

Question ID	2019_4564
Status	Final Q&A
Legal act	Directive 2015/2366/EU (PSD2)
Topic	Strong customer authentication and common and secure communication (incl. access)
Article	15
Paragraph	-
Subparagraph	-
COM Delegated or Implementing Acts/RTS/ITS/GLs/Recommendations	Regulation (EU) 2018/389 - RTS on strong customer authentication and secure communication
Article/Paragraph	15
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Disclose name of institution / entity	No
Type of submitter	Credit institution
Subject matter	Exemptions from Strong Customer Authentication (SCA): credit transfers
Question	Can the exemption under Article 15 of the RTS on SCA be applied to credit transfers between a personal account and a business account held by the same person.
Background on the question	Article 15 of the RTS allows for PSPs to apply an exemption from Strong Customer Authentication, "where the payer initiates a credit transfer in circumstances where the payer and payee are the same natural or legal person and both payment accounts are held by the same account servicing payment service provider."It is common for an individual, particularly those with small businesses, to have their personal and business accounts with the same banking institution and carry out regular transfers between the two account types.For example, can John Smith transfer funds from his personal account to the business account of John Smith Ltd. without the need for applying Strong Customer Authentication?
EBA answer	In accordance with Article 15 of the Delegated Regulation (EU) 2018/389 , payment service providers (PSPs) are allowed not to apply strong customer authentication (SCA) "where the payer initiates a credit transfer

	<p>in circumstances where the payer and the payee are the same natural or legal person and both payment accounts are held by the same account servicing payment service provider (ASPSP)”.</p> <p>In that regard, the Article 15 exemption may apply to credit transfers where the payer is a natural person who is crediting their business account held within the same ASPSP in their capacity as a natural person (e.g. sole trader), provided that the requirements of Article 2 of the Delegated Regulation are met. However, the Article 15 exemption cannot be applied to credit transfers between natural and legal persons and vice versa.</p> <p>Finally, it is for the PSP to decide whether to make use of the Article 15 exemption or not.</p>
Link	https://eba.europa.eu/single-rule-book-qa/-/qna/view/publicId/2019_4564

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