1. The Commission fully agrees that automatic refusal to a consumer of a payment account with basic features on the ground of his residence in another Member State is neither in accordance with the provisions of article 15, nor of article 16.4 of the Payment Accounts Directive 2014/92/EU. The latter refers to the Anti-Money Laundering Directive\(^1\), which provides that “Member States shall ensure that obliged entities apply customer due diligence measures (...) when establishing a business relationship” and in its annex II identifies customers resident in other Member States as situations of lower risk. As such, any decision to automatically refuse a transaction finds no ground in anti-money laundering rules and consumers faced with such situations could consider applying to their national courts for redress.

2. Directive 2014/92/EU is applicable only to consumers who are “natural persons acting for purposes which are outside their trade, business, craft or profession”. There are no specific EU rules in force that regulate the right of cross-border access to professional business payment accounts. The freedom to provide services prohibits discriminatory obstacles, however this applies only to those that are attributable to the Member States, not to private actors. Indeed the latter retain the right to decide not to offer certain products and services to residents from other Member States.

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