

ERPB Secretariat

4 June 2018
ERPB/2018/002

Assessment of follow-up on ERPB statements, positions and recommendations

1. Introduction & summary

The aim of this document is to provide an overview on the follow-up of ERPB statements, positions and recommendations. The overview serves the purpose of keeping track at the ERPB level on whether ERPB statements, positions and recommendations are followed up with action by relevant stakeholders and, if not, to enable the ERPB to discuss possible remedies. A similar overview is provided for each meeting of the ERPB.

Considering that some of the recommendations date back to the first ERPB meetings, this document also provides a proposal to streamline the monitoring process of past recommendations.

Based on the assessment by the Secretariat further progress was made since the last review on some of the past recommendations made by the ERPB. Overall, the follow-up on ERPB recommendations remains satisfactory. The majority of traffic light assessments given to the recommendations and other ERPB stances are set to blue or green. Only a few of the recommendations issued in past ERPB meetings require further monitoring. The Secretariat will continue to monitor developments related to these open items and new recommendations and will report back to the next meeting of the ERPB (in November 2018).

2. Methodology of the assessment

To ensure a better and more user-friendly overview of the status of the follow-up on past ERPB statements, recommendations and positions, a simple traffic light system with four grades is applied:

- **Red:** means that no significant efforts have been done or there are significant obstacles faced by the relevant stakeholders preventing progress on the given recommendation or issue. Hence, **more attention and efforts are needed in the future and the recommendation or issue requires further attention at the ERPB level.**
- **Yellow:** means that *either*
 - efforts have been made on the given recommendation or issue by the relevant stakeholders but further – previously not planned – efforts may be needed *or*
 - there is a risk that obstacles may arise with regard to further progress on the recommendation or issue

The recommendation or issue could require further attention at the ERPB level in the future.

- **Green:** means that all necessary efforts have been made by the relevant stakeholders on the given recommendation or issue and the issue at hand is on track to be fully resolved in the near future. **Barring unexpected developments there is no need for further attention to the matter at the ERPB level.**
- **Blue:** means that due to the necessary efforts made by the relevant stakeholders the given recommendation or issue has been fully followed up / relevant stakeholders are in full compliance with the given recommendation and **the issue is to be treated as closed.**

These traffic lights are complemented by textual remarks / assessment of the follow-up on the given issue or recommendation to provide more detailed information and to underpin the traffic light assessment.

3. Proposal to streamline the monitoring process of past ERPB recommendations

Considering that some of the recommendations date back to the first ERPB meetings, the ERPB agreed in its November 2017 meeting that the Secretariat provides a proposal to streamline to monitoring process of past recommendations.

In this regard, it is suggested to distinguish in the set of recommendations issued to date by the ERPB those recommendations:

- That can be considered closed (blue status) or where no concrete follow-up / further action is

needed at the ERPB level: these recommendations could be removed from the further monitoring and instead be reflected in a repository that would be made available on the ERPB page of the ECB website.

- For which work is still in progress (green or yellow status): these recommendations would continue being monitored in preparation of the next ERPB meetings.
- For which progress has not materialised (red or yellow) and that may require being revisited in light of the developments since the recommendation was first issued and that would potentially need to be considered as part of the ERPB workplan update.

Going forward, it would be suggested to continue with the regular monitoring of open recommendations in preparation of the ERPB meetings, and to review at the occasion of the ERPB workplan update (every two years) the set of ongoing recommendations following the approach outlined above. The repository of past recommendations would consequently be updated following a two-year cycle.

While streamlining the process, this approach should ensure (i) transparency on the past recommendations adopted by the ERPB, (ii) due monitoring of the follow-up and (iii) action where needed.

4. Detailed assessment of follow-up on ERPB statements, positions and recommendations¹

| Number | Issue / recommendation | Addressee s / relevant stakeholder s | Remark | Assess ment of follow- up |
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| Remaining open issues from the May 2014 meeting of the ERPB | | | | |
| ERPB/2014/sta0 | <p>Alternative (no-refund) consumer direct debit scheme: The ERPB agreed: i) to recommend to the European Commission and the EU legislators that they consider a legal solution to clarify the refund rights in the context of a review of the Payment Services Directive and ii) that such an alternative direct debit scheme in SEPA could only be launched once the review of the Payment Services Directive was complete and thus provided a clear legal background to allow for this</p> | EU legislators, European PSPs | <p>Following the PSD2 for direct debits in euro the payer has an unconditional right to a refund. However, according to Article 73.3 it may be agreed in a framework contract between the payer and the payment service provider that the payer has no right to a refund where:</p> <p>a) the payer has given consent to execute the payment transaction directly to the payment service provider; and</p> <p>b) where applicable, information on the future payment transaction was provided or made available in an agreed manner to the payer for at least four weeks before the due date by the payment service provider or by the payee.</p> | Blue |
| ERPB recommendations on SCT-SDD post migration issues made in December 2014 | | | | |
| ERPB/2014/rec1 | <p>The ERPB supports the publication and use of the EPC's current customer-to-bank Implementation Guidelines (IGs) by all market participants. The ERPB recommends making the EPC's customer-to-bank IGs mandatory in the next EPC SEPA rulebook change management cycle.</p> | The EPC's Scheme End-User Forum | <p>An EPC change request has been submitted for public consultation for the 2016 EPC SEPA rulebook change management cycle. It specifies that a scheme participant is obliged to accept at least but not exclusively C2B SEPA payment message files based on the EPC's C2B SEPA scheme IGs defined for SCT, SDD Core and SDD B2B. Taking into account the outcome of the 2016 public consultation, the positions received from the two relevant EPC Stakeholder Fora (EPC Scheme End User Forum – SEUF - and EPC Scheme Technical Forum - ESTF), the EPC Scheme Management Board supported the inclusion of</p> | Blue |

¹ Based on feedback from the relevant (addressed) stakeholders

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| | | | <p>this change request in all 2017 EPC SEPA scheme rulebooks. This change becomes effective as of 19 November 2017.</p> <p>The principle of this change has also been taken up in the SCT Inst scheme rulebook entering into force on 21 November 2017.</p> <p>SCT/SCT Inst originators and SDD Core/ B2B creditors would still be free to agree with their PSPs to use any other ISO 20022 XML payment message standard format to submit their C2B SEPA payment message files to their PSPs.</p> | |
| ERPB/2014/rec2 | <p>The ERPB supports and recommends making the EPC's bank-to-customer IGs mandatory in the next EPC SEPA rulebook change management cycle.</p> <p>The ERPB recommends consulting the EPC's Scheme End-User Forum about the appropriate bank-to-customer message(s) for future mandatory EPC bank-to-customer IGs and proposing a set of mandatory EPC IGs in the bank-to-customer space.</p> | EPC & the EPC's Scheme End-User Forum | <p>The EPC highlights that payment account statements also do mention transactions other than SCTs and SDDs. There are no separate SEPA transaction statements but only SEPA messages.</p> <p>In 2009 the EPC published the mapping document EPC188-09 (Recommendations on customer reporting of SCT and SDD) on the reporting of SEPA transactions by PSPs to their PSUs. The document describes how the SEPA message elements can be taken over in the account statements and makes a mapping of the rulebook requirements vis-à-vis the 'Transaction Details' elements of the ISO 20022 reporting messages.</p> <p>At their first meetings in the 3rd quarter of 2015, the SEUF and the ESTF had been asked for their positions on this topic.</p> <p>The ESTF suggested that the EPC should make mandatory IGs for the B2C space or alternatively define a mandatory set of attributes for B2C purposes in the rulebooks. The SEUF did not express a formal position on this topic.</p> <p>The EPC considers that updating the mapping document EPC188-09 is the only extra measure it can undertake. The EPC rulebooks already contain datasets (DS) specifying attributes that need to be provided to the SCT Beneficiary (DS-04) or the SDD Debtor (DS-06).</p> <p>The limited number of fields in the ISO 20022 XML B2C messages already scale down the options on how transmit B2C information data. Furthermore, the purpose of each B2C</p> | Blue |

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| | | | <p>message field is easy recognizable and clear.</p> <p>An updated version of the mapping document EPC 188-09 has been published on the EPC website in November 2015².</p> <p>While customer-to-bank implementation guidelines were expected to be made mandatory, it is recognised that necessary efforts have been made in this field. Considering that no concerns were raised in this regard, the ERPB deems it closed.</p> | |
| ERPB/2014/rec3 | <p>It is recommended to follow up with EU Member States and take appropriate action to ensure the enforcement of EU law related to payment accessibility as stipulated in Article 9, Regulation EU (No) 260/2012.</p> | <p>European Commission and Member States</p> | <p>The subject of IBAN discrimination has been addressed at each meeting of the EU SEPA Forum and CEGBPI since December 2014. In these meetings Member States were informed of complaints received by the Commission in relation to IBAN discrimination and asked to take all necessary measures including by ensuring that designated competent authorities are competent for Payment Services Providers (PSPs) and Payment Services Users (PSUs) as a number of Member States misinterpreted Regulation 260/2012 and did not designate competent authorities with responsibility for payment service users;</p> <p>The SEPA implementation report recently adopted by the Commission comprehensively reviews the application of the Regulation in the 28 Member States and insists on the need for a continued fight against IBAN discrimination. All but three EU MS have now correctly implemented the provisions on competent authorities for PSUs (no IBAN discrimination cases have been reported in those countries).</p> | Green |
| ERPB/2014/rec4 | <p>It is recommended to consider re-launching awareness campaigns about obligations for creditors to accept foreign IBANs</p> | <p>PSPs, national central banks, umbrella organisations of corporate and public authority payees, consumer</p> | <p>Based on a letter on this subject by the ERPB Chair, nearly all euro area national central banks (NCBs) have closely followed up on the issue of IBAN discrimination and acceptance of non-domestic IBANs. NCBs have taken the issue to national SEPA / retail payments fora and in most countries sent letters to relevant stakeholder groups increasing awareness by emphasizing the importance of both the spirit and the letter of relevant legal requirements. Based on NCBs feedback by the end of May 2015 to the ERPB Secretariat the elimination of IBAN discrimination in practice</p> | Blue |

² <http://www.europeanpaymentscouncil.eu/index.cfm/knowledge-bank/epc-documents/epc-recommendation-on-customer-reporting-of-sct-and-sdd/epc188-09-recommendation-on-customer-reporting-of-sct-and-sdd/>

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| | | organisations and competent authorities at national level | <p>is on track in most or even has been fully achieved in some countries already.</p> <p>Similarly the EACT and the representatives of Public Administrations have followed up by sending letters to their constituencies highlighting the legal requirements related to IBAN-discrimination and the importance of complying with these regulations.</p> <p>As significant work has been done to inform creditors of their obligations this recommendation can be deemed closed.</p> | |
| ERP/2014/rec5 | It is recommended that existing BIC-from-IBAN solution providers present the full reliability of their respective solutions to meet the market needs for BIC-from-IBAN derivation by 1 June 2015 at the latest to support the IBAN-only implementation by February 2016. | BIC-from-IBAN solution providers | The ECB has been in contact with the leading BIC-from-IBAN solution providers and they confirmed the readiness of their service. | Blue |
| ERP/2014/rec6 | It is recommended to continue providing information on local issuing authorities and to keep this information up to date via their websites | European System of Central Banks | The ECB, based on information from ESCB central banks, has updated and will continue to update where necessary its overview table of SEPA national issuing authorities (published on the ECB website). | Blue |
| ERP/2014/rec7 | It is recommended to standardise the provision of relevant data for BIC-from-IBAN derivation services as soon as possible (with a recommended date of 1 April 2015 at the latest) and to ensure a non-discriminatory and transparent access for all market participants (PSPs and PSUs) | Issuing authorities for bank identifiers in SEPA | <p>Several issuing authorities have made substantial efforts to improve and standardise their provision of data on valid bank identifiers. NCB issuing authorities have agreed to follow up and improve the presentation of national bank identifiers where necessary to meet basic standards / requirements. According to latest information available to the ECB there are by now only very few issuing authorities which do not meet basic standards of data provision in this field.</p> <p>Only two authorities have not fully standardised their BIC to IBAN databases. Access to their databases is possible though cumbersome but PSPs are not complaining..</p> | Blue |
| ERP/2014/rec8 | It is recommended to investigate possible alternatives to meet the extended structured and unstructured remittance information demands from corporate PSUs | EPC and the EPC's Scheme End User Forum | <p>At their first meetings in the 3rd quarter of 2015, the SEUF and the ESTF had been asked for their position on this topic. The views among members of the ESTF and SEUF were divided on the EPC 2014 change request to only transmit the storage localization of the additional customer-to-customer information in the payment message whereby the additional information itself could be extracted from a "cloud" environment.</p> <p>The ESTF and SEUF suggestions ranged between an increased number of permitted blocks of 140 characters in combination with a cloud solution, and a first block for 140 unstructured characters with a considerable number of structured character blocks.</p> | Green |

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| | | <p>End January 2016, the EPC received internal input from the national PSP communities on the need to extend the current 140 character limitation for remittance information in under the EPC schemes and if so, how many extra (blocks of) characters.</p> <p>The EPC concluded there was no need to extend the number of characters for remittance information.</p> <p>The EPC resubmitted its 2014 change request for public consultation for the 2016 EPC SEPA rulebook change management cycle.</p> <p>2016 change requests from the European Association of Corporate Treasurers on this matter had been received as well and were also included in the public consultation.</p> <p>The comments from the 2016 public consultation and the positions from the two EPC Stakeholder Fora on the various change requests were divided.</p> <p>Based on this difference in views, the SMB decided not to make any change related to remittance information in the 2017 rulebooks.</p> <p>In the first quarter of 2017, the EPC collected again input from the national PSP communities to know whether these communities:</p> <ol style="list-style-type: none">i. have or had more than 140 characters in remittance information foreseen in their legacy credit transfer and direct debit schemesii. currently need extra remittance information under the EPC schemes. They had to indicate which customer segments desire such extra information.iii. have already additional optional services (AOS) in place under the EPC schemes to support the transport of more than 140 characters in remittance information (RI) via the payment message itself or in an external storage location <p>The EPC shared its findings with the EPC Stakeholder Fora in June 2017.</p> <p>The June 2017 SEUF meeting re-emphasised its preference for a combination of structured and unstructured RI with the option of not passing on the structured RI to a Beneficiary which is not connected via an XML interface to its PSP.</p> | |
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| | | | <p>Shortly afterwards, a joint letter from five European business end-user associations was sent to the EPC asking for an extended RI solution in line with the ISO 20022 standard.</p> <p>The EPC re-considered this topic and started to work out a solution within the SCT rulebook to transmit more than 140 characters of RI through the dedicated field of the payment message itself.</p> <p>This solution will take the form of a formal rulebook option which interested scheme participants would formally have to adhere to. The inclusion of this option in the relevant rulebook cannot impact at all those other scheme participants that do not want to transmit and/or receive more than 140 characters of remittance information.</p> <p>This EPC proposal on extended remittance information (ERI) was shared with the October 2017 EPC Stakeholder Forum meetings. These Forums did not express objection or change to the principles of this EPC proposal.</p> <p>The EPC then submitted a concrete change request based on this proposal for the 2018 EPC rulebook change management cycle. The public consultation on this and other change requests ran from 13 March to 10 June 2018..</p> | |
| ERP/2014/rec9 | It is recommended to monitor the evolution of the correct use of SDD R-transaction reason codes until December 2015 and act accordingly if needed | EPC | <p>Since the start of 2016, all individual SEPA scheme compliant Clearing and Settlement Mechanisms (CSMs) providing SEPA scheme-compliant CSM services in the euro zone send on a quarterly basis statistical information on national and/or cross-border r-transactions at country level relating to the current EPC SEPA schemes for the latest available period of three months.</p> <p>As of April 2018, the EPC has also started with collecting r-transaction statistics under the SCT Inst scheme on a quarterly basis.</p> <p><i>The EPC nevertheless remarks that certain CSMs may not be able to provide statistical data for each single SCT, SDD Core and/or SDD B2B reason code. Some CSMs may not be in a position to provide r-transaction statistics for outgoing and incoming cross-border SCT and SDD transactions.</i></p> | Blue |

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| ERP/2014/rec10 | It is recommended to report complaints about SDD scheme participants not using the appropriate reason code to the complaints body of the EPC. | SDD scheme participants | This option is available to any scheme participant in case of a breach of the Rulebooks by another scheme participant but to date no such formal complaint has been filed. The EPC made considerable efforts in the past to increase awareness on the proper usage of reason codes among scheme participants. | Blue |
| ERP/2014/rec11 | It is recommended to investigate if and how national legal restrictions affecting the use of the appropriate SDD R-transaction reason codes could be removed | European Commission and Member States | R-transactions were addressed in the meetings of the EU SEPA Forum and CEGBPI, where Member States informed the Commission that the restrictions on communication of information regarding payers' accounts and the use of a "miscellaneous" code are linked to national laws on data protection. Two relevant legal proposals (proposals for a General Data Protection Regulation – GDPR - and the Data Protection Directive for Police and Criminal Justice Authorities) were negotiated by the European Parliament and Council and adopted on 8 April by the Council and 14 April by the European Parliament. On 4 May 2016, the official texts of the Regulation ³ and the Directive ⁴ have been published in the EU Official Journal. The Regulation entered into force on 24 May 2016, and applies as from 25 May 2018. The Directive entered into force on 5 May 2016 and EU Member States had to transpose it into their national law by 6 May 2018. It is noted that both the Data Protection Directive (95/46) and the GDPR have a horizontal nature and do not provide for tailor-made solutions for any sector of economic activity. Personal data related to R-transaction codes can be transmitted between banks as long as there is a legal ground (e.g. a contract, national or Union law, legitimate interests of the controller) for the processing of those data for those specific purposes. Once it becomes applicable the GDPR will reduce the existing fragmentation of data protection law and could therefore contribute to overcoming the present | Green |

³ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)

⁴ Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA

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| | | | obstacles on the sharing of personal data between banks for SEPA Direct Debits purposes. | |
| ERP/2014/rec12 | It is recommended to include in the document EPC262-08 (CI overview): (a) clarifications about the possible use of a single Creditor Identifier (CI) across SEPA; and (b) contact details of the department at the national institution in charge of CI issuance in those countries where CIs are issued by a single authority | EPC | The EPC review of the updated version of the document EPC262-08 (version 5.0) was completed. The publication of this updated version on the EPC Website occurred on 20 November 2017. This document will be subject to an annual review in the second half of 2018. | Blue |
| ERP/2014/rec13 | It is recommended to look for more appropriate attributes in a long term perspective (e.g., Legal Entity Identifier (LEI) as a unique entity identifier) to identify a creditor | EPC (supported by the European Central Bank and standardisation authorities) | At their first meetings in the 3rd quarter of 2015, the SEUF and the ESTF had been asked for their position on this topic. The following main comments were made: <ul style="list-style-type: none"> • The LEI might not be the right code but a fiscal code or VAT code could be a reliable alternative. • The number of LEIs currently issued to creditors is very low compared to the current number of creditors. • The LEI cannot replace the CI as the LEI cannot be assigned to private creditors. • The attribute of the LEI is not foreseen in the ISO 20022 XML message versions used for SCT and SDD transactions. An adaptation via a new version of these ISO 20022 XML message versions would be needed. At the start of 2017, the EPC analysed the LEI developments. Approximately 300 000 LEIs have been issued in SEPA countries at that point in time. The number of enterprises in the non-financial business economy of the 28 EU countries is 24,4 million (Eurostat 2014). Given the low number of LEIs issued in SEPA compared to the number of non-financial enterprises in SEPA, the EPC decided not to work further on LEI for the time being. | Green |
| ERP/2014/rec14 | It is recommended to assess whether the non-compliance with the SDD rulebook stipulations on SDD time cycles for SDD collections and SDD R-transactions is a problem linked to the SEPA migration | EPC | <i>See implementation status under ERP/2014/rec9</i> The SDD time cycles for SDD collections have been simplified by moving from D-5/D-2 to D-1/D-1 for SDD Core collections, and by making the sequence type FRST for a technical first SDD Core/B2B collection optional as of November 2016. | Blue |
| ERP/2014/rec15 | It is recommended to consider, along with clearing and settlement mechanisms (CSMs), the implementation of | SDD scheme participants | Based on feedback from SDD scheme participants this seems to have been an issue more related to the migration | Blue |

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| | validation checks to see if SDD R-transactions fall within the prescribed R- transaction calendar day timelines and if SDD R-transactions contain altered date elements compared with the date elements in the initial SDD collection | | process. As of late there have been no complaints to the EPC on scheme members not complying with R-transaction message timelines. | |
| ERP/2014/rec16 | It is recommended to report persistent non-compliant behaviour by other SDD scheme participants to the complaints body of the EPC. | SDD scheme participants | See implementation status under ERP/2014/rec10 | Blue |
| ERP/2014/rec17 | It is recommended to ask those SDD Core scheme participants that are not SDD B2B scheme participants to reconsider adhering to the SDD B2B scheme in the case that they offer services to businesses. | EPC | An EPC letter (Letter EPC158-15) to promote the SDD B2B scheme has been sent to those SDD Core scheme participants that do not offer yet SDD B2B scheme services to their business customers. Close to 90% of SDD Core scheme participants also offer SDD B2B services. | Blue |
| ERP/2014/rec18 | It is recommended that further familiarisation take place on the presented SDD collection remittance information. | PSPs, consumers and creditors | Based on inquiries made by BEUC and AGE Platform national consumer associations have not reported consumer complaints with regard to the way SDD remittance information is presented to consumers. Similarly the EACT did not identify major issues in this domain among creditors. | Blue |
| ERP/2014/rec19 | It is recommended to continue monitoring if there is still a lack of clarity in the remittance information transmitted to consumers and if other actions are needed to achieve greater familiarity among all debtor groups, including those with low financial literacy. | ERP consumer representatives | See status reported under ERP/2014/rec18. BEUC and AGE Platform will detect and communicate if any related issues emerge in the future. | Blue |
| ERP/2014/rec20 | It is recommended to prepare a clarification paper in the first half of 2015 listing the consequences of all possible mandate amendment scenarios initiated by a debtor or by a (collecting or ultimate) creditor for the validity of the signed SDD mandate and make recommendations if needed. | EPC and the EPC's Scheme End-User Forum | Initially, the EPC reported to be not in a position to provide a clarification paper for the ERP recommendation 2014/20. The EPC and the ECB further discussed about this item. The EPC thereafter published on 8 April 2016 a clarification paper (EPC-161-15) (http://www.europeanpaymentscouncil.eu/index.cfm/knowledge-bank/epc-documents/epc-clarification-paper-on-the-change-of-creditor-or-creditor-reference-party/epc261-15-epc-clarification-paper-change-of-creditor-or-creditor-reference-party/). The EPC agreed to consolidate various stand-alone EPC clarification papers on SDD, including the document EPC 261-15, into a separate SDD Clarification Paper (EPC 132-17). The document EPC 132-17 was published on 20 November 2017 and will be subject to an annual review in the second half of 2018. | Blue |
| ERP recommendations on pan-European electronic mandates made in December 2014 | | | | |
| ERP/2014/rec21 | It is recommended to publish a country specific inventory of | EPC | Initially, the EPC reported not to be in a position to provide a | Blue |

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| | identified national and pan-European legally binding signature methods applicable for e-mandate solutions, which might be accepted as proof (by the debtor PSP) in case of an after-eight-week refund claim regarding an unauthorised direct debit transaction as well as details by debtor PSP country of the applicable law when assessing the validity of the signature and mandate in case of a non-domestic e-mandate solution. | | clarification paper for the ERPB recommendation 2014/21. The EPC and the ECB further discussed about this item. The EPC finally published the document EPC 106-16 with recommendations on the validity of electronic mandates in a cross-border context on 27 May 2016. The EPC agreed to consolidate various stand-alone EPC clarification papers on SDD, including the document EPC 106-16, into a separate SDD Clarification Paper (EPC 132-17). The document EPC 132-17 was published on 20 November 2017 and will be subject to an annual review in the second half of 2018. | |
| ERPB/2014/rec22 | It is recommended that the handling of electronic mandates be opened up to foreign IBANs. This can be done either by updating the used solution or providing an alternative way of giving the mandate, with clear usage guidance from the creditors to the debtors on how such solutions can be used for cross-border SDDs. | Creditors via their representatives in the ERPB | The EACT has sent letters to their constituency highlighting this recommendation to creditors. | No concrete follow-up / further action needed |
| ERPB/2014/rec23 | It is recommended that debtor PSPs make use of the inventory (see Rec. 21) of different legally valid electronic signature methods for assessing the debtor authentication and authorisation of the electronic mandate in the case of an after-eight-week refund claim, within the constraints of applicable law. | PSPs via their representatives in the ERPB | <i>The implementation of this recommendation is dependent on the implementation status of ERPB/2014/rec21</i> | No concrete follow-up / further action needed |
| ERPB/2014/rec24 | It is recommended to develop and make publicly available (alongside the SDD rulebooks) a clarification paper explaining to the creditor the possible risks (liabilities) of not being able to prove to the debtor PSP that a legally binding electronic signature method was used. | EPC | On 4 May 2015, the EPC published the document EPC033-15 'Clarification Paper on the Use of Electronic Mandate Solutions' on the EPC Website (please consult link Item for ERPB/2014/rec24) The EPC agreed to consolidate various stand-alone EPC clarification papers on SDD, including the document EPC 033-15, into a separate SDD Clarification Paper (EPC 132-17). The document EPC 132-17 was published on 20 November 2017 and will be subject to an annual review in the second half of 2018. | Blue |
| ERPB/2014/rec25 | It is recommended – after putting in place the implementation acts as foreseen in the Regulation (EU) No 910/2014 – to continue to monitor the cross-border usage of qualified electronic signatures and, if needed, take further steps to ensure cross-border usability for PSPs and PSUs. | European Commission | Regulation 910/2014 ensures interoperability, based on mutual recognition of solutions for public services which should enable also the private sector to use qualified e-signatures on a cross-border level. The European Commission Action Plan insists further on encouraging remote ID recognition (action 11: "The Commission will facilitate the cross-border use of electronic identification and know-your-customer portability based on eIDAS to enable | Green |

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| | | | banks to identify customers digitally – Q4 2017"). The Commission will launch a dedicated expert group early 2018 to explore these issues further and to analyse whether common EU guidelines are necessary. The group will comprise regulators, supervisors, financial institutions, consumer groups and the existing groups of e-identity and anti-money laundering experts from Member States. The group launched its work early 2018. | |
| ERP/2014/rec26 | It is recommended that electronic mandate service providers using technically similar models be open to interoperability and if feasible make use of the technical description provided in Annex VII of the SEPA direct debit scheme rulebooks. | Electronic mandate solution providers | Having analysed possible actions related to this recommendation and considering the variety of solutions and providers the ERPB Secretariat proposes to treat this recommendation as a general stance not requiring concrete follow-up action by ERPB stakeholders. | No concrete follow-up / further action needed |
| ERP/2014/rec27 | Creditors (and if relevant PSPs) should carefully consider whether the e-mandate solution they choose to employ enables the Debtors to make and manage the changes and cancellations of the recurrent mandates or not. | Creditors via their representatives in the ERPB | The EACT has highlighted to their constituency the importance of having appropriate e-mandate management processes in place. | No concrete follow-up / further action needed |
| ERP/ recommendations and invitations on person-to-person (P2P) mobile payments made in June 2015 | | | | |
| ERP/2015/sta1 | The ERPB invited the EPC to facilitate cooperation among existing P2P mobile payment solution providers | EPC | The EPC organised a workshop on 21 January 2016 to follow up on this recommendation during which it was agreed to create a Steering Group to address the ERPB recommendations on P2P mobile payments. This Steering Committee met on 14 March and on 24 May 2016 and delivered a first progress report to the ERPB presenting the work conducted to date, focusing on the definition of the steering group governance and objectives. The Steering Committee approved its Terms of Reference at its 29 June meeting. | Blue |
| ERP/2015/rec1 | Consensus and cooperation between the existing local solutions should be developed by organising a forum for existing EU P2P mobile payment solutions to work on pan-European interoperability. In particular, the forum should come together to develop a set of rules and standards (framework) related to joining and using pan-European mobile payment services. In addition, a governance structure (responsible for, inter alia, defining, publishing and maintaining the framework) needs to be set up. | European Payments Council and existing providers of P2P mobile payment solutions | The Mobile Proxy Forum has published the rules for operating, joining and participating to the SPL. The Mobile Proxy Forum has also come to an agreement on the future governance of the SPL service, which should be set up as part of the EPC. | Green |
| ERP/2015/ | To put in place a standardised proxy lookup (SPL) service which allows P2P mobile payment data (i.e. | Existing | The Mobile Proxy Forum is working towards launching an SPL service in Q4 2018 (see report from the MPF under | Green |

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| rec2 | proxy and IBAN) to be exchanged among P2P mobile payment solutions on a pan- European level. The SPL service is outlined in the working group report. | providers of P2P mobile payment solutions | agenda item 5). | |
| ERP/2015/rec3 | A full commercial review of the alternative methods of appointing one or several suppliers of the SPL service should be conducted. (Such review and the related discussions shall not enter the competitive domain of P2P payment solutions and in particular will not touch upon price levels or other features affecting end users.) | Existing providers of P2P mobile payment solutions | The Mobile Proxy Forum has selected its preferred SPL provider following an RFP procedure. | Blue |
| ERP/2015/rec4 | A full legal review should be undertaken. | Existing providers of P2P mobile payment solutions | The legal review is under way. | Green |
| ERP/2017/sta1 | The ERPB invited the Steering Committee to present a final proposal for the development of this service, including the final timeline, the technology approach to be followed and the future governance set-up for the management of the service. | Steering Committee of the Mobile Proxy Forum | The Mobile Proxy Forum has delivered a report presenting the outcome of the RFP, the technology approach to be followed and the future governance set-up for the management of the SPL service . The preferred SPL service provider is expected to deliver the SPL platform in October 2018, on which the on-boarded participants (minimum two) will be implemented, Testing is anticipated to take place as from November 2018 and the market 'go-live' date is foreseen for early January 2019. (see report from the MPF under agenda item 5). | Blue |
| ERPB recommendations and invitations on technical standards for payment cards made in June 2015 | | | | |
| ERP/2015/rec5 | The ERPB recommends that, for newly installed payment card terminals, the choice of protocol specification should be market driven and conform to the SEPA Cards Standardisation Volume (SCS Volume). Acquirers and processors should recognise and work with at least one protocol that conforms to the SCS Volume. | Acquirers Processors of payment cards | The SCS Volume requirements for card-present transactions were expected to be met for new cards and terminals being introduced in the market as from 2017. By now, six organisations have declared the conformance of their requirements in line with the Volume. | Green |
| ERP/2015/rec6 | The ERPB recommends that, for newly installed payment card terminals, the choice of terminal payment application should be market driven and conform to the SCS Volume. Acquirers and processors should recognise and work with at least one terminal payment application that conforms to the SCS Volume. | Acquirers Processors of payment cards | The SCS Volume requirements for card-present transactions were expected to be met for new cards and terminals being introduced in the market as from 2017. By now, six organisations have declared the conformance of their requirements in line with the Volume. | Green |

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| ERP/2015/rec7 | The ERPB recommends that the identified terminal security certification methodologies, processes and frameworks implement the relevant list of requirements described in the SCS Volume. Schemes shall strictly follow the process described in the SCS Volume for this domain. | Terminal security implementation specification providers and their certification bodies; card schemes | The SCS Volume requirements for card-present transactions were expected to be met for new cards and terminals being introduced in the market as from 2017. By now, six organisations have declared the conformance of their requirements in line with the Volume. | Green |
| ERP/2015/sta2 | The ERPB invited the ECSG to implement the relevant procedures and start to monitor the conformance of implementation specifications for payment card products and services to the SCS Volume in the second half of 2015 | European Cards Stakeholders Group (ECSG) | The ECSG started monitoring the conformance of implementation specifications to the latest release of the Volume via a labelling process, managed by the ECSG body known as the Volume Conformance Management Committee (VCMC). | Blue |
| ERP/2015/sta3 | The ERPB invited the ECSG to perform a study at the European level to evaluate any interest and benefit of the migration to a single message standard and standardised clearing/settlement practices in the issuer-to-acquirer domain | European Cards Stakeholders Group (ECSG) | The ECSG has completed the study and submitted it to the ERPB for discussion in their June 2016 meeting. | Blue |
| ERP/2016/sta3 | The ERPB invited the CSG to further refine the proposed framework in the report submitted to June 2016 ERPB, taking into consideration alternative migration strategies (clearing only, specific geographical domains, groups of schemes, etc.). When carrying out this work, the ECSG is expected to liaise with the relevant ISO committees so that SEPA requirements are taken into account. The ECSG is to report back to the ERPB by mid-2017, with an interim report at the November 2016 ERPB meeting. | European Cards Stakeholders Group (ECSG) | The ECSG has prepared a final report and submitted it the ERPB for its June 2017 meeting. | Blue |
| ERP/2015/sta4 | The ERPB invited the ECSG to report back to the ERPB every 12 months with an update on the stock-taking exercise concerning the progress of the implementation of harmonised standards related to payment cards in Europe. | European Cards Stakeholders Group (ECSG) | The ECSG submitted the annual report to the November 2017 ERPB meeting. | Blue |
| ERPB recommendations related to mobile and card-based contactless payments | | | | |
| ERP/2015/rec8 | The ERPB recommends to: i. Speed up the creation of a single common POI kernel specification for contactless transactions (already planned under EMV Next Generation) and make the specifications publicly available as soon as possible. (December 2016) | EMVCo | The work of EMVco is in progress. The publication of the final version of specifications is expected by the end of 2018, The points specified under ii and iii are covered in the specification. The importance of this recommendation | Green |

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| | <p>ii. Limit the number of terminal configuration options in the EMV Next Generation specifications, in order to allow consistency among implementations and provide consumers with a streamlined payment experience across different terminals. (December 2016)</p> <p>iii. Include a parameter in the EMV Next Generation specifications that would allow the identification of the form factor of the consumer device used for the initiation of the contactless transaction. (December 2016)</p> | | <p>increases due to its link to the outcome of ERPB/2015/rec10. The latter points out that the best possible long term solution is to use specifications under development by EMVCO ("EMV 2nd Gen"). For this reason, it would be a good moment to encourage the industry to agree on the implementation of the EMV 2nd generation.</p> | |
| ERPB/2015/rec9 | <p>The ERPB recommends to:</p> <p>i. Define an aligned European mandate for the implementation of contactless-enabled POIs, including a specification of where they should be available. The ECB should act as facilitator for this. (June 2016)</p> <p>ii. Harmonise the level of transaction limits at POIs at country level for each use case/payment context. (Ongoing)</p> <p>iii. Request the use of open protocols in the POI domain and the POI-to-acquirer domain which are compliant with the SEPA Cards Standardisation Volume and labelled by the Cards Stakeholders Group. (June 2017)</p> <p>iv. Mandate a common implementation plan for the EMV Next Generation specifications with an appropriate migration period. (December 2017)</p> | Card scheme sector | <p>The card scheme sector has not initiated to work on the definition of an aligned European mandate; however the great majority of the newly implemented terminals have the contactless capability and in general markets are working to the international schemes' mandates for the deployment of contactless terminals, as terminals accept international schemes in addition to the domestic schemes.</p> <p>The level of transaction limits is harmonised in most countries and the tendency is to increase the contactless transaction amount limit.</p> <p>The support to the EMV Next Generation specification will be tested once the specifications will be ready (reference to ERPB/2015/rec8).</p> | Green |
| ERPB/2015/rec10 | <p>The ERPB recommends to:</p> <p>i. Develop common requirements for contactless transactions for inclusion in the Cards Standardisation Volume Version 8. (December 2016)</p> <p>ii. Conduct a feasibility study on the development of open specifications for a card and mobile contactless payment application, as well as on their implementation, maintenance and testing. For mobile applications, the open specifications should also address the different possible configurations for the management, provision and personalisation of the card data: secure element (SE, including universal integrated circuit card (UICC), embedded SE and microSD) and host card emulation (HCE). The future specifications should build on the work of EMVCo and GlobalPlatform. (December 2016)</p> <p>iii. Develop use cases/payment contexts for contactless payments (card and mobile-based) for integration in Cards Standardisation Volume Version 8. (December 2016)</p> <p>iv. Develop POI implementation guidelines including</p> | European Card Stakeholders Group (ECSG) | <p>i. The common requirements for contactless transactions have been included in the SCS Volume Version 8.0 which has been published on 1 March 2017.</p> <p>ii. The feasibility study was submitted to the November 2017 ERPB meeting confirming the earlier view of the ECSG that the best possible long term solution is to use specifications under development by EMVCO ("EMV 2nd Gen").</p> <p>iii. Use cases/payment contexts for contactless payments (card and mobile-based) have also been included in SCS Volume V8.</p> <p>iv. As explained in Book 1 of the SCS Volume V8, Functional requirements of the Volume may be waived for disabled people, in order to provide them with an equal access to cards services.</p> | Blue |

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| | common minimum requirements for contactless POIs (both for the payment processing side and for the consumer/POI interface), building on the EMVCo work and addressing the requirements of disabled people. Adequate use of available input should be made. (December 2016) | | | |
| ERP/2015/rec11 | <p>The ERPB recommends to coordinate, in cooperation with the card schemes, an institutional communication campaign by ERPB members to increase familiarity with contactless payment products (card and mobile-based). The communication campaign should result in the creation and distribution of information material on contactless payment solutions and their use to all ERPB members and affiliates.</p> <p>Moreover, ERPB members and the ECB are requested to make the information material produced available on their websites. (June 2016)</p> <p>This information material should cover the following topics:</p> <ul style="list-style-type: none"> - how to use contactless payments (from both a consumer and a retailer perspective); - highlighting the improved payment experience for consumers; - the choice of applications for contactless payments; - explaining the benefits of using contactless payments; - addressing consumer concerns (privacy, safety, security, freedom of choice, etc.); - training material for retail staff. | EPC, consumer and retailer associations | <p>The EPC, BEUC (liaising with AGE Platform Europe) and EuroCommerce finalised in September 2016 a leaflet translated in all EU languages aimed at the general public. The leaflet has been published by a number of ERPB members on their website⁵.</p> <p>Dedicated training material for retailer staff has been published by EuroCommerce in April 2017.</p> | Blue |
| ERP/2015/rec12 | The ERPB recommends to prioritise the installation and use of POI terminals which are enabled to accept EMV-based contactless transactions. (Ongoing) | Public administration and transport sectors where card payments are suitable | <p>The ability to track the implementation of this recommendation is low due to the extremely high number of stakeholders involved (public administrations and transport companies).</p> <p>Nevertheless in public transport the implementation of contactless payments in general and EMV-based solutions in particular is progressing in a number of countries.</p> <p>Furthermore, GSMA has a joint alliance with the NFC Forum, CEN TC278 WG3 and stakeholders of the global Public Transport Industry that targets interoperability between the NFC mobile devices' contactless interface and</p> | Blue |

⁵ See for instance the leaflet as published in English on the EPC website: <http://www.europeanpaymentscouncil.eu/index.cfm/about-epc/epc-news/discover-the-consumer-leaflet-on-contactless-payments-created-by-erp-members/>

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| | | | globally relevant Public transport readers and media. From June 2017 all certified devices supporting universal integrated circuit card based NFC are considered to support the interoperability with public transport readers compliant with the ISO ISO/IEC14443 and ISO/IEC18092. | |
| ERP/2015/rec13 | <p>The ERPB recommends to:</p> <p>i. Agree on and pursue the development of specifications for a “smart secure platform” (enabling the provision of value-added services relying on authentication of the user, regardless of the mobile device, communication channel or underlying technology), taking into account the requirements of mobile payments, and building on the work already done by EMVCo and GlobalPlatform. (December 2017)</p> <p>ii. Develop implementation guidelines (December 2016) (building on work already done by GlobalPlatform) that define:</p> <ul style="list-style-type: none"> - a process that provides service providers with the credentials for access to secure elements; - a process that allows a service provider to be authenticated, to securely obtain the credentials to access a mobile device’s hardware vaults (i.e. the secure element), and to communicate with these vaults. | European Telecommunications Standards Institute (ETSI) | <p>(i) ETSI is working on the development of specifications for a “smart secure platform” (final stage). No progress has been made regarding the MOU between ETSI and EMVCo.</p> <p>(ii) No progress has been made. The development of specifications for a smart secure platform could give new momentum to this task.</p> | Yellow |
| ERP/2015/rec14 | The ERPB recommends to require mobile devices to be certified in accordance with the future “Smart Secure Platform” being developed by ETSI (see ERP/2015/rec 13). (December 2018) | Mobile payment service providers | The implementation of this recommendation is dependent on the achievement of ERP/2015/rec13. | Yellow |
| ERP/2015/rec15 | <p>The ERPB recommends to:</p> <p>i. Prepare an overview paper on the functional and security evaluation/certification of NFC-enabled mobile devices (covering all aspects and configurations – SE, HCE, trusted execution environment (TEE), etc.) in cooperation with GlobalPlatform and EMVCo. In particular, issues related to contactless interference issues should be addressed. (June 2016)</p> <p>ii. Encourage European mobile network operators (MNOs) to promote the sale of NFC-enabled equipment. (Ongoing)</p> | GSMA | GSMA delivered a document that provides an overview of functional and security related certification processes relevant for NFC enabled Mobile Devices in April 2018. The document focuses on a number of NFC services and identifies the key components within an NFC Mobile Device which are essential for providing the services and are in scope of certification. | Blue |
| ERP/2015/rec16 | The ERPB recommends to provide access to the mobile device’s contactless interface in order to ensure that the consumer can have a choice of payment applications from different mobile payment service providers, independently of the mobile device and the operating system used. (Ongoing) | Mobile device manufacturers, mobile | No consensus has been found yet on the topic. The European Commission (DG-Competition) is aware of the issue and is following developments. | Yellow |

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| | | operating system developers, GSMA/MNOs, and competition authorities | | |
| ERP/2015/rec17 | The ERPB recommends to work together to ensure a consistent understanding of the phrase “choice of payment application” in the Interchange Fees Regulation and to address the impact that it could have on contactless payments. The impact analysis undertaken by the Cards Stakeholders Group should be taken into account. (June 2016) | European Commission, regulators and the Cards Stakeholders Group | The principles of selection of payment application have been included in the SCS Volume in SCS Volume V8 . | Blue |

