

EPC214-21
Version 1.0
Date issued: 3 November 2021
EPC

European Payments Council AISBL,
Cours Saint-Michel 30 B-1040 Brussels
T +32 2 733 35 33
Enterprise N°0873.268.927
secretariat@epc-cep.eu

Public

Approved

SEPA Payment Account Access (SPAA) Scheme : Status Update to the 25 November 2021 Meeting of the Euro Retail Payments Board (ERP/2021/021)

1 Background

At its 28 June 2021 meeting, the ERPB considered the report from the ERPB Working Group on a SEPA API Access Scheme and invited the EPC to take up the role of scheme manager in relation to payment accounts, in line with the requirements defined in the report. The ERPB also noted that the EPC would need to inter alia ensure there is adequate stakeholder involvement and alignment with the relevant actors (e.g. standardisation initiatives and directory service providers) and regulatory bodies in the ecosystem and to promote the scheme's adoption. The EPC was furthermore invited to provide an update on the progress of this work for the November 2021 meeting of the ERPB.

At its 29 September 2021 meeting, the EPC Board decided to establish the SEPA Payment Account Access Multi-Stakeholder Group (SPAA MSG) in order to launch the preparatory 'phase 0' related to the development of the SPAA scheme and approved its terms of reference (see annex I) as well as its composition (see annex II), resulting from a call for candidates that was launched on the EPC website on 30 August 2021.

The EPC Board moreover decided to postpone its final response to the ERPB's invitation until its 24 November 2021 meeting and agreed that the acceptance of this invitation would inter alia be conditional upon the outcome of the preparatory work done by the SPAA MSG (see section 2), providing the Board with the necessary clarity regarding the scope of the future SPAA scheme.

2 SPAA MSG activities to date

As stipulated in its terms of reference, the SPAA MSG will be responsible for the development of a SPAA scheme (subject to the EPC Board's decision on assuming the role of SPAA scheme manager) - with the legal and regulatory requirements of PSD2 constituting the 'baseline', but also going beyond such baseline to encompass value-added ('premium') services that may be provided in the context of 'open banking' as a natural evolution of PSD2 - in line with the requirements defined in the June 2021 report of the ERPB Working Group on a SEPA API Access Scheme.

The (virtual) 'kick-off' meeting of the SPAA MSG took place on 6 October 2021. As a first priority, the SPAA MSG is tasked with i) reaching an agreement on the scheme's concrete scope and prioritised requirements and ii) creating a scheme development plan which takes into account a

phased approach in line with prioritised business needs, for approval by the EPC Board in November 2021.

A second SPAA MSG meeting took place on 27 October 2021, which mainly focused on the continuation of the clarification of the detailed scope of the future SPAA scheme.

The terms of reference, the membership list, the approved agendas of the first two meetings as well as the approved minutes of the ‘kick-off’ meeting have been published on the EPC website¹.

The ECB and European Commission participate in the SPAA MSG as observers.

3 Next steps

The SPAA MSG has scheduled meetings on 8 November and 19 November 2021 to finalise its work related to the preparatory phase of the development of the future SPAA scheme.

The EPC’s response to the ERPB invitation to assume the role of SPAA scheme manager will be communicated verbally at the 25 November 2021 meeting of the ERPB, following the decision taken by the EPC Board at its 24 November 2021 meeting.

Moreover, to ensure maximum stakeholder involvement and contribution (in addition to the creation of the SPAA MSG), the EPC is expected to set up a dedicated SPAA scheme’s interest group towards the end of 2021, consisting of volunteering non-EPC Members not represented in the SPAA MSG but interested in participating in the work on the development of a SPAA scheme. This interest group will not meet but will at regular intervals receive the unpublished draft deliverables of the SPAA MSG for input with such contributions to be fed into the work of the SPAA MSG. To this end, a call for participants was launched on the EPC website² on 25 October 2021.

¹ <https://www.europeanpaymentscouncil.eu/what-we-do/sepa-payment-scheme-management/dialogue-stakeholders>

² <https://www.europeanpaymentscouncil.eu/news-insights/news/call-participants-sepa-payment-account-access-spaa-schemes-interest-group>

Annex I:

Terms of reference of the SEPA Payment Account Access Multi-Stakeholder Group (SPAA MSG)

1 Mission and Objective

The SEPA Payment Account Access Multi-Stakeholder Group (“SPAA MSG”) is established by the Board following an invitation from the ERPB at its 28 June 2021 meeting for the EPC to take up the role of manager of a pan-European scheme in relation to access to payment accounts - with the legal and regulatory requirements of PSD2 constituting the 'baseline', but also going beyond such baseline to encompass value-added ('premium') services that may be provided in the context of 'open banking' as a natural evolution of PSD2, within the contractual framework of a scheme - in line with the requirements defined in the June 2021 report of the ERPB Working Group on a SEPA API Access Scheme³.

The main objective for the first phase of the work of the SPAA MSG is to develop a SPAA rulebook covering prioritised business requirements, for Board approval and subsequent publication on the EPC Website by November 2022.

2 Scope of Work

The SPAA MSG will be responsible for the development of a SPAA scheme in relation to access to payment accounts - with the legal and regulatory requirements of PSD2 constituting the 'baseline', but also going beyond such baseline to encompass value-added ('premium') services that may be provided in the context of 'open banking' as a natural evolution of PSD2 - in line with the requirements defined in the June 2021 report of the ERPB Working Group on a SEPA API Access Scheme.

3 Deliverables

The SPAA MSG will develop as main deliverable a SPAA rulebook which will consist of a set of rules, practices and “standards”⁴ that will allow the exchange of payment accounts related data and transactions in the context of 'value-added' services provided by asset holders⁵ (e.g. ASPSPs)

³ [https://www.ecb.europa.eu/paym/groups/erpb/shared/pdf/15th-ERPB-meeting/Report from the ERPB working group on a SEPA API Access Scheme.pdf?52770756a713895bdc4fd072873346be](https://www.ecb.europa.eu/paym/groups/erpb/shared/pdf/15th-ERPB-meeting/Report%20from%20the%20ERPB%20working%20group%20on%20a%20SEPA%20API%20Access%20Scheme.pdf?52770756a713895bdc4fd072873346be)

⁴ The EPC may develop and promote industry standards, rules, guidelines, codes of practice or standard terms and conditions for agreements, in accordance with the relevant stipulations of the European Commission’s “Guidelines on the applicability of Article 101 of the Treaty on the Functioning of the European Union to horizontal co-operation agreements” (the “Horizontal Guidelines”), as amended from time to time. The concrete scope of the term “standards” is to be clarified by the SPAA MSG in due course in accordance with the mentioned Guidelines. Also see section 5 which refers to the SPAA Scheme ‘implementation guidelines’ and the expected cooperation with European standardisation initiatives in this regard.

⁵ The entity that holds the assets. An asset holder is not necessarily the same entity as the data owner. In the context of PSD2 an asset holder would be an ASPSP.

to asset brokers⁶ (e.g. TPPs). The definition of business conditions for value-added ('premium') services will also be part of the scope of the work of the SPAA MSG.

One of the first deliverables of the SPAA MSG will be a scheme development plan which takes into account a phased approach in line with prioritised business needs, for approval by the Board in November 2021 ('phase 0').

A draft of the first version of the SPAA scheme rulebook will be subject to a public consultation before Summer 2022. The final draft of the first version of the SPAA scheme rulebook will be submitted by the SPAA MSG to the Board for approval at the November 2022 meeting of the Board, prior to its publication on the EPC Website.

All intellectual property rights, copyright and rights of development and disposal related to the deliverables of the Group reside exclusively with the EPC.

In addition, the SPAA MSG will in due course recommend - for Board approval - the governance and funding model for the SPAA scheme, to be established once the scheme is in full operational mode.

4 Group Composition

The Group will consist of a maximum of 31 members and will be composed as follows:

- Representing asset holders⁵: 8 members.
- Representing asset brokers⁶: 8 members.
- European associations that represent a specific category of PSPs and are members of the Euro Retail Payments Board (ERP/2021/021): 6 members.
- European Consumer Organisation: 1 member.
- European Association of Corporate Treasurers (EACT): 1 member.
- SMEUnited: 1 member.
- EuroCommerce: 1 member.
- Ecommerce Europe: 1 member.
- Technical providers: 4 members.

The ECB and European Commission will be invited as Observers.

A call for candidates will be initiated by the EPC Secretariat and published on the EPC Website. The observers will be invited directly by the EPC.

The composition of the Group shall seek to achieve a fair and diverse representation of relevant stakeholders and types of players while taking into account the mission and objective of the Group. The Board shall have complete discretion in deciding on the final composition.

The Group will be co-chaired by a member representing asset holders and another member representing asset brokers, who will be elected by the Board. The two co-chairs will come either from within the respective contingent of asset holders and asset brokers or from the European associations that represent a specific category of PSPs and are members of the ERP/2021/021 whilst satisfying the same requirement that the co-chairs represent asset holders and asset brokers respectively (see above).

⁶ The entity that uses assets (e.g. data) from the asset holder, with permission of the asset owner, to deliver value to the end users. Value is being driven by either consumer or corporate demand. In the context of PSD2, a TPP would be an asset broker.

The co-chairs will be senior managers with relevant business and practical experience and with the available time and commitment. The co-chairs will be responsible for proactively guiding the Group in meeting its deliverables and ensuring coherence with its objectives. The Group will report to the Board.

The nominated members of the MSG are expected to be senior experts in the field of electronic payments - in particular in the context of access to payment accounts - and are familiar with the related technical documentation and “standards” (e.g. API). They should have the ability and mandate to properly represent their institutions and their communities, be able to devote the necessary time to the Group and be proficient in English as the working language.

One alternate may be appointed to each member. An alternate shall be appointed for the duration of the mandate of the relevant member and may only attend a Group meeting when the relevant Group member is unable to attend such meeting.

The Secretary of the Group will be provided by the EPC Secretariat. The Secretary supports the co-chairs and is accountable for ensuring compliance with EPC processes.

5 Group Organisation

The Group will meet physically⁷ or by telephone/video conference, according to the demands of its scope of work.

Calls for meetings and agendas will be issued at least two weeks in advance and meeting papers will be provided at least one week in advance barring exceptional cases. Minutes will be made available by the EPC Secretariat to all Group members, observers, and their alternates, as soon as possible and within one month of the meeting.

The SPAA MSG can decide to set up work blocks for the elaboration of the agreed deliverables requiring specific skills and knowledge. The SPAA MSG will designate the chair (or co-chairs) and outline the mandate, scope and deliverables (including the timeline) of these work blocks. The work blocks will report to the SPAA MSG. In this context the SPAA MSG is expected to cooperate with the major European standardisation initiatives active in the field of ‘PSD2 APIs’ to ensure that any SPAA scheme ‘implementation guidelines’ that will be created are in line with the scheme's functional requirements and the respective API specifications. A specific work block for this specific task is expected to be established when appropriate.

The Group will develop its recommendations on the basis of broad consensus. In circumstances where such consensus is not achievable, and the matter is appropriate for the conduct of a vote, a vote may be taken and, for this to be binding on the group, a 3/4 majority on the basis of a quorum of 2/3 of the Group membership must be obtained. In the event of a serious divergence of views, reference will be made to the Board for advice and guidance.

When reporting the outcome of Group deliberations and recording them in minutes, reference will be made to both majority and minority positions if applicable.

6 Mandate

⁷ Subject to the applicable COVID-19 pandemic-related sanitary measures.

The Group holds its mandate from and is accountable to the Board. The Group will operate under these Terms of Reference from its inception. It will hold its mandate until otherwise directed by the Board.

The members of the Group will at all times execute their mandate in accordance with the stipulations of the EPC Code of Conduct on competition law (EPC212-14), as amended from time to time.

7 Data Protection

Members of the SPAA MSG should as a matter of principle refrain from processing any personal data accessed or obtained through their membership of the Group, unless and to the extent required to fulfil their normal SPAA MSG membership duties, as described in the present Terms of Reference or in any other relevant procedural or policy document (e.g. By-Laws, Internal Rules).

This principle shall apply mutatis mutandis to any observers, guests or other third parties (partly) attending one or more meetings of the Group.

The EPC Data Protection and Privacy Policy (document EPC024-18) provides further guidance in this context.

Annex II:**Membership of SEPA Payment Account Access Multi-Stakeholder Group (SPAA MSG)**

Name	Institution	Country
Co-Chairs		
Arturo González Mac Dowell	Tink	EU
Christian Schaefer	Deutsche Bank (supported by the three ECSAs)	Germany
Members		
Hendrik Muus	PSA	Austria
Alessia Benevelli	ESBG	EU
Gijs Boudewijn	EBF	EU
Jasper De Meyer	BEUC	EU
Krzysztof Korus	EPIF	EU
Marieke Van Berkel	EACB	EU
Massimo Battistella	EACT	EU
Michel Van Mello	EuroCommerce	EU
Ralf Ohlhausen	ETPPA	EU
Tarik Zerkti	PRETA S.A.S.	EU
Thaer Sabri	EMA	EU
Suvi Rautakorpi	Finance Finland	Finland
Fanny Rodriguez	Bankin' and Bridge	France
Géraldine Debost	Crédit Agricole S.A. (nominated by the French banking community)	France
Gildas Le Louarn	Linxo	France
Hervé Robache	STET (nominated by the French banking community)	France
Caroline Jenke	FinTecSystems GmbH	Germany

Christian Wenz	PPI AG	Germany
Hartwig Gerhartinger	Paysafe Group	Germany
Hermann Fürstenau	Association of German Public Banks (VÖB) (nominated by GBIC)	Germany
Jack Wilson	TrueLayer	Ireland
Alessio Castelli	CBI S.c.p.a.	Italy
Andrea Cogerino	Intesa Sanpaolo (nominated by ABI)	Italy
João Sarilho	SIBS (nominated by Association of Portuguese Banks)	Portugal
Jens Olsson	Trustly	Sweden
Daniel Morgan	Plaid	The Netherlands
Rob van Bergen	ING (nominated by the Dutch Payments Association)	The Netherlands
Alternates		
Anni Mykkänen	EBF	EU
Jean Allix	BEUC	EU
Nickolas Reinhardt	EPIF	EU
Pascal Spittler	EuroCommerce	EU
Ruth Mitchell	EMA	EU
Alessandro Impellizzeri	CBI S.c.p.a.	Italy
Martijn Bos	Plaid	The Netherlands
Observers		
Julia Weits	European Commission	EU
Kerstin Junius	European Central Bank	EU