

Question ID	2018_4371
Status	Final Q&A
Legal act	Directive 2015/2366/EU (PSD2)
Topic	Authorisation and registration
Article	15 and Annex 1
Paragraph	-
Subparagraph	-
COM Delegated or Implementing Acts/RTS/ITS/GLs/Recommendations	EBA/GL/2017/09 - Guidelines on authorisation and registration under PSD2
Article/Paragraph	Annex I to the Directive (EU) 2015/2366
Date of submission	13/11/2018
Published as Final Q&A	19/06/2020
Disclose name of institution / entity	No
Type of submitter	Consultancy firm
Subject matter	Categories of Registration
Question	Is it a requirement that all EU countries include the categories the institution is approved for within their respective registers i.e. in their publicly available data? Also are these categories available in a consistent and standard format across the EU such that anyone inquiring about a firm in more than one country has an easily recognisable and usable response
Background on the question	When I look up an institution, I need to be able to see what they are approved for or it makes no sense. My understanding is that as a result of the implementation of the EU Directive PSD2, Competent Authorities in all EU countries have to maintain a publicly accessible register of all E-Money and Payment Institutions. Article 14 of the directive talks about this. Annex 1 talks about the different approvals available for such institutions numbered 1 - 8. As an example, here is the link to the one produced by the Belgium authorities: https://www.nbb.be/nl/financieel-toezicht/prudentieel-toezicht/toezichtsdomeinen/betalingsinstellingen-en-instellingen-15#bm_Header_0As as all Competent Authorities must provide information on approvals of financial bodies for public consumption it would seem logical

that they also include the categories they are approved for (e.g. code 6 means approval for Money Remittance, code 8 is Account Information Services). My question is in two parts - 1 whether they have to include the category of approval in their publicly available data and 2 - It would be extremely useful if this were available in a consistent and standard format across the EU such that anyone inquiring about a firm in more than one country has an easily recognisable and usable response. So, suppose I wanted to use a particular bank in France and Spain for Money Remittance, then I could check the online databases of the two Competent Authorities and get a consistent response about whether I can use that bank in both countries because they are approved for that service - or not.

EBA answer

Article 14 of Directive 2015/2366/EU (PSD2) requires Member States to establish a public register which includes authorised payment institutions and the payment services for which the payment institution is authorized. In accordance with Article 111(1)(a) of PSD2, this also applies to electronic money institutions and the services they provide. PSD 2, however, does not specify a standardised format for these national public registers.

In order to enhance transparency of the operations of payment and electronic money institutions authorised or registered throughout the EU and to ensure a high level of consumer protection, Article 15 of PSD2 requires the EBA to develop, operate and maintain an electronic central register that contains information as notified by competent authorities.

Article 1 of the [Commission Implementing Regulation \(EU\) 2019/410](#) specifies the type of natural and legal persons that should be notified by competent authorities to the EBA. These natural and legal persons, include:

- Payment institutions as legally defined in Article 4(4) of PSD2;
- Exempted payment institutions under Article 32 of PSD2;
- Exempted account information service providers under Article 33 of PSD2;
- Electronic money institutions as legally defined in Article 2(1) of Directive 2009/110/EC (Electronic Money Directive, or EMD);
- Exempted electronic money institutions under Article 9 of EMD;
- Agents as legally defined in Article 4(38) of PSD2;
- EEA branches as legally defined in Article 4(39) of PSD2;
- Institutions entitled under national law to provide payment services under Article 2(5) of PSD2;
- Service providers excluded from the scope of PSD2 under points (i) and (ii) of point (k) and point (l) of Article 3 of PSD2.

The Annex to the Implementing Regulation, in turn, prescribes the specific information that should be notified by competent authorities for the above natural and legal persons, including information on the services

	<p>provided by them.</p> <p>In line with the requirements of Article 15 of PSD2 and the Implementing Regulation, the EBA developed and operates the central register under PSD2, which contains all of the above information in an aggregated, standardised and consistent manner. The register is available on the website of the EBA and ensures easy and free public access to the information contained therein.</p> <p>Finally, as clarified in Q&A 2019_4650, “credit institutions are entitled to provide the whole range of payment services, including ‘issuing of payment instruments’, ‘payment initiation services’ and/or ‘account information services’, but credit institutions are not covered in the central register under PSD2. Information on all credit institutions can be found in the EBA Credit institutions register that was established based on the EBA Decision establishing the Credit Institution Register”.</p>
Link	https://eba.europa.eu/single-rule-book-qa/-/qna/view/publicId/2018_4371

European Banking Authority, 11/08/2020
www.eba.europa.eu