Single Rulebook Q&A

Question ID	2021_6236
Status	Final Q&A
Legal act	Directive 2015/2366/EU (PSD2)
Topic	Strong customer authentication and common and secure communication (incl. access)
Article	97
Paragraph	3
Subparagraph	b
COM Delegated or Implementing Acts/RTS/ITS/GLs/Recommendations	Regulation (EU) 2018/389 - RTS on strong customer authentication and secure communication
Article/Paragraph	5
Date of submission	12/10/2021
Published as Final Q&A	13/04/2022
Disclose name of institution / entity	Yes
Name of institution / submitter	ETPPA
Country of incorporation / residence	Belgium
Type of submitter	Industry association
Subject matter	Payment Initiation Service - Batch payment / bulk payment
Question	Can you apply the PSD2 non-discrimination principle to batch/bulk payment?
Background on the question	Some Account Servicing Payment Service Providers (ASPSPs) currently propose to their clients to realise batch payment with their website / mobile app. Some PSD2 Payment Initiation Services (PIS)' Application Programming Interfaces (APIs) do not allow the Third Party Provider (TPP) to initiate batch payment in the same conditions as the ones provided by the ASPSP using the website or mobile application: - Some PSD2 API PIS do not authorise batch payment, as the clients' International Bank Account Number (IBAN) need first to be first registered using the ASPSP website or mobile application. The TPP cannot realise this payment operation within the API. The TPP is then obliged either to ask the Payment Service User (PSU) to add the IBAN using the ASPSP website or mobile application, or to webscrape the ASPSP

	website / mobile application. - Even when the IBAN is already registered, some ASPSP API PIS only authorise individual payment and not bulk payment, which is only possible through their website / mobile app. Does the non-principle discrimination apply to all kind of SEPA Credit Transfers (SCTs)?
Final answer	As clarified in paragraph 29 of the Opinion on the implementation of the RTS on SCA&CSC (EBA-Op-2018-04), a payment initiation service provider (PISP) 'has the right to initiate the same transactions that the ASPSP offers to its own PSUs, such as instant payments, batch payments, international payments, recurring transactions, payments set by national schemes and future-dated payments.' Therefore, ASPSPs should offer to PSUs the possibility to initiate batch payment transactions through a PISP if they have the same possibility via the ASPSP's direct customer interface. Q&A 5184 further clarified that 'should the PSU be required to add a new payee to a list of pre-registered beneficiaries before initiating a payment transaction directly with its account servicing payment service provider (ASPSP), the PSU should be able to add a new payee to a list of pre-registered beneficiaries in a payment initiation service (PIS) journey and to do so without any additional and unnecessary steps compared to when the PSU is adding the new payee directly with its account servicing payment service provider (ASPSP).' The same principle applies to adding new payees in the list of pre-registered beneficiaries when the PSU initiates a batch payment. In addition, also in line with Q&A 5184, adding new payees to the list of pre-registered beneficiaries in a PIS journey may require the application of an SCA in accordance with Article 97(1)(c) PSD2 if the application of an SCA is also required when the PSU is adding new payees directly with its ASPSP.
Link	https://www.eba.europa.eu/single-rule-book-qa/qna/view/publicId/2021_6236

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