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Commission Implementing Regulation (EU) 2019/410 of 29 November 2018 laying down implementing technical standards with regard to the details and structure of the information to be notified, in the field of payment services, by competent authorities to the European Banking Authority pursuant to Directive (EU) 2015/2366 of the European Parliament and of the Council (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2019/410

of 29 November 2018

laying down implementing technical standards with regard to the details and structure of the information to be notified, in the field of payment services, by competent authorities to the European Banking Authority pursuant to Directive (EU) 2015/2366 of the European Parliament and of the Council

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC[(1)], and in particular the third subparagraph of Article 15(5) thereof,

Whereas:

(1) The European Banking Authority (EBA) is, pursuant to Directive (EU) 2015/2366, to establish and operate an electronic, central register containing a list of all payment institutions and electronic money institutions and their respective agents and branches. For those purposes, it is necessary that competent authorities notify to EBA details allowing payment service users and other interested parties to easily and unequivocally identify each entity entered in the register and the territory in which that entity conducts or intends to conduct activities. The payment service users should also be able to identify the payment services and electronic money services provided by those entities.

(2) The electronic central register should also include service providers excluded from the scope of Directive (EU) 2015/2366 carrying out an activity referred to in any of points (i) and (ii) of point (k) and point (l) of Article 3 of that Directive that have notified their respective competent authority pursuant to Article 37(2) or (3) of that Directive. In order to ensure a consistent interpretation and application of those provisions throughout the Union, the information contained in the register about those service providers should include a short description of their activities, as provided by competent authorities, including information on the underlying payment instrument used and a general description of the service provided.

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(3) In order to enable consumers to easily understand the information contained in the electronic central register, that information should be presented in a clear and unambiguous way. The presentation of the information contained in the register should take national language specificities into account.

(4) To ensure a uniform provision of information, a standardised format should be used by competent authorities for the purposes of transmitting information to EBA.

(5) This Regulation is based on the draft implementing technical standards submitted by EBA to the Commission.

(6) EBA has conducted open public consultations on the draft implementing technical standards on which this Regulation is based, analysed the potential related costs and benefits and requested the opinion of the Banking Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 1093/2010 of the European Parliament and of the Council[(2)],

HAS ADOPTED THIS REGULATION:

Article 1

Details and format of the information to be notified pursuant to Article 15(1) of Directive (EU) 2015/2366

1 For the purposes of Article 15(1) of Directive (EU) 2015/2366, competent authorities shall notify information to EBA in accordance with paragraphs 2 to 9.

2 As regards payment institutions, and their branches providing services in a Member State other than their home Member State, competent authorities shall notify the details specified in Table 1 of the Annex using the format set out in that Table.

3 As regards natural or legal persons benefiting from an exemption pursuant to Article 32 of Directive (EU) 2015/2366, competent authorities shall notify the details specified in Table 2 of the Annex using the format set out in that Table.

4 As regards account information service providers, and their branches providing services in a Member State other than their home Member State, competent authorities shall notify the details specified in Table 3 of the Annex using the format set out in that Table.

5 As regards electronic money institutions, and their branches providing services in a Member State other than their home Member State, competent authorities shall notify the details specified in Table 4 of the Annex using the format set out in that Table.

6 As regards legal persons benefiting from an exemption pursuant to Article 9 of Directive 2009/110/EC of the European Parliament and of the Council[(3)], competent authorities shall notify the details specified in Table 5 of the Annex using the format set out in that Table.

7 As regards agents of payment institutions, account information service providers and electronic money institutions which provide payment services in any Member State, agents of natural or legal persons benefiting from an exemption pursuant to Article 32 of Directive (EU) 2015/2366 and agents of legal persons benefiting from an exemption pursuant to Article 9 of Directive 2009/110/EC, competent authorities shall notify the details specified in Table 6 of the Annex using the format set out in that Table.

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8 As regards the institutions referred to in points (4) to (23) of Article 2(5) of Directive 2013/36/EU of the European Parliament and of the Council[(4)] that are entitled under national law to provide payment services, competent authorities shall notify the details specified in Table 7 of the Annex using the format set out in that Table.

9 As regards service providers carrying out services under points (i) and (ii) of point (k) and point (l) of Article 3 of Directive (EU) 2015/2366, competent authorities shall notify the details specified in Table 8 of the Annex using the format set out in that Table.

Article 2

Entry into force

This Regulation shall enter into force on the the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 29 November 2018.

For the Commission

The President

Jean-Claude JUNCKER

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ANNEX

TABLE 1 — INFORMATION ON PAYMENT INSTITUTIONS

Row	Field	Maximum length of the field	Format
1	Type of natural or legal person	Pre-defined text	Pre-defined option — 'Payment institution'
2	Name of the payment institution	Text (250 characters)	The official name of the payment institution shall be entered in free text using any of the following language character sets: Hellenic Alphabet, Cyrillic and Latin. The name of the institution shall be provided in the national language of the respective Member State. Member States that use the Hellenic Alphabet or Cyrillic script shall also provide either a transcription of the institution's name into the Latin alphabet, or a translation or an alternative name of the institution in another language based on the Latin alphabet. For Member States where there is more than one official national language, all official names of the institution shall be entered. The names shall be separated by a '/' character.
3	Commercial name of the payment institution	Text (250 characters)	The commercial name of the payment institution shall be entered in free text using any of the

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			following language character sets: Hellenic Alphabet, Cyrillic and Latin. Member States that use the Hellenic Alphabet or Cyrillic script shall also provide either a transcription of the institution's commercial name into the Latin alphabet, or a translation or an alternative commercial name of the institution in another language based on the Latin alphabet. If the payment institution uses more than one commercial name, all of the commercial names of the institution could be entered. Those names shall be separated by a '/' character. This field is optional for competent authorities to provide.
4	Address of the payment institution's head office		The address of the payment institution's head office shall be entered in free text using any of the following language character sets: Hellenic Alphabet, Cyrillic and Latin. The address shall be provided in the national language of the respective Member State. Member States that use the Hellenic Alphabet or Cyrillic script