

Payment Working Group – March 2025

Agenda

- Competition rules reminder
- Status of PSR / PSD3 adoption
- PSR / PSD3 PA Action Plan proposal
- AOB





Competition and compliance rules

DO'S:

- Ensure business contacts with competitors have a legitimate purpose and are supervised by the FCE Secretariat.
- If discussions go off-topic or are anti-competitive: change the subject, leave, and report the incident.
- Review agendas, follow them, and keep approved meeting minutes.
- Keep social interactions with competitors non-business related.
- Discuss general industry issues, publicly available info, and non-sensitive topics.

DON'TS:

- Do not discuss sensitive commercial strategies with competitors (pricing, marketing, target markets, etc.).
- Avoid sharing forward-looking, recent, or competitive data without FCE Secretariat's prior written consent.
- Do not use FCE premises for unofficial business activities outside of the official program.
- Do not engage in exclusionary practices or collective boycotts.



Status of the PSR / PSD3 adoption

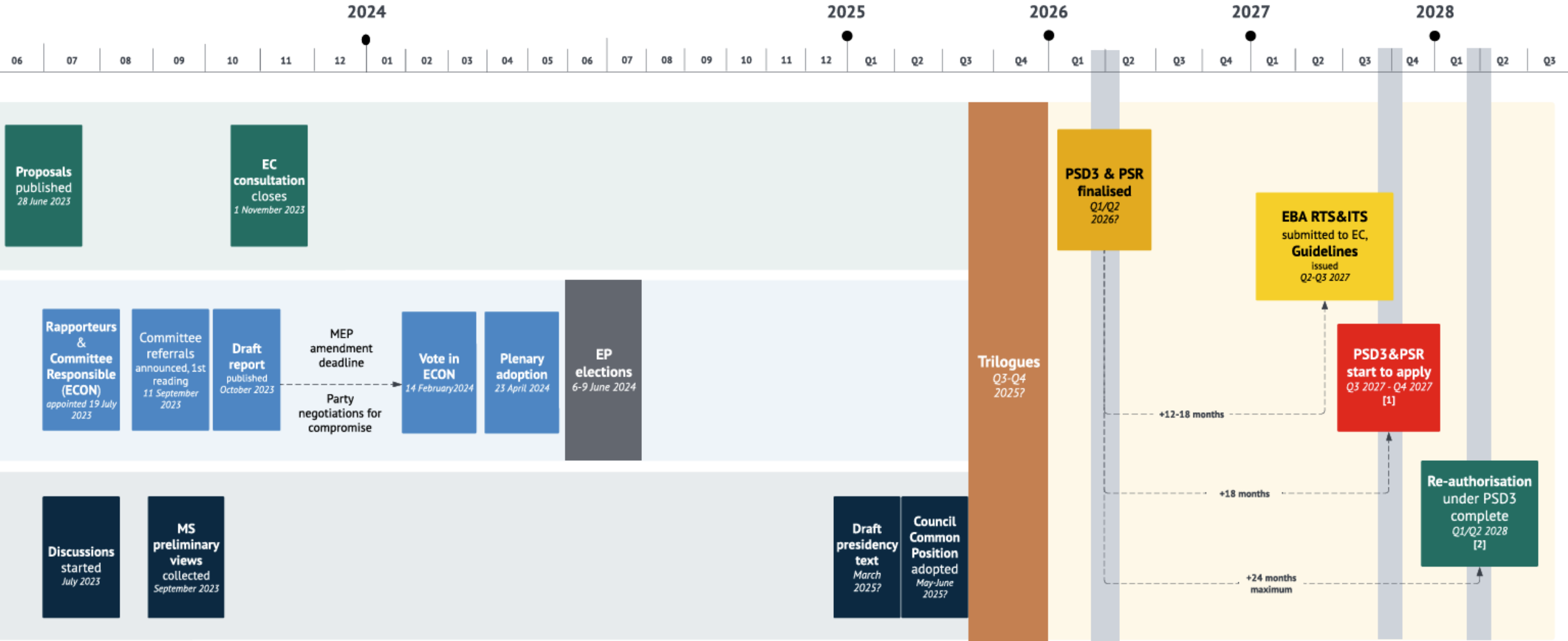
Last Council Working Party (Polish Presidency) – February 21st : focus on fraud-related issues in PSR + Germany non-paper on simplifying reporting and notification obligations in PSR/PSD3.

Art. 37 §2 & § 3 PSD2/Article 39 PSD3 – “Duty of notification”

- **EC original proposal:** Service providers falling under the scope of Art. 2 (2) (i) & (ii) of PSR must notify NCAs, who should then issue a reasoned decision if the activity does not qualify as LNE. An annual audit opinion is also required. NCAs must inform the EBA and make information publicly available about exempted undertakings.
- **DE non-paper:**
 - deleting Article 39 PSD3 in its current form.
 - Reintroduce effective powers for the NCAs to act against non-licensed activities, replacing the notification duty enforcement.
- **Aim:** increase supervisory assertiveness against non-licensed undertakings while reducing the bureaucratic burden for compliant and well-informed PSPs
- **Next Working Party** – March 19th.

PSD3 & PSR expected timeline

January 2025



[1] Member States have 18 months to implement PSD3 into national law and majority of PSR provisions are intended to apply 18 months after PSR entry into force. There are limited exemptions to the general 18 month application date.

[2] The Council draft text proposes to extend the PSD3 re-authorisation timeline to 30 months (from 24 months).



PSR / PSD3 PA Action Plan proposal

- State of play

- Several meeting held with Permanent Representations
- Currently positive context concerning LNE in the PSR/PSD3 adoption debates
- 11 Member States considering fuel cards as out of PSD2 scope
- Uncertainty of the German proposal on duty of notification

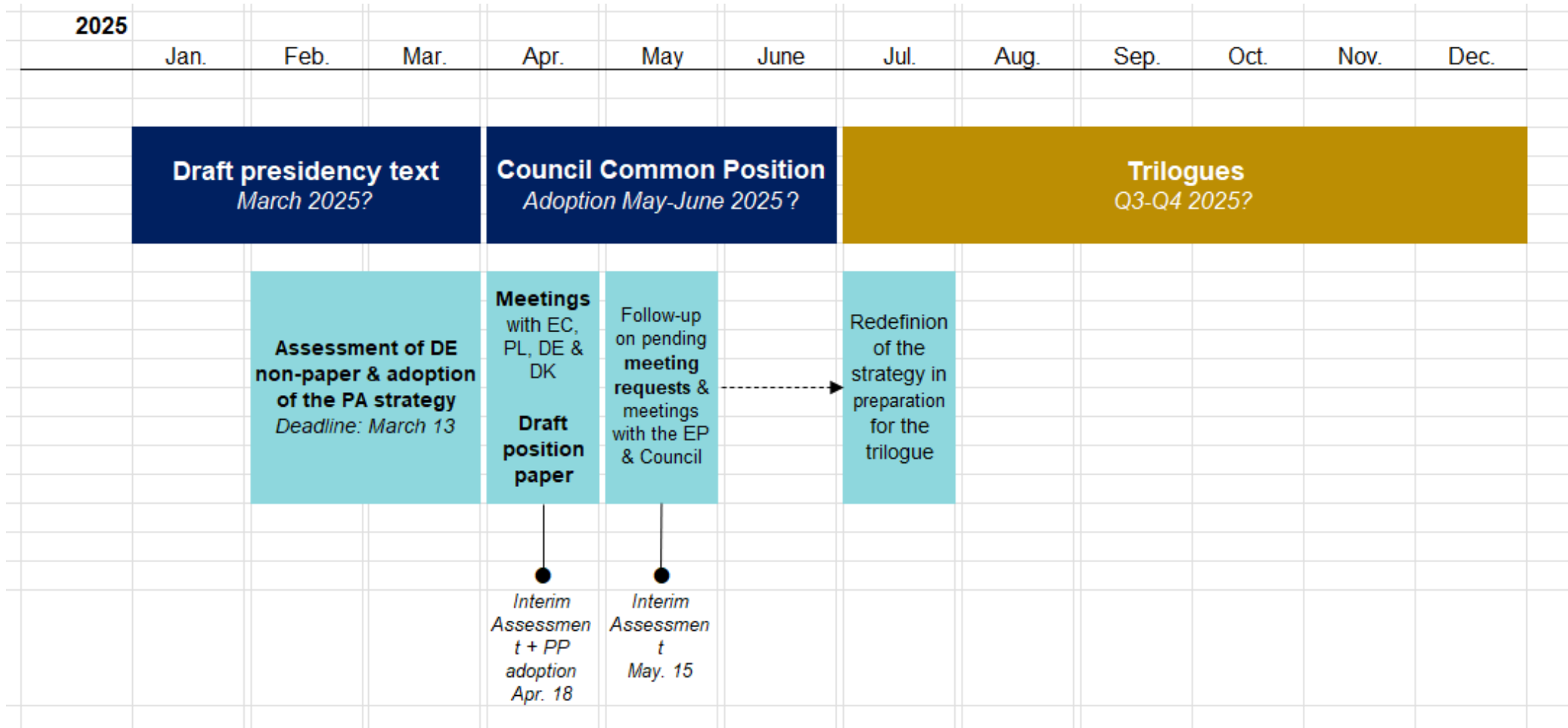
- PA action plan with 2 objectives

- Ensure Fleet Cards operates in a clear and consistent regulatory framework across MS.
- Build a solid network that can be activated in the event of potential risks during PSR/PSD3 trialogue

- Proposal :

- Assess potential impact of German proposal (internally and thanks to external meetings)
- Drafting of a new and clear position
- Widely promoting new position towards Member States + MEPs

PSR / PSD3 PA Action Plan proposal - timeline



PSR / PSD3 PA Action Plan proposal - contacts

Name	Role	Country/Party	Email	Comments	Ja
Parliament					
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Council					
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Reinout Temmerman	Payment advisor from the National Bank	Belgium			
Fabian Brunner	Financial Services Attaché	Germany		Met FCE in Feb. 24	
Sebastian Tomasius	Head of Financial Services Unit	Germany			
National Ministries / Council					
Mr Nýdrlé	Ministry	Czech Republic		Contact managed directly by Eurowag	
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European Commission					
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AOB / open discussion

- AOB : Any other question you would like to raise with the group?
- Payment working group calendar :
 - **April 17th at 10 am CET**
 - May 15th at 10 am CET
 - June 19th at 10 am CET
 - July 17th at 10 am CET
 - September 11th at 10 am CET
 - October 16th at 10 am CET
 - December 4th at 10 am CET