



EUROPEAN PARLIAMENT

2009 - 2014

Committee on the Internal Market and Consumer Protection

2010/0373(COD)

16.6.2011

OPINION

of the Committee on the Internal Market and Consumer Protection

for the Committee on Economic and Monetary Affairs

on the proposal for a regulation of the European Parliament and of the Council
establishing technical requirements for credit transfers and direct debits in
euros and amending Regulation (EC) No 924/2009
(COM(2010)0775 – C7-0434/2010 – 2010/0373(COD))

Rapporteur: Evelyne Gebhardt

PA_Legam

SHORT JUSTIFICATION

Efficient and secure payment systems are essential for a proper functioning of the Internal Market and the conduct of economic transactions. In this regard, the creation of an Internal Market for payment services in euro (Single Euro Payments Area or SEPA) is of high importance and has to be observed. On 28 January 2008, the SEPA Credit Transfer (SCT) was launched. The launch of the SEPA Direct Debit (SDD) highlighted the second essential milestone on the way towards the implementation of SEPA through Union-wide schemes. SEPA, if fully implemented will provide notable benefits and savings to the wider European economy.

However, electronic payment instruments throughout the European Union are still far from replacing national payments. It is questionable if it is necessary to implement a standardization of the current European payment systems by transposing them to the international procedure of IBAN and BIC. However, due to the current slow rates of migration, there is increasing acknowledgement by all categories of stakeholders that a legally binding end-date may be necessary to reach a successful implementation. Therefore, migration end dates for direct debits and credit transfers in euro have to be set up in order to achieve the full integration of the payment market. In this regard, payment service users and payment service providers should be allowed sufficient time to adapt to these technical requirements in order to comply with the end-dates. The end-dates should be set as such that there is enough time to achieve the implementation. A period of time of 36 months for credit transfers and 48 months for direct debits after entry into force of the regulation are considered as appropriate.

SEPA migration will affect users, including citizens and small and medium sized companies while transposing the current system to a common Union-wide bank account numbering based on IBAN and BIC. Especially the role of the consumer in this process shall not be undermined. It is substantial that this transition is facilitated by the banking sector. Banks should be obliged to carry out specific and extensive information campaigns in order to raise public awareness especially in making understandable how the numbers of IBAN and BIC are composed. Furthermore banks should assure a transparent information policy in customer business. These undertakings are considered as very essential for a smooth and appropriate realisation of facilitating and secure Union-wide payment systems and the acceptance for the changes among the European citizens.

AMENDMENTS

The Committee on the Internal Market and Consumer Protection calls on the Committee on Economic and Monetary Affairs, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Proposal for a regulation - amending act Recital 11

Text proposed by the Commission

(11) Technical standardisation is a cornerstone for the integration of networks, such as the Union payments market. The use of standards developed by international or European standardisation bodies should be mandatory as of a given date for all relevant transactions. In the payment context, these would be the IBAN, BIC, and the financial services messaging standard 'ISO 20022 XML'. The use of those standards by all payment service providers is therefore a requirement for full interoperability throughout the Union. In particular, the mandatory use of IBAN and BIC *where necessary* should be promoted through comprehensive communication and facilitating measures in Member States in order to *allow a smooth and easy* transition to pan-European credit transfers and direct debits, in particular for consumers.

Amendment

(11) Technical standardisation is a cornerstone for the integration of networks, such as the Union payments market. The use of standards developed by international or European standardisation bodies should be mandatory as of a given date for all relevant transactions. In the payment context, these would be the IBAN, BIC, and the financial services messaging standard 'ISO 20022 XML'. The use of those standards by all payment service providers is therefore a requirement for full interoperability throughout the Union. In particular, the mandatory use of IBAN and BIC should be promoted through comprehensive communication and facilitating measures in Member States in order to *prepare consumers in a timely and adequate manner for the* transition to pan-European credit transfers and direct debits. *In particular, banks should facilitate that transition by carrying out specific and extensive information campaigns in order to raise public awareness and by having a transparent information policy for their customer business. An adequate and extensive information policy is mandatory in order to gain acceptance, in particular with regard to the wide-ranging changes* for consumers.

Amendment 2

Proposal for a regulation - amending act Recital 12

Text proposed by the Commission

(12) It is appropriate to set ***dates by when*** all credit transfers and direct debit transactions should comply with those technical requirements, while leaving the market open for further development and innovation.

Amendment

(12) ***In order to allow a concerted transition process in the interests of clarity and simplicity for consumers,*** it is appropriate to set ***a single migration deadline by which*** all credit transfers and direct debit transactions should comply with those technical requirements, while leaving the market open for further development and innovation.

Amendment 3

**Proposal for a regulation - amending act
Recital 13**

Text proposed by the Commission

(13) Separate migration dates should be set in order to take into account the differences between credit transfers and direct debits. Union-wide credit transfers and direct debits do not have the same level of maturity, since a direct debit is a more complex instrument than a credit transfer and, consequently, migration to Union-wide direct debits requires significantly more resources than migration to Union-wide credit transfers.

Amendment

deleted

Amendment 4

**Proposal for a regulation - amending act
Recital 13a new**

Text proposed by the Commission

Amendment

(13a) Payment service providers and users should have sufficient time to adapt to the technical requirements, however this adaption period must not unnecessarily delay the benefits to consumers or penalise the efforts of proactive operators that have already moved towards SEPA

payments systems. For national payment and cross-border payment transactions the payment service providers should provide their retail customers with the necessary technical services in order to ensure a smooth and secure conversion to the technical requirements laid down in this Regulation.

Amendment 5

Proposal for a regulation - amending act Recital 15 a (new)

Text proposed by the Commission

Amendment

15a. The Commission shall monitor the R-transaction fees across the Member States. The Commission shall ensure that Member States' R-transaction fees converge over time and that the R-transaction fees do not vary across Member States to an extent that there is no level playing field.

Justification

Over time the fee's for R-transactions should converge to the actual handling costs by the most efficient payment service provider. In the meantime the Commission should monitor whether the differences in R-transaction fees between Member States do not jeopardise the level playing field for cross-border transactions.

Amendment 6

Proposal for a regulation - amending act Recital 16

Text proposed by the Commission

Amendment

(16) In some Member States, there are certain legacy payment instruments which are credit transfers or direct debits but which have very specific functionalities, often due to historical or legal reasons. ***The transaction volume of such products is usually marginal; they could therefore be***

(16) In some Member States, there are certain legacy payment instruments which are credit transfers or direct debits but which have very specific functionalities, often due to historical or legal reasons. A transitional period for such niche products, sufficiently long to minimise the impact of

classified as niche products. A transitional period for such niche products, sufficiently long to minimise the impact of the migration on payment service users, should help both sides of the market to focus first on the migration of the bulk of credit transfers and direct debits, thereby allowing the majority of the potential benefits of an integrated payments market in the Union to be reaped earlier.

the migration on payment service users, should help both sides of the market to focus first on the migration of the bulk of credit transfers and direct debits, thereby allowing the majority of the potential benefits of an integrated payments market in the Union to be reaped earlier.

Justification

Most of these products can be described as niche products, but not all. In some Member States specific direct debit instruments very similar to payment card transactions exist, which have a quite substantial transaction volume. In both cases there is a need for a transitional period.

Amendment 7

Proposal for a regulation - amending act Recital 17

Text proposed by the Commission

(17) For the practical functioning of the internal market in payments it is essential to ensure that payers such as businesses or public authorities are able to send credit transfers to payment accounts held by the payees with payment service providers which are located in other Member States and reachable in accordance with this Regulation.

Amendment

(17) For the practical functioning of the internal market in payments it is essential to ensure that payers such as **consumers**, businesses or public authorities are able to send credit transfers to payment accounts held by the payees with payment service providers which are located in other Member States and reachable in accordance with this Regulation.

Amendment 8

Proposal for a regulation Recital 20

Text proposed by the Commission

(20) In order to ensure that redress is possible where this Regulation has been incorrectly applied, Member States should establish adequate and effective out-of-

Amendment

(20) In order to ensure that redress is possible where this Regulation has been incorrectly applied, Member States should establish adequate and effective out-of-

court complaint and redress procedures for settling any dispute arising *therefrom*.

court complaint and redress procedures for settling any dispute arising *between payment service users and payment service providers*.

Amendment 9

Proposal for a regulation Recital 22

Text proposed by the Commission

(22) The Commission should be empowered to adopt delegated acts in accordance with Article 290 of the Treaty in respect of the update of the technical requirements for credit transfers and direct debits.

Amendment

(22) The Commission should be empowered to adopt delegated acts in accordance with Article 290 of the Treaty in respect of the update of the technical requirements for credit transfers and direct debits. *It is of particular importance that the Commission carry out appropriate and transparent consultation during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and the Council.*

Justification

Coherence with the Common Understanding on Practical Arrangements for the use of Delegated Acts.

Amendment 10

Proposal for a regulation Recital 23

Text proposed by the Commission

(23) Since payment service providers from Member States outside the euro area would need to undertake more preparatory work, such payment service providers should be allowed to defer the application of these technical requirements for a certain period.

Amendment

(23) Since payment service providers from Member States outside the euro area would need to undertake more preparatory work, such payment service providers should be allowed to defer the application of these technical requirements for a certain period.

Member States outside the euro area should however comply with the technical requirements swiftly to create a true European payment area, which will strengthen the internal market.

Amendment 11

Proposal for a regulation - amending act Article 1 – paragraph 2 – point b

Text proposed by the Commission

(b) payment transactions processed and settled through large value payment systems *for which both the original initiator and the final recipient of the payment is a payment service provider*

Amendment

(b) payment transactions processed and settled through large value payment systems;

Justification

SEPA covers standard payments and should not be extended to (consumer) transactions covered by large value payment systems.

Amendment 12

Proposal for a regulation - amending act Article 4 a (new)

Text proposed by the Commission

Amendment

Article 4a

Essential technical requirements for credit transfers and direct debit transactions

1. The payment service providers shall carry out credit transfer and direct debit transactions in accordance with the following requirements:

(a) payment service providers and payment service users shall use the IBAN for the identification of payment accounts regardless of whether both the payer's payment service provider and the payee's payment service provider are or the sole

payment service provider in the payment transaction is, located in the same Member State or whether one of the payment service providers is located in another Member State;

(b) payment service providers shall use message formats based on ISO 20022 XML standard or its successor when transmitting payment transactions to another payment service provider or a payment system;

(c) where a payment service user initiates or receives individual transfers of funds which are transmitted via a process-to-process dialogue or a bundled batch file, message formats based on ISO 20022 XML standard or its successor shall be used;

(d) payment service providers shall, by the date mentioned in Article 5 for the relevant payment service, accept to receive initiations from the payment service user in the format referred to in point (c) when the payment user so requests;

(e) payment service providers shall, by ... send or make available payment transaction information to the payment service user in the format mentioned in point (c) where the payment user so requests.*

2. In addition to the requirements referred to in paragraph 1, the following requirements shall apply to direct debit transactions:

(a) only once before the first direct debit transaction, a payer shall communicate its IBAN and, where applicable, the BIC of its payment service provider to its payee;

(b) with the first direct debit transaction and one-off direct debit transactions and with each subsequent direct debit transaction, the payee shall send the mandate-related information to his or her payment service provider and the payee's payment service provider shall transmit

such mandate related information to the payer's payment service provider with each direct debit transaction;

(c) payer may:

(i) instruct his or her payment service provider to limit a direct debit collection to a certain amount or periodicity, or both; or

(ii) instruct his or her payment service provider to block any direct debits to the payer's account or to block any direct debits coming from one or more specified payees and to authorise direct debits only coming from one or more specified payees;

(d) the exclusion of the right to a refund shall be possible only if the payment mandate specifies:

(i) the exact amount of the payment transaction and its possible periodicity; and

(ii) the clear consent given by the payer on exclusion of the refund right;

(e) where the right to a refund has been excluded, without prejudice to point (d), the payer's payment service provider shall verify each direct debit transaction, and check whether the amount of the submitted direct debit transaction is equal to the amount agreed in the mandate, before debiting payer's account, based on the mandate-related information;

(f) consent shall be given both to the payee and to the payment service provider of the payer (directly or indirectly via the payee) and the mandates, together with later modifications and/or cancellation, shall be stored by the payee or by a third party on behalf of the payee, the procedure for giving such consent to a direct debit shall be agreed between the payer and the payer's payment service provider.

3. In addition to the requirements referred to in paragraph 1, in relation to credit transfer transactions, a payee accepting credit transfers shall communicate its IBAN and the BIC of its payment service provider to its payers, every time a credit transfer is requested.

4. In addition to paragraphs 1, 2 and 3 of this Article, further technical requirements in the Annex shall apply to credit transfer and direct debit transactions. The Commission shall be empowered to adopt delegated acts in accordance with Article 12 to amend the Annex in order to take account of technical progress and market developments.

Where in the case of an imminent threat to the stability and proper functioning of payment systems imperative grounds of urgency so require, the procedure provided for in Article 15 shall apply to delegated acts adopted pursuant to this Article.

** OJ please insert date: 48 months after the entry into force of this Regulation.*

Amendment 13

Proposal for a regulation - amending act Article 5 – title

Text proposed by the Commission

Requirements for credit transfer and direct debit transactions

Amendment

Migration deadlines for credit transfer and direct debit transactions

Amendment 14

Proposal for a regulation Article 5 – paragraph 1

Text proposed by the Commission

1. By [insert concrete date **12 months** after entry into force of this Regulation] at the latest, credit transfers shall be carried out in accordance with the technical requirements set out **in points 1 and 2** of the Annex.

Amendment

1. By [insert concrete date **24 months** after entry into force of this Regulation] at the latest, credit transfers **and direct debit transactions** shall be carried out in accordance with the technical requirements set out in **Article 4a and in** of the Annex.

Amendment 15

**Proposal for a regulation - amending act
Article 5 – paragraph 2**

Text proposed by the Commission

2. By [insert concrete date 24 months after entry into force of this Regulation] at the latest, direct debits shall be carried out in accordance with Article 6 and the technical requirements set out in points 1 and 3 of the Annex.

Amendment

deleted

Amendment 16

**Proposal for a regulation - amending act
Article 5 – paragraph 3**

Text proposed by the Commission

3. Notwithstanding paragraphs 1, Member States may set earlier

Amendment

3. Notwithstanding **paragraph** 1, Member States may set **an** earlier **migration deadline either for credit transfers or direct debits of for both.**

Amendment 17

**Proposal for a regulation - amending act
Article 5 – paragraph 3 a (new)**

Text proposed by the Commission

Amendment

3a. If the payer prior to the deadline set

out in paragraph 1 or resulting from paragraph 3 has authorised credit transfers, in accordance with national regulations, then the payment service provider shall automatically switch to SEPA credit transfers without levying any charges.

Justification

Amendment 18

Proposal for a regulation - amending act Article 5 – paragraph 3 b (new)

Text proposed by the Commission

Amendment

3b. If the payer prior to the deadline set out in paragraph 2 or resulting from paragraph 3 has authorised the payee to collect recurring direct debits, in accordance with national regulations, then the payment service provider shall automatically switch to SEPA direct debits without levying any charges.

Justification

Amendment 19

Proposal for a regulation - amending act Article 6 – paragraph 2 – subparagraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) If consumers are charged any fees relating to R-transactions, these fees shall not exceed the costs for which the consumer is directly responsible. Therefore the payer shall not be charged for R-transactions resulting from insufficient funds on the payer's accounts until the direct debit payment is due;

Justification

The payer should be responsible for paying the MIF only in case of an R-transaction caused by insufficient funds on his account at the time the direct debit payment is due. Any other R-transaction is unlikely to be caused by the payer. Other parties should be prevented from passing on the payer fees for R-transactions not caused by the payer.

Amendment 20

Proposal for a regulation Article 7

Text proposed by the Commission

Amendment

Article 7

deleted

Waiver

1. Member States may allow their competent authorities to waive all or some of the requirements set out in paragraphs 1, 2 and 3 of Article 5 until [insert concrete date 36 months after entry into force of this Regulation] for those credit transfer or direct debit transactions with a cumulative market share, based on the official payment statistics published annually by the European Central Bank, of less than 10 % of the total number of credit transfer or direct debit transactions respectively, in that Member State.

2. Member States may allow their competent authorities to waive all or some of the requirements set out in paragraphs 1, 2 and 3 of Article 5 until [insert concrete date) 60 months after entry into force of this Regulation] for those payment transactions initiated through a payment card at the point of sale which result in direct debit from a payment account identified by BBAN or IBAN.

3. Where a Member State allows its competent authorities to apply the waiver provided for in paragraphs 1 and 2, it shall notify the Commission accordingly by [insert concrete date 6 months after entry into force of this Regulation]. The Member State shall notify the

Commission forthwith of any subsequent change.

Amendment 21

Proposal for a regulation - amending act Article 8 a (new)

Text proposed by the Commission

Amendment

Article 8a

Information requirements

- 1. In order to ensure that the standardisation of transactions and the mandatory use of IBAN and BIC find acceptance among Union citizens, Member States and banks shall carry out specific and extensive information campaigns in order to raise public awareness and adequately explain the benefits of the system and the consequences for national and international transactions.***
- 2. Member States shall require banks to facilitate the transition for their customer , in particular with regard to the mandatory use of IBAN and BIC, through a transparent information policy.***
- 3. Banks shall provide clear and understandable information to consumers on R-transaction fees in the interests of transparency and consumer protection.***

Amendment 22

Proposal for a regulation Article 9 – paragraph 1

Text proposed by the Commission

Amendment

1. Member States shall designate as the competent authorities responsible for ensuring compliance with this Regulation either public authorities, or bodies

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recognised by national law or by public authorities expressly empowered for that purpose by national law, including national central banks. Member States may designate existing bodies to act as competent authorities.

recognised by national law or by public authorities expressly empowered for that purpose by national law, including national central banks. Member States may designate existing bodies to act as competent authorities. ***Competent authorities shall be independent bodies, acting on behalf of all stakeholders, including end users, in order to ensure a level playing field for all providers of credit transfers and direct debit, including new providers.***

Amendment 23

Proposal for a regulation

Article 9 – paragraph 1 – subparagraph 1a (new)

Text proposed by the Commission

Amendment

In order to ensure that the technical requirements set out in this Regulation find acceptance among union citizens and businesses, these public authorities shall carry out information campaigns in order to raise public awareness.

Justification

Public authorities have an important role to play in informing the public since they account for 50 percent of all credit transfers in many Member States .

Amendment 24

Proposal for a regulation - amending act

Article 12 – paragraph 1

Text proposed by the Commission

Amendment

1. The powers to adopt the delegated acts referred to in Article 5(4) shall be conferred on the Commission for an indeterminate period of time. ***Where imperative grounds of urgency so require, Article 15 shall apply.***

1. The power to adopt the delegated acts referred to in Article ***4a(4) and Article*** 5(4) shall be conferred on the Commission for an indeterminate period of time.

Justification

To align with Article 4a (new)

Amendment 25

Proposal for a regulation - amending act
Article 13 – paragraph 1

Text proposed by the Commission

1. The delegation of power referred to in Article 5(4) may be revoked at any time by the European Parliament or by the Council.

Amendment

1. The delegation of power referred to in **Article 4a(4) and** Article 5(4) may be revoked at any time by the European Parliament or by the Council.

Justification

To align with Article 4a (new)

Amendment 26

Proposal for a regulation
Article 15 – paragraph 2

Text proposed by the Commission

2. **The** European Parliament **and** the Council may ***within a period of six weeks from the date of notification*** object to ***the*** delegated act. In such a case, the ***act*** shall ***cease to be applicable***. The institution which objects shall state the reasons for objecting to the delegated act.

Amendment

2. ***Either the*** European Parliament ***or*** the Council may object to ***a*** delegated act ***in accordance with procedure referred to in Article 14 (1)***. In such a case, the ***Commission*** shall ***repeal the act without delay following the notification of the decision to object by the European Parliament or by the Council***. The institution which objects shall state the reasons for objecting to the delegated act.

Justification

Coherence with the Common Understanding on Practical Arrangements for the use of Delegated Acts.

Amendment 27

Proposal for a regulation - amending act Article 16 – paragraph 1

Text proposed by the Commission

By [insert concrete date 3 years after entry into force], the Commission shall present to the European Parliament, the Council, the European Economic and Social Committee and the European Central Bank a report on the application of this Regulation accompanied, if appropriate, by a proposal.

Amendment

By ...*, the Commission shall present to the European Parliament, the Council, the European Economic and Social Committee and the European Central Bank a report on the application of this Regulation accompanied, if appropriate, by a proposal.

** OJ please insert date: 5 years after entry into force of this Regulation.*

Justification

The proposed end-date for direct debits is 4 years after entry into force of this Regulation (Article 5(2)); the report on its application will follow one year later.

Amendment 28

Proposal for a regulation - amending act Article 17 – paragraph -1 (new)

Text proposed by the Commission

Amendment

-1. During the migration period until the date referred to in Article 5, the payment service provider shall provide to their retail customers for national payment transactions the technical services, enabling them to convert BBAN technically and securely into the respective IBAN by the payment service provider concerned.

Justification

Payment service providers should provide necessary technical support to ensure a smooth and secure migration to IBAN and BIC by consumers.

Amendment 29

Proposal for a regulation
Article 17 – paragraph 2

Text proposed by the Commission

2. Payment service providers located in a Member State which does not have the euro as its currency shall comply with the requirements set out in Article 4 and in points 1 and 2 of the Annex for credit transfers denominated in euros and with the requirements set out in Article 4 and in points 1 and 3 of the Annex for direct debit transactions denominated in euros by [insert concrete date *month*) **4 years** after entry into force of this Regulation]. If, however, the euro is introduced as the currency of any such Member State ***before [insert concrete date 3 years after entry into force of this Regulation]***, the payment service provider located in that Member State shall ***meet those requirements*** within ***one year of the date on which*** the Member State ***concerned joined*** the euro area.

Amendment

2. Payment service providers located in a Member State which does not have the euro as its currency shall comply with the requirements set out in Article 4 and in points 1 and 2 of the Annex for credit transfers denominated in euros and with the requirements set out in Article 4 and in points 1 and 3 of the Annex for direct debit transactions denominated in euros by [insert concrete date ***36 months*** after entry into force of this Regulation]. If, however, the euro is introduced as the currency of any such Member State, the payment service provider located in that Member State shall ***comply with Article 4*** within the ***same time limit as for*** the Member State ***already within*** the euro area.

Amendment 30

Proposal for a regulation - amending act
Annex – point 1 – introductory part

Text proposed by the Commission

(1) The following technical requirements shall apply to both credit transfer and direct debit transactions:

Amendment

(1) ***In addition to the essential technical requirements set out in Article 4a***, the following technical requirements shall apply to both credit transfer and direct debit transactions:

Amendment 31

Proposal for a regulation - amending act
Annex – point 1 – point a

Text proposed by the Commission

Amendment

(a) Payment service providers and payment service users shall use the IBAN for the identification of payment accounts regardless of whether both the payer's payment service provider and the payee's payment service provider are or the sole payment service provider in the payment transaction is, located in the same Member State or whether one of the payment service providers is located in another Member State. *deleted*

Amendment 32

**Proposal for a regulation - amending act
Annex – point 1 – point b**

Text proposed by the Commission

Amendment

(b) Payment service providers shall use message formats based on ISO 20022 XML standard when transmitting payment transactions to another payment service provider or a payment system. *deleted*

Amendment 33

**Proposal for a regulation - amending act
Annex – point 1 – point c**

Text proposed by the Commission

Amendment

(c) Where a payment service user initiates or receives individual transfers of funds which are bundled together for transmission, message formats based on ISO 20022 XML standard shall be used. *deleted*

Amendment 34

**Proposal for a regulation - amending act
Annex – point 2 – point a**

Text proposed by the Commission

Amendment

(a) A payee accepting credit transfers shall communicate its IBAN and the BIC of its payment service provider to its payers, every time a credit transfer is requested. **deleted**

Amendment 35

Proposal for a regulation - amending act
Annex – point 2 – point b – point i

Text proposed by the Commission

Amendment

*(i) the name of the payer **and/or the IBAN of the payer's account*** (i) the name of the payer

Justification

In some European countries, the bank account number is considered as particularly sensitive personal data and can be communicated to a third person only in a restricted way. Given the risk of fraud, the IBAN of the payer's account should never be communicated to the payee automatically and without the payer's consent.

Amendment 36

Proposal for a regulation - amending act
Annex – point 3 – point a

Text proposed by the Commission

Amendment

(a) Only once before the first direct debit transaction, a payer shall communicate its IBAN and, where applicable, the BIC of its payment service provider to its payee. **deleted**

Amendment 37

Proposal for a regulation - amending act
Annex – point 3 – point b

Text proposed by the Commission

Amendment

(b) With the first direct debit transaction and one-off direct debit transactions and with each subsequent direct debit transaction, the payee shall send the mandate-related information to his or her payment service provider. The payee's payment service provider shall transmit such mandate related information to the payer's payment service provider with each direct debit transaction. ***deleted***

Amendment 38

Proposal for a regulation - amending act Annex – point 3 – point c

Text proposed by the Commission

Amendment

(c) A payer shall have the possibility to instruct his or her payment service provider to limit a direct debit collection to a certain amount or periodicity, or both. ***deleted***

Amendment 39

Proposal for a regulation - amending act Annex – point 3 – point d

Text proposed by the Commission

Amendment

(d) Where the agreement between the payer and the payee excludes the right to a refund, the payer's payment service provider shall, at the payer's request, check each direct debit transaction, to see whether the amount of the submitted direct debit transaction is equal to the amount agreed in the mandate, before debiting the payer's account, based on the mandate-related information. ***deleted***

Amendment 40

Proposal for a regulation - amending act Annex – point 3 – point e

Text proposed by the Commission

Amendment

(e) The payer shall have the option of instructing his or her payment service provider to block any direct debits to the payer's account or to block any direct debits coming from one or more specified payees or to authorise direct debits only coming from one or more specified payees. *deleted*

Amendment 41

Proposal for a regulation - amending act Annex – point 3 – point f

Text proposed by the Commission

Amendment

(f) Consent shall be given both to the payee and to the payment service provider of the payer (directly or indirectly via the payee) and the mandates, together with later modifications and/or cancellation, shall be stored by the payee or by a third party on behalf of the payee. *deleted*

PROCEDURE

Title	Technical requirements for credit transfers and direct debits in euros and amending Regulation (EC) No 924/2009
References	COM(2010)0775 – C7-0434/2010 – 2010/0373(COD)
Committee responsible Date announced in plenary	ECON 18.1.2011
Committee(s) asked for opinion(s) Date announced in plenary	IMCO 18.1.2011
Rapporteur(s) Date appointed	Evelyne Gebhardt 10.2.2011
Discussed in committee	24.5.2011
Date adopted	15.6.2011
Result of final vote	+: 34 –: 0 0: 1
Members present for the final vote	Pablo Arias Echeverría, Adam Bielan, Lara Comi, Jürgen Creutzmann, Christian Engström, Evelyne Gebhardt, Louis Grech, Małgorzata Handzlik, Malcolm Harbour, Iliana Ivanova, Sandra Kalniete, Eija-Riitta Korhola, Edvard Kožušník, Kurt Lechner, Toine Manders, Hans-Peter Mayer, Gianni Pittella, Phil Prendergast, Mitro Repo, Robert Rochefort, Zuzana Roithová, Heide Rühle, Christel Schaldemose, Catherine Stihler, Róza Gräfin von Thun und Hohenstein, Kyriacos Triantaphyllides, Emilie Turunen, Bernadette Vergnaud, Barbara Weiler
Substitute(s) present for the final vote	Simon Busuttill, Cornelis de Jong, Marielle Gallo, María Irigoyen Pérez, Konstantinos Poupakis, Olle Schmidt