Basic information

2013/0139(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Payment accounts: comparability of fees, account switching and access to accounts with basic features **Subject** 2.50.04 Banks and credit 2.50.04.02 Electronic money and payments, cross-border credit transfers 4.60.06 Consumers' economic and legal interests	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ECON Economic and Monetary Affairs	KLUTE Jürgen (GUE/NGL)	21/05/2013
	Shadow rapporteur LANGEN Werner (PPE) ZALBA BIDEGAIN Pablo (PPE) LUDVIGSSON Olle (S&D) DE BACKER Philippe (ALDE) GIEGOLD Sven (Verts /ALE) KAMALL Syed (ECR) TERHO Sampo (EFD)	

Committee for opinion	Rapporteur for opinion	Appointed
IMCO Internal Market and Consumer Protection (Associated committee)	GEBHARDT Evelyne (S&D)	29/05/2013
JURI Legal Affairs	STOYANOV Dimitar (NI)	29/05/2013

Council of the European Union

Council configuration	Meetings	Date
General Affairs	3331	2014-07-23

European Commission	Commission DG	Commissioner
	Financial Stability, Financial Services and Capital Markets Union	BARNIER Michel

European Economic and Social Committee

Key events

Date	Event	Reference	Summary
08/05/2013	Legislative proposal published	COM(2013)0266	Summary
23/05/2013	Committee referral announced in Parliament, 1st reading		
10/10/2013	Referral to associated committees announced in Parliament		
18/11/2013	Vote in committee, 1st reading		
19/11/2013	Committee report tabled for plenary, 1st reading	A7-0398/2013	Summary
11/12/2013	Debate in Parliament		
12/12/2013	Decision by Parliament, 1st reading	T7-0587/2013	Summary
12/12/2013	Results of vote in Parliament		
15/04/2014	Decision by Parliament, 1st reading	T7-0356/2014	Summary
15/04/2014	Results of vote in Parliament		
23/07/2014	Act adopted by Council after Parliament's 1st reading		
23/07/2014	Final act signed		
23/07/2014	End of procedure in Parliament		
28/08/2014	Final act published in Official Journal		

Technical information

Procedure reference	2013/0139(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	Treaty on the Functioning of the European Union TFEU 114-p1
Other legal basis	Rules of Procedure EP 165
Mandatory consultation of other institutions	European Economic and Social Committee
Stage reached in procedure	Procedure completed
Committee dossier	ECON/7/12713

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE514.602	26/06/2013	
Amendments tabled in committee		PE516.948	10/09/2013	
Amendments tabled in committee		PE516.959	10/09/2013	
Committee opinion	JURI	PE514.651	18/09/2013	
Committee opinion	IMCO	PE519.594	12/11/2013	
Committee report tabled for plenary, 1st reading/single reading		A7-0398/2013	19/11/2013	Summary
Text adopted by Parliament, partial vote at 1st reading /single reading		T7-0587/2013	12/12/2013	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0356/2014	15/04/2014	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	00089/2014/LEX	23/07/2014	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2013)0266	08/05/2013	Summary
Document attached to the procedure	SWD(2013)0164	08/05/2013	
Document attached to the procedure	SWD(2013)0165	08/05/2013	
Commission response to text adopted in plenary	SP(2014)471	09/07/2014	
Follow-up document	COM(2023)0248	12/05/2023	
Follow-up document	COM(2023)0249	12/05/2023	
Follow-up document	COM(2025)0485	11/09/2025	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	ES_PARLIAMENT	COM(2013)0266	06/06/2013	
Contribution	DE_BUNDESRAT	COM(2013)0266	08/07/2013	
Contribution	PT_PARLIAMENT	COM(2013)0266	09/07/2013	

Contribution	CZ_SENATE	COM(2013)0266	17/09/2013	
Contribution	IT_SENATE	COM(2013)0266	24/01/2014	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES3958/2013	18/09/2013	
ECB	European Central Bank: opinion, guideline, report	CON/2013/0077 OJ C 051 22.02.2014, p. 0003	19/11/2013	Summary

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Directive 2014/0092
OJ L 257 28.08.2014, p. 0214 Summary

Delegated acts

Reference	Subject
2017/2882(DEA)	Examination of delegated act

Payment accounts: comparability of fees, account switching and access to accounts with basic features

2013/0139(COD) - 08/05/2013 - Legislative proposal

PURPOSE: to improve and develop the single market for retail banking.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: the **lack of transparency and comparability of charges and the difficulty of switching bank accounts** continue to figure as obstacles to a fully integrated internal market for retail banking.

A survey conducted by Eurobarometer in 2012 showed that **only 3% of the respondents declared having opened a payment account cross-border.**

Consumers were dissuaded from purchasing retail financial products cross-border by unclear information (21%), lack of clarity of the rights available to the consumer (18%) or the process being too complicated (15%).

Surveys and complaints from consumers demonstrate that **many citizens have faced difficulties in opening a payment account** due to their lack of a permanent address in the Member State where the payment service provider is located. This problem affects a large number of EU consumers living in another Member State (12.3 million people in 2010).

Furthermore, the World Bank estimated that **about 58 million EU consumers do not have a payment account** and approximately 25 million of them would like to open one.

The fact that a large number of consumers does not currently participate in the internal market for financial services has negative consequences for both payment service providers and consumers.

Initiatives have already been taken in these areas: (i) the **Payment Service Directive (2007/64/EC)** provides certain transparency obligations with respect to the fees charged by payment service providers; (ii) following a request from the Commission in 2010, the banking industry at EU level proposed to develop, through **self-regulation**, a framework ensuring increased transparency on payment account fees; (iii) in July 2011 the Commission issued a Recommendation on access to a basic payment account.

However, **progress remains limited**.

The Single Market Act II adopted on 3 October 2012, identified **a legislative initiative on bank accounts in the EU** as one of the twelve priority actions to generate real effects on the ground and make citizens and businesses confident to use the single market to their advantage.

IMPACT ASSESSMENT: the Commission prepared an impact assessment of policy options. These options concerned: (i) the scope of the new provisions, (ii) the level of standardisation, (iii) the setting up and functioning of measures on transparency and comparability of fees, switching between payment accounts, improved access to basic payment services and (iv) how to ensure their effective application for consumers.

Following an assessment of the available options, the Commission concluded that in order to improve the functioning of the switching process, it is necessary to **enact measures to give binding legal force to the provisions of the Common Principles on account switching.**

LEGAL BASIS: Article 114 of the Treaty on the Functioning of the European Union.

CONTENT: the draft directive aims to: (i) improve the transparency and comparability of fee information relating to payment accounts, (ii) facilitate switching between payment accounts, (iii) eliminate discrimination based on residency with respect to payment accounts and (iv) provide access to a payment account with basic features within the EU.

The directive will apply to payment accounts held by consumers. Consequently, accounts held by businesses are outside its scope. It will not cover savings accounts.

1) Transparency on fees: the proposal requires payment service providers to provide consumers with:

- €€€€€€€ a **fee information document** containing information on the most representative payment services in each Member State, using the terms and definitions established at EU level where relevant;
- €€€€€€€ a **glossary** drafted in clear, unambiguous and non-technical language, containing at least the list of payment services and the related definitions;
- €€€€€€€ information on **all the fees charged on the account** at least annually.

Consumers should be able to access comparison websites obtain to obtain impartial information on bank fees.

2) Changing accounts: the proposal:

- €€€€€€€ requires Member States enact a **general obligation** for payment service providers to make a switching service available to any consumer who holds an account with a payment service provider located in the Union;
- €€€€€€€ establishes the **specific roles and obligations** for the receiving and transferring payment service providers in the context of the switching service;
- €€€€€€€ establishes principles to guarantee that the **charges related to the switching services** are appropriate and in line with the costs incurred;
- €€€€€€€ establishes the obligation for payment service providers to **refund charges** incurred by consumers due to their mistake or delay during the switching service.

3) Access to a bank account: the proposal:

- €€€€€€€ requires Member States to ensure that consumers are **not discriminated against** on the basis of their nationality or residence when applying for a payment account or in their use of a payment account;
- €€€€€€€ establishes a **right of access to a basic payment account** for consumers in any Member State;
- €€€€€€€ requires Member States to designate **at least one payment service provider** to offer a basic payment account;
- €€€€€€€ requires Member States to ensure that services are offered by payment service providers **free of charge** or for a reasonable fee.

- €€€€€€€ recalls that Directive 2007/64/EC is applicable to payment accounts with basic features. However the proposal provides for a limited list of grounds that may justify the termination of the framework contract of a payment account with basic features by the payment service provider.

Lastly, the proposal requires Member States: (i) to establish specific requirements for the **settlement of disputes** between consumers and payment service providers; (ii) to establish rules on **sanctions** for breaches of the national provisions adopted to implement the directive.

BUDGETARY IMPLICATIONS: the proposal has no implications for the EU budget.

DELEGATED ACTS: the proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union.

Payment accounts: comparability of fees, account switching and access to accounts with basic features

2013/0139(COD) - 19/11/2013 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Economic and Monetary Affairs adopted the report by J|rgen KLUTE (GUE/NGL, DE) on the proposal for a directive of the European Parliament and of the Council on the comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features.

The Committee on the Internal Market and Consumer Protection, took up its right as an associated committee in line with Article 50 of the European Parliament Rules of Procedure, to be equally consulted and to give an opinion on the present report.

The parliamentary committee recommended that the position of the European Parliament adopted at first reading, following the ordinary legislative procedure, amend the Commission proposal.

Fee information document: payment service providers should provide consumers with a comprehensive fee information document that states the fees for all services **before concluding a contract** linked to the payment account.

The fee information document should: i) state the fees for all services linked to the payment account contained in the list of the most representative services; ii) mention any further fees that can be applied to the account; iii) display a common symbol on the first page, making it clearly distinguishable from sales or contractual communications. The consumers must be informed of any change in fees.

The document should be **accessible at all times** and be published by providers in an electronic format on their website, including for persons who are not clients.

In addition, providers should provide consumers, free of charge, with a **statement of all fees and the interest rates applied** to their payment account on an annual basis.

The Commission will have the power to adopt delegated acts relating to a **standardised terminology at EU level** for payment services common to a majority at least of Member States. In each Member State language a single term will be used for each service.

Comparison websites at national level: the Committee proposed that an independent and free website shall be established **in each Member State** allowing comparison of fees charged and interest paid by banks, as well as their level of service.

By three years after the entry into force of this Directive, the European Banking Authority (EBA) shall provide **a publicly accessible Union comparison website** that enables consumers to compare payment accounts offered within the internal market.

Switching accounts: clients should be able to switch banks within the EU at reasonable costs.

The costs incurred by a customer during a change of bank due to a payment service providers failure to fulfil its obligations must be **reimbursed** within three days from the establishment of non-compliance.

If the Commission does not decide otherwise after a regulatory impact assessment, Member States should ensure, at the latest six years after the entry into force of the directive, that a system be put in place to allow the **automated redirection** of payments from one account to another within the same Member State.

Access to a basic account: holding a basic payment account shall be in no way discriminatory.

Member States shall ensure that a payment account with basic features is **offered to consumers by all payment service providers** that operate in general retail payment services.

This right should apply regardless of the place of residence of the consumer and the exercise of the right should not be made excessively difficult or binding on the customer.

The banks must process applications for access to a payment account with basic features **within seven business days of receiving a complete application** including proof of identity.

Member States must also guarantee that a mechanism is in place:

- to assist consumers with no fixed address, asylum seekers and consumers who are not granted a residence permit but whose expulsion is impossible for legal reasons to meet the requirements of Chapter II of Directive 2005/60/EC;
- to ensure that **unbanked, vulnerable consumers as well as mobile consumers** are informed about the availability of payment accounts with basic features.

To open and use a payment account with basic features consumers shall be required to have **a genuine link to the Member State where they wish to open an account**.That link shall include at least citizenship, family ties, centre of interests, place of work, internship or apprenticeship, pursuit of job opportunities or other professional links, place of study or vocational training, residence, property and any outstanding asylum or migration application.

Payment accounts with basic features **shall not include any overdraft facilities** other than a temporary buffer facility for small amounts. Payment service providers may offer overdraft facilities and other credit products as clearly separated services.

General information on basic accounts: the Committee requested that Member States:

- require educational establishments to develop **services for the most vulnerable customers** providing them with guidance and assistance in the responsible management of their finances. encourage financial education, including at schools;
- ensure that the competent authorities publish, including on their website, **an audit of the performance** of each payment service provider in terms of its compliance with the right of access requirement.

Alternative dispute resolution: the report suggests that Member States establish adequate and effective out-of-court complaint and redress procedures for the settlement of disputes between consumers and payment service providers concerning rights and obligations established under this Directive. For those purposes, Member States shall designate existing bodies and, where appropriate, set up new bodies.

Payment accounts: comparability of fees, account switching and access to accounts with basic features

2013/0139(COD) - 12/12/2013 - Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament adopted amendments to the proposal for a directive of the European Parliament and of the Council on the comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features.

The matter was referred back to the competent committee for re-consideration. The vote on the legislative resolution was moved to a later plenary session.

The main amendments were as follows:

Fee information document: in order to help consumers compare payment account fees throughout the internal market easily, payment service providers should provide consumers with a comprehensive fee information document that states **the fees for all services linked to the payment account contained in the list of the most representative services** and any further fees that can be applied to the account. The fee information document should use the standardised terms and definitions established at Union level, where possible

The document should be **accessible at all times** and be published by providers in an electronic format on their website, including for persons who are not clients.

Payment service providers must make available to consumers **a glossary of all services linked to the account** and the related definitions and explanations.

The glossary must be drafted in clear, unambiguous and non-technical language that it is not misleading.

Furthermore, banks should provide consumers, free of charge, with a **statement of all fees and the interest rates applied** to their payment account on an annual basis.

The Commission will have the power to adopt delegated acts relating to a **standardised terminology at EU level** for payment services common to a majority at least of Member States. In each Member State language a single term will be used for each service.

Comparison websites at national level: Parliament proposed that an independent and free website shall be established **in each Member State** allowing comparison of fees charged and interest paid by banks, as well as their level of service.

By three years after the entry into force of this Directive, the European Banking Authority (EBA) shall provide **a publicly accessible Union comparison website** that enables consumers to compare payment accounts offered within the internal market.

Switching accounts: clients should be able to switch banks within the EU at reasonable costs.

The costs incurred by a customer during a change of bank due to a payment service providers failure to fulfil its obligations must be **reimbursed** within three days from the establishment of non-compliance.

If the Commission does not decide otherwise after a regulatory impact assessment, Member States should ensure, at the latest six years after the entry into force of the directive, that a system be put in place to allow the **automated redirection** of payments from one account to another within the same Member State.

Access to a basic account: holding a basic payment account shall be **in no way discriminatory**. Making any discrimination visible through, for example, a different appearance of the card, a different account or card number, shall be prohibited.

Member States shall **ensure that a payment account with basic features is offered to consumers by all payment service providers** that operate in general retail payment services.

This right should apply **regardless of the place of residence of the consumer** and the exercise of the right should not be made excessively difficult or binding on the customer.

An amendment adopted in plenary stipulates that a Member State may decide to **exempt payment service providers from this obligation** subject to the approval of the Commission and on objective and restrictive criteria. The Commission shall approve the exemptions where: (i) a level playing field among all payment service providers is guaranteed, (ii) the right of access for consumers is not undermined and (iii) the exemption does not lead to a situation in the Member State concerned where basic account customers face the risk of being stigmatised.

The banks must process applications for access to a payment account with basic features **within seven business days of receiving a complete application** including proof of identity.

Member States must also guarantee that a **mechanism** is in place:

- to assist consumers with no fixed address, asylum seekers and consumers who are not granted a residence permit but whose expulsion is impossible for legal reasons to meet the requirements of Chapter II of Directive 2005/60/EC;
- to ensure that **unbanked, vulnerable consumers as well as mobile consumers are informed** about the availability of payment accounts with basic features.

To open and use a payment account with basic features consumers shall be required to have a **genuine link to the Member State where they wish to open an account**. That link shall include at least citizenship, family ties, centre of interests, place of work, internship or apprenticeship, pursuit of job opportunities or other professional links, place of study or vocational training, residence, property and any outstanding asylum or migration application.

Payment accounts with basic features **shall not include any overdraft facilities** other than a temporary buffer facility for small amounts. Payment service providers may offer overdraft facilities and other credit products as clearly separated services.

General information on basic accounts: Parliament requested that Member States:

- require educational establishments to **develop services for the most vulnerable customers** providing them with guidance and assistance in the responsible management of their finances; encourage financial education, including at schools;
- ensure that the competent authorities publish, including on their website, **an audit of the performance** of each payment service provider in terms of its compliance with the right of access requirement.

Alternative dispute resolution: Parliament suggests that Member States establish adequate and effective out-of-court complaint and redress procedures for the settlement of disputes between consumers and payment service providers concerning rights and obligations established under this Directive. For those purposes, Member States shall designate existing bodies and, where appropriate, set up new bodies.

Payment accounts: comparability of fees, account switching and access to accounts with basic features

2013/0139(COD) - 23/07/2014 - Final act

PURPOSE: to ensure access to basic payment accounts and improve the availability of information on fees related to payment accounts.

LEGISLATIVE ACT: Directive 2014/92/EU of the European Parliament and of the Council on the comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features.

CONTENT: the Directive lays down : (i) rules concerning the **transparency and comparability of fees** charged to consumers on their payment accounts held within the Union, (ii) rules concerning the switching of payment accounts within a Member State and (iii) rules to **facilitate cross-border payment account-opening** for consumers.

The Directive also defines a framework for the rules and conditions according to which Member States are required to **guarantee a right for consumers to open and use payment accounts** with basic features in the Union.

In its resolution of 4 July 2012, with recommendations to the Commission, the European Parliament said that more must be done to improve and develop the internal market for retail banking.

The main points of the Directive are as follows:

Comparability of payment account fees: in order to help consumers compare payment account fees throughout the internal market easily, banks should provide consumers with:

- **a fee information document** that states the fees for all services linked to the payment account contained in the list of the most representative services linked to a payment account and subject to a fee at national level. The document should where applicable use the standardised terms and definitions established at Union level. It should: (i) be a short and stand-alone document; (ii) be presented and laid out in a way that is clear and easy to read, using characters of a readable size; (iii) be written in the official language of the Member State where the payment account is offered. The following must be provided in an easily accessible manner, including to non-customers:

- **a glossary** of at least the standardised terms set out in the final list of the most representative services and the related definitions. The glossary must be drafted in clear, unambiguous and non-technical language;

- **a statement of all fees** and the interest rates applied to their payment account on an annual basis.

- **free access to at least one independent website** allowing comparison of fees charged by banks for their most representative levels of service.

Switching accounts in a Member State: payment service providers must provide a switching service between payment accounts held in the same currency to any consumer who opens or holds a payment account with a payment service provider located in the territory of the Member State concerned.

The switch from one bank account to another **without change of currency or country** should be supported by the recipient bank, at the request of the authoriser and with his authorisation.

The authorisation should allow the consumer to: (i) specify the incoming transfers, standing orders and direct debits to be transferred; (ii) specify the date from which standing orders for credit transfers and direct debits are to be executed from the payment account opened or held with the receiving payment service provider. That date shall be **at least six business days** after the date on which the receiving payment service provider receives the documents transferred from the transferring payment service provider.

The recipient bank should within **two working days** of receiving the client's authorisation, request the transfer service provider to carry out the authorised tasks.

Fees connected with the switching service must be reasonable. The banks must **reimburse the customer** without delay for any financial loss, including charges and interest, resulting directly from mistakes in the switching process.

When a client instructs his bank that he wishes to **open an account in another Member State**, the bank with which he holds an account should provide assistance on receiving his request.

Access to a basic payment account: the Directive ensures that credit institutions do not **discriminate against consumers** legally resident in the Union by reason of their nationality or place of residence.

Specifically, consumers legally resident in the Union, including consumers with no fixed address and asylum seekers, and consumers who are not granted a residence permit but whose expulsion is impossible for legal or factual reasons, will have the right to open and use a payment account with basic features with credit institutions located in their territory. consumers should show a genuine interest in opening an account, but **this requirement must not be made too difficult or burdensome for the consumer.**

The application for access to a basic payment account should be **rejected without delay and no later than ten working days** from receiving the completed application. In any case, it would be turned down if the opening of an account involved infringing the provisions on the prevention of money laundering or the fight against terrorism.

Basic accounts will allow customers:

- services enabling all the operations required for the opening, operating and closing of a payment account;

- services enabling money to be placed on a payment account

- to withdraw cash withdrawals within the Union from a payment account at the bank counter and at automated teller machines during or outside the bank's opening hours;

- execution of the following within the Union: i) direct debits; ii) payment transactions by way of payment card including online payments; iii) credit transfers, including standing orders, at terminals, counters and via the online facilities of the payment service provider.

Customers may carry out an **unlimited number of operations**, either free of charge or at a reasonable price.

When they allow credit institution to provide, at the request of the customer, **an overdraft facility** linked to a basic account, Member States have the option to set a maximum amount or duration for this overdraft.

Competent authorities: the Directive requires Member States to designate the national competent authorities empowered to ensure the application and enforcement of the Directive and ensure that they are granted investigation and enforcement powers and adequate resources necessary for the efficient and effective performance of their duties. Competent authorities of different Member States shall cooperate with each other whenever necessary for the purpose of carrying out their duties.

Review: by 18 September 2019, the Commission shall submit a report on the application of the Directive accompanied, if appropriate, by a legislative proposal.

ENTRY INTO FORCE: 17.9.2014.

TRANSPOSITION: 18.9.2016.

Payment accounts: comparability of fees, account switching and access to accounts with basic features

2013/0139(COD) - 15/04/2014 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 603 votes to 21, with 51 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council on the comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features.

The report was referred back to the competent committee at the plenary session of 12 December 2013. Parliament adopted its position at first reading following the ordinary legislative procedure. The amendments adopted in plenary are the result of a negotiated agreement between the European Parliament and the Council. They amend the proposal as follows:

Purpose: the directive would set i) rules concerning the transparency and comparability of fees charged to consumers on their payment accounts held within the European Union; ii) rules concerning the switching of payment accounts within a Member State; and iii) assistance for consumers about cross-border opening of payment accounts. The directive will apply to accounts allowing consumers to make deposits, withdraw funds and make payment transactions, including transfers.

Fee information document: in order to help consumers compare payment account fees throughout the internal market easily, payment service providers should provide consumers with a comprehensive fee information document that states **the fees for all services linked to the payment account contained in the list of the most representative services** and any further fees that can be applied to the account. The fee information document should use the **standardised terms and definitions established at Union level**, where possible.

The fee information document should be easy to read and carry a common symbol. It should be **clear and unambiguous** using the currency of the payment account, and worded in the official language of the Member State in which the account is proposed. The document should be **accessible at all times**, including for persons who are not clients.

Payment service providers must make available to consumers **a glossary of all services linked to the account** providing clear, non-technical and unambiguous explanations for at least the services linked to the payment account and the related definitions and explanations. The glossary must be drafted in clear, unambiguous and non-technical language that it is not misleading.

In addition, banks should provide consumers, free of charge, with a **statement of all fees and the interest rates applied** to their payment account on an annual basis.

The **fee terminology** should be determined by the Member States. In order to ensure a sufficient homogeneity of the national lists, **the European Banking Authority (EBA) should establish guidelines** to assist Member States to determine the services which are most commonly used and cause the highest cost to consumers at national level.

Comparison websites: consumers should have **free access** to at least one independent website allowing comparison of fees charged by banks for their most representative levels of service.

Switching accounts: to qualify for the best offers, customers should be able to opt, **at reasonable cost**, for another basic account within the EU.

The switch from one bank account to another without change of currency or country should be supported by the recipient bank, at the request of the authoriser and with his authorisation.

The authorisation should allow the consumer to specify the incoming transfers, standing orders and direct debits to be transferred. The recipient bank should within **two working days** of receiving the client’s authorisation, request the transfer service provider to carry out the authorised tasks.

Banks would be required to **reimburse the client**, as soon as possible, for any financial loss (including costs and interest) directly resulting from errors in the process of changing the account. When a client instructs his bank that he wishes to **open an account in another Member State**, the bank with which he holds an account should provide **assistance** on receiving his request.

Access to a basic payment account: in line with Parliament’s wishes, the Member States should ensure that a basic payment account is offered to consumers by all payment service providers or in sufficient numbers to **guarantee access to such an account** for all consumers in the Member State concerned.

The conditions applicable to holding a basic payment account **should be in no way discriminatory**. All persons legally resident in the EU – **including clients without a fixed address or residence permit** – could open a basic account. However, Member States may, so long as fundamental rights are respected, **require potential clients to explain their reason** for opening such a bank account in the particular country, so long as the process is not excessively difficult or binding.

The application for access to a basic payment account should be rejected without delay and no later than ten working days from receiving the completed application. In any case, it would be turned down if the opening of an account involved infringing the provisions on the prevention of money laundering or the fight against terrorism.

Characteristics of a payment account with basic features: the basic account would allow clients:

- services enabling all the operations required for the opening, operating and closing of a payment account;
- services enabling money to be placed on a payment account
- to withdraw cash withdrawals within the Union from a payment account at the bank counter and at automated teller machines during or outside the bank's opening hours;
- execution of the following within the Union: i) direct debits; ii) payment transactions by way of payment card including online payments; iii) credit transfers, including standing orders, at terminals, counters and via the online facilities of the payment service provider.

The clients may carry out **an unlimited number of operations**, either free of charge or at a reasonable price.

When they allow credit institution to provide, at the request of the customer, **an overdraft facility** linked to a basic account, Member States would have the option to set a maximum amount or duration for this overdraft.

Lastly, Member States should ensure that communication measures are sufficient and well targeted, in particular reaching out to **unbanked, vulnerable and mobile consumers**.

Payment accounts: comparability of fees, account switching and access to accounts with basic features

2013/0139(COD) - 19/11/2013 - European Central Bank: opinion, guideline, report

OPINION OF THE EUROPEAN CENTRAL BANK

The ECB strongly supports the proposed directive, which should give consumers easier access to payment accounts and contribute to the creation of a Union-wide payment area, a goal that the ECB has consistently supported.

The ECB made a series of specific observations on the following points:

Definitions: the terms defined in the proposed directive should be aligned with those of Directive 2007/64/EC (the 'Payment Services Directive' (PSD)) and Regulation (EU) No 260/2012 (the 'SEPA Regulation'), unless there are objective reasons for departing from such defined terms. This concerns in particular the definitions of the terms 'durable medium' and 'direct debit'.

List of covered services and powers of the authorities to obtain information

- The list of basic payment services covered by the proposed directive should reflect payment services accounting for at least 80 % of the most representative payment services subject to a fee at national level. However, more far-reaching conditions, mandating a certain number of services on such a list, may prove excessive.
- Moreover, it should be clarified that the competent authorities are entitled to obtain information from payment service providers on the profitability of individual services provided in connection with payment accounts for the purpose of compiling the list of the most representative payment services. Specific reporting obligations may need to be established for this purpose, which should at the same time ensure the right of payment service providers to protect business secrets from their competitors.

Right to open a payment account with basic features: the proposed directive's wording might be understood to imply that payment service providers may be required on request to open a payment account with basic features denominated in any Member State currency. Given that the implementation of such a broad requirement may not be economically viable, it suffices to limit this right to open and use a payment account to payment accounts in the currency of the Member State where the payment service provider is located.

Cross-border cooperation: the ECB considers that the proposed obligation on the competent national authorities within a Member State to cooperate to ensure effective compliance with the proposed directive should be expanded to include an obligation on competent authorities from different Member States to cooperate on a cross-border basis.