

SPAA MSG 023-22

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Approved

Minutes of the fourteenth meeting of the SEPA Payment Account Access Multi-Stakeholder Group (SPAA MSG)

Venue: Microsoft Teams meeting

Distribution: SPAA MSG

Meeting Date: 12 August 2022 (10.00-12:00 CEST)

1 Welcome by the SPAA MSG Co-Chairs

The Co-Chairs A. González Mac Dowell and C. Schäfer welcomed the members to the fourteenth meeting of the SEPA Payment Account Access Multi-Stakeholder Group (SPAA MSG). They stated that the main objective of this meeting would be to agree on the Business Conditions WB's recommendations, namely the cost methodology and the data collection exercise.

Please see Annex I for the list of attendees.

2 Approval of the agenda (SPAA MSG 022-22)

The agenda was approved.

3 Approval of the minutes of the 13th meetings of the SPAA MSG (SPAA MSG 021-22)

The minutes were approved.

4 Status update on latest developments

- 1) SPAA Co-Chairs announced their career changes; as the Co-Chair C. Shaefer remains supported by the ECSAs, whereas the Co-Chair A. González Mac Dowell remains supported by the ENCSAs, their SPAA mandates remained unchanged.
- 2) SPAA Co-Chairs advocated the SPAA scheme actively. On the AH (Asset Holder) side, two presentations were organized and recorded, the link would be made available shortly. On the AB (Asset Broker) side, supporting documents for marketing activities were finalized with the help of both merchants' representatives P. Spittler and M. van Mello. A growing interest by other industries could be seen as the Co-Chairs were invited to present the SPAA scheme at 'The International Transport Forum', 'Mobility as a service' and the 'European Insurance and Occupational Pensions Authority'.

5 Interim feedback (from SPAA MSG members) on the public consultation in relation to the draft SPAA scheme rulebook

The members were given the opportunity to raise any issues, but none were reported. When asked about any response to the public consultation, the EPC confirmed that as per their



experience the responses would be expected when approaching the deadline, up to date none was received.

6 Review of the MVP Scenarios (Pres EPC065-22 MVP activities over summer)

Based on the previous qualitative assessment, the group was asked to perform the quantitative assessment over this summer. The focus would be on the demand side, where the volume of transaction assets would be projected by the merchants, the data assets by both AB and AH, with the recurrent data assets being specifically taken care of by the banks.

To be able to conduct the forecast, the group agreed with the 3 drafted MVP Scenarios (Pres EPC065-22) but reclassified under “scenario 1” the ‘SCA preference’, the ‘Account selection during SCA’ and the ‘Request that the exemption is not applied’ features. A clarification would need to be made by stating that these three features did not result from any qualitative assessment and the presented scenarios would be for the purpose of volume forecast only.* In addition, members requested to delete the wording ‘MVP’ in the title of slides, as one might be misled to believe that the decision of MVP had been already taken. The Co-Chair A. González Mac nevertheless reminded everyone that the decision to define the MVP(s) in the Rulebook would need to be made in the future.

* *Note in editing: At the 4 October 2022 meeting of the SPAA MSG it was clarified that the features ‘SCA preference’, ‘Account selection during SCA’ and ‘Request that the exemption is not applied’ had also been covered in the qualitative assessment.*

The below related subjects were also discussed:

- The ‘Dynamic linking’, whether customers would need to see the amount before or after SCA, the Co-Chair C. Schäfer advised the topic to be looked into in the next SPAA API WB and reporting back to the SPAA MSG.
- Account selection/ replacement during SCA: As requested by the merchants’ representative, the feature would have a significant value on their business, the group therefore agreed to include it to scenario 1. The Co-Chair C. Schäfer responded to a member on the process step of this feature emphasizing that the selection of an account would happen as part of the SCA, not before.
- Merchants’ volume projection: M. Van Mello reported that the initiative to collect the volume forecast by EuroCommerce was ongoing and he will share the information when it would be available. The MSG would be willing to allocate an agenda item in the next meeting or work block to provide further assistance if M. Van Mello would need it.

7 Status update on the communication plan

The Co-Chairs urged members to advocate actively for the SPAA scheme in their constituencies, they also announced that going forward the communication plan would be a regular agenda item.

8 Report on the activities of the SPAA Business Conditions WB and the SPAA API WB (including planning of next steps)

- 1) Business Conditions WB: The Co-Chairs referred to the document SPAA BC WB 025-22 SPAA Cost Calculation Methodology v1.0 with the intention to obtain more opinions from the members.

The following feedback was received:

- i. During the period of approval from 04 Aug 22 – 11 Aug 22, one written response was received to express support but requesting full transparency on how the

methodology would be applied to arrive at the proposed default fees for the Scheme. (*R. Mitchell on behalf of EMA 08 Aug 2022*)

- ii. H. Furstenau raised four concerns on behalf of the German banking community:
 - a. Transparency: they are still missing a view on the complete methodology.
 - b. Competition law issues.
 - c. Timeline: Limitation due to time constraints and a fear of poor quality of the cost evaluation. An extension of deadline for the AH would be needed.
 - d. In ref. to p.50, the ‘no fee borne by the payer’ had caused a major concern, and it should be removed from the PwC’s cost methodology. He explained that given the fact that the method for applying the potential ‘no fee’ feature was not determined, but still subject to the public consultation, it is a ‘no go’ and should not be treated as an element of the cost methodology. He doubted that respondents would be able to provide cost data.

G. Boudewijn stated that concerns relating to competition law should not be raised time and again and asked E. Goosse to re-confirm that the EPC is taking all necessary steps to address competition law issues. E. Goosse confirmed this to be the case and stated that a proper balance was applied between a ‘black box’ approach and ensuring upfront transparency about the cost methodology and data collection process to all stakeholders. S. Di Lillo remarked that transparency of the process and transparency regarding the data should not be confused. With specific reference to the data, she added that the ‘black box’ principle would continuously be observed and that neither the BC WB, the MSG nor the Secretariat will ever access any individual, non-anonymised data. More importantly, she clarified that the following phases of the project do not entail at any stage a negotiation of the final fees. The current project plan, as reviewed and cleared also by the competition external legal counsel in the written memo shared with the Board, aims at concluding on a fair business model, based on a concrete cost methodology that also ensures that the fees are set at an economically efficient level and are not artificially inflated. This was considered by the external counsel to be key, also considering that the EU legislator, amongst others, has clarified on several occasions that the use of non-transparent pricing methods should be prohibited, since those methods make it extremely difficult for users to establish the real price of the service. She further assured the group that the competent authorities (notably the DG COMP of the commission) are fully aware of the progress made in the SPAA scheme.

- iii. G. Boudewijn, on behalf of EBF, raised 2 concerns:
 - a. The timeline.
 - b. ‘No fee borne for the payer’: As the feature was approved to be in the public consultation, it should be treated as part of the PwC’s exercise. He doubted the uncertainty of the feature being included in the Rulebook would prevent PwC to collect cost data. He signalled what would be possible consequences if this feature would not be treated at this stage: repeating the exercise and delaying of publication date.
- iv. M. van Berkel expressed the following concerns:
 - a. Sample used for the survey: The 1,800 cooperative banks might not have the same governance, IT structures and cost factors as commercial banks, PwC would be expected to make sure that the cooperative banks’ characteristics will be reflected in this exercise. The Co-Chair A. González Mac Dowell assured M. van Berkel that her concern was already taken into consideration by PwC, the Co-Chair C. Schäfer added that a similar issue was

- initially raised by the saving banks community and had been taken care of and proposed to arrange a follow-up with PwC.
- b. The timeline: M. van Berkel requested for an extension of deadline to privilege quality over speed.
 - c. Representativeness of the sample: M. van Berkel emphasised that the sample should be representative in all aspects (geographical, type, size...etc.) of the whole banking industry in Europe. The Co-Chair C. Shaefer explained that this would be the task of PwC.
- v. M. Van Mello highlighted that the conditions for setting up the 'Black Box' should be transparent. The Co-Chairs confirmed that it would be the case. Speaking from the competition law viewpoint regarding to the 'Black Box', E. Goosse confirmed that for the sake of transparency PwC would provide the actual high-level distribution of the sample of respondents as part of their final report. R. Ohlhausen stressed that the 'no fee borne by the payer' should be included in the exercise.

The MSG fully agreed with the below conclusion of the common concerns:

- The timeline: The issue was raised by H. Fürstenau, G. Boudewijn, M. van Berkel, and the French banking community, the group agreed to launch the data collection exercise without delay. The respondents would be given an opportunity before the deadline to indicate whether they would be willing to complete the questionnaire and if necessary, how much more time they would need. The deadline was prolonged to the end of September.
- 'No fee borne for the payer': Having discussed the objections raised by H. Furstenau, the group decided that the feature would remain as part of PwC's exercise.
- Representativeness: Given the characteristics of the Co-operatives banks, they should be represented in the sample.
- SPAA API WB: As requested by the group, the SPAA API WB would allocate an agenda item to elaborate on the SCA, bearing in mind that the business rules would need to be approved by the SPAA MSG.

9 Progress update on the definition of high-level requirements for a central billing mechanism

Members are invited to send in their input by mid-September.

10 NEXT steps (SPAA MSG 004-21; SPAA MSG 012-21)

Not discussed.

11 AOB

Two calls for nominations, namely for the Risk management work block and the SPAA & SRTP joint work block ASF (API Security Framework) would be re-sent to the group.

12 Closure of meeting

The Co-Chairs thanked the SPAA MSG for the constructive meeting. The meeting ended at 12:00.

Annex I: List of attendees

Country	Name	Institution	Attendance
Co-Chairs			
EU	Arturo González Mac Dowell	Supported by the ENCSAs	Yes
DE	Christian Schaefer	Supported by the ECSAs	Yes
Members			
AT	Hendrik Muus	PSA	Apologies
DE	Dennis Dorfmeister	FinTecSystems GmbH	Apologies
DE	Christian Wenz	PPI AG	Yes
DE	Hartwig Gerhartinger	Paysafe Group	Apologies
DE	Hermann Fürstenau	Association of German Public Banks (VÖB)	Yes
EU	Alessia Benevelli	ESBG	Yes
EU	Gijs Boudewijn	EBF	Yes
EU	Bryan Coughlan	BEUC	Apologies
EU	Krzysztof Korus	EPIF	Yes
EU	Marieke van Berkel	EACB	Yes
EU	Massimo Battistella	EACT	Yes
EU	Michel Van Mello	EuroCommerce	Yes
EU	Ralf Ohlhausen	ETPPA	Yes
EU	Tarik Zerkti	PRETA S.A.S.	Yes
EU	Thaer Sabri	EMA	Yes
FI	Suvi Rautakorpi	Finance Finland	Apologies
FR	Fanny Rodriguez	Bankin' and Bridge	Apologies
FR	Gildas Le Louarn	Linxo	Apologies
FR	Géraldine Debost	Crédit Agricole S.A.	Apologies
FR	Hervé Robache	STET	Yes
IE	Jack Wilson	TrueLayer	Yes
IT	Alessio Castelli	CBI S.c.p.a.	Yes
IT	Andrea Cogerino	Intesa Sanpaolo	Apologies
NL	Daniel Morgan	Plaid	Apologies
NL	Rob van Bergen	ING	Yes
PT	João Sarilho	SIBS	Apologies
SE	Oscar Berglund	Trustly	Yes
Observers			



EU	Julia Weits	European Commission	Yes
EU	Kerstin Junius	European Central Bank	Yes
EU	Iddo de Jong	European Central Bank	Apologies
EPC Secretariat			
Christophe Godefroi			Apologies
Etienne Goosse			Yes
Silvia Di Lillo			Yes
Jenny Huang			Yes

Annex II: Action points

Ref.	Action	Owner	Status/Target
14-01	Sending reminder of 2 calls for nominations to the group	SPAA MSG secretariat	12 August 2022
14-02	Including MSG's remarks to SPAA API WB meeting agenda	SPAA API WB secretariat	12 August 2022
14-03	Updating MVP scenarios	SPAA MSG secretariat	12 August 2022
14-04	Sending reminder to MSG Group for the proposal of Central Billing Mechanism	SPAA MSG / secretariat	24 August 2022
14-04	Inform PwC on the extension of deadline for the exercise	SPAA Business Condition WB secretariat	12 August 2022