

Exchange of VAT-relevant payment data - Survey for payment industry actors

Fields marked with * are mandatory.

Background

On 18 February 2020, the Council adopted a legislative package to transmit and exchange payment data in order to improve the fight against e-commerce VAT Fraud[1].

In order to implement this legislative package, the European Commission will work with Member States and actors of the payment industry in an expert group that will assist the Commission with the different elements of the implementation. The results of the survey will be used to organise and feed the work of the expert group.

The package creates new reporting obligations for payment service providers established in the EU, which will require them to transmit data on the beneficiary (“payee”) of cross-border payments to tax authorities. Only payment service providers listed in article 1, points (a) to (f) of Directive (EU) 2015/2366[2] (“PSD2”) and providing payment services laid down in points 3 to 6 of Annex I to the PSD2 will be subject to the reporting obligation.

Payment service providers will have to monitor cross-border payments (both inbound and outbound) using the rules laid down in article 243c of the amended Directive (EU) 2006/112, to determine the origin and destination of a payment and its cross-border nature. They will also need to monitor the amount of cross-border payments received per payee. Only data on payees receiving more than 25 cross-border payments per quarter will be transmitted to tax authorities.

The list of data to be transmitted is laid down in article 243d of the Amended Directive (EU) 2006/112 and includes:

- The Business Identification Code (BIC) or any other business identifier code that unambiguously identifies the payment service provider providing the data;
- The name or business name of the payee;
- Any VAT identification number or tax number if available to the payment service provider;
- The IBAN or any identifier which unambiguously identifies the payee and his location;
- The BIC or any business identifier code that unambiguously identifies the payment service provider acting on behalf of the payee and its location, when the payee receives funds without any payment account;
- The address of the payee if available; The date and time of the payment or payment refund;

- The amount and the currency of the payment or payment refund;
- The reference of the payment; Information that the payment is initiated at the physical premises of the merchant;
- The Member State of origin of the payment or the Member State of destination of the refund.

The reporting will be done on a quarterly basis to the Member State where the payment service provider has its registered office or its head office (“the home Member State”). When the payment service provider also provides payment services, or has a branch or an agent, in another Member State (“the host Member State”), then the data related to these services should be reported in that Member State.

Finally, to ensure the proportionality of the system, only the payment service providers of the payers will have to report information on cross-border payments made to third countries/territories (extra-EU payments). Similarly, only the payment service providers of the payees will have to report cross-border payments made to another EU Member States (intra-EU payments).

The collection of data under this survey is performed in accordance with the privacy statement attached.

- [1] [Council Directive \(EU\) 2020/284 of 18 February 2020 amending Directive 2006/112/EC as regards introducing certain requirements for payment service providers \(OJ L 62, 2.3.2020, p. 7\)](#)
[Council Regulation \(EU\) 2020/283 of 18 February 2020 amending Regulation \(EU\) No 904/2010 as regards measures to strengthen administrative cooperation in order to combat VAT fraud \(OJ L 62, 2.3.2020, p. 1\)](#)
- [2] [Directive \(EU\) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation \(EU\) No 1093/2010, and repealing Directive 2007/64/EC, \(OJ L 337, 23.12.2015, p. 35–127\)](#)

Section I - Identification

1 Contact details

	Name	Mail address
* Please provide your contact information or those of a contact person within your organisation (name, e-mail address)	1) Agnieszka Janczuk-Gorywoda 2) Marieke van Berkel	1) agnieszka.janczuk@eacb.coop 2) Marieke.vanBerkel@eacb.coop

2 Transparency Register (for business association, payment association)

	Number
Please provide your registry number in the Transparency Register if available	4172526951-19

* 3 Do you agree with the publication of your contribution

- Yes
- No

* 4 To which of the following categories do you belong?

As defined by Article 1 of the Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, the so-called Payment Service Directive 2 (PSD2).

- Payment Service Provider (as defined in Article 1 PSD2)
- Payment Service Provider Association
- Governance Authority of a Card Payment Scheme
- Governance Authority of a Credit Transfer Scheme
- Governance Authority of a Direct Debit Scheme
- Operator of a Clearing and Settlement Mechanism
- Merchant
- Payment Service Users Association
- Other

* 6 What type of payment service provider are you/ do you represent?

- Credit institution
- E-money institution
- Payment Acquirer
- Payment Card Issuer
- Money Remittance Institution
- Payment Initiator
- Third-Party Payment Processor
- Post office giro institution
- Payment Institution
- Other

* 10 Which of the following payment methods do you offer/represent ?

Multiple answer (select all that apply)

- Credit or delayed debit card
- Debit card
- E-wallet
- Mobile payment solution
- Credit transfer
- Direct Debits
- E-money payment transactions
- Money remittance
- Crypto assets
- Others

Section II - Scope of the proposal

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12 According to article 243a(1) to (3), the Commission has identified the following market categories of payment service providers to be in scope of the proposal.

- Three party card scheme
- E-money provider
- Acquirer
- e-Wallet provider
- Money Transfer operator
- Issuer of payment instruments
- Payment Processor
- E-payment
- Payment collector

Do you agree that this list includes all the categories of payment service providers that will be subject to the reporting obligation under this legislative package ?

- Yes
 No

* 14 According to article 243b(3) of the amended Directive (EU) 2006/112, only the payment service provider of the payer will have to report payments to non-EU country, while only the payment service provider of the payee will have to report payments to other Member States. What are the methods you use to determine whether you are the payment service provider of the payer or the payee ?

- Contractual relationship with the payer/payee
 Issuing payment instruments for payment service providers having contractual relationship with the payer
 Acquiring payments for payment service providers having contractual relationship with the payee
 Processing payment transactions for payment service providers having contractual relationship with the payer/payee (subcontracts)
 Other

Section III - Monitoring

* 16 Article 243c of the amended Directive (EU) 2006/112 laid down the proxies to be used by payment service providers to determine the localisation of the payer and the payee. If you are the payment service provider of the payer, how do you identify the localisation of the payer ?

- IBAN
 any other identifier which unambiguously identifies the payer
 the BIC of the payment service provider acting on behalf of the payer
 Any other business identifier code that unambiguously identifies the payment service provider acting on behalf of the payer

* 17 Please specify what kind of identifier ?

Identifier depends on the payment instrument, for instance:
- for credit transfers and direct debits it could be IBAN of the payer;
- as regards cards, some members consider PAN to be relevant; in some cases the identifies may be in the client database.

* 18 Article 243c of the amended Directive (EU) 2006/112 laid down the proxies to be used by payment service providers to determine the localisation of the payer and the payee. If you are the payment service provider of the payer, how do you identify the localisation of the payee ?

- IBAN
- any other identifier which unambiguously identifies the payee
- the BIC of the payment service provider acting on behalf of the payee
- Any other business identifier code that unambiguously identifies the payment service provider acting on behalf of the payee

* 19 Please specify what kind of identifier ?

The Identifier depends on the payment instrument. For specific payment instruments, such as card payments, a feasible identifier should be determined by the expert group in order to enable consistent application.

In terms of information present in the payment transactions:

- For Credit transfers/Direct debits inside the EU, the IBAN of the payee is the right information
- For Credit transfers to outside the EU, the account number of the payee and/or the BIC of the payee's PSP shall be used
- For card transactions, a feasible identifier for the payee should be determined by the expert group in order to enable consistent application.

We want to stress that, for CTs and DDs, IBAN / BIC reveals the localization of the PSP. For example, Finnish company may have bank account in Belgium. In that case the IBAN / BIC is pointing to Belgium. It is important that banks are allowed to conclude in this context that the IBAN/BIC indicates the localization of the payee/payer.

* 20 Article 243c of the amended Directive (EU) 2006/112 laid down the proxies to be used by payment service providers to determine the localisation of the payer and the payee. If you are the payment service provider of the payee, how do you identify the localisation of the payer ?

- IBAN
- any other identifier which unambiguously identifies the payer
- the BIC of the payment service provider acting on behalf of the payer
- Any other business identifier code that unambiguously identifies the payment service provider acting on behalf of the payer

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* 22 Article 243c of the amended Directive (EU) 2006/112 laid down the proxies to be used by payment service providers to determine the localisation of the payer and the payee. If you are the payment service provider of the payee, how do you identify the localisation of the payee ?

- IBAN
- any other identifier which unambiguously identifies the payee
- the BIC of the payment service provider acting on behalf of the payee
- Any other business identifier code that unambiguously identifies the payment service provider acting on behalf of the payee

* 23 Please specify what kind of identifier ?

The Identifier depends on the payment instrument. For specific payment instruments, such as card payments, a feasible identifier should be determined by the expert group in order to enable consistent application. Nevertheless the PSP of the payee shall have the necessary details of the payee on file.

In terms of information present in the payment transactions:

- For Credit transfers/Direct debits inside the EU, the IBAN of the payee is the right information
- For card transactions, a feasible identifier for the payee should be determined by the expert group in order to enable consistent application.

Again, we want to stress that, for CTs and DDs, IBAN / BIC reveals the localization of the PSP. For example, Finnish company may have bank account in Belgium. In that case the IBAN / BIC is pointing to Belgium. It is important that banks are allowed to conclude in this context that the IBAN/BIC indicates the localization of the payee/payer.

* 24 What are, according to you, the main challenges in monitoring the threshold of 25 cross-border payments received per payee ?

- Payee has multiple payment accounts in a single Member State
- Payee has multiple payment accounts in various Member States
- Multiple intermediaries in the payment chain
- Payee has several payment accounts with different names
- Other

* 25 If other, please specify ?

It is stated in Article 243b(2) that the number of cross-border payments 'shall be calculated by reference to the payment services provided by the payment service provider per Member State and per identifier as referred to in Article 243c(2)'. As PSPs have the obligation only to consolidate per identifier, we do not understand why the question refers monitoring the threshold per payee.

In case of intra-EU transactions, it is the payee's PSP that has to report. In practice, for this PSP, the monitoring of the threshold can only be made account per account. Indeed:

- Multiple payment accounts in a single Member State is already a challenge because PSPs are not organized and equipped to monitor the thresholds per payee.

- The above is even more true for multiple payment accounts in various Member States; furthermore, in such case the report is to be made to the fiscal authority of each state separately. Therefore, the 25 payments rule can apply only country by country and within each country account per account.

- As PSP of the payee, the presence of intermediaries has no impact

- Regarding KYC rules, if a payee has several accounts with different names it means for the PSP different customers (for instance same person detaining several companies). The 25 payments rule should apply here account by account.

As PSP of the payer, in case of payments to outside the EU, it is not possible to monitor the threshold because the payer's PSP does not bundle transactions by payee and does not archive any beneficiary name as far as there was no AML-TF hit on the payment.

In addition to this, we have identified the following challenges for monitoring the threshold:

1- Mixed use of payments services (i.e. e-money, money transfer, credit transfer)

2 - If and how to count R-transactions

3 - Multiple payments instruments to be aggregated to reach the threshold

4 - For card payments there is no unique identifier of the payee defined yet. There could be a trade name, of which the same merchant can use several.

Section IV - IT systems arrangements

* 26 Do you think the expert group should discuss IT systems arrangements (e.g. filters, extraction of data) to comply with the proposal ?

Yes

No

* 27 Please specify why ?

Besides generating content for COM guidelines, the expert group should also be able to discuss practical challenges and best practices (e. g. usage of existing reporting schemes and as a general rule no new interfaces).

- In order to avoid defining impractical requests and to standardize data in order to be unambiguous and to analyse the technical feasibility of the proposals.

- IT solutions may be different and common goal has to be clearly defined, centralized vs decentralized.

- Complex data gathering; potential new payment identifiers; data control algorithm if monthly contributions are expected.

Section V - Reporting

* 30 According to article 24b of the Amended Regulation, the transmission of data to Member States must be done using an harmonised electronic form. Which of the following option do you see as most appropriate to develop this form ?

Use of different standard file formats per payment method (one for credit transfer, one for card payments, one for e-money, ...) and per intra-EU or extra-EU payments (i.e. different standard file formats will be created for each payment method and for intra-EU and extra-EU payments)

Use of different standard file formats per payment method (one for credit transfer, one for card payments, one for e-money, ...) only (i.e. different standard file formats will be created for each payment method and include intra-EU and extra-EU payments)

- Use of a single standard file format for all payment methods but different for intra-EU or extra-EU payments (i.e. two standard file formats will be created, one for intra-EU and one for extra-EU payments)
- Use of a single standard file format for all payment methods and intra-EU or extra-EU payments (i.e. all types of payments will be reported in a single standard electronic form)
- Other

* 31 If other, please specify ?

We received hugely diverse answers. We believe it will be for the experts to discuss.

32 The records containing data fields are to be constructed in a CSV, JSON or XML format (specific format to be defined). In this regard, which data format would you prefer?

Please tick the box that corresponds to your preferred option

	CSV	JSON	XML	Other format
* a) Type of data format	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

* 33 Please detail which "Other format" you prefer and why ?

Maximum 5 rows

We received diverse answers from our members.

* 34 According to article 243b(4) of the amended Directive (EU) 2006/112, payment service providers will have to report the transaction to their home Member States or to the host Member States when they provide payment services or have an agent or branch in that Member State. Do you think explanatory notes are needed to determine when the reporting should take place in the home or host Member State ?

- Yes
- No

* 35 Please specify what elements are unclear to you ?

Among the issues that are unclear are:

- Reporting due dates across all Member States;
- Common definition
- What is to be reported to which authority in case of use of a passport for freedom to provide services or of a passport for freedom of establishment.

* 36 Pursuant to article 243d (1)(c) payment service providers will be required to transmit the VAT or tax number of the payee when it is available. Do you request your business clients to provide you with their VAT/tax number ?

- Yes
- No

* 40 Pursuant to article 243d (2)(d) payment service providers will be required to transmit the unique identifier of each payment transaction. What standards do you use to establish these identifiers ?

Multiple answer (select all that apply)

- ISO 20022
- CAPE
- ISO 8583
- Other

* 41 If other, please specify what standards are used ?

This depends on the specific payment instrument used, for example, in case of SWIFT payments, the unique identifier is the reference number provided by the payer. In addition, some banks generate their own unique identifiers.

* 42 Pursuant to article 243d (2)(a) Payment service providers will be required to transmit the date and time of the payment transaction. Which of the following option do you think would be the most appropriate ?

- Date and time of the authorisation response
- Date and time of the execution of the payment (e.g. daily aggregation)
- other

* 43 If other, please specify ?

For credit transfers and direct debits the date of the execution of the payment is the most appropriate. However, the time is not relevant and usually not even available.

For card payments the authorisation data should not be used, as:

- not all card payments are preceded by an authorisation message.
- not all card payment authorisations result in an executed transaction
- the amount of the transaction might differ between authorisation and clearing, for currency exchange or for other reasons
- It would put an extreme additional burden on card PSPs to be required to use data from both clearing and authorisation systems, and match authorisation data on time and date, if existing, with the corresponding clearing transaction to be reported.

The date and time of interbank settlement between PSPs should be irrelevant in the case of card payments, as there is no link between this and acquirer-merchant settlement or the issuer-cardholder settlement – all these three settlements are executed independently once the clearing message is sent. It could be discussed if the execution date in this case is the clearing date or the customer settlement date (issuer charging cardholder account and acquirer payout to merchant). For issuers there could also be differences between debit cards and credit cards, if customer settlement date is to be used.

* 44 Pursuant to article 243d (2)(e), payment service providers will be required to transmit information on payments done at the premises of the merchant (POS). What code or standards do you use to determine whether a payment is a POS payment ?

- ISO 20022
- CAPE
- ISO 8583
- Other

* 45 If other, please specify what standards are used ?

- 1) Many different standards are being used.
- 2) The information of the presence or not of the payer in the premises of the merchant is not captured in the systems and is not provided in the payments. It will also very much depend on what type of transaction is being performed at the POS. To be looked into by the expert group.

Section VI - Technology

* 46 Have you had any experience from reporting payment data to tax authorities within the EU ?

- Yes
 No

* 50 Have you had any experience from reporting payment data to tax authorities outside the EU?

- Yes
 No

54 What would be the minimum time you need to implement the obligations (i.e. the fastest you could implement the necessary changes) ?

Please tick the box that applies

	0 – 6 months	6 – 12 months	12 – 18 months	18 - 24 months
* a) please approximate the time needed (in months)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Section VII - Statistics

55 Pursuant to article 243b of the amended Directive (EU) 2006/112, payment service providers shall transmit records on the beneficiary (the payee/seller) of cross-border payments when the threshold of 25 payments received per calendar quarter is exceeded. Information on the payee should then be transmitted to the home or the host Member State(s), when the payment service provider provides payment service or has an agent or branch in another Member State than its home Member States.

Please tick the box that applies

	1-5 Member States	6-10 Member States	11-15 Member States	16-20 Member States	More than 20 Member States
a) for intra-EU payments (coming from Member States), in how many EU Member States do you expect to transmit payment data as the payment service provider of the payee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) For extra-EU payments (going to third country), in how many EU Member					

States do you expect to transmit payment data as the payment service provider of the payer

56 In which Member States do you provide payment services ?

- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czechia
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
- Malta
- Netherlands
- Poland
- Portugal
- Romania
- Slovak Republic
- Slovenia
- Spain
- Sweden

57 Please provide information about the total number of cross-border payment transactions you expect to transmit per calendar quarter, per payment method.

Please tick the box that applies

	Up to 100.000	100.000 to 500.000	500.000 to 1.000.000	1.000.000 to 10.000.000	More than 10.000.000
Credit or delayed debit card	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Debit card	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E-wallet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mobile payment solution	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Credit transfer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Direct Debits	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E-money payment transactions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Money remittance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Others	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

59 Please provide information about the volume of cross-border payment transactions registered in 2019.

Please tick the box that applies (only one for each row)

	Up to 1.000.000	1.000.000 to 5.000.000	5.000.000 to 10.000.000	10.000.000 to 50.000.000	More than 50.000.000
Credit or delayed debit card	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Debit card	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E-wallet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mobile payment solution	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Credit transfer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Direct Debits	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E-money payment transactions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Money remittance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Others	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

61 Please provide information about the volume of cross-border payment transactions registered in 2018.

Please tick the box that applies (only one for each row)

	Up to 1.000.000	1.000.000 to 5.000.000	5.000.000 to 10.000.000	10.000.000 to 50.000.000	More than 50.000.000
Credit or delayed debit card	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Debit card	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E-wallet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mobile payment solution	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Credit transfer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Direct Debits	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

E-money payment transactions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Money remittance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Others	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

63 Please indicate the approximative number of payment transactions you expect to report under this legislation in 2024 (in-bound and out-bound) per payment method.

Please tick the box that applies

	The same number as in the past	Up to 5.000.000	5.000.000 to 10.000.000	10.000.000 to 50.000.000	50.000.000 to 100.000.000	More than 100.000.000
Credit or delayed debit card	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Debit card	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E-wallet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mobile payment solution	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Credit transfer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Direct Debits	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E-money payment transactions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Money remittance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Others	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

65 Please indicate the approximative number of payment transactions you expect to report under this legislation in 2030 (in-bound and out-bound) per payment method.

Please tick the box that applies

	The same number as in the past	Up to 5.000.000	5.000.000 to 10.000.000	10.000.000 to 50.000.000	50.000.000 to 100.000.000	More than 100.000.000
Credit or delayed debit card	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Debit card	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E-wallet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mobile payment solution	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Credit transfer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Direct Debits	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E-money payment transactions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Money remittance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Others	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

67 Among the payment transactions you process (in-bound and out-bound), what is the percentage of intra-EU cross-border payments transaction?

Please tick the box that applies

	Less than 5%	5% to 10%	10% to 20%	20% to 30%	30% to 40%	40% to 50%	More than 50%
a) please approximate the percentage of intra-EU cross-border payments in total payments processed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

68 Among the payment transactions you process (in-bound and out-bound), what is the percentage of intra-EU cross-border payments refunds ?

Please tick the box that applies

	Less than 5%	5% to 10%	10% to 20%	20% to 30%	30% to 40%	40% to 50%	More than 50%
a) please approximate the percentage of intra-EU cross-border payment refunds in total payments processed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

69 Among the payment transactions you process, what is the percentage of payments transaction from a Member States to a third country and from third-country to a Member States ?

Please tick the box that applies

	Less than 5%	5% to 10%	10% to 20%	20% to 30%	30% to 40%	40% to 50%	More than 50%
a) please approximate the percentage of third countries (out of EU) payments in total payments processed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

70 Among the payment transactions you process, what is the percentage of payments refunds from a Member States to a third country and from third-country to a Member States ?

Please tick the box that applies

	Less than 5%	5% to 10%	10% to 20%	20% to 30%	30% to 40%	40% to 50%	More than 50%
a) please approximate the percentage of third countries (out of EU) payment refunds in total payments processed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

71 Among the payment transactions you process, what is the percentage of payments transaction where the VAT or tax number of the payee is available ?

Please tick the box that applies

	Less than 5%	5% to 10%	10% to 20%	20% to 30%	30% to 40%	40% to 50%	More than 50%
	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	Less than 5%	5% to 10%	10% to 20%	20% to 30%	30% to 40%	40% to 50%	More than 50%
a) please approximate the percentage of cross-border payments where the VAT/tax number is available	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Section VIII - Guidelines

* 72 The Commission will adopt guidelines to details the new requirements. Which of the following elements do you think should be part of these guidelines ?

- Who are the payment service providers covered by the reporting obligation ?
- When is a payment cross-border ?
- How should the threshold of 25 payments received be calculated ?
- When shall the payment service provider of the payee report ?
- When shall the payment service provider of the payer report ?
- To who shall the payment service provider report (home or host Member State) ?
- How shall the payer/payee be localised (article 243c) ?
- What are the mandatory data elements in article 243b ?
- How shall the data be reported (e.g. what address should be reported) ?
- How shall the data be transmitted to Member States ?
- When shall the data be transmitted ?
- Other

* 73 If other, please specify ?

- To item 3, threshold: refer to our answers to Q24/25
- To item 6, home/host: Refer to our answers to Q34/35
- To item 7, localisation: Refer to our answers to Q16/17, Q18/19, Q20/21 and Q22/23. For the determination of the payee's localisation in case of transactions to abroad of the EU, the payer's PSP can only work on a best effort basis, i.e. for credit transfers, according to the country of the account (if present) or of the BIC of the payee's PSP, and for card transactions, according to the city and country in the transaction
- To item 9, data to be reported: Refer to our answers to Q30/31
- Other: Date and time, refer to our answers to Q42/43
- What exactly is the definition of Payment Refunds? For SDDs – should it be reported on the debtor side or on the creditor side?
- Localisation of payer in credit card transactions: refer to our answers to Q16/17.

Section IX - Other

74 Please provide information on any additional element you believe should be discussed in the expert group
2000 character(s) maximum

Art. 243b(3): Obligation 'The payment service providers of the payer shall nevertheless include those payment services in the calculation referred to in paragraph 2' must be in the guidance. It seems to mean that the payer PSP must implement the threshold for all payments, not only those they report. How payer

PSPs would have to use the information and why is it necessary? It increases the disproportionality of the obligations and overturns the principle that, intra-EU, the reporting and record-keeping obligation lies with the payee PSP. The phrase 'where at least one of the payment service providers of the payee is located in a Member State' needs clarification that it refers only to the information in a payment transaction and not to any contractual relationship of the payee (of which the PSP does not know). The only thing that a payer PSP knows about the payee is its IBAN/other identifier and BIC of the payee PSP. From there it can derive whether the account is at a PSP in or outside the EU. So, a payer PSP would implement the provision on a transaction-per-transaction basis.

Art. 243d(1)(b): The guidance should clarify that if the merchant is identified only with a code and the name of the payee is not part of the transaction flow, no name is needed in the reporting.

Art. 243d (2)(e): PSP cannot always record the information about the initiation at physical premises.

->For cards some provisions need clarification

- "Cross-border", e.g. for an Austrian Acquirer i) merchant is not Austrian or ii) card holder and merchant are from different countries?

- "Transaction": i) all card transactions between card holder and merchant or ii) all transfers from acquirer to merchants for settlement?

- Is the required data expected on transaction level or aggregated per merchant (payee)?

- Reporting would be more effective if data would be collected from payment schemes instead of Acquirers.

- Card Issuers should not have this obligation because they don't receive the data.

75 Please upload any additional contribution you would like to attach to your answer.

The maximum file size is 1 MB

Should have any question or on the survey or wish to contact us directly, you can do so using the following e-mail: TAXUD-UNIT-C4@ec.europa.eu

Background Documents

[Privacy statement](#)

Contact

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