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## Communication

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### **Communication NBB\_2020\_022 / EBA Opinion on obstacles under Article 32(3) of the RTS on SCA & CSC under PSD2 (EBA-Op-2020-10)**

#### Scope

*Belgian account servicing payment service providers within the meaning of Article 2, 12° of the Law of 11 March 2018 on the legal status and supervision of payment institutions and electronic money institutions, access to the activity of payment service provider and the activity of issuing electronic money, and access to payment systems (hereinafter “the Law of 11 March 2018”) offering a dedicated interface within the meaning of Article 32 of the RTS on SCA & CSC<sup>1</sup>.*

#### Summary/Objectives

*This Communication reflects the Bank's expectations regarding the implementation of the EBA Opinion 2020-10 on obstacles under Article 32(3) of the RTS on SCA & CSC by account servicing payment service providers offering a dedicated interface.*

<sup>1</sup> *Delegated Regulation (EU) 2018/389 of 27 November 2017 supplementing Directive (EU) 2015/2366 of the European Parliament and of the Council with regard to regulatory technical standards for strong customer authentication and common and secure open standards of communication (hereinafter “the RTS on SCA & CSC”)*



Dear Sir or Madam,

The revised Payment Services Directive (EU) 2015/2366 (PSD2) provides for a regime for accessing payment accounts in a secure manner, which is further specified in the regulatory technical standards for strong customer authentication and common and secure open standards of communication (the RTS on SCA & CSC). According to the RTS on SCA & CSC, access to payment accounts should be provided by means of a dedicated interface created for that purpose by the account servicing payment service provider, or access should be allowed through the interface used for communication with the payment service users (Article 31 RTS on SCA & CSC).

Article 32(3) of the RTS SCA & CSC provides that "*account servicing payment service providers that have put in place a dedicated interface shall ensure that this interface does not create obstacles to the provision of payment initiation and account information services.*"

This article has raised a number of important questions from third party providers (payment initiation service providers and account information service providers) as to which practices in a dedicated interface offered by account servicing payment service provider should be considered as *obstacles* and therefore not in line with the requirements of the RTS on SCA & CSC.

On 4 June 2020, the European Banking Authority (hereinafter "EBA") published an "*Opinion on obstacles under Article 32(3) of the RTS on SCA and CSC*" (EBA-Op-2020-10) to provide an answer to those questions.

This Opinion can be consulted here:

[https://eba.europa.eu/sites/default/documents/files/document\\_library/Publications/Opinions/2020/884569/EBA%20Opinion%20on%20obstacles%20under%20Art.%2032%283%29%20RTS%20on%20SCA%26CSC.pdf](https://eba.europa.eu/sites/default/documents/files/document_library/Publications/Opinions/2020/884569/EBA%20Opinion%20on%20obstacles%20under%20Art.%2032%283%29%20RTS%20on%20SCA%26CSC.pdf)

With this Communication, the National Bank of Belgium (hereinafter "the Bank") wishes to indicate that it shares the EBA's opinion regarding the interpretation of Article 32(3) of the RTS on SCA & CSC and that it will monitor compliance with this Article 32(3) of the RTS on SCA & CSC taking into account the views expressed in the EBA Opinion 2020\_10.

However, the Bank acknowledges that the technical adaptations that may be required as a result of this EBA Opinion to the dedicated interface(s) of Belgian account servicing payment service providers will take some time. Therefore, the Bank expects the dedicated interface(s) to be in accordance with this EBA Opinion by 31 December 2020 at the latest.

A copy of this communication will be sent to your institution's accredited statutory auditor(s).

Yours faithfully,

Pierre Wunsch  
Governor