EUROPEAN CENTRAL BANK

EUROSYSTEM

ERPB Secretariat

Assessment of follow-up on ERPB statements, positions and recommendations

1.   Introduction & summary

The aim of this document is to provide an overview on the follow-up of ERPB statements, positions and recommendations for which work is ongoing[1]. The overview serves the purpose of keeping track at the ERPB level on whether ERPB statements, positions and recommendations are followed up with action by relevant stakeholders and, if not, to enable the ERPB to discuss possible remedies. A similar overview is provided for each meeting of the ERPB.

Based on the assessment by the Secretariat further progress was made since the last review on some of the past recommendations made by the ERPB. Overall, the follow-up on ERPB recommendations remains satisfactory. The Secretariat will continue to monitor developments related to these open items and new recommendations and will report back to the next meeting of the ERPB (in June 2021).

---

[1]   The record of past recommendations deemed closed as at 15 November 2019 is available at:
https://www.ecb.europa.eu/paym/groups/erpb/shared/pdf/12th-ERPB-meeting/Follow_-_up_on_past_recommendations.pdf?235684b4ccf985065f56691af48fcdeb

2. Methodology of the assessment

To ensure a better and more user-friendly overview of the status of the follow-up on past ERPB statements, recommendations and positions, a simple traffic light system with four grades is applied:

- Red: means that no significant efforts have been done or there are significant obstacles faced by the relevant stakeholders preventing progress on the given recommendation or issue. Hence, **more attention and efforts are needed in the future and the recommendation or issue requires further attention at the ERPB level.**

- Yellow: means that *either*
  - o efforts have been made on the given recommendation or issue by the relevant stakeholders but further – previously not planned – efforts may be needed *or*
  - o there is a risk that obstacles may arise with regard to further progress on the recommendation or issue

  The recommendation or issue could require further attention at the ERPB level in the future.

- Green: means that all necessary efforts have been made by the relevant stakeholders on the given recommendation or issue and the issue at hand is on track to be fully resolved in the near future. **Barring unexpected developments there is no need for further attention to the matter at the ERPB level.**

- Blue means that due to the necessary efforts made by the relevant stakeholders the given recommendation or issue has been fully followed up / relevant stakeholders are in full compliance with the given recommendation and **the issue is to be treated as closed**.

These traffic lights are complemented by textual remarks / assessment of the follow-up on the given issue or recommendation to provide more detailed information and to underpin the traffic light assessment.

3. Overall assessment of the follow-up and status of ERPB recommendations, stances and statements

Overall, ERPB recommendations and statements made in the past meetings of the ERPB have been followed up by the relevant stakeholders. The majority of traffic light assessments given to the recommendations and other ERPB stances are set to green. Except for progress on recent recommendations related to instant payments at the point-of-interaction (POI), and while acknowledging that some developments have taken place in relation to outstanding ERPB recommendations, there were no changes in the assessment status of such recommendations in July 2020. A number of ERPB recommendations however require further attention by the ERPB and are therefore marked as yellow.

The following provides an overview of the progress made in the period July 2020-November 2020 in the area of instant payments at the POI.

At the ERPB's November 2019 meeting, the ERPB Working Group on Instant Payments at the POI reported on its analysis of the barriers to pan-European reach and usability of instant payments at the POI. The ERPB endorsed a set of recommended follow-up actions to be completed by a new ERPB working group, which was tasked to submit its final report at the November 2020 meeting, with an interim report at the July 2020 meeting.

The new working group focuses on a subset of the recommendations endorsed by the ERPB at its November 2019 meeting, namely those related to the development of a framework to manage interoperability rules and appropriate governance for solutions enabling instant payments at the POI. The working group was also tasked with developing:

- security requirements for payment service user onboarding processes, to be adopted by instant payment service providers and merchants;
- appropriate specifications to enable consumer selection of a preferred payment instrument to conduct a transaction at the POI.

After having provided an interim report at the July 2020 ERPB meeting, the working group provided its final report to the November 2020 ERPB meeting.

Overall, significant progress has been achieved on those recommendations since the July update, by the working group as well as other groups. In particular:

- the working group has finalised a document on an Interoperability Framework for instant payments at the POI.
- the European Payments Council (EPC) multi-stakeholder group on mobile initiated credit transfers (MSG MSCT) has developed a presentation proposing two different views concerning the development of a pan-European label for instant payments at POI.
- the joint task force between the working group and the MSG MSCT has developed a document on security requirements for payment systems users onboarding processes to be adopted by instant payments service providers and merchants

- the MSG MSCT has developed the following documents that have been leveraged by the working group on instant at POI: two documents on the interoperability of MSCTs based on respectively payer-presented and payee-presented data as well as new MSCT use cases involving a payment initiation service provider or a Collecting payment service provider (who collects transactions on behalf of the merchant).

- The joint Task Force between the ERPB WG on instant payments at POI and the European Cards Stakeholder Group (ECSG) has developed a dedicated document that specifies principles and provides an overview on use cases for consumer selection of preferred payment instrument to conduct a transaction at the POI, which was endorsed by the ERPB WG on instant payments at POI for submission as a separate document to the November 2020 ERPB meeting

It is noted that the lack of progress on recommendation ERPB/2019/recI reflects the lack of progress on ERPB/2015/rec16 on the conditions to access the mobile device's contactless interface (see Section 4 for more details).

4. Detailed assessment of follow-up on ERPB statements, positions and recommendations[2]

ERPB recommendations on SEPA Credit Transfer (SCT) – SEPA Direct Debit (SDD) post migration issues made in December 2014

ERPB/2014/rec3: It is recommended to follow up with EU Member States and take appropriate action to ensure the enforcement of EU law related to payment accessibility as stipulated in Article 9, Regulation EU (No) 260/2012.

Addressed to: European Commission and Member States

Status: The SEPA implementation report adopted by the Commission in November 2017 comprehensively reviews the application of the Regulation in the 28 Member States and insists on the need for a continued fight against IBAN discrimination. All but two EU Member States have now correctly implemented the provisions on competent authorities for payment service users (PSUs) - no IBAN discrimination cases have been reported in those countries. The Commission has launched infringement cases against both Member States.

An assessment by the ESCB in the second half of 2018 notes that IBAN discrimination is still an ongoing issue and the ERPB urges national competent authorities to increase their efforts to tackle IBAN-discrimination and resolve complaints by consumers in a timely manner. The lack of action by competent authorities in several other Member States is being addressed by the Commission through a procedure called "EU-Pilot" which allows for direct communication between the Commission and the Member state concerned and is the last step before an infringement case is launched (if needed). Infringement cases were launched against four Member States and are ongoing.

The assessment of the recommendation should thus remain yellow.

Assessment of follow-up: <mark>Yellow</mark>

ERPB/2014/rec13: It is recommended to look for more appropriate attributes in a long term perspective (e.g., Legal Entity Identifier (LEI) as a unique entity identifier) to identify a creditor.

Addressed to: EPC (supported by the European Central Bank and standardisation authorities)

Status: At their first meetings in the 3rd quarter of 2015, the EPC scheme end-user forum (SEUF) and the EPC scheme technical forum (ESTF) had been asked for their position on this topic.

The following main comments were made:

• The LEI might not be the right code but a fiscal code or VAT code could be a reliable alternative.

• The number of LEIs currently issued to creditors is very low compared to the current number of creditors.

• The LEI cannot replace the creditor identifier as the LEI cannot be assigned to private creditors.

• The attribute of the LEI is not foreseen in the ISO 20022 XML message versions used for SCT and SDD transactions. An adaptation via a new version of these ISO 20022 XML message versions would be needed.

At the start of 2017, the EPC analysed the LEI developments. Approximately 300 000 LEIs have been issued in SEPA countries at that point in time. The number of enterprises in the non-financial business economy of the 28 EU countries is 24,4 million (Eurostat 2014).

Given the low number of LEIs issued in SEPA compared to the number of non-financial enterprises in SEPA, the EPC decided not to work further on LEI for the time being.

It is to be noted that no change request related to LEI was received by the EPC from the market for the 2020 change management cycle of the SEPA payment schemes.

---

[2] Based on feedback from the relevant (addressed) stakeholders.

Finally, it must be added that the first release of the Rulebook of the SEPA Request-to-Pay scheme (planned to be published by the EPC at the end of November 2020) has introduced the LEI as a possible identifier.

Assessment of follow-up: No concrete follow-up actions needed at the ERPB level.

ERPB recommendations on pan-European electronic mandates made in December 2014

ERPB/2014/rec25: It is recommended– after putting in place the implementation acts as foreseen in the Regulation (EU) No 910/2014 – to continue to monitor the cross-border usage of qualified electronic signatures and, if needed, take further steps to ensure cross-border usability for payment service providers (PSPs) and PSUs.

Addressed to: European Commission

Status: Regulation 910/2014 ensures interoperability, based on mutual recognition of solutions for public services which should enable also the private sector to use qualified e-signatures on a cross-border level. The European Commission Action Plan insists further on encouraging remote ID recognition (action 11: "The Commission will facilitate the cross-border use of electronic identification and know-your-customer portability based on eIDAS to enable banks to identify customers digitally – Q4 2017"). The Commission launched a dedicated expert group early 2018 to explore these issues further and to analyse whether common EU guidelines are necessary. The group, comprising of regulators, supervisors, financial institutions, consumer groups and representatives from the existing groups composed of experts from Member States on e-identity and anti-money laundering concluded its work in December 2019.

Two reports were then published in February 2020:

1. An overview and assessment of existing remote identification and on- boarding solutions in the banking sector and;

2. Assessing Portable Know Your Customer (KYC)/Customer Due Diligence (CDD) Solutions in the Banking Sector – the Case for an Attribute-Based and Levels of Assurance (LoA)-rated KYC framework for the Digital Age.

Assessment of follow-up: Green

ERPB recommendations and invitations on person-to-person (P2P) mobile payments made in June 2015

ERPB/2015/rec1: Consensus and cooperation between the existing local solutions should be developed by organising a forum for existing EU P2P mobile payment solutions to work on pan-European interoperability. In particular, the forum should come together to develop a set of rules and standards (framework) related to joining and using pan-European mobile payment services. In addition, a governance structure (responsible for, inter alia, defining, publishing and maintaining the framework) needs to be set up.

Addressed to: European Payments Council and existing providers of P2P mobile payment solutions

Status: The Mobile Proxy Forum (MPF) has published the rules for operating, joining and participating to the SEPA Proxy Lookup (SPL).

The MPF came to an agreement on the future governance of the SPL service, which should be set up as part of the EPC.

Following the signing of the transfer of copyright agreement in relation to the SPL rules and the SPL API specification by the EPC and MPF in July 2018, the MPF was disbanded and the EPC started with preparing the implementation of the SPL scheme, for which the finalised rulebook is expected to be

published by the end of 2018. The EPC has assumed its role of SPL scheme manager by establishing a scheme participant group (made up of all registered, committed or "interested" eligible scheme participants) reporting to the EPC Board, as a replacement for the MPF (this group had its inaugural meeting on 27 September 2018). As a second step, the establishment of an SPL Scheme Management Board is planned (not expected to take place before 2022).

The first release of the SPL scheme Rulebook (including API specifications) was published by the EPC in December 2018. The second release of the Rulebook was published in March 2020 with an effective date of 1 June 2020. No decision has been made yet on whether/when to initiate a new change management cycle.

Assessment of follow-up: <mark style="background-color:#00FF00">Green</mark>

ERPB recommendations related to mobile and card-based contactless payments

ERPB/2015/rec8: The ERPB recommends to:
i. Speed up the creation of a single common POI kernel specification for contactless transactions and make the specifications publicly available as soon as possible. (December 2016)
ii. Limit the number of terminal configuration options in the EMV specifications, in order to allow consistency among implementations and provide consumers with a streamlined payment experience across different terminals. (December 2016)
iii. Include a parameter in the EMV specifications that would allow the identification of the form factor of the consumer device used for the initiation of the contactless transaction. (December 2016)

Addressed to: EMVCo

Status: The European Cards Stakeholder Group (ECSG) feasibility study submitted to the November 2017 ERPB meeting confirmed that the best possible long term solution is to use specifications under development by EMVCo ("EMV 2nd Gen").

EMVCo announced to its Board of Advisors on 9 October 2019 that EMV 2nd Gen is no longer the best approach for EMV chip and would not be progressed. EMVCo is working on a viability analysis to deliver a single contactless kernel and the features of EMV 2nd Gen draft specifications that could be incorporated into the existing EMV Chip specifications and related timelines. Following consultation with its industry Associates on the viability assessment in the first half of 2020, EMVCo decided that it would be best to contract independent consultants to undertake the viability assessment. They are expected to report on this work in Q1 2021.

Assessment of follow-up: <mark style="background-color:#FFFF00">Yellow</mark>

ERPB/2015/rec9: The ERPB recommends to:
i. Define an aligned European mandate for the implementation of contactless-enabled POIs, including a specification of where they should be available. The ECB should act as facilitator for this. (June 2016)
ii. Harmonise the level of transaction limits at POIs at country level for each use case/payment context. (Ongoing)
iii. Request the use of open protocols in the POI domain and the POI-to-acquirer domain which are compliant with the SEPA Cards Standardisation Volume and labelled by the Cards Stakeholders Group. (June 2017)
iv. Mandate a common implementation plan for the EMV Next Generation specifications with an appropriate migration period. (December 2017)

Addressed to: Card scheme sector

Status: (i) The great majority of the newly implemented terminals have the contactless capability and in general markets are working to the international schemes' mandates for the deployment of contactless terminals, as terminals accept international schemes in addition to the domestic schemes. In this context, international schemes have mandated POI contactless capability from 2020 on and local schemes are aligned with them.

(ii) The level of transaction limits is harmonised in most countries and the tendency is to increase the contactless transaction amount limit. Due to COVID-19 the limit has increased to 50 euros across several Member States.

(iii) A common implementation plan has not been adopted yet. Next steps in the implementation of the EMV Next Gen specifications may be determined by the market once the specifications are published (reference to ERPB/2015/rec8).

As of 2019 EMVCo has decided to focus on improving EMV 1st Gen from a security view point and in parallel continue their work on EMV 2nd Gen.

Assessment of follow-up: Green

ERPB/2015/rec13: The ERPB recommends to:
i. Agree on and pursue the development of specifications for a "smart secure platform" (enabling the provision of value-added services relying on authentication of the user, regardless of the mobile device, communication channel or underlying technology), taking into account the requirements of mobile payments, and building on the work already done by EMVCo and GlobalPlatform. (December 2017)
ii. Develop implementation guidelines (December 2016) (building on work already done by GlobalPlatform) that
define:
- a process that provides service providers with the credentials for access to secure elements;
- a process that allows a service provider to be authenticated, to securely obtain the credentials to access a mobile device's hardware vaults (i.e. the secure element), and to communicate with these vaults.

Addressed to: European Telecommunications Standards Institute (ETSI)

Status: (i) The specification TS 103 465 gives the requirements for the Smart Secure Platform (SSP). The first version was was published in August 2019. It has been updated since then to introduce new SSP features, commands and interface requirements. The last published version dates from June 2020.

The technical realisations consist of a multipart specification. The first two parts are the SSP general characteristics (TS 103 666-1) and the Integrated SSP (103 666-2). They are available on ETSI website and their last published versions were in October and September 2020, respectively. Part three of the series (TS 103 666-3) deals with embedded SSP (eSSP) Type 1 and was published in July 2020. In addition, a new interface specification for the SSP (TS 103 713) defining SPI interfaces was first published in November 2019; the last revision dates from October 2020. The Smart Card Platform Committee is currently working on the draft of TS 103 666-4 on embedded SSP (eSSP) Type 2, which is expected to be ready by mid-2021. (
(ii) Implementation guidelines have been considered by the SCP Technical Committee and concrete propositions have been identified as a promising future objective that will be further discussed by the Plenary meeting in the upcoming months.

Assessment of follow-up: Green

ERPB/2015/rec14: The ERPB recommends to require mobile devices to be certified in accordance with the future "Smart Secure Platform" being developed by ETSI (see ERPB/2015/rec 13). (December 2018)

Addressed to: Mobile payment service providers

Status: The implementation of this recommendation is dependent on the achievement of ERPB/2015/rec13.

Assessment of follow-up: Green

ERPB/2015/rec16: The ERPB recommends to provide access to the mobile device's contactless interface in order to ensure that the consumer can have a choice of payment applications from different mobile payment service providers, independently of the mobile device and the operating system used. (Ongoing)

Addressed to: Mobile device manufacturers, mobile operating system developers, GSMA/MNOs, and competition authorities

Status: The European Commission (DG-Competition) is aware of the issue and on 16 June 2020 opened investigations, inter alia, into practices regarding access to mobile device's contactless interface (NFC) by a mobile device manufacturer.

Assessment of follow-up: <mark>Yellow</mark>

ERPB recommended requirements on Payment initiation Services (adopted in June 2018)

ERPB/2018/sta1: The ERPB confirmed the technical, operational and business requirements stemming from the November 2017 working group report. Technical requirements should however be considered in light of the developments that occurred since then and in particular in view of the Opinion provided by the EBA and the work of the API Evaluation Group. The ERPB also endorsed the set of additional business and operational requirements stemming from the June 2018 working group report.

Status: With regard to technical requirements, such as those for the Account Servicing PSP (ASPSP)-Third Party Provider (TPP)-interfaces and their functionality, the API Evaluation Group published the final outcome of its work on recommended functionalities on 10 December 2018[3], including those issues where consensus between the API Evaluation Group members has not been possible.

For the operational requirements, relating to PSD2-certificates and operational directory services, the latest version of the ETSI technical standard covering the regulatory technical standards requirements on certificates has been published in March 2019. The EBA register of payment and electronic money institutions under PSD2 went live on 19 March 2019. Multiple providers are offering operational directory services in which ASPSP can check -also in real-time during a payment initiation or account information request- whether the TPP is (still) authorised.

With respect to business requirements, i.e. those relating to event and dispute handling, at least one provider is offering such a mechanism.

(*Note: In order to reap the full benefits of PSD2 for the provision of innovative and competitive payment initiation and account initiation services, the ERPB agreed to define the key elements of a Scheme. In June 2019, the ERPB working group on a SEPA API access scheme concluded that a scheme would be the best approach to unlock the opportunities beyond PSD2 with a fair distribution of value and risk between the actors.*)

Assessment of follow-up: <mark>Green</mark>

ERPB recommendations related to instant payments at the point-of-interaction (adopted in November 2019)

ERPB/2019/recA: The ERPB recommends developing: (i) a dedicated interoperability framework with common rules and procedures, and (ii) a pan-European label and its usage for instant payment at POI solutions. These developments should take into account the work executed under ERPB/2019/recB, ERPB/2019/recC, and ERPB/2019/recD.

Addressed to: ERPB Working Group on instant at POI, Multi-Stakeholder Group on Mobile Initiated Credit Transfers (MSG MSCT)

Status:

The ERPB Working Group on instant payments at POI has finalised a document on an Interoperability Framework for instant payments at the POI that will be submitted to the November 2020 ERPB meeting. Further work on the establishment of the framework with an appropriate governance would be needed subject to ERPB approval.

---

[3]https://www.europeanpaymentscouncil.eu/sites/default/files/kb/file/2018-12/API%20EG%20045-18%20Recommended%20Functionalities%2010%20December%202018.pdf

The MSG MSCT has developed a presentation proposing two different views concerning the development of a pan-European label for instant payments at POI solutions that will be submitted to the November 2020 ERPB meeting for further guidance on the way forward.

Assessment of follow-up: <mark>yellow</mark> *

ERPB/2019/recB: The ERPB recommends developing security requirements for PSU onboarding processes to be adopted by instant payments service providers and merchants. A framework for this should also be developed (see ERPB/2019/recA).

Addressed to: ERPB WG on instant at POI, MSG MSCT

Status: A joint task force between the ERPB Working Group on instant payments at POI and the MSG MSCT has developed a document on security requirements for PSU onboarding processes to be adopted by instant payments service providers and merchants that has been integrated as chapter 10 in the ERPB Working Group document on an Interoperability framework for instant payments at the POI.

Assessment of follow-up: <mark>Blue</mark>

ERPB/2019/recC: The ERPB recommends developing functional and security specifications for interconnectivity of instant payments at POI solutions, including the specification of the minimal data set to be exchanged between consumer and merchant while covering different proximity technologies. This work should serve as input to the work under ERPB/2019/recA.

Addressed to: MSG MSCT

Status:

The MSG MSCT has developed two documents on the interoperability of MSCTs based on respectively payer-presented and payee-presented data whereby minimal data sets have been defined to be exchanged between the consumer and the merchant, independent of the proximity technology used, if used in a uni-directional way. These documents have been leveraged by the ERPB Working Group on instant payments at POI. The MSG MSCT also started to discuss new MSCT use cases involving a payment initiation service provider or a Collecting PSP (who collects transactions on behalf of the merchant) for which the first findings with respect to interoperability were shared with the ERPB Working Group although further work in that respect would be needed. Those findings have been included as Annexes 1 and 2 to the ERPB Working Group document on an Interoperability Framework for instant payments at POI. Further work would still be required by the MSG MSCT concerning the interoperability and process flows of unsuccessful transactions and "R-transactions".

Assessment of follow-up: <mark>Yellow</mark>*
the deadline for this recommendation with respect to specifications for interconnectivity of IPs at the POI solutions based on NFC/BLE is November 2020

ERPB/2019/recD: The ERPB recommends (i) conducting a technical and security analysis on possible proximity conflicts at the POI addressing multiple payment instruments (card payment, instant credit transfers, etc.); (i) developing appropriate specifications to enable consumer selection of preferred payment instrument to conduct a transaction at the POI. This work should serve as input to the work under ERPB/2019/recA.

Addressed to: ERPB WG on instant at POI, MSG MSCT

Status: A joint Task Force between the ERPB Working Group on instant payments at POI and the ECSG has developed a dedicated document that specifies principles and provides an overview on use cases for consumer selection of preferred payment instrument to conduct a transaction at the POI, which was

endorsed by the ERPB Working Group on instant payments at POI for submission as a separate document to the November 2020 ERPB meeting. Further work to develop standards, business and technical requirements as appropriate, leading to interoperable specifications using this document would be needed.

Assessment of follow-up: Blue*

ERPB/2019/recE: The ERPB recommends: (i) analysing the appropriateness of defining new services for SCT Inst, including pre-authorisation, recurring payments, refund, etc.; (ii) updating the SCT Inst rulebook to cover for these services as needed.

Addressed to: EPC

Status: In December 2019 the EPC received three change requests (CRs) from EuroCommerce. These change requests have been submitted to a public consultation as part of the SEPA payment schemes' 2020 change management cycle.

The outcome of the public consultation can be summarised as follows:

- the vast majority of scheme participants supported the EPC recommendation that these CRs cannot be part of the scheme and that the future SEPA Request-to-Pay (SRTP) scheme of the EPC can support these use cases;

- however, some other contributors favoured these CRs; they consider that such features should be part of the SCT Inst scheme rulebook and not just be limited to the SRTP scheme; they pointed out that otherwise service providers wishing to support such use cases would have to adhere to the SRTP scheme which would drive up costs and operational complexity.

Based on the outcome of the public consultation and the input provided by the relevant internal EPC working group and the two SEPA Payment Scheme Stakeholder Fora, the EPC Scheme Management Board meeting decided to not include these three CRs in the 2021 SCT Inst scheme rulebook.

In parallel, the EPC and EuroCommerce had two bilateral discussions dedicated to their three CRs.

The outcome of those discussions was that the use cases under the "Initial payment with unknown final amount" and "instalment payment" items might best be covered by the second version of the SRTP scheme planned to be published in November 2021, as suggested by the EPC.

As for the "refund" item, the EPC provided EuroCommerce with more information on the possibility already existing in the SCT Inst scheme to label an SCT Inst instruction as a 'Repayment' and agreed to investigate whether the pain.001 message supports the inclusion of the original SCT Inst instruction reference (as a consequence, also the inter-PSP pacs.008 message) as requested by EuroCommerce. This investigation is still ongoing.

Assessment of follow-up: Yellow

ERPB/2019/recF: The ERPB recommends analysing the possibility of introducing a "Confirmation of payee" service in the context of the SEPA credit transfer schemes.

Addressed to: EPC

Status: A multi-disciplinary feasibility work is ongoing within the EPC including an attempt to assess quantitatively authorised push payment fraud in Europe. There is a dependency on the EBA/ECB payment fraud statistical reporting framework's implementation for obtaining authorised push payment fraud data. Further analysis is planned for 2021.

Assessment of follow-up: Yellow*

ERPB/2019/recG: The ERPB recommends identifying the requirements for the development of dedicated specifications to cover the integration and maintenance of multiple payment solutions in the merchant environment.

Addressed to: EuroCommerce

Status: EuroCommerce has identified a set of requirements for the development of dedicated POI specifications in its update for the July 2020 ERPB meeting. A small team consisting of the Co-Chairs of the ERPB Working Group, the Chair and Vice-Chair of the ECSG and the Co-Chairs of the MSG MSCT with the support of the ERPB Working Group Secretariat has further developed a list of recommendations on how the different topics could be addressed, which it has submitted to the November 2020 ERPB meeting.

Assessment of follow-up: Blue

ERPB/2019/recH: The ERPB recommends investigating the authentication models for strong customer authentication at physical POIs supported by the consumer's ASPSP when a PISP is involved and the related impact on the consumer's experience, compliant with legal requirements.

Addressed to: EC, EBA and other relevant stakeholders

Status: The European Banking Authority, in cooperation with the European Commission, developed an Opinion on obstacles under Article 32(3) of the regulatory technical standards on strong customer authentication and secure communication (published on 4 June 2020) which addresses a number of issues raised by market players, including mandatory redirection at the point-of-sale and the authentication procedures that ASPSPs' interfaces are required to support. In the Opinion, the EBA clarifies that "the method(s) of carrying out the authentication of the PSU (i.e. redirection, decoupled, embedded or a combination thereof) that ASPSPs should support will depend on the authentication procedures made available by the ASPSP to its PSUs and should support all these authentication procedures". The Opinion also states that "If the interfaces provided by ASPSPs do not support all the authentication procedures made available by the ASPSP to its PSUs, this would be a breach of Article 30(2) RTS and an obstacle under Article 32(3) RTS".

The EBA option addresses the aspect of compliance with legal requirements entailed in this recommendation. ERPB/2019/rec H also implies an element of stocktake that is yet to be addressed by the relevant stakeholders. The implementation of the EBA opinion and possible future market developments would have a bearing on this exercise.

Assessment of follow-up: Yellow*

ERPB/2019/recI: The ERPB recommends investigating the provisioning of access to all mobile device features (e.g. the contactless interface) in order to ensure that the consumer can choose between payment applications from different mobile payment providers, independently of the mobile device and the operating system used.

Addressed to: Competition authorities, mobile device manufacturers, mobile operating systems developers and GSMA/MNOs

Status: The European Commission (DG-Competition) is aware of the issue and on 16 June 2020 opened investigations, inter alia, into practices regarding access to mobile device's contactless interface (NFC) by a mobile device manufacturer.

Assessment of follow-up: Yellow

ERPB/2019/recJ: The ERPB recommends coordinating in cooperation with the instant payments at POI service providers an institutional communication campaign of the ERPB members to increase the familiarity with instant payments at POI solutions (in-store and e- and m-commerce). The communication

campaign should result in the creation and distribution of informative material on instant payments at POI payment solutions to all ERPB members and affiliates. Moreover, ERPB members and the ECB are requested to make the informative material produced available on their websites.

Addressed to: EPC, consumer and retailers associations, public sector

Status: No specific communication action has been undertaken at this stage as it is still premature, apart from what is published of the MSCT MSG and relevant ERPB working group work.

Assessment of follow-up: NA*

*the deadline for this recommendation is mid-2021