

SPAA MSG 007-23

Version 1.0

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Approved

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

Venue: Teleconference (via Microsoft Teams)

Distribution: SPAA MSG

Meeting Date: 17 February 2023 (10.00-16:00 CET)

1 Welcome by the SPAA MSG Co-Chairs

The co-chairs A. González Mac Dowell and G. Boudewijn welcomed the members to the twenty-first meeting of the SEPA Payment Account Access Multi-Stakeholder Group (SPAA MSG).

The SPAA MSG noted the replacement of D. Morgan by M. Bos as principal representative of Plaid. In addition, the group was informed that S. Ryan had replaced J. Weits as EC (DG FISMA) representative.

The list of attendees can be found in Annex I.

2 Approval of the agenda (SPAA MSG 005-23)

The agenda was approved as distributed.

3 Approval of the minutes of the 20th meeting of the SPAA MSG (SPAA MSG 004-23)

The minutes of the meeting that took place on 3 February 2023 were approved as distributed and will be published in due course on the EPC website.

4 Status update on latest developments

The co-chairs reported on the SPAA scheme status update meeting which had been held on 15 February 2023 for the Module 3 and SPAA Scheme Interest Group participants. A list of questions resulting from this meeting had already been created and the co-chairs informed that they would prepare tentative responses following which the document would be shared with the SPAA MSG and subsequently with the Module 3 and SPAA Scheme Interest Group participants.

Co-chair G. Boudewijn reported on the outcome of a call he had organised with the asset holder representatives on the topic of 'Transaction fees not borne by the Payer'. The asset holders concluded that the three¹ proposals presented at the previous SPAA MSG meeting would not be workable in the short run due to the related implementation complexity, in particular in view of

¹ 1. An asset holder does not charge transaction fees to its customer; 2. Fees are transferred by the asset holder to the asset broker (as per DS-P06 mechanism); 3. A specific default fee is to be defined.



the impact on the billing systems of the asset holders. The asset holders however acknowledge the importance for the asset brokers of including a solution in the minimum viable product (MVP) and as a result they agreed to propose an alternative, less impactful solution in the coming weeks. In addition, he also informed that a majority of asset holder representatives still have some legal concerns in relation to the default business conditions report as developed by the independent economic consultant and as a result the topic could unfortunately not be discussed during today's meeting. To this end and pending clarifications, the SPAA MSG will not be in a position to submit a draft version 1.1 of the SPAA scheme rulebook to the Board for its 7 March 2023 meeting. These new developments should however only create a slight delay and the plan would be to submit the updated rulebook for approval to the 23 May 2023 meeting of the Board (or earlier if feasible). Co-chair G. Boudewijn highlighted that the asset holders remain fully committed but that they just need some extra time.

Co-chair A. González Mac Dowell commented that what the independent economic consultant provided should be rather seen as a list of possible scenarios from which the SPAA MSG would need to make a choice.

E. Goosse informed that the secretariat will do its best to ensure clarifications to those asset holders' communities that still have concerns and shared the hope that the aforementioned pending topics could be concluded at the 31 March 2023 meeting of the SPAA MSG. He added that a meeting with DG COMP in presence of the EPC's external competition lawyer is planned to be set up in the coming weeks.

R. Ohlhausen reiterated that having a solution for the topic of 'Transaction fees not borne by the Payer' in the MVP is indeed key for the asset brokers but how this will be done is less of importance.

M. Van Mello commented that there is however a need for clarity on the cost aspects related to the scheme and this for both the merchants and the consumers.

5 Update on the activities of the work blocks of the SPAA MSG (SPAA MSG 002-22)

- SPAA Business Conditions (BC) WB:

- The SPAA BC WB had met on 10 February 2023 to review the default business conditions report - developed by the independent economic consultant – as part of the finalisation of the sensitivity analysis. Some SPAA MSG members commented that some figures included in the report were not easy to interpret. In response to a question, E. Goosse confirmed that the economic consultant had fulfilled its contract but added that any further questions (about the report) could still be sent to the secretariat (in order to relay these to the economic consultant).
- The SPAA MSG approved a couple of editorial updates in the Terms of reference (ToR) of the SPAA BC WB.

- SPAA API WB:

A. González Mac Dowell in his role as SPAA API WB chair reported on the following topics that were discussed during the 7 February 2023 meeting of the WB (a short summary of the outcome of this meeting had been shared with the SPAA MSG beforehand):

- The input from the Legal Support Group (LSG) and assessment of its impact on the rulebook.
- The rulebook already foresees an optional status update functionality, which allows the asset holder to inform the asset broker for example in case the asset owner would cancel a future dated or recurring payment. The SPAA API WB is however of the view



that such a status update is to be provided mandatorily by the asset holder via a push notification. R. Ohlhausen stated that in fact all status updates (i.e., not only payment cancellations), should be communicated via push messages as a mandatory requirement. M. Altamura commented that it would be difficult to make this mandatory in Italy as many banks do not have such a facility. It was concluded that this topic would need to be further investigated by the SPAA API WB prior to the 31 March 2023 meeting of the SPAA MSG.

- From a technical point of view, refunds can be handled outside the SPAA scheme (see also section 6).

- SPAA Risk Management (RM) WB:

The chair of the SPAA RM WB, M. Kostro reported that the kick-off meeting had taken place on 13 February 2023 and that the first goal is to approve the list of SPAA scheme related business risks at the next meeting in March 2023.

- Joint SPAA/SRTP API Security Framework WB:

The group will submit the updated API Security Framework and Operational Scheme Manager (OSM) documents for approval to the 7 March 2023 meeting of the Board.

6 Further review of possible refund scenarios and agreement on the rulebook version in which this would need to be covered

The SPAA MSG concurred that the current refunds section could be kept in version 1.1 of the rulebook as it does not interfere with any refund solutions that currently exist in the market. However, the topic of refunds is to be further assessed by the SPAA API WB (including on how to tackle the original transaction fees) as part of the SPAA scheme change management cycle and as such it will not be included in the MVP (see section 8).

R. Ohlhausen stated that there is clearly a demand for refunds and that the asset brokers will provide one of the available solutions that already exist in the market - but this will be done outside the SPAA scheme. As such he still questioned the relevance of including a refunds section in the rulebook - but at the same time did not object to it. He moreover indicated that ideally Art. 17 (RTS on SCA) would be clarified as part of the PSD2 review exercise given that different interpretations exist in different countries. Co-chair G. Boudewijn was not yet entirely convinced of the existence of legal barriers in relation to the topic of refunds but if so, this would need to be discussed with DG FISMA. S. Ryan informed that he could discuss this matter internally and that he would also reach out to the European Banking Authority (EBA). Co-chair A. González Mac Dowell added that once the (potential) legal aspects have been clarified, the SPAA API WB could further work on the development of the refund topic (most likely after the 31 March 2023 meeting of the SPAA MSG).

7 Conclusion on the way forward in relation to DS-P06 'Mechanism to request a payment with transaction fees not borne by the Payer' (Pres EPC010-23)

Please see section 4. This topic will be further discussed at the 31 March 2023 meeting of the SPAA MSG based on an alternative proposal from the asset holders.

8 Approval of version 1.1 of the SPAA scheme rulebook (EPC012-12; Pres EPC011-23; Whitepaper ECPA)

The SPAA MSG reviewed and approved an updated version of the MVP (see Annex III), subject to a couple of updates for clarification purposes.



Next, the group reviewed ‘on-screen’ an updated draft version 1.1 of the SPAA scheme rulebook, which included recommendations provided by the SPAA API WB, LSG input, a draft MVP scope definition, comments from a Module 3 participant and some minor editorial updates. The proposed updates were approved and in addition:

- The suggestions provided by R. Ohlhausen in relation to the status update push notifications (section 2.1.1) are to be further assessed by the SPAA API WB.
- The push notification ‘workaround solution’ - as an alternative to the payment certainty mechanism request - is to be included as a remark in dataset DS-P01 (section 2.1.2.1).
- The outcome of the public consultation is to be awaited prior to updating the SCA sections in version 1.1 of the rulebook.
- The description of the terms ‘Asset Broker’ and ‘Asset Holder’ was further updated.
- The MVP matrices can be included as an annex to the rulebook.

It was reiterated that the EPC’s internal legal counsel would have to assess whether there would be any legal exposure in relation to the comments provided by ECPA. If not, these comments will be assessed as part of the 2022-2023 SPAA scheme change management cycle (as these were provided to the EPC after the public consultation on the rulebook had ended).

9 Next steps (SPAA MSG 035-22; SPAA MSG 004-21)

The proposed timeline for the first SPAA scheme change management cycle was presented to the group. According to this this timeline, the plan would be to publish version 2.0 of the SPAA scheme rulebook by end-November 2024 (subject to Board approval).

The following concrete steps were agreed:

- Asset holder representatives to propose an alternative solution for the ‘Transaction fees not borne by the Payer’ feature in the coming weeks.
- The SPAA API WB is to schedule an extra meeting to i) assess the aforementioned alternative solution and ii) review the rulebook updates concerning the status update push notifications (prior to the 31 March 2023 meeting of the SPAA MSG).
- The secretariat is to schedule a call with the competition lawyers of the asset holders represented in the SPAA MSG and the EPC’s external competition lawyer. In addition, a call is to be setup with DG COMP in presence of the EPC’s external competition lawyer.

The next SPAA MSG will take place on 31 March 2023, and it was agreed that the April meeting would be held on the 28th.

10 AOB

Following a question, it was clarified that in the past the EPC was asked to provide a SPAA scheme status update report for the ERPB meetings. In addition, the co-chairs were also invited to join the ERPB meetings to provide a SPAA scheme status update presentation. The exact date for the next ERPB meeting is currently not yet known.

11 Closure of meeting

The co-chairs thanked the SPAA MSG members for the constructive work and their patience.

The meeting ended at 12:20 CET.



Annex I: List of attendees

Country	Name	Institution	Attendance
Co-Chairs			
EU	Arturo González Mac Dowell	Supported by the three ENCSAs	Yes
EU	Gijs Boudewijn	Nominated by the three ECSAs	Yes
Members			
AT	Hendrik Muus	PSA	Yes
DE	Christian Wenz	PPI AG	Yes
DE	Hartwig Gerhartinger	Paysafe Group	Yes
DE	Hermann Fürstenau	Association of German Public Banks (VÖB)	Apologies
DE	Tino Meissner	Deutsche Bank	Apologies
EU	Anni Mykkänen	EBF	Apologies
EU	Krzysztof Korus	EPIF	
EU	Farid Aliyev	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
EU	Andreas Widegren	Swedbank (nominated by ESBG)	Yes
FR	Fanny Rodriguez	Fintecture (nominated by Bankin')	Yes
FR	Gildas Le Louarn	Linxo	Apologies
FR	Géraldine Debost	Crédit Agricole S.A.	Yes
FR	Hervé Robache	STET	Yes
IE	Jack Wilson	TrueLayer	Yes
IT	Alessio Castelli	CBI S.c.p.a.	Yes
IT	Marco Altamura	Intesa Sanpaolo	Yes
NL	Martijn Bos	Plaid	Apologies
NL	Maciej Kostro	ING	Yes
PT	João Sarilho	SIBS	Yes



SE	Benjamin Woodcock ²	Trustly	Yes
UK	Andrew Boyajian	Tink	Yes
	Observers		
EU	Stephen Ryan	European Commission	Yes
EU	Kerstin Junius	European Central Bank	Yes
	EPC Secretariat		
	Silvia Di Lillo		Yes
	Christophe Godefroi		Yes
	Etienne Goosse		Yes
	Jenny Huang		Yes

² Alternate of Oscar Berglund



Annex II: Action points

Ref.	Action	Owner	Status/Target
21-01	Publication of the approved agenda of the 21 st SPAA MSG meeting and the approved minutes the 20 th SPAA MSG meeting	SPAA MSG Secretariat	21 February 2023
21-02	Schedule a call with the competition lawyers of the asset holder representatives and also a separate call with the EC (DG COMP).	SPAA MSG secretariat	1 March 2023
21-03	Asset holders are to propose an alternative solution for the 'no transaction fees to be borne by the payer' premium feature	Co-chair G. Boudewijn; M. Altamura; M. Kostro	10 March 2023
21-04	Prepare tentative responses to the questions resulting from the status update meeting with the Module 3 and SPAA Scheme Interest Group participants	SPAA MSG Co-chairs; Secretariat	17 March 2023
21-05	Inform the SPAA MSG secretariat in case of any further questions about the default business conditions report developed by the economic consultant	SPAA MSG	17 March 2023
21-06	Plan an extra meeting to review i) the topic of status updates via push notifications and ii) proposed alternative solution for the 'no transaction fees to be borne by the payer' feature (and report the outcome at the 31 March 2023 SPAA MSG meeting).	SPAA API WB	31 March 2023
21-07	Provide feedback on internal discussion in relation to Art. 17 (RTS SCA) in the context of refunds	S. Ryan	31 March 2023
21-08	Assess whether there is a legal impact in relation to the ECPA comments	EPC legal counsel	31 March 2023



Annex III: MVP

MVP for Transaction Assets



Transaction Assets		MVP					Open topic
Premium features (EPC12-22)		Account replacement during Authentication	SCA approach preferences	Payment certainty mechanism request	Request for supporting account information*	Request to not apply SCA exemption	Mechanism to request payment with transaction fees not borne by the payer
Payment initiations							
One-off payment							
Future dated payment	Warehoused with defined execution date			**			
	Dynamic			**			
Recurring payments	Warehoused with same/fixed amount						
	Dynamic			**			
Payment to multiple counterparties							
Personal Finance Management (PFM) automated transfers							
Refunds		TBD	TBD	TBD	TBD	TBD	

- * This premium feature is not supported per the Berlin Group's specification.
- ** Workaround solution included in MVP: AB is informed by AH via a push notification about the cancellation of a future dated/recurring payment prior to execution date (pending topic)
- Included in MVP.
- Excluded from MVP.
- TBD To be discussed/decided later.

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MVP for Data Assets



Data Assets		MVP		
Premium features (EPC12-22)		SCA approaches preferences	Account replacement during authentication	Request to not apply SCA exemption
Data Asset retrieval				
List of payment accounts	List of current accounts			
	List of current accounts with credit line			
	List of saving accounts			
List of payment account transactions				
List of cards				
List of card transactions				
SCA Exemptions and delegations implemented				
SCA approaches implemented				

- Included in MVP.
- Excluded from MVP.