

**Question for written answer E-005934/2015
to the Commission**
Rule 130
Jonás Fernández (S&D)

Subject: Directive 2007/64/EC on payment services

Users in Europe of payment cards frequently suffer loss of service provision when, in the exercise of their right to free movement, they transfer their residence to a different Member State from the one where the service provider is domiciled. Due to this change of residence the provider may unilaterally cancel the service.

In this regard, Article 55(2) of Directive 2007/64/EC, of 13 November 2007, on payment services in the internal market provides that:

'[...] the payment service provider may reserve the right to block the use of a payment instrument [...] if, in the case of a payment instrument associated with a credit line, there is a significantly increased risk that the payer may be unable to fulfil his liability to pay'.

In the context of the practice referred to above, some financial institutions claim that a change of residence to another Member State constitutes *per se* a 'significantly increased risk that the payer may be unable to fulfil his liability to pay', irrespective of the professional or employment situation of the user.

Does the Commission consider that the aforementioned provision may justifiably be interpreted in such a way?