



EBA REPORT

ON ITS MYSTERY SHOPPING EXERCISE INTO
PERSONAL LOANS AND PAYMENT ACCOUNTS

EBA/REP/2023/30



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List of abbreviations

CCD	Consumer Credit Directive
CI	Credit institution
EBA	European Banking Authority
EMI	e-Money institution
ESAs	European Supervisory Authorities
EU	European Union
FI	Financial institution
FID	Fee Information Document
ID	Identity document
MS	Mystery shopping
NCAs	National Competent Authorities
PAD	Payment Accounts Directive (Directive (EU) 2014/92)
SECCI	Standardised European Consumer Credit Information

Executive summary

Following the review of the founding Regulations of the three European Supervisory Authorities (ESAs) in 2019/20, the European Banking Authority (EBA) received a number of additional consumer protection mandates. This included in Article 9(1) the mandate to ‘coordinate mystery shopping activities of competent authorities, if applicable’.

The EBA has subsequently fulfilled the mandate in three steps, by i) identifying national mystery shopping (MS) activities and good practices in a report published in 2021, ii) developing a methodological guide to MS in July 2021 and iii) procuring an external MS provider in 2022 to coordinate any MS activities that the EBA may decide to coordinate.

As a fourth and final step, the EBA has coordinated an actual MS exercise in 2023 involving five National Competent Authorities (NCAs), which took part as direct participants or observers. 37 financial institutions (FIs) across the participating Member States were mystery shopped on 340 occasions, of which 250 were carried out on-site and 90 online. The MS exercise comprised the pre-contractual phase of obtaining personal loans and, in some jurisdictions, also payment accounts including those with basic features. In order to account for divergent national circumstances, such as provisions in national law and national supervisory priorities, some details of the MS exercise varied between participating Member States.

This MS exercise aimed at supplementing the findings of the EBA thematic report on fees and charges that the EBA had published at the end of 2022 and gathering first-hand information for NCAs, about the conduct of FIs towards consumers visiting a branch or using a digital channel to obtain a personal loan and/or open a payment account. The exercise demonstrates the added value that MS can bring as a complementary tool to NCAs' conventional supervisory actions and yields information and insight into the conduct of financial institutions that is not readily available through other means.

For example, the MS exercise finds that within the confines of the small sample of FIs covered, the conduct of some of them is inadequate and needs to improve. Some FIs, for instance, did not provide the required pre-contractual information to consumers, and automatically increased the total amount of the credit to include the bank fees without collecting consumer's explicit consent.

More specifically, for personal loans, many FIs did not use the first visit of the mystery shoppers to provide the pre-contractual information such as the Standardised European Consumer Credit Information (SECCI) that is foreseen by the EU Consumer Credit Directive. Other FIs, in turn, provided noticeably less information on their digital channels than in branches and rarely any product-specific information was made available via online chat. Turning to payment accounts, the MS exercise revealed that, during onsite visits, 63% of FIs included in the sample (and 69% online) did not provide the FID document to mystery shoppers. The MS exercise also finds that over half of online visits, staff of EMIs did not mention anything about personal information being needed to open the potential account (in particular when the mystery shopper was interacting with the FI via online chat).

In concluding, the information that emerges from an MS exercise is of a nature and level of detail that other supervisory tools may find difficult and/or costly to unearth.

1. Background

1. Article 9(1) of the European Banking Authority (EBA) Founding Regulation¹ mandates the EBA to promote transparency, simplicity, and fairness in the internal EU market for retail banking products in the EBA's regulatory remit, which encompasses mortgage credit, consumer credit, payment accounts, payment services, electronic money and deposits, including structured deposits. The EBA Founding Regulation mandates the EBA to carry out this task by, *inter alia*:
 - collecting, analysing and reporting on consumer trends, such as the development of costs and charges of retail financial services and products in Member States;
 - undertaking in-depth thematic reviews of market conduct, building a common understanding of market practices in order to identify potential problems and analyse their impact;
 - contributing to the development of common disclosure rules; and
 - coordinating MS activities of national competent authorities [NCAs], if applicable.
2. Following the review of the founding Regulations of the three European Supervisory Authorities (ESAs), the EBA received a number of additional consumer protection mandates which includes the mandate to 'coordinate mystery shopping activities of competent authorities, if applicable'. The mandate has been applicable since 1 January 2020.
3. As a first step towards fulfilling this mandate, the EBA collated MS activities that had been carried out by national competent authorities (NCAs). The activities were summarised and assessed in a report published in May 2021² with a view to sharing experiences, learning valuable lessons, and identifying good practices for the benefit of the EBA and NCAs that use or intend to use MS in the future.
4. As a second step, the EBA published a methodological guide to MS in July 2021³, developed based on the findings and good practices identified in the EBA report on MS activities of NCAs.
5. Consecutive biennial Consumer Trends Reports (CTRs) that the EBA had published in the years prior to the EBA deciding on the topic of the MS exercise had repeatedly raised the level and lack of transparency of fees and charges applied to retail banking products as an issue that causes detriment to consumers in the EU. In order to gauge a better understanding of the market practices applied by FIs in respect of fees and charges, the EBA published a thematic review on the level and transparency of fees and charges levied by financial institutions on the retail banking products under the Authority's consumer protection's remit.
6. As a third step, the EBA procured in 2022 an external MS provider to coordinate any MS exercises that the EBA may decide to coordinate and as fourth and final step, the EBA has coordinated a

² [EBA Report on the mystery shopping activities of national competent authorities, May 2021, EBA/REP/2021/08](#)

³ [The EBA methodological guide to mystery shopping, July 2021, EBA/Rep/2021/21](#)

MS exercise in 2023 involving five NCAs, which took part as direct participants or observers. This MS exercise aimed at supplementing the findings of the EBA thematic report on fees and charges that the EBA had published at the end of 2022⁴. Without comparing the conduct of FIs across the EU, the MS exercise aimed also at gathering first-hand information for NCAs, about the conduct of FIs towards consumers visiting a financial institutions' branch or website with a view to obtain a personal loan and/or open a payment account. The MS exercise demonstrates the added value that MS can bring as a complementary tool to NCAs' conventional supervisory actions. It yields information and insight into the conduct of financial institutions that is not readily available through other means.

7. For the purpose of the EBA's MS exercise, 'mystery shopping' is understood as a fact-finding approach used by supervisory authorities, or by third party providers that they may have hired, so as better to understand the conduct of financial institutions (FIs) towards consumers. MS may include the use of individuals ("mystery shoppers") who may act as potential or actual customers and who are trained and briefed by the supervisory authority to experience and measure key phases of a product's lifecycle and compliance with particular requirements. They report back their experiences in a detailed and objective way. They perform specific tasks, for example reviewing how staff perform against pre-determined standards during an interaction with a customer. That interaction may occur at the pre-contractual, contractual, or post-contractual phase and may involve purchasing a product/service, asking questions, or registering complaints.
8. MS is a useful tool for supervisory authorities to fulfil their supervisory and/or subsequent enforcement objectives. MS techniques may involve mystery observations, visits, telephone calls, mailing, e-mailing and website visits, but they are distinct from on-site inspections used by NCAs in their jurisdictions. For example, MS gives NCAs the opportunity to collect information that cannot usually be obtained by NCAs through their on-site inspections and allows them to assess the extent to which FIs comply with regulatory requirements, such as the disclosure of required pre-contractual and/or contractual information to consumers.
9. MS represents a way to monitor market practices, in particular during the pre-contractual phase, as it allows NCAs to check whether the required information was provided proactively by the FI, only upon request by the mystery shopper, or not at all. In many jurisdictions, legal constraints (mandatory identification of the consumer, prohibition to sign contracts, personal financial records impacted, etc.) might limit the scope of MS exercise to the pre-contractual phase, which means that a given MS exercise may have to restrict itself to the precontractual phase.
10. The remainder of the report presents i) the objective, scope and methodological approach used to coordinate the EBA's MS exercise in 2023, ii) the main findings per product and ii) the conclusion, including recommendations that the participating NCAs could envisage as follow-up actions.

⁴ [EBA Thematic review on the transparency and level of fees and charges for retail banking products published in December 2022, EBA/REP/2022/31](#)

2. Objectives, scope and methodological approach

1.1 Objectives and scope

12. The overall objective of the MS exercise carried out was to:

- *Assess compliance with EU legislation, including EBA Guidelines and Regulatory Technical Standards on fees and charges:* this included evaluating compliance by the FIs with the regulatory requirements of banking products and services. The assessment checked whether the relevant FIs staff went through a proper process of establishing needs, asking relevant questions, making recommendations, following requirements to ensure fees and charges are transparent, fair, clear, and not misleading.

More specifically the purpose was to check, for the specific products targeted, the transparency and level of fees and charges, and any irregular practices including on cross-selling of products, e.g., type of tied, bundled, packaged products offered together with the current account (if any) including any insurance products.

- *Verify if relevant and adequate information and effective advice were disclosed to the consumer at the pre-contractual stage in a timely manner.* This included evaluating i) the adequacy of information disclosure concerning the products and services selected and possible tied/bundled products and services, in particular pre-contractual information duties, selling practices, fair treatment, and an assessment of the suitability of a product or services for consumers' needs and profiles; ii) use of personal data at the pre-contractual phase; and iii) any additional information over and above the usual information which should be provided during the pre-contractual stage. Consequently, all advices and procedures related to the contractual phase have been excluded (e.g. procedures on switching).
- *Check whether the relevant staff at FIs possessed an adequate level of knowledge, competence and general level of professionalism when selling products and services to consumers and enable the consumers to draw an informed decision.* This included assessing whether the relevant staff of FIs and appointed representatives possessed and maintained an adequate and up-to date level of knowledge and competence in relation to the manufacturing, offering, and/or selling of the selected products and services to achieve a high level of professionalism.

13. The MS exercise did not aim at comparing the conduct between FIs between different countries but, rather, at collecting information to support NCAs' supervisory objectives and tasks. The MS exercise focused on types of products that differed across countries, and on whether staff of FIs complied with relevant national and EU requirements.

14. Turning to the scope of products that can be covered by a MS exercise of the EBA, the available choices are limited to the products that fall into the EBA's scope of action on consumer protection, which comprises consumer credit, mortgage credit, payment accounts, payment services, electronic money and deposits. Of these, the MS exercise focused on:
- *Consumer credit/personal loans under EU Directive 2008/48/EC (the Consumer Credit Directive)⁵*, with a view to carry out fact-finding about creditors' compliance with pre-contractual information obligations, such as the provision of the SECCI, and with obligations applicable when receiving a consumer's application for a consumer loan (e.g. on advice); and
 - *Payment accounts and payment accounts with basic features under the Directive 2014/92/EU (the Payment Accounts Directive)⁶*, with a view to carry out fact finding on the conditions of access, legal limits to the fees and expenses charged, characteristics of debit cards associated with this type of account, provision of information etc (e.g. provision of the FID).;
15. The EBA and NCAs selected these products and/or services based on criteria such as the existing gaps in supervisory knowledge, intelligence gathered from consumer complaints, the need to obtain information as to whether or not existing requirements for specific products and services ought to be amended and the emergence in the market of new products/services, new actors, and/or new distribution channels.
16. In terms of the channels through which these products were sold and distributed, the MS exercise covered branches of FIs as well as digital channels, such as websites, chat boxes etc. The exercise was carried out in relation to 37 FIs across the participating Member States, which were mystery shopped by mystery shoppers on 340 occasions, either through branch or online visits.
17. And with regard to the type of FIs that were subject to the MS exercise, they included credit institutions (CIs), consumer credit providers as well as e-money institutions (EMIs). These choices were made to meet the specific needs of each of the NCAs that were taking part in the exercise, as well as to fulfil the aforementioned objectives. The size of the market, too, was taken into account, as were the aim to cover as many different types of FIs and/or distribution channels as possible, so as fully to capture the diversity of the conduct of FIs in the market and to allow the conclusions of the MS exercise to be robust. Comprehensiveness of scope was also achieved on the scope dimensions, such as national geography (to cover rural and/or urban areas), types of branches, (small/large) and different points of sales.
18. The MS exercise was limited to the pre-contractual phase because checking information during the contractual and post-contractual phase would have required the mystery shopper to enter

⁵ Directive 2008/48/EC of the European Parliament and of the Council of 23 April 2008 on credit agreements for consumers and repealing Council Directive 87/102/EEC - OJ L 133, 22.5.2008, p. 66–92.

⁶ Directive 2014/92/EU of the European Parliament and of the Council of 23 July 2014 on the comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features Text with EEA relevance, OJ L 257, 28.8.2014, p. 214–246.

into contractual relationship revealing real identity information which would have put at risk the outcome of the MS exercise.

19. The pre-contractual phase included, for example, collecting information on how a financial product is sold, and verifying that no misleading information was provided to consumers and that all required pre-contractual documents are provided. It involved, for instance, looking at information provided to the consumer through a standardised information sheet, looking at advertisements, promotions, information, standard brochure and/or basic information about a product/service, filling in an online form available for consumers on a specific website etc.
20. Finally, the mystery shoppers, too, were selected, based on the objectives of the MS exercise as explained above to ensure that the personal characteristics and personal financial situations were aligned with the NCAs' goals and scenarios.
21. The MS exercise focused on consumers that are interested in obtaining a general personal loan, with no specific customer profile being targeted. However, for payments accounts the customer profiles included both national residents of the EU Member State where the exercise took place and also foreigners/non-residents.
22. For mystery shoppers to be able to fulfil the stated goal of the MS exercise, they were required to have soft skills such as observation, recording, reporting, team working, ability to play a role, memorise a script and interactions and create questions 'on the go' while interacting with FI's staff. Mystery shoppers had also sufficient skills to evaluate the conduct and competence of FIs staff.

1.2 Methodology

23. The methodology foresaw a four-step approach consisting of i) inception, ii) planning, iii) data gathering and iv) analysis and reporting phases. The inception phase included a definition of the goals/scope with the EBA and NCAs and aimed at ensuring a common understanding of the planned MS exercise. During this phase:
 - Key Performance Indicators (KPIs) were defined to measure the goals and scope of the MS exercise per country.
 - Sample, frequency, shopper type, scenario, questionnaire structure, scoring and reporting requirements for each exercise per country were specified.
24. Then the planning phase of groundwork exercise was carried out to ensure a credible, consistent and high-quality data gathering phase to collect the information needed to address the defined goals and scope. During this phase:
 - Mystery shoppers were selected and trained;
 - Mystery shoppers' scenarios were designed as well as a scenario briefing note. This exercise allowed to identify the mystery shopper journey's key components that needed to be evaluated.

- Mystery shoppers' assessment questionnaire and data gathering tools were designed. Based on a pre-defined methodology and scenarios, an assessment questionnaire for mystery shoppers was prepared and programmed by the external provider.
25. This step was followed by a data gathering phase consisting of:
- Piloting and finetuning activities were carried allowing to test the scenario, the briefing notes and the assessment questionnaires in real-life to ensure robustness and fitness. The mentioned documents were then finetuned before launching the full fieldwork exercise.
 - Fieldwork exercise and data collection activities were carried out using the developed tools.
 - Data were collected and stored safely. A quality check of the data collected ensured the right execution of the data gathering phase.
26. Finally, as part of the analysis and reporting phase, an effective and consistent analysis of the MS exercise results was done by the external provider and reported to the EBA staff and NCAs.
27. The MS exercise was adapted to the type of FIs and jurisdictions and involved on-site and/or off-site visits:
- *Onsite visits (at branch/premises of the FIs)* which corresponds to the analysis of different risks, internal control systems, business models, conduct or governance, at the premises of an inspected FI, usually within a predefined scope and timeframe and with a view to assessing the information provided by sales staff, without the entity under the MS knowing that they are subject to such a visit;
 - *Online/off-site visits* which corresponds to the collection of information via the internet or by phone and analysis of documents and information provided by FIs, which may include analysis of contracts, an internet watch on advertisement, etc., without the subject of the MS knowing that they are subject to such a collection of information.
- As part of this MS exercise, 250 visits were carried out onsite, and 90 online.
28. The pre-contractual phase via an 'on-site visits' implied in particular the following steps, for example:
- evaluating the suitability of the product offered by the FI as an answer to a request made by the mystery shopper (e.g. the mystery shopper requested information about opening a bank account or personal loan);
 - assessing the adequacy of information provided by the FI to the mystery shopper;
 - identifying any other irregular practices (e.g. irregular commissions, non-provision of required documentation/SECCI);
 - verifying if the payment account with basic features was available in the branches, whether products features of payment accounts or personal loans were well explained and presented, and if any written information was provided to the mystery shopper.
29. Regarding the type of information collected, the MS exercise led to the collection of information that relied in most cases on the direct interaction with staff of a FI, in particular a mix of:

- *interactive evaluations* between the mystery shopper and the staff of the FI to assess the level of service given, and which also allowed to gain information (separately from the service level) such as the price of a product/service, which aspects are mentioned by default and which ones have to be prompted etc.;
 - *observations* where there is no interaction between the mystery shopper and the FIs staff (in case of off-site visit involving collection of information made available by the FIs on the internet (e.g. websites)).
30. The external provider collected objective information, when feasible, which included, for example, documents/information provided directly to the consumers such as the FID or SECCI. In addition to objective information, subjective input was also used, such as an assessment of the conduct of staff (e.g. behaviour, attitude). During the exercise, the external provider made sure that the mystery shoppers were not posing leading questions, i.e. questions that could guide the staff of the FIs to provide a particular answer.

3. Main findings

31. As this MS exercise covered a small number of EU Member States, the results should not be interpreted as being representative of the conduct of all FIs across the EU. In order to account for divergent national circumstances, such as provisions in national law and national supervisory priorities, some details of the MS exercise varied between participating Member States and also focused on two types of products: personal loans and, in some jurisdictions also payment accounts.

3.1 Personal loans

32. With a view to carry out fact-finding about creditors' compliance with pre-contractual information obligations and with obligations applicable when receiving a consumer's application for a consumer loan, the mystery shoppers explicitly requested to the FIs staff a personal loan up to €10,000 for home improvements or up to €5,000 EUR for travel, emergency or personal expenses.

33. Overall, the MS exercise revealed differences in conduct across different FIs, mainly due to how local market operates. In certain cases, FIs have been observed to be adopting inadequate practices regarding the provision of pre-contractual information and by automatically increasing the total amount of the credit to include the bank fees without collecting consumer's explicit consent.

34. For general personal loans and during onsite visits, the pre-contractual information documents provided to mystery shoppers were almost always provided during the first visit in some countries/cases/FIs, while in others only oral information or limited or no documents were provided at all during the first visit.

35. The type of documents shared by staff after the first onsite visit seemed to depend mainly on the FIs' processes and on the staff member's practice. According to the Article 5 of the CCD⁷, pre-contractual documents should be shared "in good time before the consumer is bound by any credit agreement or offer" to allow the consumer to have all the information needed to compare different offers and take an informed decision on whether to conclude a credit agreement. Considering that the contractual scope of the EBA's MS exercise was limited to the pre-

⁷ In accordance with Article 5 of the Consumer Credit Directive, 'In good time before the consumer is bound by any credit agreement or offer, the creditor and, where applicable, the credit intermediary shall, on the basis of the credit terms and conditions offered by the creditor and, if applicable, the preferences expressed and information supplied by the consumer, provide the consumer with the information needed to compare different offers in order to take an informed decision on whether to conclude a credit agreement. Such information, on paper or on another durable medium, shall be provided by means of the Standard European Consumer Credit Information'.

contractual phase and no contract was signed, it is conceivable but not certain that the FIs would have provided the information as required under EU law.

36. It is also uncertain at which point in time the provision of the SECCI would be considered shared too late to be compliant with the legal requirement of providing it “in good time before the consumer is bound by the credit agreement or the offer. There is currently no legal definition of what ‘in good time’ means in the CCD. However, from a supervisory point of view, providing the pre-contractual information (e.g. SECCI) to the consumers during the first visit, when the FI has the necessary information to fill in the SECCI, is a practice that can be considered as compliant with CCD requirements. Conversely, pre-contractual information documents provided by FIs as late as the point in time of imminent signature of the contract would therefore *not* be considered as a good practice.
37. In terms of content of the pre-contractual documents provided during the onsite visits, no major issues were identified, as the collected documents follow the SECCI structure in terms of mandatory information contained.
38. In terms of oral information provided by staff members during onsite visits, in the vast majority of cases, staff members provided mystery shoppers with a full, or at least partial explanation of the costs involved with the purchasing of the personal loan. No shortcomings were identified in the type, timing and manner with which information is provided.
39. However, regarding digital channels, less information was at times provided in some countries. The provision of information to the consumer via phone was consistently more effective as opposed to emails, and rarely any product-specific information was available via online chat.
40. In terms of access to personal loans, some similarities and differences were observed during the exercise. Accessing personal loans was, in some FIs, subject to opening a bank account with the FIs while in others it was provided without such requirement. When opening a bank account was required, none of the staff members proposed any credit/debit cards or other financial products in addition.
41. In term of mandatory or separately sold additional insurance/services, mandatory insurances were more common in certain countries. When insurances were mandatory, mystery shoppers were usually offered the insurance proposed by the FI. Mystery shoppers were however rarely informed of the possibility to purchase it from another provider.
42. In addition, instances were observed whereby FIs tried to increase the amount of the loan by wrapping the different fees into the loan amount, thus increasing its total amount to repay the fees over time, without asking for explicit consent.

3.2 Payment accounts

43. In addition to personal loans, mystery shoppers in some of the participating countries requested information in relation to the opening of a payment account (including payment accounts with basic features).
44. In only 11% of cases, FIs explicitly offered a payment account with basic features. In line with the PAD (Directive (EU) 2014/92), basic features includes: withdrawing cash, payment transactions through a debit card, including online payments, access to online banking, place fund/account deposits, receiving and executing payments. In the majority of offsite MS exercises, EMIs have a higher tendency to offer one main payment account service. CIs by contrast have a higher tendency to present the entire payment account portfolio, as well as other services. In addition, the majority of the payment accounts proposed were not accompanied by any other services linked to payment accounts, and this was so for both, onsite and online visits.
45. In line with the customer due diligence requirements set out in Article 13 of Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing⁸, onsite, mystery shoppers had to provide CIs identity documents (IDs) and other information to open a payment account, for them to be able to assess the intended nature of the future business relationship. Mystery shoppers had to provide information such as name, ID, age and to fulfil specific conditions to open a payment account such as providing IDs, payslip, working contracts or a minimum deposit. More than half of the CIs asked about the residency and to provide further details about their financial circumstances. More than three quarters of the FIs asked for other personal information such as email address, mobile phone number, a work contract, bank statements going beyond personal IDs. Similarly, during on-line MS exercise questions about residency and financial circumstances were also asked at times.
46. The situation remains however different for MS conducted online, as just over half of online visits shows that staff of EMIs did not mention anything about personal information being needed to open the potential account (in particular when the mystery shopper was interacting with the FI via online chat).
47. In terms of pre-contractual information to be provided to consumers prior to obtaining a payment account, according to the Directive (EU) 2014/92 payment service providers shall provide the consumer with a FID on paper or another durable medium. This document includes the standardised terms in the final list of the most representative services linked to a payment account and, where such services are offered by a payment service provider, the corresponding fees for each service. The FID is meant to inform consumers before entering into a contract for a payment account in order to enable them to compare payment account offers. A payment

⁸ Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC (Text with EEA relevance, OJ L 141, 5.6.2015, p. 73–117)

service provider is required by EU law to use the standardised template for producing one fee information document in respect of each of the payment accounts offered to a consumer.

48. 63% of FIs during onsite visits (and 69% online) did not provide the FID document to mystery shoppers, which means that two-thirds of mystery shoppers did not receive the FID required by the Directive (EU) 2014/92. However, there are some minor divergences, in that CIs were more frequently providing the FID than EMIs, in particular in an online setting. In almost half of the MS visits, FI staff explained that there were no additional fees associated with the payment account but in many cases limited explanations were provided about the fees/costs associated with the payment account services.

4. Conclusion

49. The exercise has shown that MS is a useful complementary tool for supervisory authorities to fulfil their supervisory and/or enforcement objectives, and to gather information about financial products and services and/or the conduct of FIs towards consumers. MS is distinct from any onsite inspection tools used by NCAs in their jurisdictions and can involve techniques such as mystery observations, visits, telephone calls, mailing, e-mailing and website visits.
50. More specifically, MS represents a way to monitor conduct, in particular for the pre-contractual phase, as it allows NCAs to check whether information was provided proactively by the FI as required by law, or only upon request by the mystery shopper, or not at all. This is due also to the observation that in many jurisdictions, legal constraints such as mandatory identification of the consumer, a prohibition to sign contracts, and the impact on personal financial records of mystery shoppers might limit the ability of the scope of the MS exercise to extend beyond the pre-contractual phase.
51. The information that emerges from a MS exercise is of nature and level of richness that other supervisory tools may find difficult and/or costly to unearth.
52. As a follow-up to this MS exercise, the participating NCAs can consider a number of actions:
- communicating with FIs on the lack of information provided to consumers using digital channels in some countries and on the importance of adopting a consistent approach to the provision of pre-contractual information both, onsite and online, across branches and across different distribution channels of the same institution;
 - as a complementary exercise, investigating further the conduct of some FIs regarding the practice to automatically increase the total amount of the credit to include the bank fees without collecting explicit consent from consumers, or the provision of information related to specific requirements (opening a bank account, mandatory insurance) to get the loan;
 - investigating further the conduct of FIs regarding the provision of pre-contractual information documents for personal loans in 'good time' and FID for payment accounts;
 - have bilateral contacts with the FIs concerned in order to explain the conclusions of this exercise and to propose some guidance or take any supervisory actions, if needed:
 - to prevent any automatic increase of the total amount of the credit to include bank fees without collecting explicit consent from consumers;
 - to encourage FIs to provide pre-contractual information to the consumers during the first visit, when they have all the necessary information to include in the SECCI. Also, consumers are subsequently able to have access to the necessary information to compare different offers and make an informed decision on whether to conclude a credit agreement;
 - to ensure FIs provide the FID.



EUROPEAN BANKING AUTHORITY

Tour Europalaza, 20 avenue André Prothin CS 30154
92927 Paris La Défense CEDEX, FRANCE

Tel. +33 1 86 52 70 00

E-mail: info@eba.europa.eu

<https://eba.europa.eu>