

<b>Question ID</b>	2018_4095
<b>Status</b>	Final Q&A
<b>Legal act</b>	Directive 2015/2366/EU (PSD2)
<b>Topic</b>	Strong customer authentication and common and secure communication (incl. access)
<b>Article</b>	80
<b>Paragraph</b>	2
<b>Subparagraph</b>	-
<b>COM Delegated or Implementing Acts/RTS/ITS/GLs/Recommendations</b>	Not applicable
<b>Article/Paragraph</b>	Not applicable
<b>Date of submission</b>	10/07/2018
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<b>Disclose name of institution / entity</b>	No
<b>Type of submitter</b>	Credit institution
<b>Subject matter</b>	Irrevocability of a payment order initiated by a PISP
<b>Question</b>	The <a href="#">EBA Opinion on the implementation of the RTS on SCA and CSC (EBA-Op-2018-04)</a> contains a Table entitled “Main requirements for dedicated interfaces and API initiatives” and Row 9 refers to the possibility of “cancelling an initiated transaction in accordance with PSD2, including recurring transactions”. Please clarify that these requirements will not apply to single payment transactions initiated by Payment Initiation Service Providers (PISPs) for immediate execution?
<b>Background on the question</b>	Article 80(2) PSD2 states that a payment transaction initiated by a PISP cannot be revoked by the Payment Services User (PSU) after giving consent to the PISP to initiate the payment transaction Table 1 in the EBA Opinion (EBA-Op-2018-04) suggests that PISP initiated transactions may be revoked/cancelled after initiation and the Application Programming Interface (API) must accommodate that functionality.
<b>Final answer</b>	According to Article 80(2) of Directive 2015/2366/EU (PSD2) “where the payment transaction is initiated by a payment initiation service provider or by or through the payee, the payer shall not revoke the payment order after

giving consent to the payment initiation service provider to initiate the payment transaction or after giving consent to execute the payment transaction to the payee".

It follows that, provided the payer consented to the initiation by the payment initiation service provider, a single payment transaction initiated by the payment initiation service provider for immediate execution cannot be revoked. This is without prejudice to Article 80(5) PSD2 which sets out in which conditions transactions can be still cancelled after the time limits in Article 80(1) to (4) PSD2.

In line with the Opinion of the European Banking Authority on the implementation of the RTS on SCA and CSC (EBA-Op-2018-04), account servicing payment service providers should ensure that the interface provided to payment initiation service providers allows for the possibility of cancelling an initiated transaction, including payment transactions for immediate execution as well as future-dated and recurring transactions where these can be cancelled according to PSD2 e.g. if agreed between the payment service user and the relevant payment service providers

**Disclaimer:**

The answers clarify provisions already contained in the applicable legislation. They do not extend in any way the rights and obligations deriving from such legislation nor do they introduce any additional requirements for the concerned operators and competent authorities. The answers are merely intended to assist natural or legal persons, including competent authorities and Union institutions and bodies in clarifying the application or implementation of the relevant legal provisions. Only the Court of Justice of the European Union is competent to authoritatively interpret Union law. The views expressed in the internal Commission Decision cannot prejudice the position that the European Commission might take before the Union and national courts.

**Link**

[https://www.eba.europa.eu/single-rule-book-qa/-/qna/view/publicId/2018\\_4095](https://www.eba.europa.eu/single-rule-book-qa/-/qna/view/publicId/2018_4095)