Instant payments in euro

2022/0341(COD) - 07/02/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 599 votes to 7, with 35 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Regulations (EU) No 260/2012 and (EU) 2021/1230 as regards instant credit transfers in euro.

Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Instant credit transfer transactions

Payment service providers (PSPs) that offer to their payment service user (PSU) a payment service of sending and receiving credit transfers should offer to all of their PSUs a payment service of sending and receiving instant credit transfers. Payment service providers should ensure that all payment accounts that are reachable for credit transfers are also reachable for instant credit transfers **24 hours a day** and on any calendar day.

A payment service provider located in a **Member State whose currency is not the euro** should not be obliged to offer payment service users PSUs the payment service of sending instant credit transfers in euro beyond a limit per transaction, from payment accounts denominated in the national currency of that Member State, during the time when that payment service provider neither sends nor receives non-instant credit transfer transactions in euro with respect to such payment accounts. That limit should be set by the competent authorities and should not be lower than EUR 25 000. Competent authorities may grant prior permission at the request of the payment service provider for a period of one year. At the request of the PSP, competent authorities may extend that prior permission by further periods of one year.

The ECB and any national central bank, when not acting in its capacity as monetary authority or other public authority, may limit its offer of a payment service of sending instant credit transfers to the period of time during which it offers a payment service of sending and receiving non-instant credit transfers.

Whencarrying out instant credit transfers, payment service providers should comply with the following requirements:

- payment service providers should ensure that payers are able to place a payment order for an instant credit transfer through all of the same payment initiation channels as the ones through which those payers are able to place a payment order for other credit transfers;

- immediately after the time of receipt of a payment order for an instant credit transfer, the payer’s payment service provider should verify whether all of the necessary conditions for processing the payment transaction are met and whether the necessary funds are available, reserve or debit the amount of the payment transaction from the account of the payer, and immediately send the payment transaction to the payee’s payment service provider;

- the payee’s payment service provider should, **within 10 seconds** of the time of receipt of the payment order for an instant credit transfer by the payer’s payment service provider, make the amount of the payment transaction available on the payee’s payment account in the currency in which the payee’s account is denominated and confirm the completion of the payment transaction to the payer’s payment service provider;

- the payee’s payment service provider should ensure that the credit value date for the payee’s payment account is the same date as the date on which the payee’s payment account is credited by the payee’s payment service provider with the amount of the payment transaction;

- where no confirmation of completion is received by the payer’s payment service providers within 10 seconds of the time of receipt of the payment order for an instant credit transfer, the payer’s payment service providers should, free of charge, inform the payer, as well as, where applicable, the payment initiation service provider, whether the amount of the payment transaction has been made available on the payee’s payment account.

Maximum amount of credit transfers

Upon the request of the payment service users, a payment service providers should offer a payment service user the **possibility of setting a limit fixing a maximum amount** that can be sent by means of instant credit transfer. That limit may be either on a per day or per transaction basis, at the sole discretion of the payment service user. Payment service providers should ensure that PSUs are able to modify that maximum amount at any time prior to the placing of a payment order for an instant credit transfer.

Charges in respect of credit transfers and verification of the payee

Any charges levied by a payment service providers on payers and payees in respect of sending and receiving instant credit transfers **should not be higher** than the charges levied by that payment service provider in respect of sending and receiving other credit transfers of corresponding type.

Verification of the payee in the case of credit transfers

Payment service providers should have in place robust and up-to-date fraud detection and prevention measures, to avoid credit transfers going into the wrong account due to fraud or error. To this end, payment service providers operating in the EU should immediately, and without any additional charges or fees, provide a service to verify the identity of the recipient.

If a payment service provider does not fulfil its fraud prevention duties and this results in financial damage, a client may demand to be **compensated** by the service provider, according to the new rules.

Payment service providers offering instant credit transfers should also verify whether any of their clients are subject to **sanctions** or other restrictive measures related to money laundering and terrorist financing.

Report

The Commission should submit a report to the European Parliament and to the Council evaluating the development of charges for payment accounts as well as for national and cross-border credit transfers and instant credit transfers in euro and in other currencies since the date of the adoption of the Commission’s legislative proposal for this amending Regulation, in other words 26 October 2022, in order to monitor any effects of this amending Regulation on the pricing of accounts, non-instant credit transfers and instant credit transfers.