European Parliament

2019-2024



Committee on Economic and Monetary Affairs

2023/0212(COD)

9.2.2024

***I DRAFT REPORT

on the proposal for a regulation of the European Parliament and of the Council on the establishment of the digital euro (COM(2023)0369 – C9-0219/2023 – 2023/0212(COD))

Committee on Economic and Monetary Affairs

Rapporteur: Stefan Berger

Rapporteur for the opinion of the associated committee pursuant to Rule 57 of the Rules of Procedure:

Emil Radev. Committee on Civil Liberties, Justice and Home Affairs

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Symbols for procedures

* Consultation procedure

*** Consent procedure

***I Ordinary legislative procedure (first reading)

***II Ordinary legislative procedure (second reading)

***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

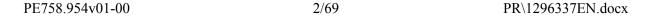
Deletions are indicated in *bold italics* in the left-hand column. Replacements are indicated in *bold italics* in both columns. New text is indicated in *bold italics* in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

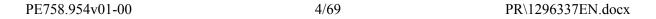
New text is highlighted in **bold italics**. Deletions are indicated using either the symbol or strikeout. Replacements are indicated by highlighting the new text in **bold italics** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.



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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council on the establishment of the digital euro (COM(2023)0369 – C9-0219/2023 – 2023/0212(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2023)0369),
- having regard to Article 294(2) and Article 133 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0219/2023),
- having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
- having regard to the opinion of the European Central Bank of 31 October 2023¹,
- having regard to the opinion of the European Economic and Social Committee²,
- having regard to Rules 59 and 41 of its Rules of Procedure,
- having regard to the opinion of the Committee on Civil Liberties, Justice and Home Affairs,
- having regard to the report of the Committee on Economic and Monetary Affairs (A9-0000/2024),
- 1. Adopts its position at first reading hereinafter set out;
- 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
- 2. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a regulation Title 1

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¹ OJ C 2024/669 of 12.1.2024.

² OJ C ...

Text proposed by the Commission

Proposal for a

REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
on the establishment of the *d*igital *e*uro

Amendment

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on the establishment of the **D**igital **E**uro

[This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout]

Or. en

Amendment 2

Proposal for a regulation Recital 3

Text proposed by the Commission

(3) Central bank money in the form of banknotes and coins cannot be used for online payments. Today, online *payments* rely entirely on commercial bank money. The acceptability and fungibility of commercial bank money rely on its convertibility on a one-to-one basis to central bank money with legal tender, which serves as a monetary anchor. That monetary anchor is at the core of the functioning of monetary and financial systems. It underpins users' confidence in commercial bank money and in the euro as a currency and is therefore essential to safeguard the stability of the monetary system in a digitalised economy and society. As central bank money in physical form alone cannot address the needs of a rapidly digitalising economy, this could gradually remove the monetary anchor for commercial bank money. It is therefore necessary to introduce a new form of official currency with legal tender which is risk free and helps visualise the convertibility at par of the money issued by

Amendment

(3) Central bank money in the form of banknotes and coins cannot be used for online payments. Today, online payment solutions only allow access to commercial bank money. The acceptability and fungibility of commercial bank money rely on its convertibility on a one-to-one basis to central bank money with legal tender, which serves as a monetary anchor. That monetary anchor is at the core of the functioning of monetary and financial systems. It underpins users' confidence in commercial bank money and in the euro as a currency and is therefore essential to safeguard the stability of the monetary system in a digitalised economy and society. As central bank money in physical form alone cannot address the needs of a rapidly digitalising economy, this could gradually remove the monetary anchor for commercial bank money. It is therefore necessary to introduce a new form of official currency with legal tender which is risk free and helps visualise the convertibility at par of the money issued by

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Or. en

Amendment 3

Proposal for a regulation Recital 4

Text proposed by the Commission

(4) To address the need of a rapidly digitalising economy, the digital euro should support a variety of use cases of retail payments. Those use case include person to person, person to business, person to government, business to person, business to business, business to government, government to person, government to business, and government to government payments. In addition, the digital euro should also be able to fulfil future payments needs, and in particular machine to machine payment in the context of Industry 4.0 and payments in the decentralised internet (web3). The digital euro should not cater for payments between financial intermediaries, payment service providers and other market participants (that is to say wholesale payments), for which settlement systems in central bank money exist and where the use of different technologies is being further investigated by the Eurosystem.

Amendment

(4) To address the need of a rapidly digitalising economy, the Digital Euro should support a variety of use cases of retail payments. Those use *cases* include person to person, person to business, person to government, business to person, business to business, business to government, government to person, government to business, and government to government payments given their importance now and in the future. In addition, emerging use cases will be monitored with a view to potential coverage in subsequent releases. In particular machine to machine payment in the context of Industry 4.0 and payments in the decentralised internet (web3). *These* payment trends should be monitored by taking into account that private sector in the Union is best placed to develop solutions in this regard. The Digital Euro should not cater for payments between financial intermediaries, payment service providers and other market participants (referred to as wholesale payments), for which settlement systems in central bank money exist. For these payments, and with a view to the competitiveness of the Euro in the global context, the Eurosystem should explore the use of different technologies.

Proposal for a regulation Recital 5

Text proposed by the Commission

(5) In a context where cash alone cannot answer the needs of a digitalised economy, it is essential to support financial inclusion by ensuring universal, affordable and easy access to the digital euro to individuals in the euro area, as well as its wide acceptance in payments. Financial exclusion in the digitalised economy may increase as private digital means of payments *may not* specifically cater for vulnerable groups of the society *or may* not be suitable in some rural or remote areas without a (stable) communication network. According to the World Bank and the Bank for International Settlements, "efficient, accessible and safe retail payment systems and services are critical for greater financial inclusion". 24 That finding was further substantiated by the study on new Digital Payment Methods commissioned by the European Central Bank, which concluded that for the unbanked/underbanked/offline population, the most important features of a *new* payment method are easiness of use, not requiring technological skills, and to be secure and free of charge.²⁵ A digital euro would offer a public alternative to private digital means of payments and support financial inclusion as it would be designed along these objectives, thus catering for free access, easiness of use and wide accessibility and acceptance.

Amendment

(5) In a context where cash alone cannot answer the needs of a digitalised economy, it is essential to support financial inclusion by ensuring universal, affordable and easy access to the Digital Euro to individuals in the euro area, as well as its wide acceptance in payments. Financial exclusion in the digitalised economy is addressed by a set of legal obligations in a regulation of the European Parliament and of the Council on payment services in the internal market to ensure that private digital means of payments specifically cater for vulnerable groups of the society. According to the World Bank and the Bank for International Settlements, "efficient, accessible and safe retail payment systems and services are critical for greater financial inclusion"24. That finding was further substantiated by the study on new Digital Payment Methods commissioned by the European Central Bank, which concluded that for the unbanked/underbanked/offline population. the most important features of a payment method are easiness of use, not requiring technological skills, and to be secure and free of charge²⁵. A Digital Euro *should* be designed along these objectives, thus catering for free access, easiness of use and wide accessibility and acceptance. Additionally, a dedicated payment solution offered by the public sector in combination with designated authorities offering Digital Euro services would support the financial inclusion of unbanked citizens.

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https://documents1.worldbank.org/curated/en/806481470154477031/pdf/Payment-

24

https://documents1.worldbank.org/curated/en/806481470154477031/pdf/Payment-

Aspects-of-Financial-Inclusion.pdf

²⁵ Study on New Digital Payment Methods (europa.eu), March 2022. According to the World Bank, financial inclusion means that individuals have access to useful and affordable financial products and services that meet their needs – transactions, payments, savings, credit and insurance".

Aspects-of-Financial-Inclusion.pdf

²⁵ Study on New Digital Payment Methods (europa.eu), March 2022. According to the World Bank, financial inclusion means that individuals have access to useful and affordable financial products and services that meet their needs – transactions, payments, savings, credit and insurance".

Or. en

Amendment 5

Proposal for a regulation Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) With a view to ensuring a clear separation between the monetary, supervisory and payment systems oversight tasks, and the Digital Euro tasks of the European Central Bank, a dedicated unit for Digital Euro should be established within the European Central Bank that is independent in terms of accounting, organisation, and decision-making processes.

Or. en

Amendment 6

Proposal for a regulation Recital 9

Text proposed by the Commission

(9) Like euro banknotes and coins, the digital euro should be a direct liability of the European Central Bank or of the national central banks of the Member States whose currency is the euro towards digital euro users. The digital euro should be issued for an amount equal to the face

Amendment

(9) Like euro banknotes and coins, the Digital Euro should be a direct liability of the European Central Bank or of the national central banks of the Member States whose currency is the euro towards Digital Euro users. The Digital Euro should be issued for an amount equal to the face

value of the corresponding liability on the consolidated balance sheet of the European Central Bank and the national central banks of the Member States whose currency is the euro, in particular by converting payment service providers' central bank reserves into digital euro holdings, to satisfy demand from digital euro users. To hold and use digital euros, digital euro users should only need to establish a contractual relationship with payment service providers distributing the digital euro to open digital euro payment accounts. No account or other contractual relationship would be established between the digital euro user and the European Central Bank or the national central banks. Payment service providers should manage the digital euro accounts of digital euro users on their behalf and provide them with digital euro payment services. Since payment service providers are not a party to the direct liability held by digital euro users towards the European Central Bank and the national central banks of the Member States whose currency is the euro, and are acting on behalf of digital euro users, the insolvency of payment service providers would not affect digital euro users.

value of the corresponding liability on the consolidated balance sheet of the European Central Bank and the national central banks of the Member States whose currency is the euro, in particular by converting payment service providers' central bank reserves into Digital Euro holdings, to satisfy demand from Digital Euro users. To hold and use Digital Euros, Digital Euro users should only need to establish a contractual relationship with payment service providers distributing the Digital Euro to open Digital Euro wallets. No account or other contractual relationship would be established between the Digital Euro user and the European Central Bank or the national central banks. Payment service providers should manage the Digital Euro wallets of Digital Euro users on their behalf and provide them with Digital Euro payment services. Since payment service providers are not a party to the direct liability held by Digital Euro users towards the European Central Bank and the national central banks of the Member States whose currency is the euro, and are acting on behalf of Digital Euro users, the insolvency of payment service providers would not affect Digital Euro users

Or. en

Amendment 7

Proposal for a regulation Recital 16

Text proposed by the Commission

(16) The digital euro, as a digital currency with the status of legal tender denominated in euro issued by the European Central Bank and national central banks of the Member States whose currency is the euro, as part of the Eurosystem, should be widely accessible,

Amendment

(16) The Digital Euro, as a digital currency with the status of legal tender denominated in euro issued by the European Central Bank and national central banks of the Member States whose currency is the euro, as part of the Eurosystem, should be widely accessible,

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usable and accepted as a means of payment. Granting legal tender status to the digital euro should support its usability in payments across the euro area and thus also support the efforts to ensure the continued availability and accessibility of central bank money in its role of monetary anchor. as cash alone cannot address the needs of a rapidly digitalising economy. In addition, the mandatory acceptance of payments in digital euro as one of the main conditions of the legal tender status ensures that people and businesses benefit from a wide acceptance and have a real choice to pay with central bank money in a digital way and in a uniform manner throughout the euro area.

usable and accepted as a means of payment. Granting legal tender status to the Digital Euro should support its usability in payments across the euro area and thus also support the efforts to ensure the continued availability and accessibility of central bank money in its role of monetary anchor. as cash alone cannot address the needs of a rapidly digitalising economy. In addition, the mandatory acceptance of payments in Digital Euro as one of the main conditions of the legal tender status ensures that people and businesses benefit from a wide acceptance and have a real choice to pay with central bank money in a digital way and in a *reliable and consistent* manner throughout the euro area.

Or. en

Amendment 8

Proposal for a regulation Recital 21

Text proposed by the Commission

(21)The main objective of the establishment of the digital euro is its use as a form of the single currency with legal tender in the euro area. For this purpose and in line with the Agreement on the European Economic Area, digital euro users residing or established in the euro area, including consumers with no fixed address, asylum seekers and consumers who are not granted a residence permit but whose expulsion is impossible for legal or factual reasons, may be provided digital euro payment services by PSPs established in the European Economic Area. Natural and legal persons who were already receiving digital euro payment services, because they opened a digital euro payment account at the time they resided or were established in a Member State whose currency is the euro, but no longer

Amendment

(21)The main objective of the establishment of the Digital Euro is its use as a form of the single currency with legal tender in the euro area. For this purpose and in line with the Agreement on the European Economic Area, Digital Euro users residing or established in the euro area, including consumers with no fixed address, asylum seekers and consumers who are not granted a residence permit but whose expulsion is impossible for legal or factual reasons, may be provided Digital Euro payment services by PSPs established in the European Economic Area. Natural and legal persons who were already receiving Digital Euro payment services, because they opened a Digital Euro wallet at the time they resided or were established in a Member State whose currency is the euro, but no longer reside or are

reside or are established in such Member State, may still receive digital euro payment services by payment service providers established in the European Economic Area, in line with the Agreement on the European Economic Area, subject to possible time limitations in relation to the status of residence or establishment of these persons that the European Central Bank may define.

established in such Member State, may still receive Digital Euro payment services by payment service providers established in the European Economic Area, in line with the Agreement on the European Economic Area, subject to possible time limitations in relation to the status of residence or establishment of these persons that the European Central Bank may define.

Or. en

Amendment 9

Proposal for a regulation Recital 23

Text proposed by the Commission

(23) Digital euro *payment accounts* are a category of payment accounts denominated in euro through which digital euro users are able to carry out inter alia the following transactions: place funds, withdraw cash and execute and receive payment transactions to and from third parties, irrespective of the technology used and the structure of the ledger or of the data (e.g. whether digital euros are recorded as holding balances or units of value). Where these activities require processing of personal data, the payment service providers should be controllers.

Amendment

(23) Digital Euro *wallets* are a category of payment accounts denominated in euro through which Digital Euro users are able to carry out inter alia the following transactions: place funds, withdraw cash and execute and receive payment transactions to and from third parties, irrespective of the technology used and the structure of the ledger or of the data (e.g. whether Digital Euros are recorded as holding balances or units of value). Where these activities require processing of personal data, the payment service providers should be controllers.

Or. en

Amendment 10

Proposal for a regulation Recital 25

Text proposed by the Commission

(25) For the purpose of properly

Amendment

(25) For the purpose of properly

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enforcing any holding limits on the use of the digital euro decided upon by the European Central Bank, when on-boarding digital euro users, or during ex-post checks where appropriate, payment service providers in charge of distributing the digital euro should verify whether their prospective or existing customer already has digital euro payment accounts. The European Central Bank may support payment service providers in performing the task of enforcing any holding limits, including by establishing alone or jointly with national central banks a single access point of digital euro user identifiers and the related digital euro holding limits. The European Central Bank should implement appropriate technical and organisational measures, including state-of-the-art security and privacy-preserving measures, to ensure that the identity of individual digital euro users cannot be linked with the information in the single access point by entities other than payment service providers whose client or potential customer is the digital euro user. The European Central Bank should be controller to the extent that these activities require processing of personal data. When the European Central Bank establishes the single access point together with the national central banks, they should be joint controllers.

enforcing any holding limits on the use of the Digital Euro decided upon by the European Central Bank, when on-boarding Digital Euro users, or during ex-post checks where appropriate, payment service providers in charge of distributing the Digital Euro should verify whether their prospective or existing customer already has Digital Euro wallets. The European Central Bank may support payment service providers in performing the task of enforcing any holding limits, including by establishing alone or jointly with national central banks a single access point of Digital Euro user identifiers and the related Digital Euro holding limits. The European Central Bank should implement appropriate technical and organisational measures, including state-of-the-art security and privacy-preserving measures, to ensure that the identity of individual Digital Euro users cannot be linked with the information in the single access point by entities other than payment service providers whose client or potential customer is the Digital Euro user. The European Central Bank should be controller to the extent that these activities require processing of personal data. When the European Central Bank establishes the single access point together with the national central banks, they should be joint controllers.

Or. en

Amendment 11

Proposal for a regulation Recital 26

Text proposed by the Commission

(26) To support universal access to the digital euro by the general public in the euro area, and to foster innovation and a high level of competition in the retail

Amendment

(26) To support universal access to the Digital Euro by the general public in the euro area, and to foster innovation and a high level of competition in the retail

payment market, all the relevant intermediaries should be able to distribute the digital euro. All account servicing payment service providers under Directive 2015/2366, including credit institutions, electronic money institutions, payment institutions, post office giro institutions which are entitled under national law to provide payment services, the European Central Bank and national central banks of Member States whose currency is the euro, as part of the Eurosystem, when not acting in their capacity as monetary authority or other public authorities, and Member States or their regional or local authorities when not acting in their capacity as public authorities should be able to provide digital euro payment accounts and the related digital euro payment services, regardless of their location in the European Economic Area. Crypto asset services providers regulated under Regulation 2023/1114 of the European Parliament and of the Council²⁹ that are account servicing payment service providers under Directive 2015/2366 should also be allowed to distribute the digital euro. In accordance with Directive 2015/2366, account servicing payment service providers should be obliged to provide access to data on payment accounts to payment initiation and account information service providers based on Application Programming Interfaces (APIs), to allow them to develop and provide innovative additional services.

payment market, all the relevant intermediaries should be able to distribute the Digital Euro. All account servicing payment service providers under Directive 2015/2366, including credit institutions, electronic money institutions, payment institutions, post office giro institutions which are entitled under national law to provide payment services, the European Central Bank and national central banks of Member States whose currency is the euro, as part of the Eurosystem, when not acting in their capacity as monetary authority or other public authorities, and Member States or their regional or local authorities when not acting in their capacity as public authorities should be able to provide Digital Euro wallets and the related Digital Euro payment services, regardless of their location in the European Economic Area. Crypto asset services providers regulated under Regulation 2023/1114 of the European Parliament and of the Council²⁹ that are account servicing payment service providers under Directive 2015/2366 should also be allowed to distribute the Digital Euro. In accordance with Directive 2015/2366, account servicing payment service providers should be obliged to provide access to data on payment accounts to payment initiation and account information service providers based on **Application Programming Interfaces** (APIs), to allow them to develop and provide innovative additional services.

²⁹ Regulation (EU) 2023/1114 of the European Parliament and of the Council of 31 May 2023 on markets in crypto-assets, and amending Regulations (EU) No 1093/2010 and (EU) No 1095/2010 and Directives 2013/36/EU and (EU) 2019/1937, OJ L150, 9.6.2023, p. 40

²⁹ Regulation (EU) 2023/1114 of the European Parliament and of the Council of 31 May 2023 on markets in crypto-assets, and amending Regulations (EU) No 1093/2010 and (EU) No 1095/2010 and Directives 2013/36/EU and (EU) 2019/1937 (OJ L150, 9.6.2023, p. 40).

Proposal for a regulation Recital 28

Text proposed by the Commission

(28)A requirement to distribute the digital euro should be proportionate to the objective of ensuring an effective use of the digital euro as a legal tender means of payment. Restricting that obligation to credit institutions that are already active in retail business services would ensure the effectiveness of legal tender status, while avoiding putting a disproportionate burden on payment service providers with specialised, non-consumer oriented business models. The obligation to distribute the digital euro is therefore limited to credit institutions providing payment account services at the request of their clients. This is without prejudice to the application of Chapter IV of the Payment Account Directive on access to payment account with basic features to the access to digital euro account with basic features to consumers which are not client of a credit institution.

Amendment

A requirement to distribute the (28)Digital Euro should be proportionate to the objective of ensuring an effective use of the Digital Euro as a legal tender means of payment. Restricting that obligation to credit institutions that are already active in retail business services would ensure the effectiveness of legal tender status, while avoiding putting a disproportionate burden on payment service providers with specialised, non-consumer oriented business models. The obligation to distribute the Digital Euro is therefore limited to credit institutions providing payment account services at the request of their clients. This is without prejudice to the application of Chapter IV of the Payment Account Directive on access to payment account with basic features to the access to Digital Euro wallet with basic features to consumers which are not client of a credit institution.

Or. en

Amendment 13

Proposal for a regulation Recital 29

Text proposed by the Commission

(29) To ensure a wide usage of the digital euro, including for people who do not have a *non-digital* euro payment account, do not wish to open a digital euro *payment account* at a credit institution or at another payment service providers that may distribute the digital euro, or persons with disabilities, functional limitations or

Amendment

(29) To ensure a wide usage of the Digital Euro, including for people who do not have a *non-Digital* Euro payment account, do not wish to open a Digital Euro *wallet* at a credit institution or at another payment service providers that may distribute the Digital Euro, or persons with disabilities, functional limitations or

limited digital skills, and elderly persons, it is essential that public entities, including local or regional authorities, or postal offices, distribute the digital euro. For that purpose, Member States should designate entities that should carry out that task within their territory. Such entities, as payment services providers under Directive (EU) 2015/2366, should comply with the provisions of this Regulation, including Directive (EU) 2015/2366 and Directive (EU) 2015/849.

limited digital skills, and elderly persons, it is essential that public entities, including local or regional authorities, or postal offices, distribute the Digital Euro. For that purpose, Member States should designate entities that should carry out that task within their territory. Such entities, as payment services providers under Directive (EU) 2015/2366, should comply with the provisions of this Regulation, including Directive (EU) 2015/2366 and Directive (EU) 2015/849.

Or en

Amendment 14

Proposal for a regulation Recital 30

Text proposed by the Commission

(30)To enable a wide usage of the digital euro and keep pace with innovation in digital payments, digital euro payment services should include basic and additional digital euro payment services. Basic digital euro payment services are payment, account or support services that are considered essential for the use of the digital euro by natural persons. This includes inter alia the provision of at least one payment instrument to natural persons. Only account servicing payment service providers under Directive 2015/2366 should provide the entire set of basic digital euro services. In addition to these basic digital euro payment services, account servicing payment service providers and other payment service providers under Directive 2015/2366 may develop and provide additional digital euro payment services. Additional digital euro payment services include for instance conditional digital euro payment transactions like pay-per-use or payment initiation services. The digital euro

Amendment

(30)To enable a wide usage of the Digital Euro and keep pace with innovation in digital payments, Digital Euro payment services should include basic and additional Digital Euro payment services. Basic Digital Euro payment services are payment, wallet or support services that are considered essential for the use of the Digital Euro by natural persons. This includes inter alia the provision of at least one payment instrument to natural persons. Only account servicing payment service providers under Directive 2015/2366 should provide the entire set of basic Digital Euro services. In addition to these basic Digital Euro payment services, account servicing payment service providers and other payment service providers under Directive 2015/2366 may develop and provide additional Digital Euro payment services. Additional Digital Euro payment services include for instance conditional Digital Euro payment transactions like pay-per-use or payment initiation services. The Digital Euro

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infrastructure should facilitate the deployment of such optional services.

infrastructure should facilitate the deployment of such optional services.

Or. en

Amendment 15

Proposal for a regulation Recital 36

Text proposed by the Commission

The digital euro should allow for a smooth payment experience. Any instruments that the European Central Bank might employ to limit the digital euro's store of value function should take this objective into account. Automated mechanisms that link a digital euro payment account with a non-digital euro payment account should allow for an uninhibited payment functionality of the digital euro, by ensuring that transactions are successfully executed in the presence of individual digital euro holding limits that may become binding on the payer's or payee's side. In particular, digital euro users should be able to initiate a digital euro payment transaction even though the amount of their digital euro holdings is inferior to the amount of the transaction, by automatically mobilising funds from a non-digital euro payment account to complement the transaction amount ('reverse waterfall functionality'). Conversely, digital euro users should be able to receive digital euro payment transactions even though the amount of the transaction exceeds the limit set on their digital euro holdings, by automatically transferring funds in excess of the limit to a non-digital euro payment account ('waterfall functionality'). Such payment functionalities should be expressly authorized by digital euro users. Where digital euro *payment account* held by one payment service provider is linked with

Amendment

The Digital Euro should allow for a (36)smooth payment experience. Any instruments that the European Central Bank might employ to limit the Digital Euro's store of value function should take this objective into account. Automated mechanisms that link a Digital Euro wallet with a *non-Digital* Euro payment account should allow for an uninhibited payment functionality of the Digital Euro, by ensuring that transactions are successfully executed in the presence of individual Digital Euro holding limits that may become binding on the payer's or payee's side. In particular, Digital Euro users should be able to initiate a Digital Euro payment transaction even though the amount of their Digital Euro holdings is inferior to the amount of the transaction, by automatically mobilising funds from a non-Digital Euro payment account to complement the transaction amount ('reverse waterfall functionality'). Conversely, Digital Euro users should be able to receive Digital Euro payment transactions even though the amount of the transaction exceeds the limit set on their Digital Euro holdings, by automatically transferring funds in excess of the limit to a non-Digital Euro payment account ('waterfall functionality'). Such payment functionalities should be expressly authorized by Digital Euro users. Where Digital Euro wallet held by one payment service provider is linked with *non-Digital*

non-digital euro payment account held by another payment service provider, they should enter into an arrangement specifying their respective roles and responsibilities under data protection rules, as well as agree on the security measures necessary to ensure secure transmission of personal data between the two payment service providers.

Euro payment account held by another payment service provider, they should enter into an arrangement specifying their respective roles and responsibilities under data protection rules, as well as agree on the security measures necessary to ensure secure transmission of personal data between the two payment service providers.

Or. en

Amendment 16

Proposal for a regulation Recital 39

Text proposed by the Commission

Any limits to the store of value function that the European Central Bank decided on should be binding on and implemented by the payment service providers distributing the digital euro. While natural or legal persons may have one or more digital euro payment accounts at the same payment service provider or at different payment service providers, they should be subject to an individual holding limit that a digital euro user may allocate across different payment services providers. Payment service providers may offer digital euro users the possibility to legally have a joint digital euro payment account. In this case, any holding limit applied to the joint digital euro payment account should be equal to the sum of the allocated holding limits of the digital euro users. Where a digital euro payment account is legally held by only one digital euro user, but can be technically accessed to and used by several persons, upon de facto or legal mandate given by the digital euro user, any holding limit applied to the digital euro payment account should remain equal to the holding limit defined for a digital euro *payment account* held by

Amendment

Any limits to the store of value (39)function that the European Central Bank decided on should be binding on and implemented by the payment service providers distributing the Digital Euro. While natural or legal persons may have one or more Digital Euro wallets at the same payment service provider or at different payment service providers, they should be subject to an individual holding limit that a Digital Euro user may allocate across different payment services providers. Payment service providers may offer Digital Euro users the possibility to legally have a joint Digital Euro wallet. In this case, any holding limit applied to the joint Digital Euro wallet should be equal to the sum of the allocated holding limits of the Digital Euro users. Where a Digital Euro wallet is legally held by only one Digital Euro user, but can be technically accessed to and used by several persons, upon de facto or legal mandate given by the Digital Euro user, any holding limit applied to the Digital Euro wallet should remain equal to the holding limit defined for a Digital Euro wallet held by a single Digital Euro user, to avoid any

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a single digital euro user, to avoid any circumvention of the holding limits.

circumvention of the holding limits.

Or. en

Amendment 17

Proposal for a regulation Recital 40

Text proposed by the Commission

To ensure wide access to and use of the digital euro, consistent with its status of legal tender, and to support its role as monetary anchor in the euro area, natural persons residing in the euro area, natural persons who opened a digital euro account at the time they resided in the euro area, but no longer reside there, as well as visitors, should not be charged for basic digital euro payment services. That means that such digital euro users should not bear any direct fees for their basic access to and basic use of the digital euro, including not being charged transaction fees or any other fees that are directly associated with the provision of services related to the basic use of the digital euro. Digital euro users should not be required to have or open a non-digital euro payment account or to accept other *non-digital* euro products. Where the digital euro user agrees to a package of services comprising non-digital euro services and basic digital euro payment services, the payment service provider should be able to charge that package of services at its discretion. In that case, there should not be a differentiated charge for the *non-digital* euro services when they are offered separately or as part of a package including basic digital euro payment services. Where the digital euro user asks to receive only basic digital euro payment services with a payment service provider, those services should not be charged, including for waterfall and

Amendment

(40)To ensure wide access to and use of the Digital Euro, consistent with its status of legal tender, and to support its role as monetary anchor in the euro area, natural persons residing in the euro area, natural persons who opened a Digital Euro wallet at the time they resided in the euro area, but no longer reside there, as well as visitors, should not be charged for basic Digital Euro payment services. That means that such Digital Euro users should not bear any direct fees for their basic access to and basic use of the Digital Euro, including not being charged transaction fees or any other fees that are directly associated with the provision of services related to the basic use of the Digital Euro. Digital Euro users should not be required to have or open a non-Digital Euro payment account or to accept other *non-Digital* Euro products. Where the Digital Euro user agrees to a package of services comprising non-Digital Euro services and basic Digital Euro payment services, the payment service provider should be able to charge that package of services at its discretion. In that case, there should not be a differentiated charge for the non-Digital Euro services when they are offered separately or as part of a package including basic Digital Euro payment services. Where the Digital Euro user asks to receive only basic Digital Euro payment services with a payment service provider, those services should not be charged, including

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reverse waterfall functionalities where the digital euro user also has a *non-digital* euro payment account with another payment service provider. Payment service providers should be able to charge digital euro users for additional digital euro payment services beyond the basic digital euro payment services.

for waterfall and reverse waterfall functionalities where the Digital Euro user also has a *non-Digital* Euro payment account with another payment service provider. Payment service providers should be able to charge Digital Euro users for additional Digital Euro payment services beyond the basic Digital Euro payment services.

Or. en

Amendment 18

Proposal for a regulation Recital 42

Text proposed by the Commission

(42)As the digital euro is a form of the single currency having legal tender status, digital euro payment transactions should not be subject to excessive fees by payment service providers. In particular, granting the digital euro legal tender status, with the corollary of mandatory acceptance, means that merchants would have no choice but to accept digital euro payment transactions. Furthermore, any charge or fee per transaction or period erodes, directly or indirectly, the face value of payments received, which is an essential component of the legal tender status. It is therefore essential that a fee or a charge, as a restriction of the face value of the digital euro, be objectively justified and proportionate to the objective of ensuring an effective use of the digital euro as a legal tender means of payment.

Amendment

As the Digital Euro is a form of the (42)single currency having legal tender status, Digital Euro payment transactions should not be subject to excessive fees by payment service providers. In particular, granting the Digital Euro legal tender status, with the corollary of mandatory acceptance, means that merchants would have no choice but to accept Digital Euro payment transactions. Furthermore, any charge or fee per transaction or period erodes, directly or indirectly, the face value of payments received, which is an essential component of the legal tender status. It is therefore essential that a fee or a charge, as a restriction of the face value of the Digital Euro, be objectively justified and proportionate to the objective of ensuring competition between payment means and an effective use of the Digital Euro as a legal tender means of payment.

Proposal for a regulation Recital 43

Text proposed by the Commission

(43)To ensure that fees and charges are uniform across the euro area and proportionate, the European Central Bank should regularly monitor their level and, on this basis, publish the corresponding amounts together with an explanatory report. A maximum fee or charge should allow for free competition between intermediaries below that level. Fees or *charges* should not exceed the relevant costs incurred by payment service providers for the provision of digital euro payment services in relation to digital euro payment transactions, which are objective elements, and may include a reasonable margin of profit. For that purpose, the European Central Bank should use an estimate of the representative average cost incurred by payment service providers across the euro area and should therefore be in a position to collect relevant data from payment service providers. The relevant costs for providing digital euro payment services in relation to digital euro payment transactions should be based on the costs incurred by a representative group of the most efficient payment service providers in a given year. Competent authorities designated by Member States should be responsible for ensuring compliance by payment service providers with these maximum fees or charges.

Amendment

(43)To ensure that fees and charges are uniform across the euro area and proportionate, the European Central Bank should regularly monitor their level and, on this basis, publish the corresponding amounts together with an explanatory report. Fees or charges should allow for free competition and inter-PSP fees should not exceed the higher between the amount of all relevant costs incurred by payment service providers for the provision of Digital Euro payment services including a reasonable margin of profit, and fees or charges requested for comparable digital means of payment. For that purpose, the European Central Bank should use an estimate of the representative average cost incurred by payment service providers across the euro area and should therefore be in a position to collect relevant data from payment service providers. The relevant costs for providing Digital Euro payment services in relation to Digital Euro payment transactions should be based on the costs incurred by a representative group of the most efficient payment service providers in a given year. Competent authorities designated by Member States should be responsible for ensuring compliance by payment service providers with these maximum fees or charges.

Or. en

Amendment 20

Proposal for a regulation Recital 45

Text proposed by the Commission

(45) As payment services providers distributing the digital euro would not be in a position to charge fees to natural persons for basic digital euro payment services, an inter-PSP fee may be needed to provide compensation to those payment service providers for the distribution costs. The inter-PSP fee should provide sufficient compensation for the distribution costs of both the distributing and acquiring payment service providers, including a reasonable margin of profit.

Amendment

(45) As payment services providers distributing the Digital Euro would not be in a position to charge fees to natural persons for basic Digital Euro payment services, an inter-PSP fee may be needed to provide compensation to those payment service providers for the distribution *and implementation* costs. The inter-PSP fee should provide sufficient compensation for the distribution *and implementation* costs of both the distributing and acquiring payment service providers, including a reasonable margin of profit.

Or en

Amendment 21

Proposal for a regulation Recital 54

Text proposed by the Commission

(54)The technical design of the digital euro should make it widely accessible to and usable by the general public. That design should, in particular, support access to financially excluded persons or persons at risk of financial exclusion, persons with disabilities by ensuring compliance with accessibility requirements laid down in Annex I of Directive (EU) 2019/882 of the European Parliament and the Council³² (European Accessibility Act), persons with functional limitations who would also benefit from accessibility, or persons with limited digital skills and elderly persons. For that purpose, the digital euro should have usage features that are simple and easy to handle, and should be sufficiently accessible through a wide range of hardware devices to cater for the needs of different groups of the population. Furthermore, payment service providers

Amendment

(54)The technical design of the Digital Euro should make it widely accessible to and usable by the general public. That design should, in particular, support access to financially excluded persons or persons at risk of financial exclusion, persons with disabilities by ensuring compliance with accessibility requirements laid down in Annex I of Directive (EU) 2019/882 of the European Parliament and the Council³² (European Accessibility Act), persons with functional limitations who would also benefit from accessibility, or persons with limited digital skills and elderly persons. For that purpose, the Digital Euro should have usage features that are simple and easy to handle, and should be sufficiently accessible through a wide range of hardware devices to cater for the needs of different groups of the population. Furthermore, payment service providers

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should provide digital euro users with digital euro payment services, regardless of those users holding *non-digital* euro payment accounts. In addition, those users should be allowed to have digital euro payment accounts with payment service providers that are different from the ones with which they have non-digital euro payment accounts.

requirements for products and services (OJ

³² Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility

should provide Digital Euro users with Digital Euro payment services, regardless of those users holding non-Digital Euro payment accounts. In addition, those users should be allowed to have Digital Euro wallets with payment service providers that are different from the ones with which they have *non-Digital* Euro payment accounts.

³² Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70).

Or en

Amendment 22

Proposal for a regulation Recital 55

L 151, 7.6.2019, p. 70).

Text proposed by the Commission

(55)The digital euro should support the programming of conditional digital euro payment transactions by payment service providers. The digital euro should, however, not be "programmable money", which means units that, due to intrinsically defined spending conditions, can only be used for buying specific types of goods or services, or are subject to time limits after which they are no longer usable. Conditional payment transactions are payments which are automatically triggered by software based on pre-defined and agreed conditions. Conditional payments should not have, as object or effect, the use of digital euro as programmable money. Payment service providers could develop different types of logic to offer a range of conditional payment transactions to digital euro users, including automated payment transactions

Amendment

(55)The Digital Euro should support the programming of conditional Digital Euro payment transactions by payment service providers. The Digital Euro should, however, not be "programmable money", which means units that, due to intrinsically defined spending conditions, can only be used for buying specific types of goods or services, or are subject to time limits after which they are no longer usable. Conditional payment transactions are payments which are automatically triggered by software based on pre-defined and agreed conditions. Conditional payments should not have, as object or effect, the use of Digital Euro as programmable money. The same functionality can be achieved with open standards and interfaces so conditional payments or other instrumentalised forms of transaction are created in the layer

for placing or withdrawing digital euros, payment standing orders that trigger automatic payments of a specific amount on a specific date, and payments between machines where those machines are programmed to automatically trigger payments for their own spare parts upon ordering them, for charging and paying electricity at most favourable market conditions, for paying insurance, and leasing and maintenance fees on a usage basis.

above. Payment and other service providers could develop different types of logic to offer a range of conditional payment transactions to Digital Euro users, including automated payment transactions for placing or withdrawing Digital Euros, payment standing orders that trigger automatic payments of a specific amount on a specific date. Conditional payments comprise any payment triggered when a digitally represented condition is met. Payments between machines include but are not limited to automatically triggered payments for their own spare parts upon ordering them, for charging and paying electricity at most favourable market conditions, for paying insurance, and leasing and maintenance fees on a usage basis

Or. en

Amendment 23

Proposal for a regulation Recital 56

Text proposed by the Commission

(56)To facilitate the use of digital euro and the provision of innovative services, the Eurosystem should support the provision of conditional digital euro payment transactions. First, some types of conditional payment services could be supported through detailed measures, rules and standards that could help payment service providers to develop and operate interoperable applications that execute conditional logic. That could include a set of technical tools such as application programming interfaces. Second, the Eurosystem could provide additional functionalities in the digital euro settlement infrastructure, necessary for the provision of conditional payment services to digital euro users. That could facilitate the

Amendment

(56)To facilitate the use of Digital Euro and the provision of innovative services, the Eurosystem should support the provision of conditional Digital Euro payment transactions. First, some types of conditional payment services could be supported through detailed measures, rules and standards that could help payment service providers to develop and operate interoperable applications that execute conditional logic. That could include a set of technical tools such as application programming interfaces. Second, conditional payments in Digital Euros may also be carried out on permissionless distributed ledgers where until now only privately issued assets like crypto-assets or stable coins are available as a means of

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reservation of funds in the *settlement* infrastructure for future execution of some conditional payments. Payment service providers should adapt the business logic for conditional digital euro payment transactions in accordance with the standards and application programming interfaces which the Eurosystem may adopt to facilitate such transactions.

payment. With the approval and under conditions set by the European Central Bank, the Digital Euro would be made available as a token to be referenced on these chains. International standards should be taken into consideration. Third, the Eurosystem could provide additional functionalities in the Digital Euro transfer infrastructure, necessary for the provision of conditional payment services to digital euro users. That could facilitate the reservation of funds in the transfer infrastructure for future execution of some conditional payments. Payment service providers should adapt the business logic for conditional Digital Euro payment transactions in accordance with the standards and application programming interfaces which the Eurosystem may adopt to facilitate such transactions.

Or. en

Amendment 24

Proposal for a regulation Recital 58

Text proposed by the Commission

Users should be able, if they so wish, to onboard and authorise payments with the digital euro by using the European Digital Identity Wallets. Payment service providers should therefore be obliged to accept the European Digital Identity Wallets for the verification of both prospective and existing customers' identities, in line with Regulation (EU) [please insert reference – proposal for a Regulation for Anti-Money Laundering Regulation – COM/2021/421 final). To facilitate the opening of digital euro accounts across the Union, payment service providers should also be able to rely on qualified attestations provided by the European Digital Identity Wallets,

Amendment

Users should be able, if they so wish, to onboard and authorise payments with the Digital Euro by using the European Digital Identity Wallets. Payment service providers should therefore be obliged to accept the European Digital Identity Wallets for the verification of both prospective and existing customers' identities, in line with Regulation (EU) [please insert reference – proposal for a Regulation for Anti-Money Laundering Regulation – COM/2021/421 final). To facilitate the opening of Digital Euro wallets across the Union, payment service providers should also be able to rely on qualified attestations provided by the European Digital Identity Wallets,

including for the remote performance of customer due diligence. Payment service providers should also accept the use of European Digital Identity Wallets if the payer wishes to use the wallet for payment authorisation of digital euro payment transactions. Further, to facilitate offline proximity payments in digital euro, it should be possible to use the European Digital Identity Wallets for the storage of digital euros in the payment device.

including for the remote performance of customer due diligence. Payment service providers should also accept the use of European Digital Identity Wallets if the payer wishes to use the wallet for payment authorisation of Digital Euro payment transactions. Further, to facilitate offline proximity payments in Digital Euro, it should be possible to use the European Digital Identity Wallets for the storage of Digital Euros in the payment device.

Or. en

Amendment 25

Proposal for a regulation Recital 59

Text proposed by the Commission

(59)To facilitate a harmonised user experience, the digital euro rules, standards and processes that the European Central Bank may adopt pursuant to its own competences, should ensure that any digital euro user is able to carry out digital euro payment transactions with any other digital euro users across the euro area regardless of the payment service providers involved and the front-end services used. To reduce the fragmentation of the European retail payments market, and to support competition, efficiency and innovation in that market, and the development of payment instruments across the Union in keeping with the objective of the Commission's retail payment strategy, the digital euro should be, to the extent possible, compatible with private digital payment solutions, building on functional and technical synergies. In particular, the European Central Bank should seek to ensure that the digital euro is compatible with private digital payment solutions at the point of interaction, and in person-toperson payments, where the fragmentation

Amendment

(59)To facilitate a harmonised user experience, the Digital Euro, design features, rules and standards that the European Central Bank may adopt pursuant to its own competences, should ensure that eligible distributing payment service providers enable any Digital Euro user to carry out Digital Euro payment transactions with any other Digital Euro users across the euro area regardless of the payment service providers involved and the front-end services used. As a default, the ECB should enable eligible distributing payment service providers to offer to their Digital Euro users their own payment solution. The ECB front-end should service as a back-up solution for payment service providers that are not in position to offer a proprietary front-end. To reduce the fragmentation of the European retail payments market, and to support competition, efficiency and innovation in that market, and the development of payment instruments across the Union in keeping with the objective of the Commission's retail payment strategy, the

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of the Union retail payments market is currently significant. The use of open standards, common rules and processes, and possibly shared infrastructures could support such compatibility. While existing solutions may be leveraged where such solutions are deemed appropriate to ensure that compatibility, notably in view of minimising overall adaptation costs, such existing solutions should not create undue dependencies that could prevent adaptation of the digital euro to new technologies or would be incompatible with the digital euro features. In order to achieve these objectives, and without conferring any enforceable rights upon market operators, the European Central Bank should seek to ensure that the digital euro is compatible with private digital payment solutions on a best-effort basis and where deemed appropriate.

Digital Euro infrastructure of the European Central Bank should be seamlessly accessible by eligible payment service providers to integrate the Digital Euro in private digital payment solutions, building on functional and technical synergies. In particular, eligible payment service providers distributing the Digital Euro should ensure that at least one Digital Euro payment solution they *provide* is compatible with private digital payment solutions across the euro area at the point of interaction, and in person-toperson payments, where the fragmentation of the Union retail payments market is currently significant. The use of open standards, common rules and processes, and possibly shared infrastructures could support such compatibility. While existing solutions may be leveraged where such solutions are deemed appropriate to ensure that compatibility, notably in view of minimising overall adaptation costs, such existing solutions should not create undue dependencies that could prevent adaptation of the Digital Euro to new technologies or would be incompatible with the Digital Euro features. In order to achieve these objectives, and without conferring any enforceable rights upon market operators, the European Central Bank should ensure that the Digital Euro is compatible with private digital payment solutions.

Or. en

Amendment 26

Proposal for a regulation Recital 59 a (new)

Text proposed by the Commission

Amendment

(59a) To facilitate the smooth access of the Digital Euro infrastructure of the ECB, its technical specifications should be adequately documented, and a

summary should be made available by the ECB. To enable the Digital Euro payment service providers to adequately prepare their access and to solve any possible technical problems, the ECB should enable eligible distributing payment service providers to test the access to the Digital Euro infrastructure prior to the date on which the Digital Euro will be launched. To ensure the interoperability of different technological communication solutions, the ECB access interface should use standards of communication which are developed by international or European standardisation organisations including the European Committee for Standardization (CEN) or the International Organization for Standardization (ISO).

Or. en

Amendment 27

Proposal for a regulation Recital 61

Text proposed by the Commission

(61) To access and use the digital euro as part of digital euro payment services, digital euro users should be provided with front-end services. Those users should have the possibility to access and use digital euro payment services via the frontend services provided by payment service providers and by the European Central Bank. Payment service providers should be able to choose to rely on front-end services provided by other stakeholders, including the European Central Bank, notably in the case where the cost of developing and operating front-end services, including applications, are disproportionate. Where digital euro users can choose between different front-end services, the decision to select a given front-end service should

Amendment

(61)To access and use the Digital Euro as part of digital euro payment services, Digital Euro users should be provided with front-end services. Those users should have the possibility to access and use Digital Euro payment services via the front-end services provided by payment service providers and by the European Central Bank. Payment service providers should be able to choose to rely on frontend services provided by other stakeholders, including the European Central Bank, notably in the case where the cost of developing and operating front-end services, including applications, are disproportionate. In this respect, payment service providers should have the option of using front-end services developed by

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ultimately rest in the hands of those users and should not be imposed by payment service providers or the European Central **Bank.** In this respect, payment service providers should have capacity to provide digital euro users with the possibility to access and use digital euro payment services *via the* front-end services *provided* by the European Central Bank. The European Central Bank and the payment service providers shall implement appropriate technical and organisational measures including state-of-the-art security and privacy-preserving measures to ensure that the identity of individual digital euro users cannot be accessed by the ECB via its front-end solution.

payment service providers or front-end services developed by the European Central Bank. The European Central Bank and the payment service providers shall implement appropriate technical and organisational measures including state-of-the-art security and privacy-preserving measures to ensure that the identity of individual Digital Euro users cannot be accessed by the ECB via its front-end solution

Or. en

Amendment 28

Proposal for a regulation Recital 63

Text proposed by the Commission

(63)To enable a smooth user experience, payment service providers that provide digital euro users with front-end services to access and use the digital euro should take care that digital euro users can quickly and easily access and use the digital euro. In particular, digital euro payment accounts should be clearly labelled by the use of the official digital euro logo. Digital euro payment accounts should be accessed via one the main pages of the Internet website or an application, or any other front-end services, on an equal footing with *non-digital* euro payment accounts.

Amendment

experience, payment service providers that provide Digital Euro users with front-end services to access and use the Digital Euro should take care that Digital Euro users can quickly and easily access and use the Digital Euro. In particular, Digital Euro wallets should be clearly labelled by the use of the official Digital Euro logo. Digital Euro wallets should be accessed via one the main pages of the Internet website or an application, or any other front-end services, on an equal footing with non-Digital Euro payment accounts.

Proposal for a regulation Recital 64

Text proposed by the Commission

(64)To provide for instantaneous settlement, both online and offline digital euro transactions, including in the context of funding and defunding, and as waterfall and reverse waterfall functionalities. should be settled instantaneously, in a few seconds only, in normal circumstances. The settlement of online digital euro payment transactions should be performed in the digital euro *settlement* infrastructure adopted by the Eurosystem. Online digital euro payment transactions should be settled in a matter of seconds as specified under the functional and technical requirements adopted by the European Central Bank. Final settlement of online digital euro payment transactions should be achieved at the moment of recording the digital euros concerned of the payer and the payee in the digital euro settlement infrastructure approved by the European Central Bank, irrespective of whether digital euros are recorded as holding balances or units of value, or of the technology used. The digital euro settlement infrastructure should seek to ensure adaptation to new technologies, including distributed ledger technology.

Amendment

(64)To provide for instantaneous settlement, both online and offline Digital Euro transactions, including in the context of funding and defunding, and as waterfall and reverse waterfall functionalities. should be settled instantaneously, in a few seconds only, in normal circumstances. The settlement of online Digital Euro payment transactions should be performed in the Digital Euro transfer infrastructure adopted by the Eurosystem. Online Digital Euro payment transactions should be settled in a matter of seconds as specified under the functional and technical requirements adopted by the European Central Bank. Final settlement of online Digital Euro payment transactions should be achieved at the moment of recording the Digital Euros concerned of the payer and the payee in the Digital Euro transfer infrastructure approved by the European Central Bank, irrespective of whether Digital Euros are recorded as holding balances or units of value, or of the technology used. The Digital Euro transfer infrastructure should seek to ensure adaptation to new technologies, including distributed ledger technology.

Or. en

Amendment 30

Proposal for a regulation Recital 67

Text proposed by the Commission

(67) For reasons of contractual freedom and to ensure competition, digital euro

Amendment

(67) For reasons of contractual freedom and to ensure competition, Digital Euro

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users should have the possibility to switch their digital euro *payment accounts* to different payment service providers. At the request of the digital euro users, payment service providers should then enable the switching of the digital euro payment accounts, while maintaining the same account identifiers. In exceptional circumstances where a payment service provider is unable to perform this task, including due to having lost the relevant digital euro payment account-related data, the European Central Bank should be able to authorise the switching of digital euro payment accounts so that the new payment service provider designated by the digital euro user can retrieve the information about the digital euro holdings of the digital euro user and complete the switching without relying on the unavailable payment service provider. This process should allow a digital euro user to then continue accessing its digital euro holdings via the new designated payment service provider. The European Central Bank would not have any operational role in the switching on account both in both going concern situations and exceptional circumstances.

users should have the possibility to switch their Digital Euro wallets to different payment service providers. At the request of the Digital Euro users, payment service providers should then enable the switching of the Digital Euro wallets, while maintaining the same wallet identifiers. In exceptional circumstances where a payment service provider is unable to perform this task, including due to having lost the relevant Digital Euro wallet-related data, the European Central Bank should be able to authorise the switching of Digital Euro wallets so that the new payment service provider designated by the Digital Euro user can retrieve the information about the Digital Euro holdings of the Digital Euro user and complete the switching without relying on the unavailable payment service provider. This process should allow a Digital Euro user to then continue accessing its Digital Euro holdings via the new designated payment service provider. The European Central Bank would not have any operational role in the switching of wallets.

Or. en

Amendment 31

Proposal for a regulation Recital 74

Text proposed by the Commission

(74) Any processing of personal data to verify whether users are listed persons or entities pursuant to restrictive measures adopted in accordance with Article 215 TFEU should be in line with Regulation (EU) 2016/679 of the European Parliament and of the Council. Processing of the names and the *payment account* identifiers

Amendment

(74) Any processing of personal data to verify whether users are listed persons or entities pursuant to restrictive measures adopted in accordance with Article 215 TFEU should be in line with Regulation (EU) 2016/679 of the European Parliament and of the Council. Processing of the names and the *wallet* identifiers of natural

of natural persons is proportionate and necessary to ensure the compliance with restrictive measures adopted in accordance with Article 215 TFEU providing for asset freeze or prohibition of making funds or economic resources available.

persons is proportionate and necessary to ensure the compliance with restrictive measures adopted in accordance with Article 215 TFEU providing for asset freeze or prohibition of making funds or economic resources available.

Or. en

Amendment 32

Proposal for a regulation Recital 75

Text proposed by the Commission

(75)Offline digital euro payment transactions are payments that occur in close physical proximity ("face-to-face"). They have similarities with transactions in cash and should be treated in a similar way in terms of privacy. Payment service providers should therefore not process personal data related to offline digital euro payment transactions, but only personal data related to depositing or withdrawing digital euros from digital euro payment accounts to load them onto the local storage devices, or from the local storage devices into the digital euro payment accounts This includes the identifier of the local storage devices which payment service providers attribute to a digital euro user that holds offline digital euro. That level of privacy would be comparable to withdrawals of banknotes at automatic teller machines when payment service providers process personal data related to a user's identity and data pertaining to how funding and defunding transactions have been carried out. That means that no transaction data monitoring should occur for offline digital euro payment transactions.

Amendment

Offline Digital Euro payment (75)transactions are payments that occur in close physical proximity ("face-to-face"). They have similarities with transactions in cash and should be treated in a similar way in terms of privacy. Payment service providers should therefore not process personal data related to offline Digital Euro payment transactions, but only personal data related to depositing or withdrawing Digital Euros from Digital Euro wallets to load them onto the local storage devices, or from the local storage devices into the Digital Euro wallets This includes the identifier of the local storage devices which payment service providers attribute to a Digital Euro user that holds offline Digital Euro. That level of privacy would be comparable to withdrawals of banknotes at automatic teller machines when payment service providers process personal data related to a user's identity and data pertaining to how funding and defunding transactions have been carried out. That means that no transaction data monitoring should occur for offline Digital Euro payment transactions.

Proposal for a regulation Recital 77

Text proposed by the Commission

For the purpose of enforcing the holding limits and ensuring the exceptional switching of digital euro payment accounts in emergency situations upon the request of the digital euro user, a single access point of digital euro user identifiers and the related digital euro holding limits is necessary to ensure the efficient functioning of the digital euro across the entire euro area, as digital euro users may hold digital euro payment accounts in different Member States. When establishing the single access point, the European Central Bank and national central banks should ensure that the processing of personal data is minimised to what is strictly necessary and that data protection by design and by default is embedded. The European Central Bank and national central banks should consider, where appropriate and to minimise the risk of data breaches, the use of decentralised data storage.

Amendment

(77)For the purpose of enforcing the holding limits and ensuring the exceptional switching of Digital Euro wallets in emergency situations upon the request of the Digital Euro user, a single access point of Digital Euro user identifiers and the related Digital Euro holding limits is necessary to ensure the efficient functioning of the Digital Euro across the entire euro area, as Digital Euro users may hold Digital Euro wallets in different Member States. When establishing the single access point, the European Central Bank and national central banks should ensure that the processing of personal data is minimised to what is strictly necessary and that data protection by design and by default is embedded. The European Central Bank and national central banks should consider, where appropriate and to minimise the risk of data breaches, the use of decentralised data storage.

Or. en

Amendment 34

Proposal for a regulation Article 1

Text proposed by the Commission

With a view to adapting the euro to technological changes and to ensuring its use as a single currency, this Regulation establishes the digital euro and lays down rules concerning in particular its legal

Amendment

With a view to adapting the euro to technological changes and to ensuring its use as a single currency, this Regulation establishes the Digital Euro and lays down rules concerning in particular its legal tender status, *distribution*, *use*, and essential technical features.

tender status, *key characteristics* and essential technical features.

Or. en

Amendment 35

Proposal for a regulation Article 2 – paragraph 1 – point 1

Text proposed by the Commission

1. 'digital euro' means the digital form of the single currency available to natural and legal persons;

Amendment

1. 'Digital Euro' means the digital form of banknotes and coins as a part of the single currency available to natural and legal persons as defined in Article 128 Treaty on the Functioning of the European Union, issued by the European Central Bank or the national central banks, constituting a liability item on the balance sheet of these entities;

Or. en

Amendment 36

Proposal for a regulation Article 2 – paragraph 1 – point 5

Text proposed by the Commission

5. 'digital euro *payment account*' means an *account* held by one or more digital euro users with a payment service provider to access digital euro recorded in the digital euro *settlement* infrastructure or in an offline digital euro device and to initiate or receive digital euro payment transactions, whether offline or online, and irrespective of technology and data structure;

Amendment

5. 'Digital Euro wallet' means an digital wallet held by one or more Digital Euro users with a payment service provider to access Digital Euro recorded in the Digital Euro transfer infrastructure or in an offline Digital Euro device and to initiate or receive Digital Euro payment transactions, whether offline or online, and irrespective of technology and data structure;

Proposal for a regulation Article 2 – paragraph 1 – point 9

Text proposed by the Commission

9. 'payer' means anyone who has a digital euro *payment account* and allows a payment order from that digital euro *payment account*;

Amendment

9. 'payer' means anyone who has a Digital Euro *wallet* and allows a payment order from that Digital Euro *wallet*;

Or. en

Amendment 38

Proposal for a regulation Article 2 – paragraph 1 – point 11

Text proposed by the Commission

11. 'funding' means the process whereby a digital euro user acquires digital euros, in exchange for either cash or other funds, creating a *direct* liability of the European Central Bank or a national central bank towards that digital euro user;

Amendment

11. 'funding' means the process whereby a Digital Euro user acquires Digital Euros, in exchange for either cash or other funds, creating a *means of payment (Digital Euro) with legal tender status, representing a* liability *item in the balance sheet* of the European Central Bank or a national central bank towards that Digital Euro user;

Or. en

Amendment 39

Proposal for a regulation Article 2 – paragraph 1 – point 13 a (new)

Text proposed by the Commission

Amendment

13a. 'online Digital Euro' means a Digital Euro transfer that is always recorded in an infrastructure;

Proposal for a regulation Article 2 – paragraph 1 – point 13 b (new)

Text proposed by the Commission

Amendment

13b. 'offline Digital Euro' means a Digital Euro registered in local storage devices;

Or. en

Amendment 41

Proposal for a regulation Article 2 – paragraph 1 – point 14

Text proposed by the Commission

14. 'online digital euro payment transaction' means a digital euro payment transaction where the *settlement* takes place *in the digital euro settlement infrastructure*;

Amendment

14. 'online Digital Euro payment transaction' means a Digital Euro payment transaction where the *transfer* takes place *with records in a transfer record*;

Or. en

Amendment 42

Proposal for a regulation Article 2 – paragraph 1 – point 19

Text proposed by the Commission

19. the 'digital euro *settlement* infrastructure' means the *settlement* infrastructure of the digital euro adopted by the Eurosystem;

Amendment

19. the 'Digital Euro *transfer* infrastructure' means the *transfer* infrastructure of the Digital Euro adopted by the Eurosystem;

Proposal for a regulation Article 2 – paragraph 1 – point 25

Text proposed by the Commission

25. 'comparable digital means of payment' means digital means payment, including debit card *payment* and instant *payment* at the point of interaction but excluding credit transfer and direct debit that are not initiated at the point of interaction;

Amendment

25. 'comparable digital means of payment' means digital means of payment, including debit card payments, credit card payments and instant payments at the point of interaction but excluding credit transfer and direct debit that are not initiated at the point of interaction;

Or. en

Amendment 44

Proposal for a regulation Article 2 – paragraph 1 – point 26

Text proposed by the Commission

26. 'switching' means, upon a digital euro user's request, transferring from one payment service provider to another either the information about all or some digital euro payment services, including recurring payments, executed on a digital euro payment account, or the digital euro holdings from one digital euro payment account to the other, or both, with or without closing the former digital euro payment account, while maintaining the same account identifier;

Amendment

26. 'switching' means, upon a Digital Euro user's request, transferring from one payment service provider to another either the information about all or some Digital Euro payment services, including recurring payments, executed on a Digital Euro wallet, or the Digital Euro holdings from one Digital Euro wallet to the other, or both, with or without closing the former Digital Euro wallet, while maintaining the same wallet identifier;

Or. en

Amendment 45

Proposal for a regulation Article 2 – paragraph 1 – point 29

29. 'user authentication' means a unique piece of information created by the payment service provider distributing the digital euro that together with the user identifier allows a digital euro user to prove ownership of the online digital euro holdings recorded in the digital euro settlement infrastructure:

Amendment

29. 'user authentication' means a unique piece of information created by the payment service provider distributing the Digital Euro that together with the user identifier allows a Digital Euro user to prove ownership of the online Digital Euro holdings recorded in the Digital Euro transfer infrastructure, technical features of which allow a Digital Euro user to proof his holdings on its own, especially without a transfer infrastructure, as well as without payment service provider or any other third party;

Or en

Amendment 46

Proposal for a regulation Article 2 – paragraph 1 – point 31 a (new)

Text proposed by the Commission

Amendment

31a. 'Governance Body of the Digital Euro rulebook' means the institutional setting responsible for determining standards and rules required for facilitating Digital Euro payment services;

Or. en

Amendment 47

Proposal for a regulation Article 4 a (new)

Text proposed by the Commission

Amendment

Article 4a
The use of the Digital Euro under EU

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Digital Finance Framework

In accordance with the Treaties, the European Central Bank and the national central banks shall seek to ensure the smooth functioning of the payments and systems between financial intermediaries, payment service providers and other market participants to support the use of central bank money for financial market infrastructure activities under the Regulation (EU) 2022/858 of the European Parliament and the Council and Regulation (EU) 2023/1114.

¹ Regulation (EU) 2022/858 of the European Parliament and of the Council of 30 May 2022 on a pilot regime for market infrastructures based on distributed ledger technology, and amending Regulations (EU) No 600/2014 and (EU) No 909/2014 and Directive 2014/65/EU (OJ L 151, 2.6.2022, p. 1).

Or. en

Amendment 48

Proposal for a regulation Article 4 b (new)

Text proposed by the Commission

Amendment

Article 4b

Separation of the supervisory and Digital Euro tasks of the European Central Bank

1. A clear separation shall be established between the monetary, supervisory and payment systems oversight tasks of the European Central Bank in accordance with Articles 119 to 144, 219 and 282 to 284 of the Treaty on the Functioning of the European Union, and its activities in relation to the Digital Euro payment system.

- 2. For the purpose of paragraph 1, a dedicated unit shall be established within the European Central Bank. This unit shall have exclusive competence to carry out the tasks of the European Central Bank related to the operation and management of a Digital Euro payment system and infrastructure.
- 3. The unit referred to in paragraph 2 shall be independent in terms of accounting, organisation, and decisionmaking processes.

Or. en

Amendment 49

Proposal for a regulation Article 5 – title

Text proposed by the Commission

Amendment

Applicable law

Applicable law and governance

Or. en

Amendment 50

Proposal for a regulation Article 5 – paragraph 2

Text proposed by the Commission

2. Within the framework of this Regulation, the digital euro shall also be governed by the detailed *measures*, rules and standards that may be adopted by the European Central Bank pursuant to its own competences. Where these detailed *measures*, rules and standards have an impact on the protection of individuals' rights and freedom with regard to the processing of personal data, the European Central Bank shall consult the European Data Protection Supervisor prior to their

Amendment

2. Within the framework of this Regulation, the Digital Euro shall also be governed by the detailed *design features*, rules and standards that may be adopted by the European Central Bank pursuant to its own competences. Where these detailed *design features*, rules and standards have an impact on the protection of individuals' rights and freedom with regard to the processing of personal data, the European Central Bank shall consult the European Data Protection Supervisor prior to their

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adoption.

adoption.

Or. en

Amendment 51

Proposal for a regulation Article 5 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

- 2a. The European Central Bank shall support the establishment of the Governance Body of the Digital Euro rulebook. Its membership rules, internal organisation, and decision-making processes shall:
- (a) reflect the structure and needs of the market for payment services;
- (b) be aligned with established and evolving modes of self-regulation in the market for payment services and;
- (c) be limited to facilitating requirements for interoperability according to the provisions of this Regulation, in particular as regards to points (a) to (d) of Annex I and point (e) of Annex II.

Or. en

Amendment 52

Proposal for a regulation Article 5 – paragraph 3

Text proposed by the Commission

3. In accordance with Article 4(25) of Directive (EU) 2015/2366 of the European Parliament and of the Council, of 25 November 2015, on payment services in the internal market, as replaced by Directive (EU) [please insert reference –

Amendment

3. In accordance with Article 4(25) of Directive (EU) 2015/2366 of the European Parliament and of the Council, of 25 November 2015, on payment services in the internal market, as replaced by Directive (EU) [please insert reference –

proposal for a Directive on payment services and electronic money services in the internal market - COM/2023/366 final] and Regulation (EU) [please insert reference – proposal for a Regulation on payment services in the internal market - COM/2023/367 final] of the European Parliament and of the Council, of XX/XX/2023, the provisions of that Directive shall apply to digital euro payment transactions.

proposal for a Directive on payment services and electronic money services in the internal market - COM/2023/366 final] and Regulation (EU) [please insert reference – proposal for a Regulation on payment services in the internal market - COM/2023/367 final] of the European Parliament and of the Council, of XX/XX/2023, the provisions of that Directive shall apply to Digital Euro payment transactions, *where appropriate*.

Or. en

Amendment 53

Proposal for a regulation Article 9 – paragraph 1 – point a

Text proposed by the Commission

(a) where the payee is a an enterprise which employs fewer than 10 persons or whose annual turnover or annual balance sheet total does not exceed EUR 2 million, or is a non-profit legal entity as defined in in Article 2, point (18), of Regulation (EU) 2021/695 of the European Parliament and of the Council⁴⁴, unless it accepts comparable digital means of payment;

(a) where the payee does not *accept* comparable digital means of payment;

Amendment

⁴⁴ Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (OJ L 170, 12.5.2021, p. 1).

⁴⁴ Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (OJ L 170, 12.5.2021, p. 1).

Proposal for a regulation Article 13 – paragraph 1 – subparagraph 1 – point b

Text proposed by the Commission

(b) natural and legal persons who opened a digital euro *account* at the time they resided or were established in the Member States whose currency is the euro, but no longer reside or are established in such Member States;

Amendment

(b) natural and legal persons who opened a Digital Euro *wallet* at the time they resided or were established in the Member States whose currency is the euro, but no longer reside or are established in such Member States;

Or. en

Amendment 55

Proposal for a regulation Article 13 – paragraph 2

Text proposed by the Commission

2. Payment service providers that provide servicing payment services within the meaning of Directive 2015/2366 shall enable digital euro users to *manually or automatically fund or* defund their digital euro *payment accounts* from or to *non-digital euro* payment accounts, or euro banknotes and coins when a payment services provider provides cash services, subject to any limitations that the European Central Bank may adopt in accordance with Article 16 of this Regulation.

Amendment

2. Payment service providers that provide servicing payment services within the meaning of Directive 2015/2366 shall enable Digital Euro users to *fund and* defund their Digital Euro *wallet* from or to payment accounts *denominated in euro*, or euro banknotes and coins when a payment services provider provides cash services, subject to any limitations that the European Central Bank may adopt in accordance with Article 16 of this Regulation.

Or. en

Amendment 56

Proposal for a regulation Article 13 – paragraph 4 – subparagraph 2

For the purpose of points (a) and (b), and upon prior approval by the digital euro users, payment service providers shall link each digital euro *payment account* to a single *non-digital euro* payment account designated by the digital euro users. Digital euro users shall be allowed to have that designated *non-digital euro* payment account with a different payment service provider than the one where a given digital euro *payment account* is held.

Amendment

For the purpose of points (a) and (b), and upon prior approval by the Digital Euro users, payment service providers shall link each Digital Euro *wallet* to a single payment account *denominated in euro* designated by the Digital Euro users. Digital Euro users shall be allowed to have that designated payment account with a different payment service provider than the one where a given Digital Euro *wallet* is held.

Or. en

Amendment 57

Proposal for a regulation Article 13 – paragraph 6

Text proposed by the Commission

6. For the purpose of digital euro payment services, digital euro users shall only enter into a contractual relationship with PSPs. Digital euro users shall not have any contractual relationship with the European Central Bank or the national central banks.

Amendment

6. For the purpose of Digital Euro payment services, Digital Euro users shall only enter into a contractual relationship with PSPs. Digital Euro users shall not have any contractual relationship with the European Central Bank or the national central banks. This provision shall be without prejudice to the liability of the European Central Bank or national central banks for any incidents related to the matters under their control, including but not limited to the transaction of a Digital Euro, system failures or noncompliance with principles, standards and the requirements applicable to the operations of payment systems and data protection.

Proposal for a regulation Article 13 a (new)

Text proposed by the Commission

Amendment

Article 13a

ECB back-end interfaces

The European Central Bank shall have in place an interface for the purpose of enabling eligible distributing payment service providers to obtain holdings in Digital Euro wallets of a Digital Euro user and to initiate payments on behalf of the Digital Euro user.

Or. en

Amendment 59

Proposal for a regulation Article 13 b (new)

Text proposed by the Commission

Amendment

Article 13b

Standards and specifications

The European Central Bank shall ensure that the interface referred to in Article 13a uses standards of communication which are established industry or market standards.

Or. en

Amendment 60

Proposal for a regulation Article 13 c (new)

Amendment

Article 13c

Change of standards and specifications

The European Central Bank shall ensure that, except for emergency situations which prevent it from doing so, any change to the technical specifications referred to in Article 13a is made available to eligible payment service providers or payment service providers that have applied for the relevant authorisation, in advance and as soon as possible.

Or. en

Amendment 61

Proposal for a regulation Article 13 d (new)

Text proposed by the Commission

Amendment

Article 13d

Testing facility

The European Central Bank shall make available a testing facility, including support, for connection to the interface to the Digital Euro infrastructure and functional testing to enable authorised payment service providers or payment service providers that have applied for the relevant authorisation, to test their software and applications used for offering Digital Euro services to users.

Proposal for a regulation Article 14 – paragraph 1

Text proposed by the Commission

1. For the purpose of distributing the digital euro to natural persons referred to in Article 13(1)(a), *credit institutions* that provide payment services as referred to in points (1), (2) or (3) of Annex I to Directive (EU) 2015/2366 shall, upon request of their clients, provide those persons with all basic digital euro payment services as referred to in Annex II.

Amendment

1. For the purpose of distributing the Digital Euro to natural persons referred to in Article 13(1)(a), *payment service providers* that provide payment services as referred to in points (1), (2) or (3) of Annex I to Directive (EU) 2015/2366 shall, upon request of their clients, provide those persons with all basic Digital Euro payment services as referred to in Annex II.

Or. en

Amendment 63

Proposal for a regulation Article 14 – paragraph 2

Text proposed by the Commission

2. For natural persons referred to in Article 13(1)(a) that do not hold a *non-digital euro* account, Chapter IV of Directive (EU) 2014/92 on access to payment account with basic features shall apply, with the exception of Articles 17 *and 18*, to the access to digital euro *account* with basic services by consumers.

Amendment

2. For natural persons referred to in Article 13(1)(a) that do not hold a *payment* account *denominated in euro*, Chapter IV of Directive (EU) 2014/92 on access to payment account with basic features shall apply, with the exception of Articles 17, to the access to Digital Euro *wallet* with basic services by consumers.

Or. en

Amendment 64

Proposal for a regulation Article 14 – paragraph 3 – point a

(a) provide basic digital euro payment services to natural persons referred to in Article 13(1)(a) that do not hold or do not wish to hold a *non-digital euro* payment account;

Amendment

(a) provide basic Digital Euro payment services to natural persons referred to in Article 13(1)(a) that do not hold or do not wish to hold a payment account *denominated in euro*;

Or. en

Amendment 65

Proposal for a regulation Article 14 – paragraph 4

Text proposed by the Commission

4. Payment service providers referred to in paragraphs 1 to 3 shall provide digital inclusion support to persons with disabilities, functional limitations or limited digital skills, and elderly persons. Without prejudice to paragraph 3, point (b), digital inclusion support shall comprise a dedicated assistance for onboarding to a digital euro *account* and using all basic digital euro services.

Amendment

4. Payment service providers referred to in paragraphs 1 to 3 shall provide digital inclusion support to persons with disabilities, functional limitations or limited digital skills, and elderly persons. Without prejudice to paragraph 3, point (b), digital inclusion support shall comprise a dedicated assistance for onboarding to a Digital Euro *wallet* and using all basic Digital Euro services.

Or. en

Amendment 66

Proposal for a regulation Article 15 – paragraph 2

Text proposed by the Commission

2. With a view to ensuring an effective use of the digital euro as a legal tender means of payment, and to avoiding excessive charges for merchants subject to the obligation to accept the digital euro under Chapter II while providing compensation for the relevant costs

Amendment

2. With a view to ensuring an effective use of the Digital Euro as a legal tender means of payment, and to avoiding excessive charges for merchants subject to the obligation to accept the Digital Euro under Chapter II while providing compensation for the relevant costs

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incurred by payment services providers for the provision of digital euro payments, *the level of* charges or fees to be paid by natural persons or merchants to payment service providers, or between payment service providers, shall be subject to limits. incurred by payment services providers for the provision of Digital Euro payments, payment service providers may charge appropriate charges or fees to be paid by natural persons or merchants to payment service providers, or between payment service providers, shall be subject to limits.

Or. en

Amendment 67

Proposal for a regulation Article 16 – paragraph 1

Text proposed by the Commission

1. For the purpose of Article 15(1), the European Central Bank shall develop instruments to limit the use of the digital euro as a store of value and shall decide on their parameters and use, in accordance with the framework set out in this Article. PSPs providing account servicing payment services within the meaning of Directive 2015/2366 to natural and legal persons referred to in Article 12(1) shall apply these limits to digital euro payment accounts

Amendment

1. For the purpose of Article 15(1), payment service providers shall define holding limits for their customers to limit the use of the Digital Euro as a store of value and shall decide on their parameters and use. The holding limit can be agreed individually between the payment service provider and the Digital Euro user, while the daily limit of cash withdrawal defined for the costumer's debit and credit cards may be considered as a reference threshold

Or. en

Amendment 68

Proposal for a regulation Article 16 – paragraph 4

Text proposed by the Commission

4. Any holding limits on digital euro *payment accounts* adopted pursuant to paragraph 1 shall apply to both offline and online holdings. Where a digital euro user uses both an offline and online digital euro, the limit that applies to online digital euro

Amendment

4. Any holding limits on Digital Euro *wallets* adopted pursuant to paragraph 1 shall apply to both offline and online holdings. Where a Digital Euro user uses both an offline and online Digital Euro, the limit that applies to online Digital Euro

shall equal the overall limit determined by the European Central Bank minus the holding limit for offline digital euro set by digital euro users. A digital euro user may set its offline holding limit at any amount between zero and the holding limit set in accordance with Article 37. shall equal the overall limit determined by the European Central Bank minus the holding limit for offline Digital Euro set by Digital Euro users. A Digital Euro user may set its offline holding limit at any amount between zero and the holding limit set in accordance with Article 37.

Or. en

Amendment 69

Proposal for a regulation Article 16 – paragraph 5

Text proposed by the Commission

Visitors to the euro area as referred to in Article 13(1), point (c), and natural and legal persons as referred to in Article 13(1), points (b), (d) and (e), shall be subject to limits as regards the use of the euro as a store of value that are not higher than the ones effectively implemented in the euro area for natural and legal persons residing or established in Member States whose currency is the euro. The parameters and use of the instruments shall be applied in a non-discriminatory manner and uniformly across Member States whose currency is not the euro. When deciding on the use of the instruments in those Member States and setting the parameters, the European Central Bank shall consult national central banks of Member States whose currency is not the euro.

Amendment

5. Visitors to the euro area as referred to in Article 13(1), point (c), and natural and legal persons as referred to in Article 13(1), points (b), (d) and (e), shall be subject to limits as regards the use of the Euro as a store of value that are not higher than the ones effectively implemented in the Euro area for natural and legal persons residing or established in Member States whose currency is the euro. The parameters and use of the instruments shall be applied in a non-discriminatory manner and uniformly across Member States whose currency is not the Euro.

Or. en

Amendment 70

Proposal for a regulation Article 16 – paragraph 6

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6. In case a digital euro user has multiple digital euro payment accounts, the digital euro user shall specify to the payment service providers with which the digital euro payment accounts are held how the individual holding limit is to be allocated between the different digital euro payment accounts.

Amendment

deleted

Or. en

Amendment 71

Proposal for a regulation Article 16 – paragraph 7

Text proposed by the Commission

7. Where a digital euro *payment account* is held by more than one digital euro user, any holding limit on the related digital euro *payment account* adopted pursuant to paragraph 1 shall amount to the sum of the individual holding limits allocated to its users.

Amendment

7. Where a Digital Euro *wallet* is held by more than one Digital Euro user, any holding limit on the related Digital Euro *wallet* adopted pursuant to paragraph 1 shall amount to the sum of the individual holding limits allocated to its users.

Or. en

Amendment 72

Proposal for a regulation Article 17 – paragraph 2 – introductory part

Text proposed by the Commission

2. For the purpose of Article 15(2), any merchant service charge or inter-PSP fee in relation to digital euro payment transactions shall comply with the principle of proportionality. Any merchant service charge or inter-PSP fee shall not exceed the lowest of the following two amounts:

Amendment

2. For the purpose of Article 15(2), any merchant service charge or inter-PSP fee in relation to Digital Euro payment transactions *shall be set by the market participants and* shall comply with the principle of proportionality.

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Proposal for a regulation Article 17 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) the relevant costs incurred by payment services providers for the provision of digital euro payments, including a reasonable margin of profit;

deleted

Or. en

Amendment 74

Proposal for a regulation Article 17 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) fees or charges requested for comparable digital means of payment.

deleted

Or. en

Amendment 75

Proposal for a regulation Article 22 – paragraph 3

Text proposed by the Commission

Amendment

3. Each digital euro *payment account* shall have a unique digital euro *payment account* number.

3. Each Digital Euro *wallet* shall have a unique Digital Euro *wallet identification* number.

Proposal for a regulation Article 22 – paragraph 4

Text proposed by the Commission

4. Each digital euro *payment account* may be linked to one or more non-digital euro payment accounts that shall be designated by the digital euro user. For the purpose of Article 13(4), each digital euro *payment account* may only be linked to one non-digital payment account.

Amendment

4. Each Digital Euro *wallet* may be linked to one or more non-digital euro payment accounts that shall be designated by the Digital Euro user. For the purpose of Article 13(4), each Digital Euro *wallet* may only be linked to one non-digital payment account.

Or. en

Amendment 77

Proposal for a regulation Article 22 – paragraph 5

Text proposed by the Commission

5. Payment service providers shall allow the use of digital euro *payment account* by more than one digital euro users.

Amendment

5. Payment service providers shall allow the use of Digital Euro *wallet* by more than one Digital Euro users.

Or. en

Amendment 78

Proposal for a regulation Article 24 – paragraph 1 – introductory part

Text proposed by the Commission

1. To ensure that payment service providers and digital euro users can use conditional digital euro payment transactions, the European Central Bank may:

Amendment

1. To ensure that payment service providers, *other service providers* and Digital Euro users can use conditional Digital Euro payment transactions, the European Central Bank may:

Proposal for a regulation Article 24 – paragraph 1 – point b

Text proposed by the Commission

(b) provide the functionalities in the digital euro *settlement* infrastructure necessary for the execution of conditional digital euro payment transactions, including for the reservation of funds.

Amendment

(b) provide the functionalities in the Digital Euro *transfer* infrastructure necessary for the execution of conditional Digital Euro payment transactions, including for the reservation of funds;

Or. en

Amendment 80

Proposal for a regulation Article 24 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) adopt standards in order to allow the Digital Euro to be referenced on distributed ledgers.

Or. en

Amendment 81

Proposal for a regulation Article 26 – paragraph 1 – subparagraph 1

Text proposed by the Commission

The European Central Bank shall seek to ensure to the extent possible the interoperability of standards governing digital euro payment services with relevant standards governing private digital means of payment. The European Central Bank shall seek to enable, to the extent possible and where appropriate, private digital means of payment to use rules, standards

Amendment

The European Central Bank shall ensure the interoperability of *the design features* and rules of Digital Euro and the standards governing the interface of the Digital Euro infrastructure with relevant standards governing private digital means of payment. The European Central Bank shall prioritise to enable private digital means of payment to distribute the Digital

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and processes governing the digital euro payment services.

Euro on the basis of the design features and rules, governing the Digital Euro.

Or. en

Amendment 82

Proposal for a regulation Article 26 – paragraph 1 – subparagraph 2

Text proposed by the Commission

For the purpose of the first subparagraph, interoperability *may be supported inter alia* by the use of *open* standards.

Amendment

For the purpose of the first subparagraph, interoperability *shall be pursued* by the use of *existing established* standards *and a contribution to their further development*.

Or. en

Amendment 83

Proposal for a regulation Article 26 a (new)

Text proposed by the Commission

Amendment

Article 26a

Governance and interoperability

The eligible payment service providers shall, on the basis of the design features and rules defined by the European Central Bank for the Digital Euro and the standards defined by the European Central Bank for the interface to the Digital Euro infrastructure, develop a Digital Euro payment scheme that governs the rules, standards and processes in the payment service provider infrastructure and for the front-end provided to the Digital Euro user.

For the purpose of the first subparagraph, each eligible payment service provider shall offer to the Digital Euro users at least one Digital Euro front-end service

that is interoperable with front-end services across the euro area.

Or. en

Amendment 84

Proposal for a regulation Article 27 – paragraph 3

Text proposed by the Commission

Amendment

3. The European Central Bank shall not act as a party in any of the disputes referred to in paragraphs 1 and 2.

deleted

Or. en

Amendment 85

Proposal for a regulation Article 28 – paragraph 1 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

Payment service providers distributing the digital euro shall *provide digital euro users* with the choice of using the following digital front-end services to allow digital euro users to access and use digital euro payment services:

Payment service providers distributing the Digital Euro shall *have the option* of using the following digital front-end services to allow Digital Euro users to access and use Digital Euro payment services:

Or. en

Amendment 86

Proposal for a regulation Article 28 – paragraph 1 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

- (a) front-end services developed by payment service providers; *and*
- (a) front-end services developed by payment service providers; *or*

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Proposal for a regulation Article 28 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

- 2a. The [Governance Body of the digital Euro Rulebook OR European Central bank] shall, in accordance with Article 26, define a minimum set of technical standards required for the interoperability between front-end services for the purpose of point (b) of Annex I. These standards shall be applied:
- (a) by payment service providers when developing own front-end services and;
- (b) by the European Central Bank pursuant to paragraph 1, point (b).

Or. en

Amendment 88

Proposal for a regulation Article 28 – paragraph 3 – point b

Text proposed by the Commission

(b) digital euro *payment accounts* can be quickly and easily accessed to and used by digital euro users.

Amendment

(b) Digital Euro *wallets* can be quickly and easily accessed to and used by Digital Euro users.

Or. en

Amendment 89

Proposal for a regulation Article 29 – paragraph 2

2. During the execution of a digital euro payment transaction, the payer's payment service provider and the payee's payment service provider involved in the execution of that transaction shall not verify whether the payer or the payee whose digital euro *payment accounts* are used for the execution of that digital euro payment transaction are listed persons or entities in addition to carrying out verifications under paragraph 1.

Amendment

2. During the execution of a Digital Euro payment transaction, the payer's payment service provider and the payee's payment service provider involved in the execution of that transaction shall not verify whether the payer or the payee whose Digital Euro *wallet* are used for the execution of that Digital Euro payment transaction are listed persons or entities in addition to carrying out verifications under paragraph 1.

Or. en

Amendment 90

Proposal for a regulation Article 30 – paragraph 2

Text proposed by the Commission

2. Final settlement of online digital euro payment transactions shall occur at the moment of recording the transfer of the digital euros concerned from the payer to the payee in the digital euro *settlement* infrastructure approved by the Eurosystem.

Amendment

2. Final settlement of online Digital Euro payment transactions shall occur at the moment of recording the transfer of the Digital Euros concerned from the payer to the payee in the Digital Euro *transfer* infrastructure approved by the Eurosystem.

Or. en

Amendment 91

Proposal for a regulation Article 31 – title

Text proposed by the Commission

Switching of digital euro *payment accounts*

Amendment

Switching of Digital Euro wallets

Proposal for a regulation Article 31 – paragraph 1

Text proposed by the Commission

1. Payment service providers shall enable digital euro users at their request to switch their digital euro *payment accounts* to other payment service providers while maintaining the same account *identifiers*.

Amendment

1. Payment service providers shall enable Digital Euro users at their request to switch their Digital Euro *wallets* to other payment service providers while maintaining the same account *identification number*.

Or. en

Amendment 93

Proposal for a regulation Article 31 – paragraph 2

Text proposed by the Commission

In exceptional circumstances where a payment service provider is operationally not in a position to provide digital euro payment services to digital euro users for a prolonged period of time, or has lost the digital euro payment account-related data concerned, the European Central Bank and national central banks may authorise the switching of digital euro payment accounts held with that payment service provider to another payment service provider designated by the digital euro user. That switching shall enable the new payment service provider to complete the switching without relying on the unavailable payment service provider.

Amendment

2. In exceptional circumstances where a payment service provider is operationally not in a position to provide Digital Euro payment services to Digital Euro users for a prolonged period of time, or has lost the Digital Euro *wallet-related* data concerned, the European Central Bank and national central banks may authorise the switching of Digital Euro *wallets* held with that payment service provider to another payment service provider designated by the Digital Euro user. That switching shall enable the new payment service provider to complete the switching without relying on the unavailable payment service provider.

Proposal for a regulation Article 32 – paragraph 3 – point a

Text proposed by the Commission

(a) assess the exposure to fraud risk of online digital euro transactions in real-time at the exclusive use of payment service providers before the transaction is introduced into the digital euro *settlement* infrastructure;

Amendment

(a) assess the exposure to fraud risk of online Digital Euro transactions in real-time at the exclusive use of payment service providers before the transaction is introduced into the Digital Euro *transfer* infrastructure;

Or. en

Amendment 95

Proposal for a regulation Article 35 – paragraph 1 – point a

Text proposed by the Commission

(a) provision of access for payment service providers to the digital euro *settlement* infrastructure and support the exchange of messages between payment service providers;

Amendment

(a) provision of access for payment service providers to the Digital Euro *transfer* infrastructure and support the exchange of messages between payment service providers;

Or. en

Amendment 96

Proposal for a regulation Article 35 – paragraph 1 – point c

Text proposed by the Commission

(c) safeguarding the security and integrity of the digital euro *settlement* infrastructure and of local storage devices;

Amendment

(c) safeguarding the security and integrity of the Digital Euro *transfer* infrastructure and of local storage devices;

Proposal for a regulation Article 35 – paragraph 1 – point d

Text proposed by the Commission

(d) supporting verification by payment service providers of whether a prospective user already has digital euro payment accounts with other payment service providers in order to prevent the circumvention of limits in accordance with Article 16;

Amendment

deleted

Or. en

Amendment 98

Proposal for a regulation Article 35 – paragraph 1 – point e

Text proposed by the Commission

(e) in exceptional circumstances as defined in Article 31 (2), authorising payment service providers in switching digital euro *payment accounts* held with a payment services provider to another payment service providers designated by the digital euro user.

Amendment

(e) in exceptional circumstances as defined in Article 31 (2), authorising payment service providers in switching Digital Euro *wallets* held with a payment services provider to another payment service providers designated by the Digital Euro user.

Or. en

Amendment 99

Proposal for a regulation Article 35 – paragraph 4

Text proposed by the Commission

4. Personal data processed for tasks referred to in paragraph 1 shall be supported by appropriate technical and organisational measures including state-of-

Amendment

4. Personal data processed for tasks referred to in paragraph 1 shall be supported by appropriate technical and organisational measures including state-of-

the-art security and privacy-preserving measures. This shall include the clear segregation of personal data to ensure that the European Central Bank and the national central banks cannot directly identify individual digital euro users.

the-art security and privacy-preserving measures. This shall include the clear segregation of personal data to ensure that the European Central Bank and the national central banks cannot directly *and indirectly* identify individual Digital Euro users.

Or. en

Amendment 100

Proposal for a regulation Article 38 – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Articles 11, 33, 34 and 35 shall be conferred on the Commission for an *indeterminate* period of *time* from [date of entry into force of this Regulation].

Amendment

2. The power to adopt delegated acts referred to in Articles 11, 33, 34 and 35 shall be conferred on the Commission for an period of *five years* from [date of entry into force of this Regulation].

Or. en

Amendment 101

Proposal for a regulation Article 38 – paragraph 3

Text proposed by the Commission

3. The power to adopt the delegated acts referred to in Articles 11, 33, 34 and 35 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment

deleted

Proposal for a regulation Article 38 – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Articles 11, 33, 34 and 35 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of *one month* of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by *two* months at the initiative of the European Parliament or of the Council.

Amendment

6. A delegated act adopted pursuant to Articles 11, 33, 34 and 35 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of *three months* of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by *three* months at the initiative of the European Parliament or of the Council

Or. en

Amendment 103

Proposal for a regulation Article 38 a (new)

Text proposed by the Commission

Amendment

Article 38a

Scrutiny procedure

The European Parliament, the Council, the Commission and the European Central Bank shall, after the European Central Bank has presented the technological structure of the Digital Euro, conduct a scrutiny procedure to assess the technology and ensure its suitability to serve Digital Euro users' best interest. For this purpose, the European Central Bank shall advise the

European Parliament, the Council and the Commission with due notice when the technological development has been concluded. The scrutiny procedure shall be conducted in a timely manner to allow for an orderly release of the Digital Euro by the European Central Bank, provided the scrutiny findings of the European Institutions are positive.

Or. en

Amendment 104

Proposal for a regulation Article 40 – paragraph 2

Text proposed by the Commission

Amendment

deleted

- 2. Before the planned issuance of the digital euro and ahead of the implementation of any changes of the parameters and use of the instruments referred to in Article 16 or at least every three years after the issuance of the digital euro, the European Central Bank shall provide to the European Parliament, the Council and the Commission:
- (a) information on the instruments to limit the use of the digital euro as referred to in Article 16 and the parameters that the European Central Bank plans to adopt in view of the prevailing financial and monetary environment;
- (b) an analysis on how the instruments and the parameters referred to in point (a) are expected to meet the objective of safeguarding financial stability.

Proposal for a regulation Article 40 – paragraph 3

Text proposed by the Commission

Amendment

deleted

- 3. One year after the first issuance of the digital euro and every three years thereafter, the Commission shall submit to the European Parliament and to the Council a report analysing the impact of the parameters and the use of instruments referred to in Article 16 on:
- (a) the role of financial intermediaries in the financing of the economy;
- (b) liquidity requirements laid down in Regulation 575/2013 of the European Parliament and the Council.

Or. en

Amendment 106

Proposal for a regulation Article 40 – paragraph 4 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

- (b) the number of digital euro *accounts* which have been opened;
- (b) the number of Digital Euro *wallets* which have been opened;

Or. en

Amendment 107

Proposal for a regulation Article 40 – paragraph 4 – subparagraph 1 – point d

Text proposed by the Commission

Amendment

- (d) the number of digital euro *payment accounts* that have been opened by payment service providers referred to in
- (d) the number of Digital Euro *wallets* that have been opened by payment service providers referred to in Articles 14(2) and

14(3).

Or. en

Amendment 108

Proposal for a regulation Annex I – paragraph 1 – point a

Text proposed by the Commission

(a) enabling digital euro users to access and use the digital euro, without prejudice to possible limitations set by the European Central Bank in accordance with Article 16;

Amendment

(a) enabling Digital Euro users to access and use the Digital Euro;

Or. en

Amendment 109

Proposal for a regulation Annex I – paragraph 1 – point c

Text proposed by the Commission

(c) managing digital euro users' digital euro *payment accounts*;

Amendment

(c) managing Digital Euro users' Digital Euro *wallets*;

Or. en

Amendment 110

Proposal for a regulation Annex II – paragraph 1 – introductory part

Text proposed by the Commission

Basic digital euro payment services for *natural persons* shall consist of:

Amendment

Basic Digital Euro payment services for *consumers* shall consist of:

Proposal for a regulation Annex II – paragraph 1 – point a

Text proposed by the Commission

(a) *opening, holding* and closing of a digital euro *payment account*;

Amendment

(a) *registering, managing* and closing of a Digital Euro *wallet*;

Or. en

Amendment 112

Proposal for a regulation Annex II – paragraph 1 – point b

Text proposed by the Commission

(b) consulting balances and transactions;

Amendment

(b) actual amount and transaction history covering a period of one year;

Or. en

Amendment 113

Proposal for a regulation Annex II – paragraph 1 – point c

Text proposed by the Commission

(c) non-automated funding and defunding from a *non-digital euro* payment account;

Amendment

(c) non-automated funding and defunding from a payment account *denominated in euro*;

Or. en

Amendment 114

Proposal for a regulation Annex III – point 1 – point iii

(iii) information on digital euro *payment accounts*; including information on digital euro holdings of the digital euro user and the unique digital euro *payment account* number; and

Amendment

(iii) information on Digital Euro wallets; including information on Digital Euro holdings of the Digital Euro user and the unique Digital Euro wallet identification number; and

Or. en

Amendment 115

Proposal for a regulation Annex III – point 1 – point iv

Text proposed by the Commission

(iv) information on online digital euro payment transactions, including the transaction *identifier* and the transaction amount

Amendment

(iv) information on online Digital Euro payment transactions, including the transaction *identification number* and the transaction amount.

Or. en

Amendment 116

Proposal for a regulation Annex III – point 1 – point iv

Text proposed by the Commission

(iv) information on online digital euro payment transactions, including the transaction *identifier* and the transaction amount.

Amendment

(iv) information on online Digital Euro payment transactions, including the transaction *identification number* and the transaction amount.

Or. en

Amendment 117

Proposal for a regulation Annex III – point 2 – point iii

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(iii) information on digital euro *payment accounts*, including the unique digital euro payment account number; and

Amendment

(iii) information on Digital Euro *wallet*, including the unique Digital Euro payment account number; and

Or. en

Amendment 118

Proposal for a regulation Annex IV – point 4 – point iii

Text proposed by the Commission

(iii) information on digital euro *payment accounts*, including the unique digital euro *payment account* number, digital euro holdings of the user, the holding limit selected by the user and the type of digital euro account.

Amendment

(iii) information on Digital Euro wallets, including the unique Digital Euro wallet identification number, Digital Euro holdings of the user, the holding limit selected by the user and the type of Digital Euro account.

Or. en

Amendment 119

Proposal for a regulation Annex V – paragraph 1 – point i

Text proposed by the Commission

(i) information on digital euro *payment accounts*, including the unique digital euro account *identifier*;

Amendment

(i) information on Digital Euro wallets, including the unique Digital Euro account identification number;