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Summary of the 12th Meeting of the API Evaluation Group

Conference call via Skype on 18 July 2018, 11h00-13h00 CEST

(Approved by the API EG Members)

1. Welcome and introduction

The co-chairs, J. Whittle (NPSO Ltd) and O. Berglund (Trustly Group AB) welcomed the participants to the twelfth meeting of the API Evaluation Group (EG) which was held as a conference call.

J. Whittle informed that the purpose of this call would be for the API EG to discuss the position on the revised draft list of recommended API functionalities prepared by the ECSAs, to prepare an API EG view and to decide on how to progress.

Please see Annex I for the list of attendees.

2. Review of the revised draft list of recommended API functionalities

O. Berglund reported the following regarding a message which had been sent on behalf of the third-party provider (TPP) representatives just before the conference call in relation to the revised version of the recommended API functionalities as prepared by the ECSAs:

- It is the TPP representatives' understanding from the API EG's terms of reference and its work since inception that as a market-facing group its task is to define "what good looks like".
- Having looked at the revised list of recommended functionalities the TPP representatives' understanding is that the account servicing payment service providers (ASPSP) representatives want to focus only on compliance.
- The TPP representatives are of the strong view that when drafting any list of functionalities, the legal requirement on inter alia non-obstacles must be taken into account, or else the group will merely reiterate what is already in the EBA opinion and ASPSPs dedicated interfaces will likely contain obstacles to the provision of payment initiation services (PIS) and account information services (AIS).
- In view of the changed approach the TPP representatives need more time to review and expect to provide their comments at the 30 July 2018 meeting.

J. Whittle acknowledged the risk of commitment beginning to be stretched in view of the challenges and noted that it would be important at this stage to decide on how to move forward to ensure that the API EG can still deliver against its mandate. He reiterated that it would be helpful as a next step to be able to get to a more granular level of detail with the refinement of the draft recommended functionalities based on the following three categories:

1. Compliance requirements from PSD2, RTS or EBA Guidelines (including the provision of references).

2. Requirements that enable or are necessary to fulfil legal obligations (e.g. introducing a register, standards for certificates etc.)
3. Requirements that ensure that 'obstacles are not created (Art 32(3) RTS) and that are likely to be required in order for the interface to be 'widely used' (Art 33(6)(c)).

The EBA representative agreed that the application of the above three categories would be the right way forward. He added that the API EG would not have much added value if it would solely focus on legal requirements. There however needs to be a clear distinction between what is a legal requirement and what is not, but this needs to be determined by the national competent authorities (NCAs) and the EBA.

A TPP representative commented that a distinction could be made between legal requirements everybody agrees with, agrees with but for which more explanation is required or does not agree with. Another TPP representative added that TPP services could be restricted in case an exemption would be granted without having regard to what good looks like.

The EBA representative reiterated that everything within the scope of PSD2 should be part of the 'Day 1' scenario. The European Commission (EC) representative supported this view but wondered how easy it would be to apply the aforementioned three categories to the list of recommended functionalities. In order to ensure a smooth transition, it would be important to be able to indicate if there would be recommended functionalities that if not met could result in being an obstacle and hence would diminish the chances of obtaining an exemption.

J. Whittle commented that it should be avoided that this exercise is about ensuring minimum compliance. The draft template of the recommended functionalities will have to be iterated but as a start putting a classification system around it would seem helpful.

A TPP representative suggested to remove the distinction in the current version of the recommended functionalities between 'Day 1' and 'Day 2' and to check whether items that are currently under 'Day 2' could be linked to the legal text. The EBF representative responded that this would be fine but however reiterated that his constituency sees added functionalities beyond PSD2/RTS as part of the commercial space and hence it would not be in his mandate to agree with the inclusion of functionalities that would be related to the commercial space.

The EACB representative commented that she agreed with the previous statement made by the EBA concerning the fact that the focus should be on what is necessary for a practical implementation of the legal requirements of what is in scope of PSD2/RTS (i.e. payment accounts only) and that the rest is out of scope. J. Whittle agreed as this is precisely the mandate of the API EG, i.e. to provide clarity to the market in order to increase the chances for an ASPSP to obtain an exemption to the fall-back option.

As a way forward, the TPPs were invited to review the revised version of the list of recommended functionalities and to provide their comments ideally by 20 July 2018 cob (or 23 July at the latest). It was furthermore suggested for a small balanced subgroup to meet on 25 July 2018 in London with the aim of trying to produce a reconciled draft version of the recommended functionalities (ahead of the 30 July 2018 API EG meeting in Brussels).

Note in editing: due to insufficient availability this subgroup meeting could not be confirmed. As a result, the review of the recommended functionalities will continue at the 30 July 2018 meeting in Brussels.

J. Whittle added that besides the recommended functionalities, the API EG will also need to progress on the remaining topics that are included in its terms of reference such as a testing approach and practical implementation of APIs.

The API EG was invited to indicate if they had any major reservations in relation to the suggested way forward. No reservations were noted.

3. Closure of the meeting

The co-chairs closed the meeting around 12h00 CEST and thanked the participants for the constructive meeting.

Annex I: List of attendees

Category	Name	Institution	Attendance
Co-Chairs	James Whittle	NPSO Ltd	Yes
	Oscar Berglund	Trustly Group AB	Yes
TPP Members	Joan Burkovic	Bankin'	Yes
	Aoife Houlihan	Klarna	
	Ralf Ohlhausen	PPRO	Yes
ASPSP Members	Marieke van Berkel	EACB	Yes
	Gijs Boudewijn	Dutch Payments Association (representing EBF)	Yes
	Emil Johansson	Swedbank (representing ESBG)	Yes
PSU Members	Jean Allix	BEUC	Apologies
	Just Hasselaar	Ecommerce Europe	
	Pascal Spittler	IKEA (representing EuroCommerce)	Yes
Other Members	Thaer Sabri	EMA	Yes
	Peter Cornforth ¹	Paysafe (representing EPIF)	Yes
Observers	Ralf Jacob	European Commission	Yes
	Philippe Pellé	European Commission	
	Krzysztof Zurek	European Commission	Yes
	Dirk Haubrich	EBA	Yes
	Nilixa Devlukia	EBA	Apologies
	Helene Oger-Zaher	EBA	Yes
	Helmut Wacket	ECB	Yes
	Massimo Cappuccio ²	ECB	Yes
Linking pin with technical experts	Arturo G. Mac Dowell	Eurobits	Yes
Guest	Lorenzo Gaston	Gemalto (Convenor ISO TC 68 / SC2 / SG1 TPP)	Yes
Secretariat	Etienne Goosse	EPC	Apologies
	Christophe Godefroi	EPC	Yes

¹ Alternate to Krzysztof Korus² Alternate to Ann Børestam

Annex II: Action points

Item	Action	Owner	Status / Deadline
12-01	Provide a draft description of the three categories to be applied to the list of recommended functionalities	J. Whittle	18 July 2018
12-02	Indicate interest/availability to attend a dedicated subgroup meeting on 25 July 2018 in London.	API EG	19 July 2018
12-03	Review the revised version of the list of recommended functionalities as prepared by the ECSAs + provide comments	TPP representatives	20 July 2018

Annex III Meeting Calendar

2018	API EG Meetings
January	<p align="center">29 January 2018 (11:00-16:00 CET) EPC, Brussels</p>
February	<p align="center">22 February 2018 (10:00-12:00 CET) Conference call</p>
	<p align="center">27 February 2018 (13:30–18:00 CET) – preceded by lunch as from 12:45 CET EPC, Brussels</p>
	<p align="center">28 February 2018 (9:00-10.30 CET) 28 February 2018 (11:00-16:00 CET) API Evaluation Workshop with 5 API initiatives EBF, Brussels</p>
March	<p align="center">27 March 2018 (09:00-17:00 CEST) Brussels – EPC</p>
April	<p align="center">12 April 2018 (10.00-11.00 CEST) - Conference call</p>
	<p align="center">23 April 2018 (10.30-17.00 CEST) - EPC, Brussels</p>
May	<p align="center">14 May 2018 (10.30-18.00 CEST) - EPC, Brussels</p>
	<p align="center">24 May 2018 (11.00-12.00 CEST) – Conference call with API initiatives</p>
June	<p align="center">8 June 2018 (10.30-17.00 CEST) – Hotel Warwick, Brussels</p>
	<p align="center">25 June 2018 (10:30-17:00 CEST) – EPC, Brussels</p>
July	<p align="center">11 July 2018 (11:00-13:00 CEST) – Conference call</p>
	<p align="center">18 July 2018 (11:00-13:00 CEST) – Conference call</p>
	<p align="center">30 July 2018 (10:30-17:00 CEST) – EPC, Brussels</p>
August	
September	<p align="center">3 September 2018 (10:30-17:00 CEST) – EPC, Brussels</p>
	<p align="center">24 September 2018 (10:30-17:00 CEST) – EPC, Brussels</p>