The manual and semi-automated approaches were considered not suitable for the NCAs which insert and modify large number of entries in their national registers because it will impose administrative burden for them and the insertion or modification of information will be prone to errors which would increase the operational risk for those NCAs.
12. The automated approach was considered not suitable for those NCAs that do not insert or modify a lot of entries in their national registers because the establishment of an interface between the application of their national registers and the EBA Register will be very costly and labour intensive.
13. Moreover, some of the NCAs, favouring the automated approach for transmission of information to the EBA wanted to retain the manual insertion and modification of information in the EBA Register as a fall-back option. Therefore, the EBA decided that the technological solution used for the purposes of the EBA Register should incorporate two separate functionalities for the transmission of information – one manual and one automated. In this regard, the EBA considered two technological solutions:
 - a) *Option 1:* an automated transmission of information based on the application-to-application principle, which will require the whole set of information contained in a national public register to be completely reloaded onto the EBA Register when new information is inserted or existing information is modified in the respective national register.
 - b) *Option 2:* an automated transmission of information which will require the application of the national public registers to transmit to the application of the EBA Register only the newly added or modified information in the national registers.

Both of those options would have an additional functionality for manual insertion and modification of information which will be identical to the manual approach described in paragraph 9.

14. The EBA assessed the two options identified on the basis of the criteria of time needed for implementation, complexity of the solution, installation and operational costs for the NCAs, maintenance cost for the EBA, quality of the information provided, and the required time for transmission of information. The EBA chose option one because it scores better across these criteria.
15. In fact, Option one was considered to be easier and quicker to implement, cheaper for both the NCAs and the EBA, and easier for the EBA to maintain. It would also guarantee that the information is transmitted from the NCAs to the EBA with a relatively short delay (a day after the information in the national registers is amended), which was considered by the EBA to be in line with Article 15(2) of the PSD2 which requires NCAs, “without delay”, to notify the EBA of the information entered in their public registers.
16. The EBA reached the conclusion that Option two is not a viable option, as it would be expensive for implementation and operation by the NCAs and the EBA, and its implementation would

require more time and significant amount of work by the NCAs related to the integration of the applications of their national registers to the application of the EBA Register after the EBA Register is established.

17. The EBA also considered a suggestion from one NCA proposing that the EBA make use of the already existing channel for collecting statistical information established between Central banks, the ECB and the EBA. It must be considered that Member States use a channel to provide information to the ECB part of which is then automatically forwarded to the EBA. After careful analysis, the EBA rejected this proposal because:
- a) The PSD2 does not introduce any obligations for the ECB related to the provision of information to the EBA Register of non-bank payment services providers. In accordance with Article 15(3) of the PSD2, only the NCAs are responsible for the accuracy of the information provided to the EBA, therefore the EBA cannot guarantee that the information transmitted to the application of the EBA Register by third parties, including the ECB, will be identical to the information provided by the NCAs themselves;
 - b) The scope of information currently collected by the ECB from Central banks is different from the information that will be collected by EBA for the purposes of the EBA Register. This will require the ECB to introduce changes to the existing data collection application which might not be able to take effect before the application date of the PSD2;
 - c) The EBA will be dependent on third parties in the process of operation of its electronic central register;
 - d) The CAs which will provide information to the EBA for the purposes of the PSD2 might not be the same authorities which provide statistical information to the ECB.

Q1. Do you agree with the option the EBA has chosen regarding the transmission of information by NCAs to the EBA? If not, please provide your reasoning.

Search of information in the EBA Register

18. The EBA also assessed the different search criteria to be included in the EBA Register. These criteria aim at allowing the users of the register to be able to efficiently search and navigate through the information in the register. They also try to fulfil the following objectives of the PSD2 related to the EBA Register – namely, to increase transparency of the operation of the non-bank payment service providers and facilitate the cooperation between competent authorities. The EBA considered the following search criteria:
- a) the type of natural or legal person;
 - b) the name of the natural or legal person;
 - c) the national identification number of the natural or legal person;
 - d) the name of the responsible competent authority;
 - e) the country where the natural or legal person is established;

- f) the city where the natural or legal person is established;
 - g) the payment and electronic money services provided.
 - h) The Host Member State in which the authorised or registered payment institution, electronic money institution or account information service provider provides payment services or has notified its intention to provide payment services.
19. These search criteria aim at identifying individual non-bank PSPs, the non-bank PSPs which provide services in a specific location, the non-bank PSPs which provide a particular payment service, and the non-bank PSPs authorised or registered by a specific competent authority. The EBA Register will allow different combinations of the search criteria to be applied for more refined search results.
 20. The EBA considered that the search results should contain only the most important information related to the respective non-bank PSPs, such as the name and type of the natural or legal person, the country and city where it is established and the services it provides. This will allow the users of the EBA Register to navigate through the displayed information more easily. In case the users of the register want to see further details about a natural or legal person, they will be able to do so by clicking on the name of the respective person.
 21. A suggestion conveyed to the EBA by some NCAs and the two trade associations was to make the EBA Register “machine readable”, which would allow the applications of account servicing payment service providers, payment institutions, account information service providers and other interested parties to extract automatically information from the application of the EBA Register for the identification of these payment service providers for the purposes of the RTS on Strong Customer Authentication and Common and Secure Communications (RTS on SCA and CSC) (EBA/RTS/2017/02).
 22. The EBA assessed the case for and against the introduction of such functionality, but concluded that it is not desirable since the marginal added value will be less than the cost incurred by the EBA. In fact, the “machine readable” functionality would require a separate interface just for the purposes of the RTS on SCA and CSC which would increase significantly the cost of the implementation and operation of the EBA Register for the EBA.
 23. The applicable legal basis also does not explicitly require the EBA to develop the “machine readable” functionality. The PSD2 stays silent on this issue. The objectives of the Directive also do not imply that the EBA should take into consideration the identification of the different PSPs to be performed in an automated way. Furthermore, Article 29(2) of the RTS on SCA and CSC refers to a verification of the authorisation of the PSPs in the national public register pursuant to Article 14 of the PSD2 or under Article 8 of Directive 2013/36/EU (CRD IV) in accordance with Article 20 of that Directive, rather than the central registers operated by the EBA.
 24. Lastly, the EBA Register will allow PSPs and other interested parties to download the requested information from the register manually.

Q2. Do you agree with the proposed criteria and functionalities related to the search of information in the EBA Register? If not, please provide your reasoning.

Non-functional requirements of the EBA Register

25. Chapter 3 of the RTS specifies the non-functional requirements related to the operation of the EBA Register. For the EBA Register to operate in a safe and efficient way, several high level non-functional requirements were introduced in the draft RTS. These requirements are related to the safety of the register, its availability and performance, the maintenance of the register and its audit trail. These requirements should ensure that:
- a) the information contained in the register is safely stored and backed-up;
 - b) the EBA register is accessible to the general public;
 - c) the performance of the EBA register is stable independently of the volume of the information contained;
 - d) the EBA provides support to NCAs on the operation of the EBA Register;
 - e) the application of the EBA Register records properly all the information contained in the register at any given time and the actions performed by the NCA users or the applications acting on behalf of NCAs.
26. With regard to the performance and the availability of the EBA Register, EBA considered introducing indicative numbers of the separate entries that are expected to be uploaded by the NCAs in the EBA Register when it starts operating, and the expected increase in the volume of this information over time. EBA took into account that the number of the natural or legal persons entered in the national registers might change over time while EBA is developing the two technical standards and the EBA Register itself. Therefore, EBA decided to keep the availability and performance requirements at a high level of generality establishing that the EBA register will accommodate the initial set of data currently existing in the national public registers.
27. In relation to the changes in the volume of the data in the EBA Register, the EBA received information from the NCAs about the number of the natural or legal persons made publicly available in the national registers, which is around 150 000, and the different changes in the total number of these persons in the last three years. The highest increase observed between two consecutive years was around 25 % or 20 000 persons at that time. Nonetheless, the EBA observed that the changes between the years vary significantly and, therefore, a common indicative trend cannot be established.
28. Furthermore, the EBA was not able to collect reliable data on the number of natural and legal persons who have changed their authorisation or registration from one Member State to another Member State, the number of natural and legal persons who had their authorisation or exemption withdrawn, and the number of agents removed from the national public registers. Therefore, the EBA decided not to include any indicative numbers of the expected increase of natural and legal persons which will be included in the EBA Register.

Q3. Do you agree with the proposed non-functional requirements related to the operation of the EBA Register? If not, please provide your reasoning.

Rationale for the draft ITS on the information contained in the EBA Register

Natural and legal persons within the scope of the mandate

29. The scope of the mandate under Article 15(5) of the PSD2 provides that the persons that are to be included in the future EBA Register are all the natural and legal persons listed in Article 14 of the PSD2, and also
 - a) the legal persons providing electronic money services to which Article 111(1)(a) of the PSD2 applies, and
 - b) the natural and legal persons carrying out either of the activities referred to in points (k)(i) and (k)(ii) and point (l) of Article 3 of the PSD2, which have notified their national competent authorities in accordance with the requirements of Article 37(2) and (3) of the PSD2.
30. The EBA considered that, pursuant to Article 111(1)(a) of the PSD2, amending the EMD2, Article 14 and 15 of the PSD2 shall apply *mutatis mutandis* to electronic money institutions. Electronic money institutions, their agents and branches, will therefore need be included in the EBA Register. Given that the PSD2 provides that exempted payment institutions under Article 32 of the PSD2 are to be included in the EBA Register pursuant to the requirements of Article 14(1)(b) of the PSD2, the *mutatis mutandis* principle under Article 111(1)(a) of the PSD2 applies also to waived (exempted) electronic money institutions under Article 9 of the EMD2, and their agents.
31. Relatedly, the service providers carrying out either of the activities referred to in points (k)(i) and/or (k)(ii) or point (l) of Article 3 of the PSD2, which have notified their national competent authority in accordance with the requirements of Article 37(2) and (3) of the PSD2, will also have to be entered in the EBA Register. This is because Article 37(5) of the PSD2 requires the description of the activities of these service providers to be publicly available in the national public registers under Article 14 of the PSD2 and the EBA Register under Article 15 of the PSD2.
32. Given the above, the following natural and legal persons will need to be notified by the NCAs to the EBA and entered in the EBA register:
 - a) authorised payment institutions and their agents;
 - b) branches of payment institutions which are established and provide payment services in a Member State other than their home Member State;
 - c) exempted payment institutions under Article 32 of the PSD2 and their agents;
 - d) account information service providers under Article 33 of the PSD2 and their agents;
 - e) branches of account information service providers which are established and provide payment services in a Member State other than their home Member State;
 - f) the institutions referred to in points (4) to (23) of Article 2(5) of the CRD IV that are entitled under national law to provide payment services and their branches;
 - g) authorised electronic money institutions and their agents;

- h) branches of electronic money institutions which are established and provide payment and electronic money services in a Member State other than their home Member State;
 - i) exempted electronic money institutions under Article 9 of the EMD2 and their agents;
 - j) service providers that carry out the activities referred to in points (k)(i) and (k)(ii), and point (l) of Article 3 of the PSD2, which have notified their national competent authorities in accordance with the requirements of Article 37(2) and (3) of the PSD2.
33. Based on the external input and suggestions received at the beginning of the policy development process, the EBA also assessed whether credit institutions that provide payment initiation services and account information services shall be included in the EBA Register. The EBA concluded that the mandate under Article 15(5) the PSD2 is limited to payment and electronic money institutions and that the EBA is therefore legally not able to add credit institutions to the register and to require NCAs to provide information for them.
34. Another suggestion conveyed to the EBA was the proposal that the EBA Register should be designed in such a way that it can be used for the purposes of Article 29 of the RTS on SCA and CSC, so that qualified trust service providers will be able to identify properly all TPPs, including credit institutions, to whom they are requested to issue qualified certificates for electronic seals, and account servicing payment service providers will be able to check the credentials of these TPPs.
35. The EBA assessed this proposal but again concluded that it has no legal basis to do so for credit institutions providing payment initiation and account information services. Furthermore, Article 29(2) of the RTS on SCA and CSC refers to a verification of the authorisation numbers of the different payment service providers in the public register of the home Member State pursuant to Article 14 of the PSD2 or resulting from the notifications of every authorisation granted under Article 8 of the CRD IV in accordance with Article 20 of that Directive.
36. The EBA was also approached with the suggestion to include distributors of electronic money in the EBA Register. After assessing the request, the EBA concluded that Article 111(1) of the PSD2, which amends the EMD2, does not specify that Article 14 and 15 of the PSD2 shall apply *mutatis mutandis* to natural and legal persons that distribute and redeem electronic money on behalf of electronic money institutions. The EBA has therefore also no legal mandate to require national competent authorities to hold such information in their national registers or to make it available to the EBA.

Q4. Do you agree with the way how the EBA proposes to fulfil the mandate in terms of the natural and legal persons that will need to be included in the future EBA Register? If not, please provide your reasoning.

Details of the information pertaining to the natural and legal persons contained in the EBA Register

37. Having assessed the information provided by the NCAs at the beginning of the policy development process, the EBA observed that the granularity of information pertaining to the

persons included in the national public registers under the PSD1 varies significantly among NCAs. Some of the public registers contain very detailed information, while others contain only the minimum mandatory information required by the PSD1. Taking this into account, the following options were considered regarding the level of detail of information contained in the future EBA register for the various natural and legal persons entered therein:

- a) to have more detailed information about the various natural and legal persons contained in the future EBA Register, meaning that some of the information will be optional for the NCAs;
- b) to have less detailed information about the various natural and legal persons contained in the future EBA Register all provided on a mandatory basis.

38. After assessing the respective advantages and disadvantages, the EBA concluded that Option B was the preferred option, because it fulfils the mandate under Article 15(5) of the PSD2, which provides that the EBA can include in its register only information provided by the NCAs included in their national public registers. This also prevents the EBA from imposing additional information requirements not provided for by the PSD2 itself. Option B would also guarantee that the information provided to the EBA and entered in the EBA Register is consistent among the different Member States. Furthermore, it would also introduce the same level of transparency and level playing field for all payment and electronic money institutions, their agents and branches, irrespective of the Member State in which they operate.

Q5. Do you agree with the option the EBA has chosen regarding the detail of information for the natural and legal persons that will be contained in the future EBA Register? If not, please provide your reasoning.

39. After choosing the option mentioned above, the EBA needed to specify what type of information will need to be included in the register for each natural and legal person. To that end, the EBA took into account Article 14 of the PSD2; and the objectives of the PSD2 related to the EBA Register aiming at enhancing the transparency of the operations of payment institutions, ensuring a high level of consumer protection and enhancing the cooperation between the competent authorities, while at the same time not imposing additional requirements requesting competent authorities to amend their current practices related to the national public registers.

40. The information for payment institutions, account information service providers and electronic money institutions to be included in the EBA register will cover:

- a) the name of the institution,
- b) the address of the head office,
- c) the national identifier used in the respective national public register,
- d) the payment and electronic money services provided,
- e) the authorisation/registration status,
- f) the name of the competent authority by which the PI is authorised, and

- g) information about the Host Member States where the institutions provides cross-border services.
41. The EBA also assessed the status of branches of payment institutions that are established in a Host Member State and concluded that they cannot be introduced as a separate type of natural or legal person, because they are part of the institution itself. In the Technical Standards proposed in this CP, the name and the address of these branches therefore forms part of the information related to the respective payment institution, account information service provider or electronic money institution.
42. The EBA also assessed the case for and against including in the EBA Register information about the contact details of these institutions, such as email address and telephone number; the dates of authorisation/registration, which would include the initial date of authorisation/registration or of each additional service; the addresses of the branches and offices of the institutions in their Home Member State; and the services provided by the respective institution in the Host Member States. However, the EBA reached the conclusion that the national practices between competent authorities differ significantly and the above-mentioned information is not consistently collected by the competent authorities or equally published in the national public registers and cannot be included in the EBA Register. In addition, for the services provided in the Host Member States, the EBA considered that this information cannot be presented in a user-friendly manner due to its large volume.
- Q6. Do you agree with the EBA that the contact details, dates of authorisation/registration, and the services provided in the Host Member States, should not be included in the EBA register? If not, please provide your reasoning, which should also include the benefits for payment service users and other interested parties of having this information in the EBA Register.**
43. Article 37(5) of the PSD2 provides that the national public registers and the EBA register should make publicly available the description of the notified activities of those service providers that are excluded from the scope of the PSD2 when carrying out an activity referred to in points (i) and/or (ii) of point (k) or point (l) of Article 3 of the PSD2.
44. When assessing the mandate and the information that should be included in the EBA Register, EBA considered that, in order to avoid regulatory arbitrage across the different Member States and fulfil the objective of the PSD2 to bring transparency to the payment service market in the EU and ensure high level of consumer protection, the service providers excluded from the scope of the PSD2 should be easily identified in the EBA Register. Therefore, the EBA introduced additional requirements on the information provided by the competent authorities to the EBA for these service providers.
45. This information includes the name of the service provider, the address of the head office, the national identifier used in the respective national public register, the name of the responsible competent authority, the exclusion under which the service provider carries out activities and the current registration status.

46. The EBA is also of the view that the description of the activities of the service providers excluded from the scope of the PSD2 should be harmonised in the Member States. The EBA is aware that this is an issue related to the transposition of the PSD2. The only option available to the EBA when drafting the ITS was to include a reference in the recitals of the ITS standardising the relevant information.

Q7. Do you agree with the extension of the information for the service providers excluded from the scope of the PSD2 that will be entered in the EBA register? If not, please provide your reasoning.

47. Article 9 of the ITS specifies the information on agents of payment institutions, exempted payment institutions, account information service providers, electronic money institutions and exempted electronic money institutions to be included in the EBA register, which will cover:
- a) the name of the agent;
 - b) the address of the agent;
 - c) the name of the person on behalf of which the agent provides payment services;
 - d) the national identifier of the person on behalf of which the agent provides payment services;
 - e) the national identifier of the agent;
 - f) the name of the responsible competent authority.
48. The EBA assessed the case for and against including in the information the payment services which the agent provides on behalf of the respective payment institution, exempted payment institution, account information service provider, electronic money institution and exempted electronic money institution. However, the EBA reached the conclusion that the national practices among competent authorities differ significantly and this information is not consistently collected by the competent authorities or published in the national public registers. In addition, the EBA considered that in most cases the agent provides the whole set of payment services for which the respective payment service provider is authorised or registered, information which will already be present in the EBA register.

Q8. Do you agree with the scope of the information on agents of payment institutions, exempted payment institutions, account information service providers, electronic money institutions and exempted electronic money institutions to be included in the EBA register? If not, please provide your reasoning.

5. Draft regulatory technical standards setting technical requirements on development, operation and maintenance of the electronic central register and on access to the information contained therein, under Article 15(4) of Directive (EU) 2015/2366 (PSD2)

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[...]

supplementing Directive (EU) 2015/2366 of the European Parliament and of the Council with regard to regulatory technical standards for setting technical requirements on development, operation and maintenance of the electronic central register and on access to the information contained therein

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC¹ and in particular the third subparagraph of Article 15(4) thereof,

Whereas:

- (1) Pursuant to Article 15(1) of Directive (EU) 2015/2366, the EBA (European Banking Authority) is required to develop, operate and maintain an electronic central register that contains information as notified by the competent authorities in accordance with paragraph (2) of Article 15 of Directive (EU) 2015/2366.
- (2) In order to ensure that the information contained in the electronic central register is accurately presented, the EBA should ensure that the insertion or modification of information is being carried out in a secure manner. To that end, the EBA should grant personal access to the application of the register to members of the staff of the competent authorities. EBA and the competent authorities which have decided to insert information in the electronic central register automatically should ensure that safe and proportionate encryption techniques are used.
- (3) Given it is necessary that the electronic central register of the EBA contains standardised information for all non-bank payment service providers established in the European Union, presented in the same format, the application of the register should, therefore, perform data validation before any inserted or modified information by the competent authorities has been made publicly available.
- (4) With the view to ensuring the integrity of the information contained in the electronic central register, the EBA should guarantee that the information is safely stored and any inserted or modified information has been properly recorded.
- (5) In order to allow payment service users and other interested parties to use the electronic central register efficiently, it is necessary that the application of the register be developed in a

¹ OJ L 337, 23.12.2015, p. 35.

way that guarantees it would operate in a reliable manner and be accessible without interruptions.

- (6) It is desirable that the users of the electronic central register be able to efficiently search the information in the register through different search criteria and be able to download the results of the conducted searches.
- (7) This Regulation is based on the draft regulatory technical standards submitted by the EBA to the Commission.
- (8) EBA has conducted open public consultations on the draft regulatory technical standards on which this Regulation is based, analysed the potential related costs and benefits and requested the opinion of the Banking Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 1093/2010².

HAS ADOPTED THIS REGULATION:

CHAPTER 1

GENERAL PROVISIONS

Article 1- Subject matter

This Regulation lays down technical requirements on the development, operation and maintenance of the electronic central register of the EBA, including the requirements for access and provision of information by the competent authorities of the Member States to the electronic central register of the EBA.

Article 2 – Definitions

For the purposes of this Regulation, the following definitions apply:

- a) “CA user” – means the staff of the competent authorities responsible for manually inserting and modifying information in the register.
- b) “national identifier” – means a unique means of identification of natural and legal persons in the national public registers.
- c) “users of the register” – means all CA users and public users of the electronic central register of the EBA.

Article 3 – Type of information

The electronic central register of the EBA shall contain information in accordance with the requirements set out in the Commission implementing regulation (EU) No .../... (the ITS on the EBA Register).

² Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC (OJ L 331, 15.12.2010, p. 12).

Article 4 – CA users of the register

1. Each competent authority shall appoint at least one member of the staff who shall be responsible for inserting and modifying information manually in the electronic central register of the EBA.
2. Competent authorities shall notify the EBA of the identity of the persons referred to in paragraph (1).

Article 5 – Management of the register

EBA shall be responsible for managing the list of CA users, providing the authentication details to CA users, and providing support to the competent authorities.

Article 6 – Access by CA users

1. The application of the electronic central register of the EBA shall be accessed by the CA users by using a two-factor authentication.
2. EBA shall provide a default username and password and the other security credentials to the persons referred to in paragraph (1) of Article 4 for accessing the application of the electronic central register of the EBA.
3. The CA users shall change their default username and password at their first log-in into the application of the electronic central register of the EBA.
4. The application of the electronic central register of the EBA shall ensure that the authentication method applied allows the identification of each individual CA user.
5. The application of the electronic central register of the EBA shall not allow information in the register to be inserted or modified by persons who do not have access to the application of the register and/or who do not have the appropriate permissions to do so.

Article 7 – Public users

1. Public users of the electronic central register of the EBA shall be payment service users and other interested parties, who access the electronic central register through the website of the EBA.
2. Public users shall be able to access the electronic central register of the EBA without using access credentials.
3. The access of public users to the electronic central register of the EBA shall allow them only to read, search and download the information contained in the register.

CHAPTER 2

PROVISION OF INFORMATION BY COMPETENT AUTHORITIES TO THE EBA

Article 8 – Provision of information by competent authorities to the EBA

1. Competent authorities shall provide to the EBA the information that will be contained in the electronic central register of the EBA manually via a web user interface or automatically via an application to application interface.
2. Competent authorities shall notify the EBA about their preferred approach for provision of information under paragraph 1.

Article 9 – Manual insertion and modification of information

1. Competent authorities which have decided to provide information to the EBA manually shall insert or modify information for their respective Member States in the web application of the electronic central register of the EBA. The information shall be entered in the format specified in the Commission implementing regulation (EU) No .../... (the ITS on the EBA Register).
2. The manually inserted or modified information in the electronic central register of the EBA shall be made publicly available in the register after it has been validated in real time by the application of the register.
3. When manually inserted or modified information fails to be validated by the application of the electronic central register of the EBA, the information shall be rejected and not be made publicly available. The CA user shall insert or modify the corrected information once again.

Article 10 – Automated provision of information

1. Competent authorities which have decided to provide information to the EBA automatically shall transmit information directly from the applications of their national registers to the application of the electronic central register of the EBA.
2. EBA and the competent authorities shall ensure that secure encryption is applied between the two applications throughout the transmission of information in order to safeguard the integrity of the information, using strong and widely recognised encryption techniques.
3. Competent authorities shall transmit to the EBA in a single batch file with a common structured format the whole set of information set out in the Commission implementing regulation (EU) No .../... (the ITS on the EBA Register) contained in their national registers.
4. The format of the batch file referred to in paragraph 3 shall be “xml”.
5. EBA shall process automatically transmitted batch files once a day.
6. The automatically transmitted information to the electronic central register of the EBA shall be made publicly available in the register after it has been validated by the application of the register. All information previously transmitted or manually inserted by a competent authority which is publicly available in the electronic central register of the EBA shall be replaced by the newly transmitted information by that competent authority.
7. When automatically transmitted information fails to be validated by the application of the electronic central register of the EBA, the whole set of information contained in the batch file shall be rejected and not made publicly available in the electronic central register of the EBA.
8. In emergency situations, the competent authorities which have decided to provide information to the EBA automatically shall be able to manually provide information to the EBA upon prior notification to the EBA.

Article 11 – Validation of information

1. The application of the electronic central register of the EBA shall perform validation on the information provided by competent authorities to the EBA in order to avoid any missing information or duplication.
2. In order to avoid any missing information, the application of the electronic central register of the EBA shall perform data validation on the fields filled in or provided by the competent authorities to the EBA.
3. In order to avoid duplication of the information, the application of the register shall perform data validation on the following fields:

- (a) the national identifier and the type of natural or legal person for payment institutions, exempted payment institutions, account information service providers, electronic money institutions, exempted electronic money institution, the institutions referred to in points (4) to (23) of Article 2(5) of Directive 2013/36/EU and the persons with withdrawn authorisation, registration or exemption;
 - (b) the national identifier of the agent and the national identifier of the natural or legal person on behalf of which the agent provides payment services for agents of payment institutions, exempted payment institutions, account information service providers, electronic money institutions and exempted electronic money institutions;
 - (c) the national identifier of the service provider and the exclusion under which it carries out activities for service providers excluded from the scope of Directive (EU) 2015/2366.
4. When a natural or legal person, which has agents providing payment services on its behalf, has its status of authorisation or registration changed from “authorised” or “registered” to “withdrawn”, the application of the electronic central register of the EBA shall not perform data validation on the agents linked to the withdrawn person.
 5. Competent authorities which have decided to provide information to the EBA manually shall, receive a response from the application of the electronic central register of the EBA about the outcome of the data validation process in real time.
 6. Competent authorities which provide information to the EBA automatically shall receive a response from the application of the electronic central register of the EBA about the outcome of the data validation process of the whole batch file not later than the beginning of the next business day after the information has been automatically provided by the competent authority to the EBA. The competent authority shall transmit a corrected or updated file with the whole set of information without undue delay.
 7. The outcome of the data validation process under paragraphs (6) and (7) shall be communicated by the EBA to the competent authorities in a clear and unequivocal way. When the provision of information fails the validation process, the EBA shall include in its response to the competent authorities all the reasons for the rejection.
 8. Competent authorities shall notify the EBA about the types of national identifiers and their format which competent authorities use in their national public registers and which the EBA shall use for validation purposes.
 9. The application of the electronic central register of the EBA shall not allow competent authorities to insert a natural or legal person more than once for the same type of natural or legal person.
 10. The application of the electronic central register of the EBA shall allow competent authorities to insert an agent more than once in the register if the agent provides payment services on behalf of more than one natural or legal person. Each insertion shall be treated as a separate record.

Article 12 – Information for agents and branches

1. EBA and the competent authorities shall ensure that branches inserted in the electronic central register of the EBA are linked to the natural or legal person to which the branch belongs to.
2. EBA and the competent authorities shall guarantee that agents inserted in the electronic central register of the EBA are linked to the natural or legal person on behalf of which they provide payment services.
3. When a natural or legal person, which has agents providing payment services on its behalf, has its status of authorisation or registration changed from “authorised” or “registered” to

“withdrawn”, the status of the agents linked to the withdrawn institution shall also be changed from “active” to “inactive”.

Article 13 – Responsibility of competent authorities

1. Competent authorities shall be responsible for the information manually filled in or automatically provided to the application of the electronic central register of the EBA about the natural or legal persons authorised or registered by them, as well as the agents and excluded service providers listed in their national public registers.
2. The application of the EBA Register shall allow CA users and applications to insert or modify the information for which their respective competent authority is responsible.
3. Competent authorities shall not be able to modify the information for which other competent authorities are responsible for.
4. Competent authorities shall not be able to insert information for payment institutions, exempted payment institutions, agents of exempted payment institutions, account information service providers, the institutions referred to in points (4) to (23) of Article 2(5) of Directive 2013/36/EU, electronic money institutions, exempted electronic money institutions, agents of exempted electronic money institutions, and excluded service providers, established in another Host Member State.

CHAPTER 3

NON-FUNCTIONAL REQUIREMENTS

Article 14 – Safety requirements

1. The application data of the electronic central register of the EBA shall be backed up and the backup copies shall be stored for disaster recovery.
2. In case any security issues are detected, the EBA shall be able to shut down the application of the electronic central register of the EBA and prevent any access to the server immediately.
3. The application of the electronic central register of the EBA shall be able to recover itself from crashes without undue delay and to continue its normal operation.
4. In case the application of the electronic central register of the EBA is down and cannot process batch files transmitted by the competent authorities, the application of the register shall process the last files which were transmitted by each competent authority, when it restores its normal operation.

Article 15 – Availability and performance

1. The electronic central register of the EBA shall be able to accommodate the initial set of data currently existing in the public registers maintained by the competent authorities.
2. The application of the electronic central register of the EBA shall be able to accommodate increase in the volume of the information received by competent authorities.
3. The electronic central register of the EBA shall be with high level of availability.

Article 16 – Maintenance and support

1. EBA shall monitor the operation of the application of the register, analysing its performance and, where necessary, inducing changes to the application in compliance with the provisions of this Regulation.

2. EBA shall provide support to the competent authorities related to the operation of the electronic central register of the EBA by introducing a functionality in the application of the register for competent authorities to submit a query. EBA shall respond to the queries without undue delay within the working hours of the EBA business days.
3. EBA shall provide a testing environment to competent authorities which have decided to provide information to the EBA automatically and support for this technical environment.

Article 17 – Audit trail

1. The electronic central register of the EBA shall allow recording of all the information transmitted by competent authorities to the EBA.
2. The electronic central register of the EBA shall allow recording of all automated or manual actions performed by the applications of the national public registers or by the CA users respectively, as well as the time when these actions were performed.
3. EBA shall be able to access the audit trail of the information contained in the register and all actions performed by the applications of the national public registers or by the CA users.
4. EBA shall be able to extract reports from the audit trail which allow it to monitor and interpret the information transmitted by the competent authorities.

CHAPTER 4

SEARCH OF INFORMATION

Article 18 – Search of information

1. The electronic central register of the EBA shall allow users of the register to search information in the register through different search criteria including:
 - (a) The type of natural or legal person;
 - (b) The name of the natural or legal person;
 - (c) The national identifier of the natural or legal person;
 - (d) The name of the responsible competent authority;
 - (e) The country where the natural or legal person is established;
 - (f) The city where the natural or legal person is established;
 - (g) The payment and electronic money services provided;
 - (h) The Host Member State in which the authorised or registered payment institution, electronic money institution or account information service provider provides payment services or has notified its intention to provide payment services.
2. The electronic central register of the EBA shall perform the search of information when at least one of the search criteria is filled in.
3. The electronic central register of the EBA shall allow users of the register to use any combination of the criteria specified in paragraph (1) while conducting their search of information.
4. The electronic central register of the EBA shall allow users of the register to select the information in items (a), (d), (e), (g) and (h) of paragraph (1) from a drop-down menu.

Article 19 – Search results

1. The electronic central register of the EBA shall display the search results for all natural and legal persons which meet the search criteria filled in by the user of the register.
2. The information displayed for the natural and legal persons shall include:
 - (a) The name of the person;
 - (b) The country where they are established;
 - (c) The city where they are established;
 - (d) The type of natural or legal person;
 - (e) The payment and electronic money services provided.
3. When selecting the name of a natural or legal person from the displayed search results, the information specified in the Commission implementing regulation (EU) No .../... (the ITS on the EBA Register) shall be displayed for the respective person.
4. Agents shall be displayed both as a separate record and as part of the record of the natural or legal person on behalf of which they provide payment services.
5. The user of the register shall be able to download the search results under paragraph (2) and the information displayed for each natural or legal person under paragraph (3) and (4) in a separate file.
6. EBA shall accurately display in the electronic central register of the EBA the information provided by the competent authorities and ensure that the information displayed is complete.

CHAPTER 6

FINAL PROVISIONS

Article 20 – Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission
The President

[For the Commission
On behalf of the President

[Position]

6. Draft implementing technical standards on the details and structure of the information entered by competent authorities in their public registers and notified to the EBA under Article 15(5) of Directive (EU) 2015/2366 (PSD2)

COMMISSION IMPLEMENTING REGULATION (EU) No .../... laying down implementing technical standards with regard to on the details and structure of the information entered by competent authorities in their public registers and notified to the EBA, including the common format and model in which this information is to be provided according to Directive (EU) 2015/2366 of the European Parliament and of the Council

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC³ and in particular the third subparagraph of Article 15(5) thereof,

Whereas:

- (1) With the view to enhancing transparency in the payments market, a central register containing the list of all non-bank payment services providers, including their agents and branches, should be established and operated by the European Banking Authority (EBA). The information contained in the register should allow payment service users and other interested parties to easily and unequivocally identify each natural or legal person entered in the register and the territory in which it conducts or intends to conduct activities. They should also be able to identify the payment and electronic money services provided by the non-bank payment services providers.
- (2) The electronic central register of the EBA should also include service providers excluded from the scope of the PSD2 (Directive (EU) 2015/2366) carrying out an activity referred to in in points (i) and (ii) of point (k) and point (l) of Article 3 of Directive (EU) 2015/2366 and that have notified their respective competent authority pursuant to Article 37(2) or Article 37(3) of the PSD2. The information contained in the register about these service providers should, among other things, include a short description of their activities, as provided by competent authorities, which should provide information on the underlying payment instrument used and a general description of the provided service to ensure a consistent interpretation of these exclusions throughout the European Union.
- (3) Given it is necessary to ensure high level of consumer protection, the information contained in the central register should be presented in a clear, unambiguous and not misleading way in order to be easily understood by the users of the register. The presentation of the information contained in the register should take into account the national language specificities.
- (4) In order to ensure uniform provision of information, a standardised format of the information contained in the electronic central register should be introduced and made available for competent authorities to use when inserting information in the application of the electronic central register of the EBA.

³

OJ L 337, 23.12.2015, p. 35.

- (5) This Regulation is based on the draft implementing technical standards submitted by the EBA to the Commission.
- (6) EBA has conducted open public consultations on the draft implementing technical standards on which this Regulation is based, analysed the potential related costs and benefits and requested the opinion of the Banking Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 1093/2010.

HAS ADOPTED THIS REGULATION:

Article 1 - Subject matter and scope

This Regulation lays down uniform requirements on the information that competent authorities of the Members States shall insert in the application of the electronic central register of the EBA.

Article 2 - Definitions

For the purposes of this Regulation, the following definitions apply:

- a) ‘exempted payment institution’ means a natural or legal person benefiting from an exemption pursuant to Article 32 of Directive (EU) 2015/2366;
- b) ‘exempted electronic money institutions’ means a legal person benefiting from an exemption pursuant to Article 9 of Directive 2009/110/EC;
- c) ‘excluded service provider’ means a service provider excluded from the scope of Directive (EU) 2015/2366 carrying out:
 - either of the services based on specific payment instrument that can be used only in a limited way, that meet one of the conditions under points (i) and (ii) of point (k) of Article 3 of Directive (EU) 2015/2366 or carrying out both activities; or
 - payment transactions provided by a provider of electronic communication networks or services provided in addition to electronic communication services for a subscriber to the network or service pursuant to point (l) of Article 3 of Directive (EU) 2015/2366;
 and that has notified their respective competent authority pursuant to Article 37(2) or Article 37(3) of Directive (EU) 2015/2366;
- d) ‘national identifier’ means a unique means of identification of natural and legal persons in the national public registers.

Article 3 - Natural and legal persons included in the register

The electronic central register of the EBA shall contain information about the following natural and legal persons:

- a) payment institutions;
- b) branches of payment institutions providing services in a Member State other than their home Member State;
- c) agents of payment institution, which provide payment services in the payment institution’s home Members State or in a Member State other than its home Member State;
- d) exempted payment institutions;

- e) agents of exempted payment institution, which provide payment services in the exempted payment institution's home Member State;
- f) account information service providers;
- g) branches of account information service providers providing services in a Member State other than their home Member State;
- h) agents of account information service provider;
- i) the institutions referred to in points (4) to (23) of Article 2(5) of Directive 2013/36/EU, if they are entitled under national law to provide payment services;
- j) electronic money institutions;
- k) branches of electronic money institutions providing services in a Member State other than their home Member State;
- l) agents of electronic money institutions, which provide payment services in their home Member State or Member State other than their home Member State;
- m) exempted electronic money institutions;
- n) agents of exempted electronic money institutions, which provide payment services in the exempted electronic money institution's home Member State;
- o) excluded service providers.

Article 4 - Information on payment institutions

Where competent authorities notify the EBA of the information on payment institutions contained in their respective national public registers, they shall provide the information in the format specified in Table 1 of the Annex I.

Article 5 - Information on exempted payment institutions

Where competent authorities notify the EBA of the information on exempted payment institutions contained in their respective national public registers, they shall provide the information in the format specified in Table 2 of the Annex I.

Article 6 - Information on account information service providers

Where competent authorities notify the EBA of the information on account information service providers contained in their respective national public registers, they shall provide the information in the format specified in Table 3 of the Annex I.

Article 7 - Information on electronic money institutions

Where competent authorities notify the EBA of the information on authorised electronic money institutions contained in their respective national public registers, they shall provide the information in the format specified in Table 4 of the Annex I.

Article 8 - Information on exempted electronic money institutions

Where competent authorities notify the EBA of the information on exempted electronic money institutions contained in their respective national public registers, they shall provide the information in the format specified in Table 5 of the Annex I.

Article 9 - Information on agents of payment institutions, exempted payment institutions, account information service providers, electronic money institutions and exempted electronic money institutions

Where competent authorities notify the EBA of the information on agents of domestic payment institutions, account information service providers and electronic money institutions, which provide payment services in their home Member State or Member State other than their home Member State, and domestic agents of exempted payment institutions and exempted electronic money institutions contained in their respective national public registers, the competent authorities shall provide the information in the format specified in Table 6 of the Annex I.

Article 10 - Information on institutions referred to in points (4) to (23) of Article 2(5) of Directive 2013/36/EU

Where competent authorities notify the EBA of the information on institutions referred to in points (4) to (23) of Article 2(5) of Directive 2013/36/EU that are entitled under national law to provide payment services contained in their respective national public registers, they shall provide the information in the format specified in Table 7 of the Annex I.

Article 11 - Information on excluded service providers

Where competent authorities notify the EBA of the information on service providers excluded from the scope of Directive (EU) 2015/2366 contained in their respective national public registers, they shall provide the information in the format specified in Table 8 of the Annex I.

Article 12 – Entry into force

This Regulation shall enter into force on the the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

*For the Commission
The President*

On behalf of the President

[Position]



ANNEX I

Tables with the format of the information under Articles 4 – 11

Table 1 - Format of the information on payment institutions

	Field	Maximum length of the field	Format
1	Type of natural or legal person	Text (18 characters)	Pre-defined option – ‘Payment institution’
2	Name of the payment institution	Text (250 characters)	The name of the payment institution should be entered in free text using any of the following language character sets - Hellenic Alphabet, Cyrillic and Latin. The name of the institution should be provided in the national language of the respective Member State. Countries that use the Hellenic Alphabet or Cyrillic script should also provide either a transcription of the institution’s name into the Latin alphabet, or a translation or an alternative name of the institution in another language based on the Latin alphabet. In countries where there is more than one official national language, all official names of the institution must be entered. The names must be separated by a ”/” character.
3	Address of the payment institution’s head office		The address of the payment institution’s head office should be entered in free text using any of the following language character sets - Hellenic Alphabet, Cyrillic and Latin. The address should be provided in the national language of the respective Member State. Countries that use the Hellenic Alphabet or Cyrillic script should also provide a transcription into the Latin alphabet or a common English name. In countries where there is more than one official national language, the address should be provided in at least one official language of the jurisdiction. In case the address is provided in more than one official national language, they should be separated by a ”/” character.
3.1.	Country	Text (2 characters)	The Member State of the EU and the other EEA countries shown by the ISO country codes: AT, BE, BG, HR, CY, CZ, DK, EE, FI, FR, DE, EL, HU, IS, IE, IT, LV, LI, LT, LU, MT, NL, NO, PL, PT, RO, SK, SI, ES, SE, UK.
3.2.	City	Text (70 characters)	
3.3.	Address	Text (50 characters per address line)	
3.4.	Post code	Text (35 characters)	
4	National identifier of the payment institution	Alphanumeric (50 characters)	National identification number for natural and legal persons used in the respective Member State. Legal entity identifier is a code that allows to uniquely identifying legally distinct entities that engage in financial transactions. Authorisation number is a number or code appointed to an authorised payment institution by the respective competent authority of a Member State in the territory of which the entities have been



			established. Registration number is a number or code used by the respective competent authority of a Member State in its national public register. Other equivalent means of identification – any means of identification of natural and legal persons used by the respective competent authority in their national public register.
5	The name of the responsible competent authority	Text (100 characters)	The name of the respective competent authority which has provided the information about the payment institution to the EBA and which is accountable for this information. The name of the competent authority should be selected from a pre-defined list.
6	The payment services for which the payment institution has been authorised	Multiple options (Between 1 and 13 options)	The payment services from a pre-defined list: ☐ Services enabling cash to be placed on a payment account as well as all the operations required for operating a payment account ☐ Services enabling cash withdrawals from a payment account as well as all the operations required for operating a payment account - Execution of payment transactions, including transfers of funds on a payment account with the user's payment provider or with another payment service provider: ☐ execution of direct debits, including one-off direct debits ☐ execution of payment transactions through a payment card or a similar device ☐ execution of credit transfers, including standing orders - Execution of payment transactions where the funds are covered by a credit line for a payment service user: ☐ execution of direct debits, including one-off direct debits ☐ execution of payment transactions through a payment card or a similar device ☐ execution of credit transfers, including standing orders ☐ Issuing of payment instruments ☐ acquiring of payment transactions ☐ Money remittance ☐ Payment initiation services ☐ Account information services
7	Current authorisation status of the payment institution	Text (10 characters)	Current authorisation status of the payment institution chosen from a predefined list: ☐ Authorised ☐ Withdrawn
8	Host Member States in which the payment institution provides payment services or intends to operate	Multiple options (Up to 30 options)	Host Member States of the EU and the other EEA countries shown by the ISO country codes: AT, BE, BG, HR, CY, CZ, DK, EE, FI, FR, DE, EL, HU, IS, IE, IT, LV, LI, LT, LU, MT, NL, NO, PL, PT, RO, SK, SI, ES, SE, UK.
9	Name of the branch of the	Text (Up to 200)	The name of the branch used in the register should be either the name of the payment institution, or



	payment institution established in a Member State other than the Home Member State of the payment institution	characters)	the designated name of the respective branch. It should be entered in free text using any of the following language character sets - Hellenic Alphabet, Cyrillic and Latin. The name of the branch should be provided in the national language of the respective Member State. Countries that use the Hellenic Alphabet or Cyrillic script should also provide either a transcription of the name or the trade name of the branch into the Latin alphabet, or a translation or an alternative name of the branch in another language based on the Latin alphabet. In countries where there is more than one official national language, all official names of the branch must be entered. The names must be separated by a "/" character.
10	The address of the principal branch of the payment institution in the Host Member State		The address of the principal branch of the payment institution in the Host Member State should be entered in free text using any of the following language character sets - Hellenic Alphabet, Cyrillic and Latin. Countries that use the Hellenic Alphabet or Cyrillic script should also provide a transcription into the Latin alphabet or a common English name. In countries where there is more than one official national language, the address should be provided in at least one official language of the jurisdiction. In case the address is provided in more than one official national language, they should be separated by a "/" character.
10.1.	Country	Text (2 characters)	The Member State of the EU and the other EEA countries shown by the ISO country codes: AT, BE, BG, HR, CY, CZ, DK, EE, FI, FR, DE, EL, HU, IS, IE, IT, LV, LI, LT, LU, MT, NL, NO, PL, PT, RO, SK, SI, ES, SE, UK.
10.2.	City	Text (70 characters)	
10.3.	Address	Text (50 characters per address line)	
10.4.	Post code	Text (35 characters)	

**Table 2 - Format of the information on exempted payment institutions**

	Field	Maximum length of the field	Format
1	Type of natural or legal person	Text (26 characters)	Pre-defined option – ‘Exempted payment institution’.
2	Name of the exempted payment institution	Text (250 characters)	The name of the exempted payment institution should be entered in free text using any of the following language character sets - Hellenic Alphabet, Cyrillic and Latin. The name of the institution should be provided in the national language of the respective Member State. Countries that use the Hellenic Alphabet or Cyrillic script should also provide either a transcription of the institution’s name into the Latin alphabet, or a translation or an alternative name of the institution in another language based on the Latin alphabet. In countries where there is more than one official national language, all official names of the institution must be entered. The names must be separated by a ”/” character.
3	Address of the exempted payment institution’s head office		The address of the exempted payment institution’s head office should be entered in free text using any of the following language character sets - Hellenic Alphabet, Cyrillic and Latin. The address should be provided in the national language of the respective Member State. Countries that use the Hellenic Alphabet or Cyrillic script should also provide a transcription into the Latin alphabet or a common English name. In countries where there is more than one official national language, the address should be provided in at least one official language of the jurisdiction. In case the address is provided in more than one official national language, they should be separated by a ”/” character.
3.1.	Country	Text (2 characters)	The Member State of the EU and the other EEA countries shown by the ISO country codes: AT, BE, BG, HR, CY, CZ, DK, EE, FI, FR, DE, EL, HU, IS, IE, IT, LV, LI, LT, LU, MT, NL, NO, PL, PT, RO, SK, SI, ES, SE, UK.
3.2.	City	Text (70 characters)	
3.3.	Address	Text (50 characters per address line)	
3.4.	Post code	Text (35 characters)	
4	National identifier of the exempted payment institution	Alphanumeric (50 characters)	National identification number for natural and legal persons used in the respective Member State. Legal entity identifier is a code that allows to uniquely identifying legally distinct entities that engage in financial transactions. Registration number is a number or code used by the respective competent authority of a Member State in its national public register. Other equivalent means of identification – any means of identification of natural and legal persons used by the respective competent authority in their national public register.
5	The name of the responsible competent	Text (100 characters)	The name of the respective competent authority which has provided the information about the exempted payment institution to the EBA and which is accountable for this information. The name



	authority		of the competent authority should be selected from a pre-defined list.
6	The payment services for which the exempted payment institution has been registered	Multiple options (Between 1 and 13 options)	The payment services from a pre-defined list: 1. ☐ Services enabling cash to be placed on a payment account as well as all the operations required for operating a payment account 2. ☐ Services enabling cash withdrawals from a payment account as well as all the operations required for operating a payment account 3. Execution of payment transactions, including transfers of funds on a payment account with the user's payment provider or with another payment service provider: a) ☐ execution of direct debits, including one-off direct debits b) ☐ execution of payment transactions through a payment card or a similar device c) ☐ execution of credit transfers, including standing orders 4. Execution of payment transactions where the funds are covered by a credit line for a payment service user: a) ☐ execution of direct debits, including one-off direct debits b) ☐ execution of payment transactions through a payment card or a similar device c) ☐ execution of credit transfers, including standing orders 5. ☐ Issuing of payment instruments ☐ acquiring of payment transactions 6. ☐ Money remittance
7	Current registration status of the exempted payment institution	Text (10 characters)	Current registration status of the exempted payment institution status chosen from a predefined list: 1. ☐ Registered 2. ☐ Withdrawn

**Table 3 - Format of the information on account information service providers**

	Field	Maximum length of the field	Format
1	Type of natural or legal person	Text (33 characters)	Pre-defined option – ‘Account information service provider’.
2	Name of the account information service provider	Text (250 characters)	The name of the account information service provider should be entered in free text using any of the following language character sets - Hellenic Alphabet, Cyrillic and Latin. The name of the provider should be provided in the national language of the respective Member State. Countries that use the Hellenic Alphabet or Cyrillic script should also provide either a transcription of the provider’s name into the Latin alphabet, or a translation or an alternative name of the provider in another language based on the Latin alphabet. In countries where there is more than one official national language, all official names of the provider must be entered. The names must be separated by a “/” character.
3	Address of the account information service provider’s head office		The address of the account information service provider’s head office should be entered in free text using any of the following language character sets - Hellenic Alphabet, Cyrillic and Latin. The address should be provided in the national language of the respective Member State. Countries that use the Hellenic Alphabet or Cyrillic script should also provide a transcription into the Latin alphabet or a common English name. In countries where there is more than one official national language, the address should be provided in at least one official language of the jurisdiction. In case the address is provided in more than one official national language, they should be separated by a “/” character.
3.1.	Country	Text (2 characters)	The Member State of the EU and the other EEA countries shown by the ISO country codes: AT, BE, BG, HR, CY, CZ, DK, EE, FI, FR, DE, EL, HU, IS, IE, IT, LV, LI, LT, LU, MT, NL, NO, PL, PT, RO, SK, SI, ES, SE, UK.
3.2.	City	Text (70 characters)	
3.3.	Address	Text (50 characters per address line)	
3.4.	Post code	Text (35 characters)	
4	National identifier of the account information service provider	Alphanumeric (50 characters)	National identification number for natural and legal persons used in the respective Member State. Legal entity identifier is a code that allows to uniquely identifying legally distinct entities that engage in financial transactions. Registration number is a number or code used by the respective competent authority of a Member State in its national public register. Other equivalent means of identification – any means of identification of natural and legal persons used by the respective competent authority in their national public register.
5	The name of the responsible competent authority	Text (100 characters)	The name of the respective competent authority which has provided the information about the account information service provider to the EBA and which is accountable for this information.



			The name of the competent authority should be selected from a pre-defined list.
6	The payment services for which the account information service provider has been registered	Text (26 characters)	Pre-defined option – “Account information services”
7	Current registration status of the account information service provider	Text (10 characters)	Current registration status of the account information service provider chosen from a predefined list: 1. ☐ Registered 2. ☐ Withdrawn
8	Host Member States in which the account information service provider provides payment services or intends to operate	Multiple options (Up to 30 options)	Host Member States of the EU and the other EEA countries shown by the ISO country codes: AT, BE, BG, HR, CY, CZ, DK, EE, FI, FR, DE, EL, HU, IS, IE, IT, LV, LI, LT, LU, MT, NL, NO, PL, PT, RO, SK, SI, ES, SE, UK.
9	Name of the branch of the account information service provider established in a Member State other than the Home Member State of the account information service provider	Text (Up to 200 characters)	The name of the branch used in the register should be either the name of the account information service provider, or the designated name of the respective branch. It should be entered in free text using any of the following language character sets - Hellenic Alphabet, Cyrillic and Latin. The name of the branch should be provided in the national language of the respective Member State. Countries that use the Hellenic Alphabet or Cyrillic script should also provide either a transcription of the name or the trade name of the branch into the Latin alphabet, or a translation or an alternative name of the branch in another language based on the Latin alphabet. In countries where there is more than one official national language, all official names of the branch must be entered. The names must be separated by a “/” character.
10	The address of the principal branch of the account information service provider in the Host Member State		The address of the principal branch of the account information service provider in the Host Member State should be entered in free text using any of the following language character sets - Hellenic Alphabet, Cyrillic and Latin. Countries that use the Hellenic Alphabet or Cyrillic script should also provide a transcription into the Latin alphabet or a common English name. In countries where there is more than one official national language, the address should be provided in at least one official language of the jurisdiction. In case the address is provided in more than one official national language, they should be separated by a “/” character.
10.1.	Country	Text (2 characters)	The Member State of the EU and the other EEA countries shown by the ISO country codes: AT, BE, BG, HR, CY, CZ, DK, EE, FI, FR, DE, EL, HU, IS, IE, IT, LV, LI, LT, LU, MT, NL, NO, PL, PT, RO, SK, SI, ES, SE, UK.
10.2.	City	Text (70 characters)	
10.3.	Address	Text (50 characters per address line)	
10.4.	Post code	Text (35 characters)	

**Table 4 - Format of the information on electronic money institutions**

	Field	Maximum length of the field	Format
1	Type of natural or legal person	Text (26 characters)	Pre-defined option – ‘Electronic money institution’.
2	Name of the electronic money institution	Text (250 characters)	The name of the electronic money institution should be entered in free text using any of the following language character sets - Hellenic Alphabet, Cyrillic and Latin. The name of the institution should be provided in the national language of the respective Member State. Countries that use the Hellenic Alphabet or Cyrillic script should also provide either a transcription of the institution’s name into the Latin alphabet, or a translation or an alternative name of the institution in another language based on the Latin alphabet. In countries where there is more than one official national language, all official names of the institution must be entered. The names must be separated by a ”/” character.
3	Address of the electronic money institution’s head office		The address of the electronic money institution’s head office should be entered in free text using any of the following language character sets - Hellenic Alphabet, Cyrillic and Latin. The address should be provided in the national language of the respective Member State. Countries that use the Hellenic Alphabet or Cyrillic script should also provide a transcription into the Latin alphabet or a common English name. In countries where there is more than one official national language, the address should be provided in at least one official language of the jurisdiction. In case the address is provided in more than one official national language, they should be separated by a ”/” character.
3.1.	Country	Text (2 characters)	The Member State of the EU and the other EEA countries shown by the ISO country codes: AT, BE, BG, HR, CY, CZ, DK, EE, FI, FR, DE, EL, HU, IS, IE, IT, LV, LI, LT, LU, MT, NL, NO, PL, PT, RO, SK, SI, ES, SE, UK.
3.2.	City	Text (70 characters)	
3.3.	Address	Text (50 characters per address line)	
3.4.	Post code	Text (35 characters)	
4	National identifier of the electronic money institution	Alphanumeric (50 characters)	National identification number for legal persons used in the respective Member State. Legal entity identifier is a code that allows to uniquely identifying legally distinct entities that engage in financial transactions. Authorisation number is a number or code appointed to an authorised electronic money institution by the respective competent authority of a Member State in the territory of which the entities have been established. Registration number is a number or code used by the respective competent authority of a Member State in its national public register. Other equivalent means of identification – any means of identification of legal persons used by the



			respective competent authority in their national public register.
5	The name of the responsible competent authority	Text (100 characters)	The name of the respective competent authority which has provided the information about the electronic money institution to the EBA and which is accountable for this information. The name of the competent authority should be selected from a pre-defined list.
6	The electronic money and payment services for which the electronic money institution has been authorised	Multiple options (Between 1 and 15 options)	The electronic money services from a pre-defined list: 1. ☐ Issuing, distribution and redemption of electronic money The payment services from a pre-defined list: 2. ☐ Services enabling cash to be placed on a payment account as well as all the operations required for operating a payment account 3. ☐ Services enabling cash withdrawals from a payment account as well as all the operations required for operating a payment account 4. Execution of payment transactions, including transfers of funds on a payment account with the user's payment provider or with another payment service provider: a) ☐ execution of direct debits, including one-off direct debits b) ☐ execution of payment transactions through a payment card or a similar device c) ☐ execution of credit transfers, including standing orders 5. Execution of payment transactions where the funds are covered by a credit line for a payment service user: a) ☐ execution of direct debits, including one-off direct debits b) ☐ execution of payment transactions through a payment card or a similar device c) ☐ execution of credit transfers, including standing orders 6. ☐ Issuing of payment instruments ☐ acquiring of payment transactions 7. ☐ Money remittance 8. ☐ Payment initiation services 9. ☐ Account information services
7	Current authorisation status of the electronic money institution	Text (10 characters)	Current authorisation status of the electronic money institution chosen from a predefined list: 1. ☐ Authorised 2. ☐ Withdrawn
8	Host Member States in which the electronic money institution provides electronic money and payment services or intends to operate	Multiple options (Up to 30 options)	Host Member States of the EU and the other EEA countries shown by the ISO country codes: AT, BE, BG, HR, CY, CZ, DK, EE, FI, FR, DE, EL, HU, IS, IE, IT, LV, LI, LT, LU, MT, NL, NO, PL, PT, RO, SK, SI, ES, SE, UK.
9	Name of the branch of the	Text (Up to 200)	The name of the branch entered in the register should be either the name of the electronic money



	electronic money institution established in a Member State other than the Home Member State of the electronic money institution	characters)	institution, or the designated name of the respective branch. It should be entered in free text using any of the following language character sets - Hellenic Alphabet, Cyrillic and Latin. The name of the branch should be provided in the national language of the respective Member State. Countries that use the Hellenic Alphabet or Cyrillic script should also provide either a transcription of the name or the trade name of the branch into the Latin alphabet, or a translation or an alternative name of the branch in another language based on the Latin alphabet. In countries where there is more than one official national language, all official names of the branch must be entered. The names must be separated by a "/" character.
10	The address of the principal branch of the electronic money institution in the Host Member State		The address of the principal branch of the electronic money institution in the Host Member State should be entered in free text using any of the following language character sets - Hellenic Alphabet, Cyrillic and Latin. Countries that use the Hellenic Alphabet or Cyrillic script should also provide a transcription into the Latin alphabet or a common English name. In countries where there is more than one official national language, the address should be provided in at least one official language of the jurisdiction. In case the address is provided in more than one official national language, they should be separated by a "/" character.
10.1.	Country	Text (2 characters)	The Member State of the EU and the other EEA countries shown by the ISO country codes: AT, BE, BG, HR, CY, CZ, DK, EE, FI, FR, DE, EL, HU, IS, IE, IT, LV, LI, LT, LU, MT, NL, NO, PL, PT, RO, SK, SI, ES, SE, UK.
10.2.	City	Text (70 characters)	
10.3.	Address	Text (50 characters per address line)	
10.4.	Post code	Text (35 characters)	

**Table 5 - Format of the information on exempted electronic money institutions**

	Field	Maximum length of the field	Format
1	Type of natural or legal person	Text (34 characters)	Pre-defined option – ‘Exempted electronic money institution’.
2	Name of the exempted electronic money institution	Text (250 characters)	The name of the exempted electronic money institution should be entered in free text using any of the following language character sets - Hellenic Alphabet, Cyrillic and Latin. The name of the institution should be provided in the national language of the respective Member State. Countries that use the Hellenic Alphabet or Cyrillic script should also provide either a transcription of the institution’s name into the Latin alphabet, or a translation or an alternative name of the institution in another language based on the Latin alphabet. In countries where there is more than one official national language, all official names of the institution must be entered. The names must be separated by a ”/” character.
3	Address of the exempted electronic money institution’s head office		The address of the exempted electronic money institution’s head office should be entered in free text using any of the following language character sets - Hellenic Alphabet, Cyrillic and Latin. The address should be provided in the national language of the respective Member State. Countries that use the Hellenic Alphabet or Cyrillic script should also provide a transcription into the Latin alphabet or a common English name. In countries where there is more than one official national language, the address should be provided in at least one official language of the jurisdiction. In case the address is provided in more than one official national language, they should be separated by a ”/” character.
3.1.	Country	Text (2 characters)	The Member State of the EU and the other EEA countries shown by the ISO country codes: AT, BE, BG, HR, CY, CZ, DK, EE, FI, FR, DE, EL, HU, IS, IE, IT, LV, LI, LT, LU, MT, NL, NO, PL, PT, RO, SK, SI, ES, SE, UK.
3.2.	City	Text (70 characters)	
3.3.	Address	Text (50 characters per address line)	
3.4.	Post code	Text (35 characters)	
4	National identifier of the exempted electronic money institution	Alphanumeric (50 characters)	National identification number for legal persons used in the respective Member State. Legal entity identifier is a code that allows to uniquely identifying legally distinct entities that engage in financial transactions. Registration number is a number or code used by the respective competent authority of a Member State in its national public register. Other equivalent means of identification – any means of identification of legal persons used by the respective competent authority in their national public register.
5	The name of the responsible competent	Text (100 characters)	The name of the respective competent authority which has provided the information about the exempted electronic money institution to the EBA and which is accountable for this information.



	authority		The name of the competent authority should be selected from a pre-defined list.
6	The electronic money and payment services for which the exempted electronic money institution has been registered	Multiple options (Between 1 and 15 options)	The electronic money services from a pre-defined list: 1. ☐ Issuing, distribution and redemption of electronic money The payment services from a pre-defined list: 2. ☐ Services enabling cash to be placed on a payment account as well as all the operations required for operating a payment account 3. ☐ Services enabling cash withdrawals from a payment account as well as all the operations required for operating a payment account 4. Execution of payment transactions, including transfers of funds on a payment account with the user's payment provider or with another payment service provider: a) ☐ execution of direct debits, including one-off direct debits b) ☐ execution of payment transactions through a payment card or a similar device c) ☐ execution of credit transfers, including standing orders 5. Execution of payment transactions where the funds are covered by a credit line for a payment service user: a) ☐ execution of direct debits, including one-off direct debits b) ☐ execution of payment transactions through a payment card or a similar device c) ☐ execution of credit transfers, including standing orders 6. ☐ Issuing of payment instruments ☐ acquiring of payment transactions 7. ☐ Money remittance
7	Current registration status of the exempted electronic money institution	Text (10 characters)	Current registration status of the exempted electronic money institution status chosen from a predefined list: 1. ☐ Registered 2. ☐ Withdrawn

**Table 6 - Format of the information on agents**

	Field	Maximum length of the field	Format
1	Type of natural or legal person	Text (5 characters)	Pre-defined option – ‘Agent’.
2	Name of the Agent	Text (250 characters)	The name of the agent should be entered in free text using any of the following language character sets - Hellenic Alphabet, Cyrillic and Latin. The name of the agent should be provided in the national language of the respective Member State. Countries that use the Hellenic Alphabet or Cyrillic script should also provide either a transcription of the agent’s name into the Latin alphabet, or a translation or an alternative name of the agent in another language based on the Latin alphabet. In countries where there is more than one official national language, all official names of the agent must be entered. The names must be separated by a “/” character.
3	Address of the agent		The address of the agent’s head office should be entered in free text using any of the following language character sets – Hellenic Alphabet, Cyrillic and Latin. The address should be provided in the national language of the respective Member State. Countries that use the Hellenic Alphabet or Cyrillic script should also provide a transcription into the Latin alphabet or a common English name. In countries where there is more than one official national language, the address should be provided in at least one official language of the jurisdiction. In case the address is provided in more than one official national language, they should be separated by a “/” character.
3.1.	Country	Text (2 characters)	The Member State of the EU and the other EEA countries shown by the ISO country codes: AT, BE, BG, HR, CY, CZ, DK, EE, FI, FR, DE, EL, HU, IS, IE, IT, LV, LI, LT, LU, MT, NL, NO, PL, PT, RO, SK, SI, ES, SE, UK.
3.2.	City	Text (70 characters)	
3.3.	Address	Text (50 characters per address line)	
3.4.	Post code	Text (35 characters)	
4	National identifier of the agent	Alphanumeric (50 characters)	National identification number for natural and legal persons used in the respective Member State. Legal entity identifier is a code that allows to uniquely identifying legally distinct entities that engage in financial transactions. Registration number is a number or code used by the respective competent authority of a Member State in its national public register. Other equivalent means of identification – any means of identification of natural and legal persons used by the respective competent authority in their national public register.
5	The name of the responsible competent authority	Text (100 characters)	The name of the respective competent authority which has provided the information about the agent to the EBA and which is accountable for this information. The name of the competent authority should be selected from a pre-defined list.



6	Name of the natural or legal person on behalf of which the agent provides payment services	Text (250 characters)	The name of the natural or legal person on behalf of which the agent provides payment services should be entered in free text using any of the following language character sets – Hellenic Alphabet, Cyrillic and Latin. The name of the natural or legal person should be provided in the national language of the respective Member State. Countries that use the Hellenic Alphabet or Cyrillic script should also provide either a transcription of the natural or legal person's name into the Latin alphabet, or a translation or an alternative name of the natural or legal person in another language based on the Latin alphabet. In countries where there is more than one official national language, all official names of the natural or legal person must be entered.
7	National identifier of the natural or legal person on behalf of which the agent provides payment services	Alphanumeric (50 characters)	National identification number for natural and legal persons used in the respective Member State. Legal entity identifier is a code that allows to uniquely identifying legally distinct entities that engage in financial transactions. Authorisation number is a number or code appointed to an authorised payment or electronic money institution by the respective competent authority of a Member State in the territory of which the entities have been established. Registration number is a number or code used by the respective competent authority of a Member State in its national public register. Other equivalent means of identification – any means of identification of natural and legal persons used by the respective competent authority in their national public register.
8	Current registration status of the agent	Text (10 characters)	Current registration status of the agent chosen from a predefined list: ☐ Active ☐ Inactive



Table 7 - Format of the information on institution referred to in points (4) to (23) of Article 2(5) of Directive 2013/36/EU that are entitled under national law to provide payment services

	Field	Maximum length of the field	Format
1	Type of natural or legal person	Text (127 characters)	Pre-defined option – ‘Institution referred to in points (4) to (23) of Article 2(5) of Directive 2013/36/EU that are entitled under national law to provide payment services’
2	Name of the institution referred to in points (4) to (23) of Article 2(5) of Directive 2013/36/EU that are entitled under national law to provide payment services	Text (250 characters)	The name of the institution referred to in points (4) to (23) of Article 2(5) of Directive 2013/36/EU should be entered in free text using any of the following language character sets - Hellenic Alphabet, Cyrillic and Latin. The name of the institution should be provided in the national language of the respective Member State. Countries that use the Hellenic Alphabet or Cyrillic script should also provide either a transcription of the institution’s name into the Latin alphabet, or a translation or an alternative name of the institution in another language based on the Latin alphabet. In countries where there is more than one official national language, all official names of the institution must be entered. The names must be separated by a ”/” character.
3	Address of the institution referred to in points (4) to (23) of Article 2(5) of Directive 2013/36/EU’s head office		The address of the institution referred to in points (4) to (23) of Article 2(5) of Directive 2013/36/EU’s head office should be entered in free text using any of the following language character sets - Hellenic Alphabet, Cyrillic and Latin. The address should be provided in the national language of the respective Member State. Countries that use the Hellenic Alphabet or Cyrillic script should also provide a transcription into the Latin alphabet or a common English name. In countries where there is more than one official national language, the address should be provided in at least one official language of the jurisdiction. In case the address is provided in more than one official national language, they should be separated by a ”/” character.
3.1.	Country	Text (2 characters)	The Member State of the EU and the other EEA countries shown by the ISO country codes: AT, BE, BG, HR, CY, CZ, DK, EE, FI, FR, DE, EL, HU, IS, IE, IT, LV, LI, LT, LU, MT, NL, NO, PL, PT, RO, SK, SI, ES, SE, UK.
3.2.	City	Text (70 characters)	
3.3.	Address	Text (50 characters per address line)	
3.4.	Post code	Text (35 characters)	
4	National identifier of the institution referred to in points (4) to (23) of Article 2(5) of Directive 2013/36/EU that are entitled under national law to provide payment	Alphanumeric (50 characters)	National identification number for natural and legal persons used in the respective Member State. Legal entity identifier is a code that allows to uniquely identifying legally distinct entities that engage in financial transactions. Registration number is a number or code used by the respective competent authority of a Member State in its national public register. Other equivalent means of identification – any means of identification of natural and legal persons used by the respective competent authority in their national public register.



	services		
5	The name of the responsible competent authority	Text (100 characters)	The name of the respective competent authority which has provided the information about the payment institution to the EBA and which is accountable for this information. The name of the competent authority should be selected from a pre-defined list.

**Table 8 - Format of the information on excluded service provider**

	Field	Maximum length of the field	Format
1	Type of natural or legal person	Text (41 characters)	Pre-defined option – ‘Excluded service provider’.
2	Name of the excluded service provider	Text (250 characters)	The name of the excluded service provider should be entered in free text using any of the following language character sets - Hellenic Alphabet, Cyrillic and Latin. The name of the service provider should be provided in the national language of the respective Member State. Countries that use the Hellenic Alphabet or Cyrillic script should also provide either a transcription of the service provider’s name into the Latin alphabet, or a translation or an alternative name of the service provider in another language based on the Latin alphabet. In countries where there is more than one official national language, all official names of the service provider must be entered. The names must be separated by a ”/” character.
3	Address of the excluded service provider		The address of the service provider’s head office should be entered in free text using any of the following language character sets - Hellenic Alphabet, Cyrillic and Latin. The address should be provided in the national language of the respective Member State. Countries that use the Hellenic Alphabet or Cyrillic script should also provide a transcription into the Latin alphabet or a common English name. In countries where there is more than one official national language, the address should be provided in at least one official language of the jurisdiction. In case the address is provided in more than one official national language, they should be separated by a ”/” character.
3.1.	Country	Text (2 characters)	The Member State of the EU and the other EEA countries shown by the ISO country codes: AT, BE, BG, HR, CY, CZ, DK, EE, FI, FR, DE, EL, HU, IS, IE, IT, LV, LI, LT, LU, MT, NL, NO, PL, PT, RO, SK, SI, ES, SE, UK.
3.2.	City	Text (70 characters)	
3.3.	Address	Text (50 characters per address line)	
3.4.	Post code	Text (35 characters)	
4	National identifier of the excluded service provider	Alphanumeric (50 characters)	National identification number for natural and legal persons used in the respective Member State. Legal entity identifier is a code that allows to uniquely identifying legally distinct entities that engage in financial transactions. Registration number is a number or code used by the respective competent authority of a Member State in its national public register. Other equivalent means of identification – any means of identification of natural and legal persons used by the respective competent authority in their national public register.
5	The name of the responsible competent	Text (100 characters)	The name of the respective competent authority which has provided the information about the excluded service provider to the EBA and which is accountable for this information. The name of



	authority		the competent authority should be selected from a pre-defined list.
6	Description of the activities of the excluded service provider	Text (Up to 500 characters)	The description of the activities of the excluded service provider should be entered in free text using any of the following language character sets - Hellenic Alphabet, Cyrillic or Latin. The description of the activities of the service provider should be provided in the national language of the respective Member State.
7	Exclusion under which the service provider carries out activities	Text (Up to 500 characters)	Exclusion under which the excluded service provider carries out activities chosen from a predefined list: 1. Services based on specific payment instruments that can be used only in a limited way, that meet one of the following conditions: 1.1. ☐ instruments allowing the holder to acquire goods or services only in the premises of the issuer or within a limited network of service providers under direct commercial agreement with a professional issuer 1.2. ☐ instruments which can be used only to acquire a very limited range of goods or services or 2. payment transactions by a provider of electronic communications networks or services provided in addition to electronic communications services for a subscriber to the network or service: 2.1. ☐ for purchase of digital content and voice-based services, regardless of the device used for the purchase or consumption of the digital content and charged to the related bill 2.2. ☐ performed from or via an electronic device and charged to the related bill within the framework of a charitable activity or for the purchase of tickets
8	Current registration status of the excluded service provider	Text (Up to 10 characters)	Current registration status of the excluded service provider chosen from a predefined list: 1. ☐ Active 2. ☐ Inactive

7. Accompanying documents

7.1 Draft cost-benefit analysis / impact assessment

Articles 10(1) and 15(1) of the EBA Regulation provide that, when any regulatory or implementing technical standards developed by the EBA are submitted to the Commission for adoption, they should be accompanied by an analysis of ‘the potential related costs and benefits’. This analysis should provide an overview of the findings regarding the problem to be dealt with, the solutions proposed and the potential impact of these options.

A. Problem identification

The PSD2 aims to improve the set of rules on payment services across the European Economic Area (EEA). The Directive updates the existing rules with a view to enhance transparency, efficiency and confidence within the EU-wide single market for payments.

More specifically, one of the objectives of the Directive is to enhance the supervisory and monitoring activity of payment services providers in order to better protect consumers and to make the use of payment services safer.

Currently, payment services providers are required to submit information to competent authorities when applying for authorisation (Article 5). Furthermore, each Member State has to establish a public register including (a) authorised payment institutions, their agents and foreign branches; (b) natural and legal persons benefiting from an exemption pursuant to Article 32 or 33, and their agents; (c) the institutions referred to in Article 2(5) that are entitled under national law to provide payment services; (d) service providers excluded from the scope of the PSD2 which carry out activities in referred to in items (k) and (l) of Article 3; and (e) electronic money institutions⁴. These public registers should also provide information about the payment services for which the payment institution is authorised or for which the natural or legal person has been registered (Article 14).

The growth of cross-border payment services entails the need for uniform and standardised information about payment services providers across EU⁵. Different level of information across Member States could indeed negatively affect the transparency within the market.

⁴ In this context, see also: EBA Consultation Paper on Guidelines on authorisation and registration under the PSD2, 3 November 2016.

⁵ EBA Consumer trends report 2016,
<http://www.eba.europa.eu/documents/10180/1360107/Consumer+Trends+Report+2016.pdf>

An adequate level of transparency would prevent the risk of inappropriate conducts by payment services providers. This would benefit both consumer protection and confidence in the market fostering the development of innovative payment services within the EU⁶. More effective information reporting about services providers would also improve the supervisory and monitoring activity avoiding regulatory arbitrage.

With this regard, the Directive mandates the EBA to set out an electronic central register containing the information notified by competent authorities that are included in their public registers according to Article 14 (Article 15(2)).

The aim is to improve the level of available information about payment services and providers within the EU. Consistent with this, “EBA shall make the register publicly available on its website, and shall allow for easy access to and easy search for the information listed, free of charge” (Article 15(1)).

In this context, EBA has to provide “technical requirements on development, operation and maintenance of the electronic central register and on access to the information contained therein” (Article 15(4)) and to define “details and structure of the information to be notified, including the common format and model in which this information is to be provided” (Article 15(5)).

B. Policy objectives

These technical standards aim to define technical requirements and processes in order to “develop, operate and maintain an electronic, central register that contains the information as notified by the competent authorities” (Article 15(1)).

This mandate, given to the EBA, fulfils the general objectives of the PSD2 with reference to the improvement of the information exchange between competent authorities, the transparency in the payment services market and ensuring high level of consumer protection.

The development of the central register will enhance the level of information available for stakeholders in the market which would contribute to create a more effective supervisory framework for payment services. This would contribute to monitor financial innovation⁷ and to further integrate the EU payments services market.

⁶ See also: European Central Bank, The future of retail payments: opportunities and challenges, Joint conference of the ECB and the Oesterreichische Nationalbank - 12-13 May 2011.

⁷ EBA Work Programme (2017),

<https://www.eba.europa.eu/documents/10180/1617016/EBA+Revised+2017+Work+Programme.pdf/59d29b87-d9ca-415d-bdbe-6ebdd54705e8>.

Accordingly, a significant and harmonized level of information available in the market would allow consumers to be able to make well-informed decisions when using payment services⁸.

C. Options considered

For the development of these RTS, the EBA has considered technical options relating to the transmission of information by NCAs to the EBA and the details of the information on natural and legal persons contained in the EBA register.

Options for the development of technical standards on transmission of information by NCAs to the EBA

Transmission of information by NCAs to the EBA could be carried out by the following options:

Option 1.A: Automated transmission of information where the whole set of information contained in the national registers is transmitted to the EBA electronic central register.

Option 1.B: Automated transmission of information where only newly added or modified information in the national registers is transmitted to the EBA electronic central register.

Option 1.A would require that the whole set of information contained in national public registers would be reloaded on the EBA register when any information is inserted or modified in the respective national register.

This process will ensure lower implementation costs and time for both NCAs and EBA since the technological solution is not as complicated as the one in Option 1.B. and will be quicker and easier to implement. The operational costs for EBA would also be sustainable because the required resources for technological and manual support will be less.

Option 1.B would require NCAs to transmit to the EBA register only the information that has been added or amended in their respective national registers.

This option would imply higher operational costs due to the ongoing maintenance that need to be carried out by NCAs in the process of transmission of information to the EBA.

Furthermore, the implementation process would take more time compared to Option 1.A because NCAs will have to further update the applications of their national registers in order to establish the interface with the application of the EBA register. For Option 1.B the maintenance costs for the EBA are expected to be higher.

Consequently, Option 1.A is the preferred option.

⁸ European Commission, Consumer financial services policy,

https://ec.europa.eu/info/business-economy-euro/banking-and-finance/consumer-finance-and-payments/consumer-financial-services/consumer-financial-services-policy_en#relatedlinks

Options for the development of technical standards on details of the information about natural and legal persons contained in the EBA register

The level of detail of the information contained in the EBA electronic central register could comply with the following options:

Option 2.A: More detailed information about different natural and legal persons contained in the EBA electronic central register.

Option 2.B: Less detailed information about the different natural and legal persons contained in the EBA electronic central register.

Option 2.A demands national competent authorities to require further information in addition to those already laid down by the PSD2.

The aim of the option is to make the register able to provide more granular information. This implies that NCAs would provide additional information to the information explicitly required under the PSD2 on an optional basis⁹.

Option 2.A would imply that the information contained in the EBA register will not be consistent for all Member States, because part of the optional information might not be available for all the Member States, due to the heterogeneity of the level of granularity of the information contained in the national public registers across EU.

Option 2.B implies less detailed information which would be mandatory for all NCAs to provide. The information required would include only the information contained in the national public registers and information which is made publicly available by all NCAs on their national registers.

The aim of the option is to ensure a minimum level of information to be provided by all the NCAs. Option 2.B would allow the EBA to include in the central register standardised and homogeneous information consistent with the proportionality principle. Furthermore, the information required would be easy to gather and it will not imply substantial additional costs for both payment services providers and competent authorities.

Consequently, Option 2.B is the preferred option.

D. Cost-Benefit Analysis

These technical standards aim to define requirements and procedures in order to develop the EBA electronic central register. This is going to affect payment services providers, competent authorities, consumers and EBA.

⁹ EBA cannot request national competent authorities to provide information that are not required under the PSD2.

In particular, the technical standards assessed refer (i) to the approaches and procedures to carry out the transmission of information by NCAs to the EBA and (ii) to the detail of the information contained in the EBA register.

An easier and more effective access to the information of all natural and legal person providing payment services would improve consumer protection. Therefore, expected benefits are related to the possibility to enhance the level of transparency within the EU payment services market. With this regard, it is reasonable to state that ensuring an appropriate level of payments security and consumer protection is a key element in favouring the development of accessible and innovative payment services¹⁰.

A higher level of transparency about the operation of payment services providers could also increase consumers' confidence. This would facilitate the deployment of payment services across Member States, creating further business opportunities for services providers and fostering the safe exchange of goods and services within the European single market¹¹.

Moreover, the harmonization of the level of detail of information required for payment services providers would allow competent authorities to ensure the level playing field and to avoid regulatory arbitrage.

On the other hand, the technical standards assessed could imply implementation, compliance and maintenance costs for competent authorities.

However, these costs are expected to be not too significant if the information to be collected and reported would be standardised and homogeneous consistent with the proportionality principle (Option 2.B); or the information reporting process would follow an automated procedure allowing NCAs to avoid relevant operational costs and delays in the implementation process (Option 1.A).

In conclusion, the benefits arising from these technical standards would affect not only consumers, but also the overall EU financial and economic application and, most important, they are expected to exceed the costs that competent authorities could face.

¹⁰ EBA Annual Report 2016,

<http://www.eba.europa.eu/documents/10180/1879387/EBA+Annual+Report+2016.pdf/4c08e80f-ea87-4643-90cb-a2a02230c0a2>

¹¹ See also: European Commission, Green Paper on retail financial services. Better products, more choice, and greater opportunities for consumers and businesses, 10 December 2015.

7.2 Overview of questions for consultation

- Q1. Do you agree with the option the EBA has chosen regarding the transmission of information by NCAs to the EBA? If not, please provide your reasoning.
- Q2. Do you agree with the proposed criteria and functionalities related to the search of information in the EBA Register? If not, please provide your reasoning.
- Q3. Do you agree with the proposed non-functional requirements related to the operation of the EBA Register? If not, please provide your reasoning.
- Q4. Do you agree with the way how the EBA proposes to fulfil the mandate in terms of the natural and legal persons that will need to be included in the future EBA Register? If not, please provide your reasoning.
- Q5. Do you agree with the option the EBA has chosen regarding the detail of information for the natural and legal persons that will be contained in the future EBA Register? If not, please provide your reasoning.
- Q6. Do you agree with the EBA that the contact details, dates of authorisation/registration, and the services provided in the Host Member States, should not be included in the EBA register? If not, please provide your reasoning, which should also include the benefits for payment service users and other interested parties of having this information in the EBA Register.
- Q7. Do you agree with the extension of the information for the service providers excluded from the scope of the PSD2 that will be entered in the EBA register? If not, please provide your reasoning.
- Q8. Do you agree with the scope of the information on agents of payment institutions, exempted payment institutions, account information service providers, electronic money institutions and exempted electronic money institutions to be included in the EBA register? If not, please provide your reasoning.