



EUROPEAN CENTRAL BANK

EUROSYSTEM

## Template for comments

Public consultation on the draft ECB Regulation amending the Regulation on payments statistics

**Institution/Company**

ABN AMRO Bank N.V.

**Contact person**

**Mr/Ms**

**First name**

**Surname**

**Email address**

**Telephone number**

Please tick here if you do not wish your personal data to be published.

**General comments**

## Template for comments

### Public consultation on the draft ECB Regulation amending the Regulation on payments statistics

Please enter all your feedback in this list.

When entering feedback, please make sure that:

- each comment deals with a single issue only;
- you indicate the relevant article/chapter/paragraph, where appropriate;
- you indicate whether your comment is a proposed amendment, clarification or deletion.

<b>Deadline:</b>	9 April 2020
------------------	--------------

ID	Chapter	Article	Paragraph	Page	Type of comment	Detailed comment	Concise statement as to why your comment should be taken on board	Name of commenter	Personal data
1	Annex III	General	Alignment with PSD2 regulation		Amendment	In general we would recommend to align the setup of the Payments Statistics regulation document AND the it's table setup with the PSD2 'Guidelines on fraud reporting under the Payment Services Directive 2 (PSD2)' document where relevant. In the current setup we spent lots of time finding the differences. This applies for the setup of tables 4 and 5, but also for the terminology used in those tables, and the application of the geographical breakdown.	Align with PSD2 in order to increase consistency and lower the analysis and reporting burden.		Don't publish
2	Regulation	General	ATM's		Clarification	The ATM's will no longer be (majority) owned by our bank, but will be exploited by a separate legal entity owned by multiple Dutch banks. We assume that this new legal entity has the obligation to report on ATMs instead of the Dutch banks owning the legal entity. At least where the ATM related data and payments statistics are concerned (table 3 and table 6). Please explain why our assumption is correct or why it would not be correct.			Don't publish
3	Annex I	Part 2.3	Cash Withdrawals	10	Amendment	Add paragraph to clarify whether these are cash withdrawals using cards issued by the reporting institution (as requested in PSD2 fraud reporting) OR whether these are cash withdrawals as done at ATM's acquiring transactions for the reporting institution (as also reported in table 6, which raises the question why doing double reporting)	Align with PSD2 in order to increase consistency and lower the analysis and reporting burden.		Don't publish

4	Annex II	Definitions table	row ' Direct debit initiated in a file/batch'	7	Amendment	The first sentence of the definition to be changed into: ' An electronically initiated direct debit that is part of a group of direct debits jointly initiated by the payee' (instead of the payer)	The direct debits in the SENT column which are to be reported by the payee as explained in the 'Transaction sent' definition in Annex II. It is the payee side that initiates the direct debit transaction.		Don't publish
5	Annex III	Table 1	Header	1	Amendment	The meaning of the reporting dimension 'original unit' is nowhere explained in the document. Suggest to include definition in ANNEX II definitions. We are aware this term also exists in current regulation.	This is the only important term which is not explained in the document.		Don't publish
6	Annex III	Table 1	Sub header: Account Information Services Providers	1	Clarification	We interpreted the 'Number of Clients' as 'The total number of Third Party Payment Service Providers (TPP's) that are onboarded in order to be able to access payment accounts of accountholders of us as reporting credit institution.' Please clarify whether this is correct and if not, clarify what is expected to be reported by whom.	Reporting requirement is not clearly explained.		Don't publish
7	Annex III	Table 4a	Credit transfers	4	Amendment	The words ' of which' above 'Processed by credit transfer schemes' must be moved left one tab. And the same for the underlying breakdown rows.	It now suggests it is an 'of which' of Initiated electronically payments. While the explanation in ANNEX I part 2.3.1. paragraph 21 on page 8 suggests otherwise.		Don't publish
8	Annex III	Table 4a	Direct Debits	5	Deletion	Request to remove from the report.	The information on Consent given for Direct Debits is not available at the payee (creditor) bank. Consent is given by the payer to the payee (creditor), either via a paper based form or via an e-mandate (the latter with the involvement of the payer's bank). The payee (creditor) has the obligation to register and store the consent received. There is no legal obligation, nor an obligation resulting from the EPC SEPA Direct Debit Scheme Rulebook for the payee (creditor) to report this to its bank. As a result, the payee (creditor) bank is not able to report this.		Don't publish
9	Annex III	Table 4a	Direct Debits	5	Amendment	Suggest to reverse the order of the breakdown of Direct Debits to Direct Debit Schemes first	This way we can populate the used Direct Debit scheme, even if the type of Consent given is unknown.		Don't publish
10	Annex III	Table 4a	Card payments: Received	5	Amendment	Clarify the difference or align with PSD2 reporting 'Card payments at terminals at which transactions are acquired by resident PSP' and the PSD2 'Card payments acquired(except cards with an e-money function only)' . The latter also including Remote card payments acquired.	Align with PSD2 in order to increase consistency and lower the analysis and reporting burden.		Don't publish

11	Annex III	Table 4a	Card payments: Received	5	Amendment	It is assumed that remote payments are excluded by definition by requesting Card payments 'at terminals at which transactions are acquired by resident PSP [received]'. As a result the grey cells in the Received/Remote column for this payment instrument must be made white.	Current combination of 'at terminals' and 'remote' is contradictory.		Don't publish
12	Annex III	Table 4a	Card payments: received	5	Clarification	The geographical breakdown of 'Card payments at terminals at which transactions are acquired by resident PSP' is that per location of the terminal or per location of the Card issuer?	Not clarified in the document, while it is clarified for ATM transactions table 6. (Annex I Part 2.5 Article 7).		Don't publish
13	Annex III	Table 4a	Payment Initiation Services	7	Clarification	We interpreted the totals here as 'Number and total amount of payments initiated by us as bank acting as a Third Party Payment Service Provider' Is this correct?			Don't publish
14	Annex III	Table 5a	Header	11	Amendment	The geographical breakdown should be changed from classification "Geo 3" to classification "Geo 1"	In the consultation of the PSD2 fraud reporting guidelines, country to country breakdown was explicitly excluded from the final document and replaced by a "Cross-border within the EEA" category. The most consistent with this decision would therefore be the classification "Geo 1".		Don't publish
15	Annex III	Table 5a	Credit transfers	11	Deletion	The section "Received fraudulent credit transfers (total)" should be deleted	Reporting received fraudulent credit transfers is not required in the EBA Guidelines on fraud reporting under the Payment Services Directive (PSD2). It may lead to inconsistent and double reporting.		Don't publish
16	Annex III	Table 5a		12	Deletion	This section "Received fraudulent direct debits (total)" should be deleted	As specified in 66.b (flow of funds), the sending participant is the recipient of funds and the receiving participant the sender of funds. Therefore received fraudulent direct debits refer to the payments send direct debits by clients. As this category is not included in PSD2 and is already reported by another reporting entity it could lead to inconsistencies and double reporting.		Don't publish
17	Annex III	Table 5a	Card payments: Received	13/14	Amendment	It is assumed that remote payments are excluded by definition by requesting Card payments 'at terminals at which transactions are acquired by resident PSP [received]'. As a result the grey cells in the Received/Remote column for this payment instrument must be made white.	Current combination of 'at terminals' and 'remote' is contradictory.		Don't publish
18	Annex III	Table 6	Cash Advances at POS	22	Deletion	Request to remove from the report.	As a bank we cannot identify whether part of the transaction at the POS terminal contains a Cash Advance. This is an arrangement between the retailer and the customer.		Don't publish