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WORKING DOCUMENT

From: Presidency
To: Working Party on Financial Services and the Banking Union (Digital Euro Package)
Financial Services Attachés

Subject: Presidency Questionnaire Digital Euro WP 17 October 2025 - Replies from 23 MS

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Presidency Questions	Comments
Presidency discussion note on the distribution of the digital euro (WK 13471 / 2025)	FR (Comments): <p>We reiterate the need to base our discussions on figures, particularly the development and maintenance costs for the Eurosystem, PSPs, merchants and Member States, but also the cost of additional liquidity for EU banks.</p> <p>We therefore thank the ECB for the analysis it conducted and published on Friday 10 October for the Member States of the Council and the European Parliament.</p> <p>We will now be able to work towards a viable economic model that ensures the project's sustainability and provides fair remuneration for the various industry players involved in the retail payment chain.</p> <p>We would point out that, ultimately, the costs will be borne by the European economy as a whole: whether it be the Eurosystem and therefore the European taxpayer, PSPs, merchants or consumers via higher prices.</p>

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	<p>With regard to financial stability and the banking model, we welcome the analytical work published by the ECB with the MSU, which will enable discussions on the subject to begin.</p> <p>We believe it is essential to have a discussion regarding the costs of the project that will include ECB’s analysis but also other ones from industry.</p> <p>We will also need to have a common discussion about phasing the deployment of digital euro.</p> <p>EE (Comments): EE: We welcome the Presidency’s balanced and pragmatic approach to these questions.</p>
	<p>DE (Comments): <u>General remarks:</u></p> <ul style="list-style-type: none"> • We wish to thank the DNK PCY team for putting the important and indeed complex topic of distribution obligations back on the agenda. The deeper we dive into the details, the clearer it becomes that there is still need for adjustments. • Before addressing the individual questions, we would like to raise a fundamental, overarching concern. Our analysis of the distribution obligations laid down in Article 13 and Annex II has made us realize that the digital euro will exhibit a significant level of complexity upon its introduction. • This includes the obligation to offer multiple accounts, shared accounts, linking to several non-digital euro accounts, linking to accounts denominated in currencies other than euros, the possibility of direct cash funding and defunding, to name just a few.

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	<ul style="list-style-type: none"> We should, however, ensure that we do not impose disproportionate burdens on credit institutions under a distribution obligation. In the coming weeks, we should therefore conduct a thorough reality check to determine which services are truly essential for a good user experience when introducing the digital euro. All features that do not fall into this category should, on the other hand, be reviewed and, if they come with significant additional complexity, should not be mandatory to offer.
<p>Q1. Do Member States agree with the Presidency’s approach regarding the treatment of cash-related funding and defunding services?</p>	<p>BE (Comments): We overall support the PDCY proposal as far as the provision of cash (de)funding services is concerned. Please see below our comments regarding the cost of these services as part of the discussion on the compensation model.</p> <p>HR (Comments): We support that manual cash funding and defunding should be listed in the Annex II and that PSPs are not obliged to offer cash funding and defunding services free of charge. In that regard, we support proposal of the PL PRES (Article 17(1) that these fees for cash funding and defunding services shall be objectively justified and proportionate, and, in any event, shall not exceed the lowest amount charged by the PSP to the respective customer for funding and defunding a non-digital euro payment account from or to euro cash. Also, we support PL PRES proposal (Article 17(7) to remove the prohibition of an inter-PSP fee for funding or defunding of digital euro into euro banknotes or coins.</p> <p>SK (Comments): We support direction of travel. We agree to oblige PSPs should to provide cash funding and defunding where they already offer such services. With regards to the</p>

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	<p>potential fees, we do not oppose possibility for PSP to set fees for cash funding and defunding, though we would welcome specifying in the text that fees has to be justifiable and transparent.</p> <p>EL (Comments):</p> <p>Yes, we agree. Consistent with our reply at the September Council working party (WK 11926/2025) and at the 4CT Overview of drafting suggestions (part 2) table, we are of the view that the drafting needs to include cases where the ASPSP starts offering cash funding/defunding in the future. In that case, they should also start offering cash funding/defunding relating to digital euro.</p> <p>LU (Comments):</p> <p>LU: We support the clarification that cash funding and de-funding should not represent a basic service and do not have to be offered free of charge by all PSPs.</p> <p>A large number of PSPs do not offer services under their current business model Furthermore, cash funding and defunding will most probably not be the most common method used to fund the digital euro account .</p> <p>SI (Comments):</p> <p>SI: Yes, we agree.</p> <p>CZ (Comments):</p> <p><i>We have some concerns to whether the conditional obligation to provide cash services is in compliance with the Article 12. According the Article 12 digital</i></p>

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	<p><i>euro should be convertible with euro bank notes and coins at par. However, PSPs should not be obliged to set up cash branches (online banks) or their own ATMs. It should be possible to fulfil the obligation by means of shared ATMs.</i></p> <p>LT (Comments): We agree</p> <p>PL (Comments): PL: We generally agree with the Presidency's approach.</p> <p>LV (Comments): We agree, but with a proposal under note on compensation "manual funding and defunding from or to euro banknotes through the same technical means and within the same limits in which the distributing PSP provides such cash services for non-digital euro payment accounts.</p> <p>DE (Comments):</p> <ul style="list-style-type: none"> • We agree with the PCY's reasoning. • Although we have heard the concerns of our colleagues that we should be cautious not to incentivise PSPs to reduce their cash infrastructure in, we regard a general obligation to provide cash funding and defunding services as disproportionate. • For smaller institutions that have not yet integrated cash withdrawal functionality, the imposition of such an obligation would likely have a deterrent effect given the operational effort and costs involved. In order to ensure the widest possible availability of the euro through a diverse

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	<p>range of PSPs, including smaller or digital-only market participants, such a requirement should therefore be refrained from.</p> <ul style="list-style-type: none"> • The other option discussed would be to make the provision of cash funding and defunding services entirely optional. While this would be reasonable for customers holding a current account, as they could simply withdraw cash from their existing account and fund or defund their digital euro holdings via this current account, such a solution would effectively exclude unbanked persons from any possibility of exchanging digital euros for cash. This should be avoided for reasons of financial inclusion. • The ability to convert digital euro into cash is also essential for effectively addressing the concerns and criticisms that with the introduction of the digital euro cash might be abolished. • Therefore, we believe the only viable approach remains the one proposed by the PCY – to make the obligation to offer cash funding and defunding conditional upon the existence of a cash withdrawal infrastructure. • Users for whom access to cash funding and defunding is essential retain the option of choosing another provider offering these services. • At the same time, the principle of a level playing field would not be unduly impaired, since PSPs with an existing cash withdrawal infrastructure would indeed be required to provide cash funding and defunding services – but explicitly not on a free-of-charge basis. • We should, however, make sure that payment service providers cannot charge more for cash services provided to digital euro customers than for non-digital euro customers. Therefore, we continue to strongly support the proposal for a non-discrimination clause. <p>FR</p>

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	<p>(Comments):</p> <p>We would like to clarify one point. Cash distribution is a key service that is useful to many EU citizens: this activity must be profitable for the service to exist, particularly in rural communities. The cash distribution service promoted in the LTCR regulation has a cost that should not be increased by the digital euro.</p> <p>We are not in favour of making the distribution of the digital euro via cash supply and deposit services optional from the digital euro onwards. These issues must be decoupled because the digital euro should take the form of a wallet and replace bank deposits, not cash. Otherwise, the level playing field will not be respected and there is a risk that PSPs that are required to provide cash deposit and withdrawal services will close their cash distribution services in order to have the same level of obligation as other PSPs.</p> <p>NL</p> <p>(Comments):</p> <p>NL: Yes, we agree with an approach where PSP's are obligated to provide cash services in the same way and for the same fees as they are providing cash services from and to commercial bank accounts. We agree that this Regulation should not oblige PSPs to offer cash funding and defunding services free of charge, but should do this in the same manner in which they provide non-digital euro cash funding and defunding services. If we understand the proposal correctly, there remains room for other European or national legislation to determine whether a fee cap or pricing structure applies. This seems sensible to us.</p> <p>FI</p> <p>(Comments):</p> <p>Yes</p> <p>IT</p> <p>(Comments):</p>

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	<p>IT. We are in favour of the “no pick and choose” approach, whereby PSPs - whether mandated or participating voluntarily - must provide the full set of basic (mandatory) digital euro services. We also agree that cash funding and defunding should be mandatory only for PSPs already offering such services. In this regard, it could be useful to clarify that such offer is direct and does not require any agreement with other PSPs. This could be relevant for the online banks that would be forced to enter into or extend costly physical network usage agreements with other PSPs.</p> <p>We believe cash services should remain in Annex II, as they reflect the intended coherence between digital euro and cash and align with the overall policy goals of the Regulation. However, we acknowledge that the Regulation does not require these services to be free of charge and that cash handling entails specific costs. Therefore, we support including a provision stating that cash-related funding and defunding should not be charged higher than equivalent services for non-digital euro payment accounts.</p> <p>From a financial inclusion perspective and considering that not many users will opt for funding services via cash, as indicated in the note, a compromise solution that could be adopted could be offering the cash-funding services free of charge and applying a fee for cash-defunding services only.</p> <p>IE (Comments): IE Agrees</p> <p>EE (Comments): EE: We welcome the Presidency’s balanced and pragmatic approach to these questions. On cash-related funding and defunding, we agree that these services should not be overregulated within the digital euro framework and should remain closely aligned with existing market practices.</p>

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	<p>PT (Comments): <i>Yes, we agree.</i></p> <p>In contrast to the position taken by other Member States, PT does not agree that the DK Presidency's approach will lead to negative incentives in the provision of cash services. In this vein, we recall that Member States will be required to take action to address any difficulties in access to cash, under the Legal Tender of Cash Regulation.</p> <p>Nonetheless, regarding the possibility of charging fees, we believe it should reflect a <i>principle of equivalence</i>. This would allow to maintain the <i>status quo</i> when such services are already provided for free.</p> <p>For instance, in Portugal, it is not possible to charge fees for transactions carried out in ATM, including these operations, but it is possible to do so in branches. We believe the same should happen with digital euro operations of the same nature.</p> <p>Drafting suggestion to be inserted in Article 17(1), as a second paragraph:</p> <p>By derogation from the previous paragraph, payment service providers may only charge a fee for funding and defunding digital euros from or into euro banknotes and coins if such a fee is also charged for equivalent operations with non-digital euro payment accounts. In any case, this fee should be reasonable and not exceed the lowest amount charged by the payment service provider to the digital euro user for funding and defunding a non-digital euro payment account from or to euro banknotes and coins.</p> <p>AT</p>

Presidency Questions	Comments
	<p>(Comments):</p> <p>We agree with the balanced compromise proposal on cash-related funding and defunding.</p> <p>An open question for us remains whether the reverse waterfall functionality (regardless of the final agreement on this topic) would be available for cash defunding.</p> <p>ES</p> <p>(Comments):</p> <p>Yes. For proportionality reasons we support that cash funding and defunding services are only mandatory for PSPs that already provide cash related services (that will provide them through the same technical means) and that these PSPs can charge for this service. However, we believe that what can be charged shall be limited to what is charged for the funding and defunding from/to commercial bank money (this will need to be reflected in article 17.1. and 17.7, where we would need to remove the prohibition of charging inter-PSP fee for funding and defunding D€).</p> <p>This would mean following a “no compulsion no discrimination approach”, which is like applying the no worse off clause to cash funding and defunding.</p> <p>We should clarify in recitals what happens when a PSP is currently not offering the cash funding and defunding from/to commercial money directly, but indirectly through a contract with another PSP/ATM provider. We understand that in those cases, the PSP will have to offer the same service to their clients and the subcontracted PSP would have to provide cash funding defunding charging the same to the initial PSP.</p> <p>Even if most ATMs will only need to do software updates, there might be ATMs that do not have integrated NFC, needing to make hardware changes. We need to see what is the situation and a staggered approach could be</p>

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	introduced, being cash funding and defunding from D€ one of the most costly activities.
<p>Q2. Do Member States agree with the Presidency’s assessment that PISPs should be restricted from providing digital euro payment services at this stage, accompanied by a review clause allowing the Commission to reassess this position after an initial operational period?</p>	<p>BE (Comments): We have strong concerns regarding the PDCY proposal. We are of the view that PISPs should not be prohibited from directly providing digital euro payment services, in the same way they are allowed today to initiate payments, and as a source of innovation. Restricting the direct provision of digital euro payment services to only a subset of PSPs should be strongly motivated based on objective criteria so as to avoid legal disputes, which are in our view missing. Moreover, the consequences of restricting PISPs from directly providing digital euro payment services upon PSPs that provide a few additional ancillary payment services (e.g. account information services, like EPI/Wero) are not clear. Should these PSPs also be banned from directly distributing digital euro payment services? How can we justify that these PSPs can still directly provide digital euro payment services, including initiation services, and not PISPs?</p> <p>HR (Comments): We support Presidency's assessment that PISPs should be restricted from providing digital euro payment services at this stage, accompanied by a review clause allowing the Commission to reassess this position after an initial operational period. In that way PISPs will be excluded from offering digital euro payment services directly to digital euro users, while still allowing them to provide such services on behalf of scheme participants through contractual arrangement (outsourcing). In that way strategic autonomy of the EU could be preserved.</p> <p>SK (Comments):</p>

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	<p>For the sake of simplicity we do not oppose restricting PISPs from providing digital euro services during the initial phase of implementation in combination with review clause.</p> <p>EL (Comments):</p> <p>Yes, we agree, we view this as a balanced approach, acknowledging the trade-offs of other proposals discussed during the September 2025 Working Party.</p> <p>LU (Comments):</p> <p>LU: we are rather sceptical about this proposal, and we do not share the assessment of the Presidency that PISPs should be restricted from providing digital euro services. Generally, we are of the view that PSPs should be allowed to provide digital euro service within the remit of their existing license and business model.</p> <p>SI (Comments):</p> <p>SI: Yes, we agree.</p> <p>CZ (Comments):</p> <p>We support this approach.</p> <p>LT (Comments):</p> <p>We can support the restrictive approach of a temporary nature with the review clause to mitigate potential drawbacks.</p> <p>PL (Comments):</p>

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	<p>PL: Generally, we do not have a strong view on restricting PISPs from digital euro distribution. The approach presented by the Presidency seems to be optimal solution, striking the right balance.</p> <p>LV (Comments): We agree.</p> <p>DE (Comments):</p> <ul style="list-style-type: none"> • Yes, we concur with the PCY’s proposal due to the significant degree of additional complexity that would arise if PISPs – or rather payment initiation services – were to be included. • This consideration is particularly pertinent with regard to the establishment of a robust and sustainable compensation model, for which no satisfactory solution has yet been identified, even absent this additional layer of complexity. To the best of our knowledge of the current practice, PISPs do not usually pass on any portion of the merchant fee to the issuing bank. If that were indeed the case, this would completely undermine our efforts for a fair compensation model. • We are also uncertain about the applicability of the PISP role, as defined under PSD3/PSR, to similar activities conducted under the DEUR framework. Under the DEUR, ASPs facilitate payment initiation but do not execute the transactions themselves; this function is performed by the Eurosystem within the DESP. Consequently, if a PISP were to participate in a digital euro transaction, it could potentially result in two successive PSPs initiating the same transaction.

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	<ul style="list-style-type: none"> • What is more, the scheme rulebook to be developed by the ECB would not apply to those entities. This, in turn, may entail risks for scheme participants, for end-users and for the digital euro scheme itself: <ul style="list-style-type: none"> ○ Firstly, the uneven playing field could lead Big Techs, ICSs and others to leverage scheme participants’ IT infrastructure. ○ Secondly, end-users’ perception and trust in the digital euro may be negatively impacted if offering PIS in digital euro would not be subject e.g. to the same branding obligation, making end-users potentially unaware when they make a payment in digital euro. ○ Thirdly, the scheme governing body would face enforcement challenges due to the inherent complexity in identifying if a front-end payment service uses PIS rails. • Lastly, we should bear in mind that, to date, none of the 8 most relevant PISPs is headquartered in the EU. • We therefore deem it sufficient to decide on the inclusion of payment initiation services only after the issuance of the digital euro and thus support the inclusion of a review clause. As regards the timing of that review, we could also support a period of up to five years before the review is due. A longer period would make it more likely that the market has stabilised, and sufficient insights could be gathered on how PISPs could potentially contribute to innovation and competition without undermining the policy objectives of the regulation. <p>FR (Comments): France is opposed to making the distribution of the digital euro by PSPs mandatory.</p>

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	<p>In the event that distribution by PSPs were to be made mandatory, as indicated in the previous WP, it would be necessary to maintain a level playing field between all regulated payment service providers. PISPs must have the same constraints and obligations.</p> <p>NL (Comments):</p> <p>NL: We agree that AISPs could and should be part of the digital euro infrastructure, leveraging the technology and fostering innovation. Regarding PISPs, we remain of the opinion as well that, if we want the digital euro to be a success, we should give these providers a place in the Regulation as ancillary service providers. For example, we would question whether Wero, which has an AISP and PISP license, would in this case be prohibited from participating in the infrastructure. We have heard much about the synergy between public and private initiatives such as the digital euro and Wero and question whether the current approach fits that purpose. If this raises difficult questions on compensation and competition, then we believe we should face them instead of postponing them to a review.</p> <p>FI (Comments):</p> <p>We would have preferred allowing PISPs to provide digital euro payment services. But since we are also supporting the aim of reaching general approach by the end of the year, we are ready to accept the majority's view.</p> <p>We are hoping for a comprehensive recital that explains this policy choice and also the potential impact on competition. We are also hoping that the recital explains, how PSPs could still be contracting PISPs as explained in the working party meeting.</p> <p>IT (Comments):</p>

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	<p>IT. Yes, we agree with the restrictive approach and support the temporary exclusion of PISPs from directly providing digital euro payment services to the end-users. We also support the inclusion of a review clause to reassess the potential inclusion of these providers at a later stage, also in light of the evolution of the payments landscape.</p> <p>IE (Comments):</p> <p>IE do not agree with the Presidency’s assessment and proposal that PISPs should be restricted from providing services based on digital euro accounts. Our rationale is as follows:</p> <ol style="list-style-type: none"> 1. On the compensation model, IE do not fully understand the assessments point that if PISPs were included in a digital euro ‘distribution’ framework they would need to be included in the digital euro compensation model. Firstly, PISPs by design and authorisation cannot hold funds therefore could not distribute a digital euro. They currently do not benefit from any existing or standard compensation model in the market – i.e. they do not benefit from inter-PSPs fees nor MSCs. They earn revenue by charging merchants for processing payments initiated directly from a customer payment account. The customer does not incur a fee. 2. IE considers the proposed restriction to PISPs in the context of digital euro is misaligned to PSD2 (PSD3 and PSR). PSD2 mandated the provision of free API access for authorised open wing service providers like PISPs. Our understanding is that APIs for digital euro account access (which would be considered a payment account under PSD2) should be allowed to comply with PSD2 obligations. While this does mean distributing PSPs would need to develop APIs for digital euro account access, IE does not consider this is overly burdensome given distributing PSPs would have to do this for any payment account defined by PSD2.

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	<p>3. IE further believes, there could be unintended consequences of restricting PISPs accessing digital euro accounts unless they have a pre-agreed partnership with a PSP who is a digital euro scheme participant. We consider PSPs may either outright refuse PISPs access, or potentially penalise PISPs financially when negotiating contracts for the partnership. This could potentially hurt consumer choice and reduce innovation.</p> <p>While IE recognises compromises will have to be made on aspects of the regulation to garner consensus on the legislation, IE feels there is merit in considering what the potential trade-off is in the context of this issue. IE would recommend a further assessment of how PISPs can fit into the digital euro ecosystem and would welcome further discussion at CWP to determine how best to bring them in scope of the legislation and subsequent rulebook.</p> <p>EE (Comments): EE: Regarding PISPs, we can support the proposed temporary restriction accompanied by a review clause, as this provides both legal clarity and flexibility to reassess at a later stage.</p> <p>PT (Comments): We prefer to maintain the previous approach of <i>temporarily restricting</i> the access by AISPs and PISPs.</p> <p>In Portugal, the implementation of “open banking” required substantial costs without corresponding market growth.</p> <p>We are not fully convinced by the Presidency’s compromise, as the main concerns that we intended to address with the temporary restriction seem to affect AISPs more than PISPs. Therefore, we believe the key issue is whether a restriction is appropriate at all, rather than its specific scope.</p>

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	<p>AT (Comments):</p> <p>Yes, we support an approach that PISPs should be restricted from providing digital euro payment services, accompanied by a review clause within 3 years to reassess their inclusion after the digital euro ecosystem matures. However, additional information is in our view needed how the relevant services provided by PISPs in today’s payment landscape would be offered for the digital euro, allowing the same convenience and ease-of-use.</p> <p>ES (Comments):</p> <p>Instead of doing a classification of PSPs distinguishing between PISPs, ASPSPs, AIPSPs... etc, we think we should just focus on the services that these entities are allowed to provide under PSD.</p> <p>If a PSP different from a credit institution, wishes to offer to natural persons ANY of the mandatory services from the annex II, it should have to offer all the mandatory services, (because of the no cherry picking). For that purpose, the PSP shall have a PSD licence that allows to carry out ALL the equivalent services under PSD3/PSR according to annex VI. If a PSP does not have the licence to provide the payment services in points 1,2 and 3 of Annex II of PSD3/PSR (equivalent PSD services to the mandatory D€ services), this entity will not be allowed to provide any of the basic services in D€.</p> <p>However, this shall NOT preclude these entities to offer:</p> <ul style="list-style-type: none"> - value added services based on the digital euro to natural persons, with the price they want. - This shall also NOT preclude these entities to offer services based on the digital euro to merchants. PSPs (that are not ASPSPs) offer valuable services for companies. If a business wanted to initiate their B2B payments or other payments in D€ we see no reason to prohibit or PISPs to offer this service or limit this activity in any other way.

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<p>Q3. Do Member States support the differentiated approach whereby other non-account servicing PSPs, such as AISPs, would not be subject to the same restriction, and could continue to operate in accordance with their license foreseen in PSD3/PSR?</p>	<p>BE (Comments): Please see above our comments regarding Q2.</p> <p>HR (Comments): Yes, we support different approach for non-account servicing PSPs, such as AISPs because these institutions can access account information only with the user's consent and do not initiate or execute payments.</p> <p>SK (Comments): We agree with the differentiated approach as proposed by PCY.</p> <p>EL (Comments): Yes, we can support this approach.</p> <p>LU (Comments): LU: we agree with the way forward proposed for AISPs. Generally, as mentioned above all PSPs should be allowed to provide digital euro service within the remit of their existing license and business model.</p> <p>SI (Comments): SI: Yes, we support.</p> <p>CZ (Comments):</p>

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	<p>Such approach is reasonable.</p> <p>LT (Comments):</p> <p>We agree</p> <p>PL (Comments):</p> <p>PL: Yes, we can agree with such differentiated approach.</p> <p>LV (Comments):</p> <p>We agree.</p> <p>DE (Comments):</p> <ul style="list-style-type: none"> • We still tend towards excluding account information services from the DEUR framework for the time being. • For us, providing dedicated APIs for account information services entails additional burdens that are disproportionate to the improvements in user experience. Therefore, at least in the initial phase, to reduce complexity, there should be no requirement to provide these APIs. • This would, by the way, correspond to the solution agreed on for EMTs, for which there shall be no obligation to provide dedicated APIs either. • If account information services were, however, included, we would support adding language to the legal text in order to clarify that services offered by AISP would qualify as ancillary digital euro services. This is even more relevant, as the ECB's scheme rulebook would not apply to AISP either.

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	<p>FR (Comments): We apply the same reasoning to AISPs: they must have the same constraints and obligations. For account aggregation, it is all the more relevant to allow citizens to have an overview of their traditional euro accounts and digital euro accounts.</p> <p>NL (Comments): NL: Yes, we agree that AISPs should be able to operate in accordance with their license foreseen in PSD3/PSR.</p> <p>FI (Comments): Yes</p> <p>IT (Comments): IT. Yes, we support a differentiated approach towards AISPs. However, as it is unclear if ASPSPs should adapt their open banking interfaces to allow AISPs to access digital euro payments accounts, we would prefer that the aspects relating to the interactions between such providers be clarified within the body of the Regulation. We note that also PSPs offering only the PSD2 service n. 6 (money remittance) do not provide payment accounts. Therefore, we believe that it should be assessed (and then clarified in the regulation) if the restriction at stake has to be applied also to this category.</p> <p>IE (Comments): IE welcomes the inclusion of AISPs.</p> <p>EE</p>

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	<p>(Comments):</p> <p>EE: We also support the differentiated treatment of AISP and other non-account servicing PSPs in line with PSD3/PSR.</p> <p>PT (Comments):</p> <p><i>Please see our comments to the previous question.</i></p> <p>AT (Comments):</p> <p>Yes, we support the Presidency’s proposed differentiated approach regarding non-account-servicing PSPs, such as AISP.</p> <p>ES (Comments):</p> <p>With the same rationale as above, PSPs should not be pre-empted to carry out value added services on the basis of the D€. AISP carry out information aggregation services, which is not equivalent to any of the services in Annex II. Therefore, we see no problem in allowing these entities to carry out their services, being able to access the information on D€ accounts based on PSD norms. AISP do not provide D€ services in the sense of this regulation.</p> <p>We think that the criteria should be: If you are going to provide basic services you will have to provide them all (no cherry picking) and that will mean having a license to carry out the equivalent PSD services to all the basic D€ services. If you are going to provide value added services based on the D€, you should be allowed to do so, with no intervention in prices.</p>
<p>Q4. If so, do Member States agree to the wording proposed in Article 5(5) and in Article 41(3)?</p>	<p>BE (Comments):</p>

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	<p>Please also see above our comments regarding Q2.</p> <p>In case the temporary restriction on PISPs is agreed, we wonder if the proposed wording in Article 5 is sufficiently clear to establish this restriction. It may be better to include a specific provision to the effect that PISPs are not allowed to offer payment initiation services with regard to the digital euro.</p> <p>HR (Comments):</p> <p>Given that article 5(3), and not paragraph 5, prescribes the application of PSD3/PSR to digital euro payment transactions, we believe that the amendment proposed by DK PRES should be stated in article 5(3). Also, since the reference is to the Chapter III Title III of the PSR, we find that the text should read: "with the exception of the provisions on payment initiation services in Chapter III Title III of that Regulation.</p> <p>We agree with the proposal in the Article 41(3) i.e. that the Commission shall present to the European Parliament and to the Council a report including assessment of the adequateness of allowing providers of PIS to offer these services as ancillary digital euro services in conformity with the [PSR/PSD3], 3 years from the first issuance of the digital euro.</p> <p>SK (Comments):</p> <p>We agree with proposed wording.</p> <p>EL (Comments):</p> <p>Yes, we agree to the wording proposed in Article 5(5) and in Article 41(3).</p> <p>SI (Comments):</p> <p>SI: Yes, we agree.</p>

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	<p>CZ (Comments): We support the direction of travel.</p> <p>LT (Comments): We agree</p> <p>PL (Comments): PL: Yes, we generally agree with the wording proposed in Article 5(5) and in Article 41(3), with the restriction that Art. 5(3) should be adequately amended instead of Art. 5(5).</p> <p>DE (Comments):</p> <ul style="list-style-type: none"> • As noted by our colleagues during the CWP, the exception should be inserted in paragraph 3 instead of paragraph 5. • Furthermore, the proposed wording is still not sufficiently clear. Firstly, "Chapter III Title III" is not a common citation of PSD 2 provisions, as the structure of this legal text is organized by "Title/Chapter/Section." Secondly, the intended legal consequences are also somewhat unclear. Should payment initiation service providers be completely excluded from access to D€ accounts, or should access be possible but unregulated (as was the case for this service before PSD2 came into effect)? Additional clarification would be helpful in this context. • In connection with Article 5, it is worth noting once again that the question of the governance of the Scheme Rules is still not finalised.

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	<p>We suggest addressing this point in one of the upcoming CWP meetings, as it is crucial for the successful development of the project in the future.</p> <ul style="list-style-type: none"> In the past, we have favoured a more open approach building on a public private partnership. Securing the buy-in of the banking sector is essential, as banks will serve a critical function as distributors of the digital euro. <p>FR (Comments):</p> <p>No, we are opposed to the exclusion of AISP.</p> <p>NL (Comments):</p> <p>NL: We would rather support an approach in line with the proposal in the previous CWP, where PISPs are designated as providers of ancillary services.</p> <p>FI (Comments):</p> <p>Yes</p> <p>IT (Comments):</p> <p>IT. We agree on Art. 41(3) drafting, but there is a typo in the reference to the Article 5’s paragraph to be modified in accordance with the Presidency position expressed in the note. The paragraph including the cross reference to PSD2 provisions and to be amended should be the 5(3) instead of 5(5).</p> <p>Nevertheless, we believe that introducing in paragraph 5.3 an exception which states “with the exception of the provisions on payment initiation services in Chapter III Title III of that Directive” is not appropriate, as this would</p>

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	<p>entail also the exclusion of the indirect provision of these services (by means of contractual arrangements with PSPs responsible for the direct provision of digital euro services to end users). Our advice would be to delete this cross-reference.</p> <p>IE (Comments): As per our response to Q2, IE does not agree with the proposal regarding article 5(5).</p> <p>EE (Comments): EE: We can support the wording as it stands, while remaining open to possible improvements.</p> <p>PT (Comments): We are supportive of including a <i>review clause for the temporary restriction, provided that both providers are included in such restriction</i>.</p> <p>Therefore, on the proposed drafting, we propose to include in Articles 5(3) – and not Article 5(5) as pointed out in the Discussion Note – and 41(3) a reference to account information services.</p> <p>AT (Comments): We think that Art 5 paragraph 3 should be amended and not paragraph 5, which relates to AML/TF matters. The 3-year period for review is supported.</p> <p>ES (Comments):</p>

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	<p>Yes. We agree to modify article 5 concerning the applicable law to clarify that the provision on PISPs in the PSD3/PSR should not apply for the digital euro. However, the modification in article 5(5) refers to the AMLR, it is paragraph 3 that should be modified in that sense.</p> <p>Yes. We agree to insert a review clause in this respect in article 41(3).</p>
<p>Q5. Do Member States find that further adjustments to Article 13 is needed?</p>	<p>BE (Comments):</p> <p>Please also see above our comments regarding Q8.</p> <p>We have concerns regarding the drafting of Article 13 (1) paragraphs 2 and 3, in the context of the newly added Annex VI. It is not clear from these paragraphs how to treat PSPs which distribute digital euro payment services with no equivalence towards current payment services since these 2 paragraphs only formally cover the case of PSPs distributing equivalent services.</p> <p>We also have concerns regarding the drafting of Article 13 (1) paragraphs 4 and 5. The revised drafting implies that whatever the scope of digital euro payment services PSPs intend to offer, they would need to provide all basic services. How for instance can PSPs that will only offer a few digital euro payment services not related to account management be able to provide all basic services as they will not even be licensed for this?</p> <p>Regarding Article 13 (4) last paragraph, second sentence, designated accounts should be referred to in the plural to ensure consistency with the first sentence, as follows: “Digital euro users shall be allowed to have that designated non-digital euro payment accounts with athe same or different payment service providers than the one where a given digital euro payment account is held.”</p> <p>Regarding Article 13 (4a), PSPs may not wish to hold an account at the ECB/NCB (holding accounts/accessing the DE settlement infrastructure may not be solely a question of capacity). We therefore suggest redrafting this paragraph as follows:</p>

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	<p>“Payment service providers that hold an account at within the infrastructure of the European Central Bank or other national central bank shall pass through the digital euro settlement infrastructure the transfer orders of the payment service providers that do not are not allowed to have access to the central bank digital euro settlement infrastructure, in an objective, transparent, proportionate and non-discriminatory manner.”</p> <p>Regarding Article 13 (6a), the word “notwithstanding” means that a contractual clause to the contrary cannot be upheld; it does not mean that emergency switching could still be contractually excluded. The formulation “Notwithstanding any contractual clauses to the contrary” should therefore be maintained.</p> <p>HR (Comments):</p> <p>Besides the drafting suggestions explained in the DK PRES discussion note in Article 13, there is also a change in Article 13(4), last sentence which is closely related to the Discussion note on compensation model and open funding reverse waterfall.</p> <p>According to these changes in Article 13(4), we find that self-employed persons should not be included under the term "natural persons" which is proposed by the DK PRES in that Article. We find that self-employed persons should be treated as merchants and that PSP have the obligation to provide open funding reverse waterfall to them and can charge this service. So, we propose to change the term "natural persons" in Article 13(4) to "consumers". We also find that additional explanation is needed in the Recital accompanying Article 13(4) that open funding reverse waterfall service is not a mandatory service to be provided by PSPs to consumers and that PSPs may choose to make such services available on the basis of contractual arrangements. The terms and conditions of these arrangements, would be determined by the contracting parties, but such services should be provided free of charge. Also, we propose to prescribe in the Recital that merchant open funding and defunding, where necessary to enable acceptance, is mandatory for PSPs.</p>

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	<p>We do not think that further adjustments are needed to Article 13.</p> <p>EL (Comments):</p> <p>We see no need for further adjustments.</p> <p>SI (Comments):</p> <p>No.</p> <p>CZ (Comments):</p> <p>The drafting suggestions should be reflected in Art. 13 and 14 (distribution).</p> <p>Art. 13 par. 4 we propose to remove „digital euro users“.</p> <p>Art. 13 par. 6a in the last sentence we propose to add „or other“ before the word „proceedings“.</p> <p>LT (Comments):</p> <p>No further adjustments to Article 13 are required.</p> <p>PL (Comments):</p> <p>PL: We have two minor wording comments. First, the term mandatory services should be used consistently across the whole text, in line with the new proposal of Annex II. Additionally, paragraph 6a on insolvency should read: “the digital euro holdings of digital euro users shall remain the property of those digital euro users and shall be...”.</p> <p>DE</p>

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	<p>(Comments):</p> <ul style="list-style-type: none"> • Yes, we see need to further adjust Article 13: <p><u>With respect to paragraph 1 [PSPs entitled to offer digital euro payment services]:</u></p> <ul style="list-style-type: none"> • As we will demand that the reference to consumer status be retained in Article 14, paragraphs 1 and 2, we continue to consider adjustments to the terms used necessary. In our view, the appropriate terminology here should be ‘natural persons when acting as consumers’ as well as ‘legal persons and self-employed persons’ <p><u>With respect to paragraph 2 [open funding]:</u></p> <ul style="list-style-type: none"> • With regard to paragraph 2, we would like to highlight the following points: • Firstly, we cannot, for now, accept the replacement of the insertion "their own clients" with "digital euro user." As long as open funding is done via a current account, this amendment has no practical effects. However, this is different when it comes to direct cash funding and defunding. In this case, all banks with cash infrastructure would be obliged to provide all users of the digital euro, regardless of whether they are customers or not, the possibility of cash funding and defunding. As long as we do not have a concrete idea of how demanding the technical implementation of such direct funding and defunding is, we cannot accept this. Users for whom the functionality of cash funding and defunding is important are free to open their digital euro account with a PSP that has a cash infrastructure. That must be sufficient. • Secondly, we seriously question the requirement for PSPs to offer automatic and scheduled funding as part of open funding. In our view, this could lead to serious distortions of competition, which we should

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	<p>be fully aware of. We will address this in more detail later in our comments on the reverse waterfall functionality.</p> <ul style="list-style-type: none"> • Thirdly, we still see the need to discuss the issue of access for PSPs that do not hold an account at the European Central Bank or other national central bank addressed in paragraph 2, subparagraph 1 (and paragraph 4a). As pointed out already during the last CWP meeting, this issue has been the subject of controversy in the context of the PSD3/PSR negotiations. We therefore consider a more in-depth examination of this provision to be warranted. In any case, it should be clear that the principles governing the right of access should be the same as those applying under other regulatory frameworks. <p><u>With respect to paragraph 3 [funding and defunding]:</u></p> <ul style="list-style-type: none"> • We want to again raise the question whether the obligation imposed on PSPs under an open funding obligation in accordance with paragraph 2 should indeed be construed as extending to the provision of funding and defunding services directly via cash as now foreseen in paragraph 2(b). • We would ask the ECB to provide us with further information on how complex the technical implementation of such direct funding and defunding would be. Depending on the degree of additional complexity involved, we consider it reasonable that, as an intermediate step within the framework of open funding, the amounts would first be deposited into the current account and then the digital euro holdings would be funded or the cash would be paid out. • Users without a current account who want to use the cash funding and defunding functionality would in this case have to set up their digital euro account with a PSP that offers cash services. This does not seem unreasonable to us either. <p><u>With respect to paragraph 4</u></p>

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	<ul style="list-style-type: none"> In connection with the reverse waterfall functionality, we would like to raise the question of whether timely execution can also be ensured if the linked account is not denominated in euros. In this case, a currency conversion would need to take place, for which, as far as we understand, the amount would first have to be transferred as a euro amount to an intermediate account. This is likely to take some time. <p><u>With respect to paragraph 4a [central bank settlement infrastructure]:</u></p> <ul style="list-style-type: none"> It is not entirely clear to us which cases are intended to be covered by paragraph 4a. Since the settlement of digital euro transactions takes place within the DESP, would there still be a need to rely on the settlement infrastructure of PSPs holding an account with the ECB? Up to now, we have operated on the assumption that all credit institutions and ASPSPs would have direct access to the DESP settlement infrastructure. The provision may have merit in the event that PISPs are authorized to provide digital euro payment services. However, should they – consistent with the PCY’s proposal – be excluded, it would seem appropriate to reconsider whether this paragraph remains necessary. <p><u>With respect to paragraph 6a [insolvency protection]:</u></p> <ul style="list-style-type: none"> We believe that the current wording does not yet provide sufficient protection for users. It appears important to ensure that not only the holdings, but also the means of access (in particular the technical keys), are safeguarded against potential claims by the PSP’s creditors. While the digital euro holdings are clearly outside the PSP’s balance sheet, the information itself – the keys – might be seen as something of value in and off itself and might, thus, be regarded to fall into the insolvency estate. This should be clarified.

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	<p>With respect to paragraph 7 [multiple digital euro accounts]:</p> <ul style="list-style-type: none"> • Before we can agree to the possibility of multiple digital euro accounts, we would like to gain a better understanding of the practical and technical complexity that such multiple account arrangements would entail for the PSPs involved. How would compliance with the holding limit be ensured in this case? Would multiple accounts still be linked to a single holding in the DESP, and how would this be technically implemented? • We should avoid introducing additional features whose incremental benefit for users may be limited, yet which could impose significant complexity costs on the project. • Finally, we have some editorial comments: <p><u>Article 13(1), first and second subparagraph, and Article 13(2):</u> <i>“(…) Directive (EU) 2015/2366 (…)”</i></p> <p><u>Article 13(1), third subparagraph:</u> <i>“In accordance with the previous second subparagraph, those payment service (…)”</i></p> <p><u>Article 13(2), second subparagraph:</u> <i>“(…) an account at the European Central Bank or other national central bank (…)”</i> [ECB is not a national central bank. Hence, the word “other” does not fit.]</p> <p><u>Article 13(4), third subparagraph:</u> <i>“(…) Digital euro users shall be allowed to have that those designated non-digital euro payment accounts with a different payment service (…)”</i> [Plural is</p>

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	<p>needed due to the other amendments proposed by the Polish Presidency to that subparagraph.]</p> <p>FR (Comments):</p> <p>We reiterate that we are opposed to the list of mandatory acquiring services. As explained before, we don't like the switching narrative as it reduces the trust in commercial bank money. We have no further comments.</p> <p>NL (Comments):</p> <p>NL: We currently think that no further adjustments to Article 13 are needed.</p> <p>FI (Comments):</p> <p>-</p> <p>IT (Comments):</p> <p>IT. In general terms we agree with the drafting of article 13. However, in our opinion the following points should be clarified:</p> <ul style="list-style-type: none"> - PSPs should link each digital euro payment account to one non-digital euro payment account (at least for the purposes of paragraph 4, a) and b)). - At the same time, it is important to stress in paragraph 2 that the payment account may be held with the same or another PSP (the objective is fostering innovation and development of open banking services). - As proposed by the Presidency the functionality of point b) (open reverse waterfall) may not have to be mandatorily provided to natural persons, if the two accounts are held with different PSPs, and if offered, it should be free of charge. Still, the drafting proposed is not consistent with this proposal as it seems to exclude altogether the provision of the service to natural persons.

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	<p>In greater detail, we would suggest the adjustments described below by reiterating some of our previous comments and adding new ones:</p> <ul style="list-style-type: none"> - About paragraph 2, we would suggest restoring the text “<i>whether held with the same or another payment service provider</i>”. While it may seem obvious, we see no harm in specifying it, so to leave no room for misinterpretation. - About paragraph 4, we believe that the possibility to link a digital euro payment account to one or more non-digital euro payment accounts would be too burdensome for PSPs, without having a clear added value for users. Therefore, we believe it is sufficient to provide in the regulation for the digital euro payment account to be linked to one non-digital euro payment accounts (thus, removing “or more”). Should this not find consensus, we would suggest allowing <u>both</u> the waterfall and reverse waterfall functionalities (a) and b)) to and from one linked commercial bank money account only per digital euro account. This would reduce the operational and implementation impact on PSPs still preserving the end users’ freedom to have more than one digital euro account. Indeed, our suggestion is the same with regard to Article 22 (4). - Moreover, about the Presidency proposed adjustment of paragraph 4, in line with the proposed compensation model and the open reverse waterfall proposal, we believe that the wording is unclear and could raise legal and interpretative concerns, as it appears to altogether exclude the provision of open reverse waterfall functionalities to natural persons. If the Presidency’s intention is solely not to make the open reverse waterfall functionality mandatory, the provision should be revised, by introducing a separate paragraph or a sentence specifying that users are allowed but not entitled to have different PSPs for point (b), because the actual availability of the service depends on the agreements negotiated among PSPs. Drafting suggestion: “<i>The functionality of point b) does not have to be mandatorily provided to natural persons where the non-digital euro account is provided by a PSP other than the one providing the digital euro payment account</i>”. - About paragraph 6(a), while we agree with the objective to protect the digital euro users as much as possible, we believe that paragraph 6a is not

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	<p>functional in that respect (therefore at this stage, while we remain ready to further discuss the topic, we would prefer the deletion of this new paragraph); in particular we are not sure that the wording “<i>shall remain the properties of the digital euro users and</i>” is correct because the nature of the right of the user over its digital euros has not yet been assessed (plus, the wording implies that a digital euro holder cannot hold on behalf of a different subject based, for instance, on a contract between the two, while this seems to be theoretically possible). Similarly, legal analysis would be needed on the legal nature of the relationship (deposit, mandate, other...) between the digital euro holder and his PSPs. While we agree with the Presidency’s idea that such paragraph is of declaratory nature, we are not convinced that it “<i>describes what is the result of the digital euro’s very nature as a direct central bank liability</i>” because also banknotes are direct central bank liabilities, but the latter can be deposited with a PSP and this generates a credit/debit relationship. So maybe not the “<i>direct central bank liability</i>” is key in the assessment concerning the user’s protection but the <u>actual legal relationship</u> between user and PSP (which in our take has to be analysed mainly on the basis of the digital euro’s technical features).</p> <p>Moreover, the meaning of “<i>or other proceedings</i>” is unclear and too generic. Plus, we believe that the protection of the user against creditors of his PSP has to be discussed together with the issue (not yet discussed at all) concerning the protection of the user’s creditors (meaning the legal actions available to the creditors of the user).</p> <p>Finally, the very last sentence of para 6a is in our opinion unclear as to whether also the defunding to a non-digital euro account may take place without relying on the PSP involved in the proceeding. We take the occasion of this note and related comments to suggest, for the same reasons indicated above, the proposed last sentence of recital 9 (“<i>The digital euro should be considered a non-physical in rem asset in the context of national laws</i>”) which triggers serious legal concerns.</p> <p>IE</p>

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	<p>(Comments):</p> <p>Paragraph 1 of Article 13 entitles payment service providers (PSPs) “authorised under PSD2 and wishing to provide equivalent digital euro payment services, [to do so without having to seek] any additional authorisation under Directive (EU) 2015/2366.” While we support this approach for equivalent digital euro services, the next paragraph states that “Payment service providers who decide to provide digital euro payment services.. shall provide the full list of mandatory digital euro payment services as set out in Annex II.”</p> <p>IE consider this language to be contradictory. As such, IE would recommend consistency in the legal text used throughout the regulation.</p> <p>IE also recognise that not all PSPs currently have authorisation to provide the full suite of mandatory digital euro services listed. We would reassert our support for the ‘no pick and choose’ principle here in this context.</p> <p>EE (Comments):</p> <p>EE: We did not identify any specific need for changes, but we are open to considering suggestions to further refine the text.</p> <p>PT (Comments):</p> <p><i>Yes, further adjustments are essential.</i></p> <p>Preliminarily, we would like to reiterate our position on the “no pick-and-choose” approach proposed by the Presidency.</p> <p>In Portugal, PIs and EMIs are smaller and mainly provide services to merchants. While we appreciate the flexibility of allowing these providers to voluntarily offer basic digital euro services, we are concerned about the incentives created. Requiring them to offer all basic services once they opt to provide one could</p>

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	<p><i>discourage participation</i> due to implementation costs. <i>This may reduce, rather than foster, the number of providers entering the digital euro market.</i> Therefore, we continue to support the approach proposed initially by COM.</p> <p>Additionally, we have <i>significant concerns regarding the proposed drafting:</i></p> <p>On paragraph 1: In case this police option is maintained, the fourth subparagraph needs to be redrafted.</p> <p>Drafting suggestion (in orange): With the exception of the provision laid down in Article 14(1) for credit institutions, payment service providers who decide to provide basic digital euro payment services to natural persons acting as consumers or do so upon request of their clients pursuant to Article 14(1) shall provide the full list of mandatory basic-digital euro payment services as set out in Annex II.</p> <p>Explanation: The provision of mandatory services by credit institutions should be separated from the voluntary distribution and the no-pick-and-choose principle applicable to PSPs other than credit institutions. Moreover, we suggest clarifying in a Recital that this obligation does not entail a legal requirement to conclude agreements for the provision of these services, unlike the mandatory provision of such services by credit institutions to their clients acting as consumers. This is also why we propose making a broader reference to “<i>natural persons acting as consumers</i>” rather than “<i>their clients</i>” that are natural persons acting as consumers.</p> <p>Moreover, if the policy option set out in the following paragraph is retained, the fifth subparagraph should be redrafted. The articulation between this provision and the new Article 14(1bis) needs to be further worked. It remains unclear which payment service providers will be required to make acquiring</p>

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	<p>services available (either mandatorily or voluntarily) and to whom these services should be provided (either mandatorily or voluntarily).</p> <p>Drafting suggestion (in orange): With the exception of the rule laid down in Article 14(1)bis, Ppayment service providers who decide to provide basic acquiring services to legal persons or self-employed natural persons or do so upon request of their clients pursuant to Article 14(1)bis shall provide the full list of mandatory basic acquiring services as set out in Annex IIa.</p> <p>Explanation: From our perspective, while Article 14(1)bis establishes that PSPs already providing acquiring services for comparable means of payment are required to make equivalent digital euro acquiring services available to their clients, this Article ensures that PSPs [other than those covered by Article 14(1)bis] which choose to start offering digital euro acquiring services are required to provide the full set of services listed in Annex IIa. For this purpose, we propose: (i) clearly identifying Article 14(1)bis as an exception to this rule, given that certain PSPs will be required to provide these services to their clients; and (ii) deleting the reference to “or do so upon request of their clients pursuant to Article 14(1)bis”, as this provision should have a broader scope ensuring more effectively the “no pick-and-choose” approach.</p> <p><i>From our perspective, it is not clear whether PSPs distributing these products (mandatory digital euro payment services and mandatory digital euro acquiring services) under the no-pick-and-choose principle will also be subject to the requirement of providing such services free-of-charge, as provided in Article 17(1) and the new Annex IIa.</i></p> <p>On paragraph 2: We have serious doubts about replacing “their clients” by “digital euro users”. For instance, in relation to operations foreseen in point (b) of subparagraph 3, this requirement seems to go beyond what PSPs currently provide for funding</p>

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	<p>and defunding of commercial bank accounts from and into cash. Some PSPs only offer cash services to their clients, in specific situations (e.g. branches).</p> <p>Moreover, the reference to “<i>non-digital euro payment accounts within the meaning of Directive 2015/2366</i>” needs to be replaced by “<i>payment accounts within the meaning of Directive 2015/2366 which do not hold digital euros</i>”. PSD2 does not contain any reference to “<i>non-digital euro payment accounts</i>”.</p> <p>Drafting suggestion (in orange):</p> <p>2. Payment service providers that provide non-digital euro payment accounts within the meaning of Directive 2015/2366 that do not hold digital euros and payment service providers that provide digital euro payment accounts servicing payment services within the meaning of Directive 2015/2366 shall enable their own clients digital euro users to manually or automatically fund or defund their digital euro payment accounts, whether held with the same or another payment service provider, from or to non-digital euro payment accounts, respectively euro banknotes and coins when a payment services provider provides cash services, subject to any limitations that the European Central Bank may adopt in accordance with Article 16 of this Regulation.</p> <p>On paragraph 4:</p> <p>We are opposed to allowing users to link more than one non-digital euro payment account to their digital euro payment account. From our perspective, this is clearly an element that introduces additional complexity without delivering a clear benefit for digital euro users. This may even introduce friction in the use of the digital euro, potentially undermining user experience and operational efficiency.</p> <p>It is difficult to understand the segment “<i>apart from natural persons for the purpose of point (b)</i>”. We believe the intention is to clarify that only merchants would benefit from the possibility foreseen in the second sentence. However, this is not clear from the presented wording.</p>

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	<p>More importantly, we question whether the distinction in approach between waterfall and reverse waterfall mechanisms may introduce additional and unjustified complexity, not only for the implementation of the project, but also from the perspective of end users.</p> <p>Therefore, we propose allowing digital euro users to link only one non-digital euro payment account, for the purposes of points (a) and (b), provided that the account is held with the same payment service provider where the user holds their digital euro payment account.</p> <p>Drafting suggestion (in orange): For the purpose of points (a) and (b), and upon prior approval by the digital euro users, payment service providers shall link each digital euro payment account to one or more a single non-digital euro payment accounts denominated in euro designated by the digital euro users held with the same provider. Digital euro users shall not be allowed to have that designated non-digital euro payment account with a different payment service provider than the one where a given digital euro payment account is held., apart from natural persons for the purpose of point (b).</p> <p>On paragraph 6: We fail to see the added value in introducing the segment “for this purpose”, in the second sentence. It seems that <i>a contrario</i> a contractual relationship could be possible between digital euro users and the ECB/NCBs in certain situations.</p> <p>Drafting suggestion (in orange): 6. For the purpose of digital euro payment services, digital euro users shall only enter into a contractual relationship with their payment service providerPSPs. Digital euro users shall not have any contractual relationship, for this purpose, with the European Central Bank or the national central banks.</p>

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	<p>Paragraph 6a should be deleted. While traditional commercial bank deposits are customer claims on PSPs, digital euro holdings are direct claims on the central bank (as already clarified in the text), ensuring full ownership by the user and eliminating the risks associated with the transfer of fund ownership. Therefore, these clarifications are unnecessary and may create doubts regarding the nature of the digital euro.</p> <p>Drafting suggestion (in orange): (deleted) 6a. In case insolvency proceedings or other proceedings are opened with regard to a payment service provider providing digital euro payment services, the digital euro holdings of digital euro users shall remain the property of the digital euro user and shall be beyond the reach of creditors of that payment service provider. Notwithstanding any contractual clauses to the contrary, and In such a case, the digital euro user can switch the digital euro payment account to another payment service provider without relying on the insolvent payment service provider subject to insolvency proceedings, in accordance with Article 31(2), or have their digital euros defunded to a non-digital euro payment account.</p> <p>AT (Comments):</p> <p>The current wording under Paragraph 3 point (a) appears to allow payment transactions between non-dEUR payment accounts and dEUR accounts, i.e. Person A with non-dEUR payment account makes a transfer to Person B with a dEUR-Wallet. To our understanding, such transfer possibility is not foreseen.</p> <p>There is still no clarity whether multiple wallets will be available from day one of the dEUR issuance, as this topic has been parked in March 2024.</p> <p>We would prefer to abstain from mere declaratory provisions such as paragraph 6a, but can agree to keep it.</p>

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	<p>ES (Comments):</p> <p>In paragraph 1:</p> <ul style="list-style-type: none"> - we would not say “PSPs may provide D€ payment services”, we would say “PSPs that provide PSD services that are equivalent to D€ basic services according to the table in Annex VI may provide D€ payment services to natural persons”. Since acquiring services are not contained in Annex VI we would have to add the reference to natural persons. OK with eliminating then the reference to article 12a that includes also merchants. - We would also eliminate Annex I since it might create confusion and refer to the D€ payment services only as the mandatory services (which include payment). Value added D€ services, beyond the mandatory services, would not be “payment services” but value added services, and we would say that do not need a list for those since they evolve and can increase with innovation (this does not preclude the possibility of mentioning some of them in recitals). - We value the clarification that no double licence will be needed to provide D€ payment services, since the PSD licence would suffice - We like the clarification that the PSPs wanting to provide D€services to natural persons will have to provide the entire list (no cherry picking) <p>Paragraph 2</p> <ul style="list-style-type: none"> - We would maintain that the obligation to manually and automatically fund and defund accounts applies to accounts held both in the same and in another PSP. We do not understand why the reference to the same PSP is eliminated. - Regarding the automated funding, we think there is value in distinguishing between scheduled funding and event driven funding. Only the first should be mandatory, whereas the second shall be left to

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	<p>the market do develop and decide the pricing (similar approach than the open reverse waterfall)</p> <p>Paragraph 4:</p> <ul style="list-style-type: none"> - For natural persons, we want that for waterfall and reverse waterfall users can only link their D€ account one non D€ account. In the vein of simplification that other MSs like Germany mentioned, we believe this could be a thing to simplify. It is an overcomplication and we do not see the value added. This does not preclude that we support that users and merchants can have multiple accounts with different PSPs - In the case of merchants, we understand that it could make sense to have more accounts linked based on the business model of the merchant. - We would also like to see clarified in recitals that merchants will be able to link their D€ account to a normal account with a different owner (that is not the owner of the D€ account). It is common that merchants receive their D€ payments in omnibus accounts of their acquirer PSPs, we want to leave this possibility open for the D€ acquiring services. <p>Paragraph 6a: We could include a reference to the technical keys that are also property of the user and shall remain beyond reach. We would not oppose to a change in the drafting to make sure it does not interfere with the civil law of any MS.</p>
<p>Q6. Do Member States agree with the Presidency’s drafting suggestions to Article 14?</p>	<p>BE (Comments): We overall support the PDCY proposal.</p> <p>HR (Comments): We disagree with the DK PRES suggestion in the Article 14(1) to delete the references to “acting as consumers” in Article 14(1) and 14(2) because Article</p>

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	<p>14(2) refers to Chapter IV of the PAD directive (Directive (EU) 2014/92) and Chapter IV refers only to "consumers" and not to "natural persons". Accordingly, we support retaining the current wording in Article 14(1) and 14(2) "acting as consumers".</p> <p>SK (Comments):</p> <p>In paragraph 3 we would prefer “may” provision over “shall”.</p> <p>EL (Comments):</p> <p>Yes, we agree with the Presidency’s drafting suggestions to Article 14.</p> <p>LU (Comments):</p> <p>LU: we can support the amendments proposed by the Presidency</p> <p>SI (Comments):</p> <p>SI: Yes, we agree.</p> <p>CZ (Comments):</p> <p>We disagree with deleting the references to „acting as consumers“.</p> <p>LT (Comments):</p> <p>We agree</p> <p>PL</p>

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	<p>(Comments):</p> <p>PL: We generally agree with the Presidency’s drafting suggestions to Article 14.</p> <p>DE</p> <p>(Comments):</p> <ul style="list-style-type: none"> No, we cannot agree with the drafting suggestions. We believe that there is still a need for substantive adjustments: <p><u>Article 14(1) and (2)</u></p> <ul style="list-style-type: none"> For reasons of legal consistency, we are not convinced by the deletion of the requirement that the natural person must act as a consumer in order to be entitled under paragraphs 1 and 2. Annex II clearly indicates that the listed services are only mandatory for consumers. Only this limitation justifies that a significant part of these services must be provided free of charge. Allowing natural persons to use their digital euro accounts both privately and for business purposes would mean that the mandatory services would in the end also be provided free of charge to self-employed persons. This would lead to an unjustified unequal treatment of self-employed persons compared to legal entities. We also question the validity of the PCY’s arguments regarding practicability. As we see it, credit institutions are today quite able to distinguish between private and business current accounts and adjust their pricing accordingly. There is no reason why this should be any different in the context of the digital euro. Moreover, we fail to see why potential practical difficulties in determining the actual use of a digital euro account should lead the legislator to preclude PSPs from trying to make such a determination in

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	<p>the first place. To us, this approach appears inconsistent and unjustified.</p> <ul style="list-style-type: none"> • In any case, any practical difficulties in determining the actual use of a digital euro account are likely to arise only during the subsequent use of the account. For the purpose of assessing whether a natural person is entitled under paragraph 1, it should be sufficient to determine whether the person holds a private or a business account with the PSP. Under paragraph 2, the natural person would always be entitled. • It is only during the subsequent use of the digital euro account, that PSPs would have to retain the ability to identify any non-compliant use of the account for business purposes and, in such cases, could then either terminate the account or charge appropriate fees. • Last but not least, the proposed deletion highlights the rather unclear position of businesses (legal persons and self-employed persons) under the DER. According to the logic of the underlying COM proposal, businesses would not be entitled to open a digital euro account with the PSPs where their business accounts are held. This is, as noted, consistent with the rules in Annex II that only lists mandatory services that must be offered to consumers. Conversely, this would mean that the question whether businesses have access to digital euro accounts beyond the basic acquiring services would be left to the free play of the market. • We feel that the regulation is somewhat incomplete in this regard and consider it worthwhile to discuss, at least once in the council, the fundamental principles that should govern the active use of the digital euro by businesses (such as, for example, the zero holding limit).

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	<p><u>Article 14(3)</u></p> <ul style="list-style-type: none"> • As stated in the last CWP meeting, we welcome the fact, that MS are granted greater flexibility under paragraph 3 through the option to designate PSPs as special inclusion entities. • We must, however, once again make it very clear that, in its current form, para. 3 is not acceptable to us. We remain firmly opposed to making this provision mandatory. • We note that our previous questions regarding the specific added value of paragraph 3(a) compared to paragraph 2 have not yet been addressed to our satisfaction. • To be specific: <ul style="list-style-type: none"> ○ We have pointed out that the objectives in paragraph 3(a) are already fully achieved by paragraph 2. ○ Under that provision, every PSP is already required to offer basic digital euro payment services to natural persons acting as consumers, who do not hold a non-digital euro payment account. ○ To clarify, these services must be provided irrespective of whether the consumer also opens a non-digital euro payment account with the respective PSP, as Article 22(2) explicitly rules out such bundling. ○ The designation of certain PSPs would therefore merely duplicate obligations that already exist. ○ The COM has argued, on the one hand, that it may not always be reasonable to expect unbanked persons to turn to credit institutions in order to access digital euro payment services. Even if one were to set aside the fundamental concerns that this understanding of the market inevitably raises, the argument

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	<p>does not hold. In view of the flexibility provided by the PCY – which we and the majority of other MS very much welcome – MS could also designate PSPs instead of public institutions under para. 3. In such a case, unbanked consumers would in any event have to turn to credit institutions, rendering the argument practically irrelevant.</p> <ul style="list-style-type: none"> ○ The second argument put forward was that some banks do not always comply with the provisions of the PAD, which would therefore necessitate a backup infrastructure. In our view, this line of reasoning amounts to an admission of failure, as it essentially seeks to regulate illegality. The proper question in this case should rather be how the PAD can be adjusted to ensure effective enforcement across all MS. Moreover, those MS where enforcement issues persist could make use of the option to designate a specific PSP or public entity for this purpose. However, MS in which the PAD is effectively implemented should by no means be subject to the same mandatory obligation. ● We therefore uphold our position that paragraph 3 is not necessary to guarantee universal accessibility. A ‘may’ provision, or even a complete deletion would not, contrary to repeated assertions, undermine uniform access within the euro area. <p><u>Article 14(3)</u></p> <ul style="list-style-type: none"> ● The PCY has reacted to our remarks on the interconnectedness of paragraph 3(b) and paragraph 4 by moving the specific provisions on the “face-to-face and in physical proximity” delivery of the support services to paragraph 4.

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	<ul style="list-style-type: none"> • However, this approach does not address the concern expressed by us and others that the provision of such specific inclusion services would entail disproportionate burdens for the respective PSPs. Moreover, the relocation of this provision to paragraph 4 clearly illustrates that requiring individual PSPs to provide such additional services would place them at a significant competitive disadvantage compared to other market participants. • There is no justification for such major distortion of competition as long as there are still institutions within a MS’s banking sector that already provide these “face-to-face and in physical proximity” support services. In Germany, for example, you could always turn to the Volksbanken and Raiffeisenbanken and the Sparkassen. Individuals who depend on a face-to-face support are free to choose these banks. Conversely, those who have opted for digital-only-banks – often attracted by lower fees – evidently do not rely on such face-to-face support services. • The designation of a specific PSP for these inclusion-related tasks should therefore only be considered where no such credit institutions exist within a MS’s banking sector. In that case – and only then – the respective MS may designate a PSP to fulfil these inclusion tasks. <p>FR (Comments): In parallel with cash, we are not in favour of mandatory distribution by credit institutions. Furthermore, we would like to reiterate that we are not in favour of mandatory ‘face-to-face’ services, as we already have financial inclusion measures in place that are funded by the State.</p> <p>NL (Comments):</p>

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	<p>NL: We still support a ‘may’ provision in paragraph 3. Obliging one (private) PSP with extra services related to accessibility is bad for a level playing field and competition. We do appreciate the removal of the wording on ‘dedicated’ assistance in paragraph 4.</p> <p>FI (Comments):</p> <p>Yes</p> <p>IT (Comments):</p> <p>IT. Yes, we agree, except for the deletion of the wording “who are acting as consumers” in paragraph 2. The deletion of this reference may be not perfectly aligned with the reference to Directive 2014/92 which applies only to consumers. Although we have not a strong position on the choice between the reference to consumers and the reference to natural persons per se, we are concerned that mentioning that Directive in a context where the scope of application is not strictly linked to the fact that users are acting as consumers, may generate misinterpretations about the scope of application of the provisions, which could still be interpreted in this sense. At the same time, we acknowledge that, regardless of whether the PAD Directive is referred to, including in paragraph 2 all natural persons who do not already hold a bank account could have cost implications for PSPs other than credit institutions, as they would still be required to provide all the mandatory (basic) services free of charge.</p> <p>IE (Comments):</p> <p>IE Agrees</p> <p>EE (Comments):</p>

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	<p>EE: We can support the Presidency’s approach and remain open to further improving the text.</p> <p>PT (Comments): <i>We generally agree.</i></p> <p>Nonetheless, please consider the following drafting suggestions.</p> <p>On paragraph 1: The reference to “<i>where these persons are acting as consumers</i>” should be reintroduced. First, we are against significantly broadening the scope of the obligation foreseen in Article 14(1) for credit institutions. Second, the definition of “consumers” is well-established in Union law (for instance, PAD and PSD2), providing, for that reason, a high level of legal certainty. Finally, credit institutions know the purpose for which their clients use their accounts, an element which is typically considered in the moment the account is opened.</p> <p>On new paragraph 14(1)bis: We submit to the DK Presidency a few suggestions to clarify the proposed wording.</p> <p>Drafting suggestion (in orange): 14.1(bis) Payees’ Payment service providers within the meaning of Directive (EU) 2015/2366 shall provide to their clients, which are legal persons or self-employed natural persons subject to under the obligation to accept digital euro payments according to chapter III of this Regulation and Article 22(6), digital euro, benefit from an exception to they, basic mandatory acquiring services referred to in Annex II(a) provided for whom that they already provide them with equivalent acquirer acquiring services within the meaning of in accordance with Directive (EU) 2015/2366</p>

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	<p>shall for comparable means of payment. This obligation shall comprise the virtual or physical environment in which they are already operating.</p> <p>AT (Comments):</p> <p>On paragraph 1: We would see merit in keeping the reference to consumers.</p> <p>A potential alternative wording could refer to the term used in Article 9 point (c):</p> <p>1. For the purpose of distributing the digital euro to natural persons acting in the course of a purely personal or household activity referred to in Article 13(1) 12a (a) where these persons are acting as consumers, credit institutions that provide payment services as referred to in points (1), (2) or (3) of Annex I to Directive (EU) 2015/2366 shall, upon request of their clients, for whom they already provide payment services on a contractual basis, provide those persons with all basic digital euro payment services as referred to in Annex II.</p> <p>On paragraph 4: Drafting suggestion in blue:</p> <p>4. Payment service providers referred to in paragraphs 1 to 3 shall provide digital inclusion support to persons with disabilities, functional limitations or limited digital skills, and elderly persons. Payment service providers designated pursuant to paragraph 3 shall offer this support also face-to-face in physical proximity. Without prejudice to paragraph 3, point (b), digital inclusion support shall comprise, but not be restricted to, a dedicated assistance for onboarding to a digital euro payment account and using all mandatory basic digital euro payment services.</p> <p>ES</p>

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	<p>(Comments):</p> <p>We agree with eliminating the references to “natural persons acting as consumers” and leaving only natural persons. This was introduced during our PCY to state that it did not include self-employed persons (to be treated as legal persons) – but we can agree with the best way to express this in a legally sound way.</p> <p>We also agree with substituting references to basic services by mandatory services. In this article we are not focusing on the pricing (what is free – compensation), this article focuses on distribution obligations</p> <p>We wonder that if art. 14.3. becomes a shall provision and MSs are obliged to designate PSPs to provide D€ services to unbanked population, is art. 14.2, referring to the PAD for the provision of D€ services for unbanked population, needed?</p> <p>If both are maintained, we think that the obligation to provide face to face support services should NOT be limited to entities in art. 14.3. but comprise also entities in art. 14.2.</p>
<p>Q7. Do Member States find that further adjustments to Article 14 is needed?</p>	<p>BE (Comments): We have no drafting remarks.</p> <p>HR (Comments): We consider it necessary to ensure consistency throughout Article 14 by replacing the expression “basic digital euro payment services as referred to in Annex II” with expression “mandatory digital euro payment services as referred to in Annex II”.</p>

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	<p>According to Article 14(1) credit institutions that provide payment services as referred to in points (1), (2) or (3) of Annex I to Directive (EU) 2015/2366 shall, upon request of their clients, provide those persons with all basic digital euro payment services as referred to in Annex II.</p> <p>Why this article prescribes payment services (1), (2) or (3) of PSD2 as it is concluded that all PSPs who are obliged to provide all basic digital euro payment services should have licence for payment services 1, 2 and 3 in the Annex to PSD3/R (1,2,3,4 and 5a) in the present Annex to PSD2)?</p> <p>EL (Comments):</p> <p>We see no need for further adjustments to Article 14, except for the addition of the following in para 3: “shall designate (...) upon request, to provide ...”.</p> <p>LU (Comments):</p> <p>LU: the reference “, as transposed into national law by the respective Member State” in paragraph 2 is not necessary. We have a preference for the “may” clause and an optional regime in paragraph 3.</p> <p>SI (Comments):</p> <p>No.</p> <p>CZ (Comments):</p> <p>In art. 14 par. 4 and 5 change the word „basic“ to „mandatory“.</p> <p>LT (Comments):</p> <p>No further adjustments to Article 14 are required.</p>

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	<p>PL (Comments): PL: No further adjustments are necessary in our view.</p> <p>DE (Comments):</p> <ul style="list-style-type: none"> We propose the following (editorial) adjustments: <p><u>Article 14(5):</u> Reference should be made to either the EBA or the AMLA regulation to provide a legal basis for issuing those guidelines. Also, we would prefer setting a deadline for EBA and AMLA.</p> <p><u>Article 14(1) and (4):</u> “(...) basic mandatory digital euro payment services (...)”</p> <p><u>Article 14(1), (2) and (3):</u> “(...) Article 12a(1), point (a), (...)” [part of reference is missing]</p> <p><u>Article 14(3):</u> “(...) 2015/2366, to, upon request, provide (...)” [missing word]</p> <p><u>Article 14(1)bis:</u> “(...) basic mandatory acquiring services referred to in Annex II(a) (...)”</p> <p>FR (Comments): PAD directive is the basis for accessing banking services. There should not be special law within this regulation. We have no further suggestions for adjustments.</p> <p>NL</p>

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	<p>(Comments): NL: Yes, we believe it should be a ‘may’ provision. FI (Comments): - IT (Comments): IT. No, we don’t. IE (Comments): NIL EE (Comments): EE: Please see the answer to the Q6. PT (Comments): No. AT (Comments): No. ES (Comments): No</p>
Q8. Do Member States agree with the Presidency’s proposed adjustments to Annex II, in particular the deletion of conditional payments, the clarification for cash funding	BE

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<p>and defunding, and the retention of dispute and pre-dispute services in the list of basic services?</p>	<p>(Comments):</p> <p>We have strong concerns regarding the PDCY proposal regarding the deletion of open-funding for reverse waterfall services from the list of basic services to natural persons, which we see as a natural prolongation of the multiple account system and a consequence of the introduction of holding limits. Moreover, absent the requirement to offer this service, PSPs would need to contract with each other, which would be an extremely painful process, with an uncertain outcome. However, in order to finalise our position, we would appreciate to better understand the operational complexity for PSPs stemming from offering this service to natural persons, if the scheme is already developed and this service is already offered to acquirers.</p> <p>We overall support the rest of the PDCY proposal. However, we would appreciate clarification as to the meaning of “through the same technical means » in service (d) « manual funding and defunding from or to euro banknotes and coins <i>through the same technical means</i> in which the distributing PSP provides such cash services for non-digital euro payment accounts ».</p> <p>HR (Comments): We support DK PRES adjustments to Annex II.</p> <p>SK (Comments): We agree with clarification on cash funding and defunding as well as with the retention of dispute and pre-dispute services, however, we would prefer to keep conditional payments on the list. With regards to letter a) we would welcome clarification if it is meant to be one account per user per PSP and which digital euro account/s should be for free. In letter g) it could be explicitly specified that it can be one instrument covering both, online and offline mode of payment.</p>

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	<p>EL (Comments): We agree on the deletion of conditional payments and the retention of dispute and pre-dispute services in the list of basic services. However, we have reservations regarding the proposed drafting suggestions on funding and defunding operations on Annex II (c) and deletion of (f) which effectively makes open funding reverse waterfall optional. This would seem to limit the scope of use of the digital euro.</p> <p>LU (Comments): LU: <i>Service a:</i> what is the consequence of the new wording for the number of accounts users can open? Is a second account with the same PSP subject to a fee or will this lead to a ban or a cost prohibitive approach towards multiple accounts? <i>Service h:</i> to our knowledge the concept of pre-dispute is not included in the PSD/SR framework. This inclusion risks creating additional uncertainty. In our view dispute resolution is not a service itself but e mere consequence of providing payment services. Thus, we question the necessity to include such service in the list of basic services.</p> <p>We can support the deletion of conditional payments, and the approach proposed for cash funding and defunding.</p> <p>SI (Comments): SI: Yes, we agree. Additionally, we consider that the obligation to provide a <i>reservation of funds</i> functionality — enabling the blocking of funds on the</p>

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	<p>payer’s account prior to payment execution — should be included in the annex of mandatory services, as this functionality constitutes a fundamental prerequisite for the implementation of conditional payments.</p> <p>LT (Comments):</p> <p>We agree. General comment: we suggest using the same wording in the regulation, i.e. use either "mandatory" or "basic" services.</p> <p>PL (Comments):</p> <p>PL: Yes, we agree with the Presidency’s adjustments.</p> <p>LV (Comments):</p> <p>It would be important to point out that cash services are provided in the same (technical) way and within the same (free) limits as non-digital euro accounts.</p> <p>DE (Comments):</p> <ul style="list-style-type: none"> • First of all, we would like to point out that the list of mandatory services is still incomplete. The draft regulation contains several other obligations for PSPs which are not yet included in the Annex. For example, this includes the offer of multiple accounts, joint accounts as well as the linking of the digital euro wallet to several non-digital euro accounts. • We consider it essential, for reasons of legal clarity and practical applicability, that the Annex II should, in a first section, provide an exhaustive list of all services that must be offered to consumers on a mandatory basis. Then, in a second section, we should clearly specify which of these services are to be provided free of charge.

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	<ul style="list-style-type: none"> • Concerning the individual letters, we have the following comments, which are partly substantive and partly editorial in nature: <ul style="list-style-type: none"> ○ (a) there is a mismatch between Article 13(7), according to which digital euro users may have one or more digital euro payment account at the same or different PSPs, and Annex II, point (a), which now stipulates that PSPs would only be obliged to offer one digital euro payment account per person. It should be clarified whether more than one digital euro account per person must be offered, whether there is a maximum amount of accounts to be made available per person (which would facilitate the allocation of the holding limit across accounts), and whether the accounts must also be offered free of charge. On the latter, we do not think that additional accounts beyond the first should be offered free of charge. ○ (ab) We wonder whether the wording of (ab) is sufficiently clear. Reference is made to ‘enabling the storage of offline digital euros in one local storage device per payment service provider’. This is somewhat misleading. In fact, the local storage device would belong to the user and would not be provided by the PSP. What is meant here, is the fact that a user may only register one device for offline usage per PSP. This should be reflected more clearly in the text. ○ (c) We do not believe that only carving out the reverse waterfall functionality from the mandatory open funding services is going to solve the issue at hand. Instead, we propose to include also the automatic and scheduled funding in the list of excepted services. We will provide a more detailed input on this issue in the context of our later discussions on the compensation model. ○ (d) Regarding the cash funding, the wording is not sufficiently clear either. It should be specified more explicitly that the

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	<p>obligation does not extend to PSPs lacking cash infrastructure. We tend to provide a proposal in this regard in the aftermath of the CWP.</p> <ul style="list-style-type: none"> ○ (d) We are very reluctant, whether direct cash funding and defunding services should be mandatory across PSPs. We would like to gain a better understanding of the additional effort involved. If the effort proves to be substantial, direct cash funding and defunding should not be made mandatory. Instead, it would be reasonable for consumers to carry out cash funding and defunding via their current account maintained with the PSP. In that case, PSPs with a cash infrastructure would not be required to provide these services to users who are not their customers, since these digital euro users do not maintain current accounts with the PSPs that could be used for the intermediated cash funding and defunding. ○ (ea) We are reluctant to exclude ‘conditional payments’ after listening to what the ECB had to say about creating network effects at the last CWP meeting. It is essential for us that the digital euro be designed in a way that fosters innovation. We consider the development of features such as conditional payments to be particularly important for the digital euro’s future success. ○ In this light, we welcome in principle the inclusion of this service in the catalogue of mandatory basic services. That said, it would be highly valuable if the ECB could provide a more detailed explanation of the technical aspects underlying conditional payments. If the mandatory services would merely encompass making available the blocking of funds, this does not seem a disproportionate effort. And even if conditional

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	<p>payments were mandatory, this does not mean they would have to be offered for free.</p> <ul style="list-style-type: none"> ○ (g) Regarding the mandatory payment instrument under (g), we call for a more general debate. Which role will apps and physical cards play? What is the relationship between the two? We understand that each PSP would only have to offer one payment instrument and not two. However, this is not yet clear. Who decides which instrument would have to be offered? ○ Would the app, defined as an ‘user interface’ be considered a ‘payment instrument’ for the purpose of (g)? ○ Regarding the plastic card, we would welcome more clarity on the costs associated with such cards. While we support having a digital access to the digital euro, we must also acknowledge that in Germany only 7% of POS payments are made with mobile wallets. The majority of citizens still uses cards. Moreover, we wonder whether the users will be able to pay online and or P2P with the plastic card? ○ One possible solution would be that PSPs would have to offer both card an app, but only one instrument would have to be offered free of charge. ○ (h) We are still checking internally whether this approach is feasible in light of existing ADR regulation. In any case, we would need more clarity on the types of pre-dispute and dispute services that should be offered (fraud, technical issues, commercial disputes). <p>FR (Comments):</p>

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	<p>We do not support mandatory services nor mandatory distribution of the digital. There should also be an explicit mention that PSPs may charge package fees.</p> <p>We welcome the removal of conditional payments.</p> <p>With regard to cash, the provision of this service (d) must be optional so as not to encourage operators to reduce the number of ATMs.</p> <p>Today, the provision (ab)(g) of a means of payment is not free of charge, and there is no reason to make it free for the digital euro.</p> <p>We are also opposed to imposing dispute resolution (h) or pre-dispute services on PSPs. As a reminder, such services imposed by schemes are highly contested by merchants.</p> <p>It is an interference within the consumer-merchant contractual relationship.</p> <p>NL (Comments):</p> <p>NL: Yes, we agree with the proposed amendments and specifically appreciate the clarification regarding cash funding.</p> <p>FI (Comments):</p> <p>Yes. We are also hoping that dispute services are defined in more detail so that the service providers have a clear view on what level of dispute services they should offer and end-users have a better view on their rights.</p> <p>IT (Comments):</p> <p>IT. We broadly agree with the Presidency’s proposal, with the following adjustments:</p> <ul style="list-style-type: none"> - Since there is no more a perfect equivalence between basic (mandatory) services and services free of charge, the draft list of mandatory services should specify if a service is free of charge or not. As an alternative an additional Annex specifying this aspect could be introduced.

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	<ul style="list-style-type: none"> - The list should also include in letter (d) that cash services are to be provided only if already provided by the PSP and be subject to the same fees applied to non-digital euro cash services, as done in letter (c) when specifying the reverse waterfall exception. Another option, as clarified in Q1, may be considering free of charge the cash-funding services. - In this perspective, the list should also clarify in letter (a) if only the first account should be free of charge or the first account per PSP. - In letter (ba) it should be clarified if the emergency switching as defined in Article C should also be free of charge since reference to article 31 only is made. - It should be clarified the electronic payment instrument that will be provided free of charge. If the PSP has developed its own mobile app but the user is asking for a card, it is unclear if the latter should be provided for free. - The pre-dispute and dispute services as listed in Annex II and to be provided by the PSPs should be defined in the light of Dispute management mechanism described in Article 27, with explicit reference to that provision, and making also reference to potential procedures needed to be developed as part of the digital euro scheme rulebook. Same applies to Annex IIa. <p>IE (Comments):</p> <p>IE Agrees</p> <p>EE (Comments):</p> <p>EE: We agree with the Presidency’s proposed adjustments, but we are open to considering suggestions to further refine the text.</p> <p>PT (Comments):</p>

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	<p><i>Yes, we generally agree.</i></p> <p>In accordance with our previous comments in this regard, we strongly believe that digital euro users should only be allowed to hold a digital euro payment account, at least at an initial phase of the project. This approach would significantly reduce complexity, both from the user’s perspective and in verifying compliance with holding limits by payment service providers. Additionally, the availability of a swift and user-friendly switching mechanism would ensure greater flexibility for users when changing providers. The same approach should apply to offline functionality.</p> <p>In this vein, we propose the following adjustments to the proposed drafting of Annex II.</p> <p>Drafting suggestions (in orange):</p> <p>(a) Opening, holding, managing and closing of a one of the digital euro payment account per payment service provider digital euro user, including consulting balances and transaction records;</p> <p>(ab) enabling the storage of offline digital euros in one local storage device per payment service provider;</p> <p>(ba) switching of payment service provider a digital euro payment accounts as referred to in Article 31;</p> <p>(c) non- manual and or automated funding and defunding from or into a the non-digital euro payment accounts, including funding and defunding operations referred to in Article 13(4) from or into the non-digital payment account linked to the digital euro payment account; except funding operations referred to in Article 13(4b), if the digital euro payment account and the non-digital euro payment account are provided by different PSPs;</p>

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	<p>Explanation: In line with our comments to Article 13(4).</p> <p>AT (Comments):</p> <p>Apart from our stance on the reverse waterfall topic, we support the clarifications made by the presidency (deletion of conditional payments, cash (defunding) and dispute services).</p> <p>On letter (g): we see the provision of one electronic payment instrument, at least for the initiation of online digital euro payment transactions as potentially insufficient and would rather refer to providing electronic payment instruments more generally. For the time being, card-based payments remain a relevant and well-known form factor. The current wording in Annex II letter (g) would suggest that banks may choose to offer only one electronic payment instrument, which would likely be an app solution, either through the ECB app or a proprietary solution.</p> <p>In order to reduce burdens for PSPs and to ensure the issuance of well-known and widespread formfactors, we would support the mandatory offering of both the app and cards, while only one of those two form factors should be cost-free for users.</p> <p>We would need an update on offline card-based solutions and their related costs and the possibility to co-badge offline and online payments. Depending on the result, a differentiated treatment of online (card and app) and offline (app-only) payment instruments could be warranted.</p> <p>On letter (h): Following the clarifications provided by the EC at the last CWP, we support a clarification that only (pre-)dispute services related to technical or fraud-related measures should be included in the list of mandatory services.</p>

Presidency Questions	Comments
	<p>With a view to the Draft Scheme Rulebook, we conclude that dispute reasons such as "goods or services not delivered" or "misrepresentation of goods or services" would not be part of mandatory (pre-)dispute services.</p> <p>ES (Comments):</p> <ul style="list-style-type: none"> - We do not agree with the PCY's justification for not including conditional payments. Conditional payments should, in our opinion, never be free of charge, and therefore they would not be subject to the MSC and inter-PSP cap, that is why it is not needed that comparable means of payment offer that service. We can see a value added in including conditional payments as a mandatory service as long as it is not free in order to facilitate scalability allowing merchants to offer this possibility for buyers. However, we do not have a very strong position. - Regarding letter h, on pre-dispute and dispute services: During the CWP the ECB clarified that pre-dispute services refers to facilitating the communication between the consumer and the merchant, so that they can come to an agreement. If there is no agreement, there would be a dispute where the DESP would adopt a passive role. There are valid debates in this regard: <ul style="list-style-type: none"> • Some may argue that a digital form of cash shall not benefit from commercial dispute services¹, since cash doesn't offer this. However, if we want to make the digital euro as attractive as other competing means of payment, it seems reasonable that users benefit from pre-dispute and dispute services. For comparable means of payment, chargebacks are usually free for

¹ It is important to be aware of the difference between commercial and technical disputes:

- Commercial dispute: related to the underlying business transaction, contract or satisfaction with the goods/services. It implies a disagreement over the value or legitimacy of the purchase – e.g.: the customer paid but didn't receive the goods, the quality of goods is not as described, late delivery, invoicing discrepancies
- Technical dispute: error in the payment processing system or administrative process – e.g. duplicate billing, incorrect amount charged in the card, incorrect code; fraudulent transaction; problem with bank's internal processing

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	<p>consumers, so we would emulate this for the D€ (as foreseen by the PCY).</p> <ul style="list-style-type: none"> • In any case, if we are trying to emulate the card solution here, we need to be aware of the role of the ECB (and the DESP) as manager of the scheme. It is the scheme manager that is involved in these issues, if it doesn't then the role is delegated to the Courts and that can have an impact on the service and perception of consumers. • We agree with maintaining dispute and pre-dispute services as mandatory services, since they are essential for user protection and part of comparable means of payment <p>- In the automated funding (letter c) we think we should distinguish between:</p> <ul style="list-style-type: none"> • scheduled funding (which should definitely be a mandatory service) and • event driven funding. We see similarities between this and the reverse waterfall open funding when it is with different PSPs. Therefore we think it could make sense to exclude from mandatory services the event driven funding with a different PSP. <p>- As for funding and defunding of cash (letter d), we think that the wording could be clearer, saying through the same technical means might not be enough. At least there should be a recital explaining also what would happen with digital banks that provide cash services through agreements with other banks.</p> <p>- Regarding letter g, on the number of payment instruments that need to be provided. We think we should focus on cell phones, which provide the best user experience. Also given that cell phones are growing exponentially. We think that the current wording makes sense, requiring only to provide one form factor free of charge. We could include as mandatory service to also provide cards, but we could allow PSPs to charge for this service.</p>

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	<ul style="list-style-type: none"> • If we go for cell phone apps, which we think is the best way forward, we should be really focusing on making a good User Experience, and see how we can integrate the D€ in mobile wallets currently used like Apple Pay, Google Pay or a way to integrate them in the phone that is as convenient and as easy to use. - Regarding letter a, we can only support limiting the mandatory and free to the first account, as long as it is PER PSP, not the first account at all. Otherwise it would create perverse incentives not to be the first bank to open the account. This should be stated clearly.
<p>Q9. Do Member States support the Presidency’s proposed amendments to Annex IIa?</p>	<p>BE (Comments): We overall support the PDCY proposal.</p> <p>HR (Comments): Yes, we support the Presidency’s proposed amendments to Annex IIa.</p> <p>SK (Comments): We agree with the proposed amendments.</p> <p>EL (Comments): Yes, we can support the Presidency ‘s proposed amendments to Annex IIa.</p> <p>LU (Comments): LU: To our knowledge the concept of pre-dispute is not included in the PSD/SR framework. This inclusion risks creating additional uncertainty. In</p>

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	<p>our view dispute resolution is not a service itself but e mere consequence of providing payment services. Thus, we question the necessity to include such service in the list of basic services.</p> <p>SI (Comments): SI: Yes, we support.</p> <p>CZ (Comments): Leg tech we suppose the same adjustment of chargeback as in Annex II.</p> <p>LT (Comments): We support.</p> <p>PL (Comments): PL: Yes, we agree with the Presidency’s adjustments.</p> <p>DE (Comments):</p> <ul style="list-style-type: none"> • We are overall fine with the proposed amendments. For now, we only have the following remarks: • Firstly, we wonder whether letter (c) should indeed refer to the initiation of online and offline digital euro payment transactions. As we recall prior Council discussions, the mandatory acquiring services should only cover refund operations, but not the initiation of digital euro payments in general. In any case, the cap on the MSC would not apply to the latter, which should be clarified. From our point of view, it would be preferable to delete the reference to the “initiation” altogether and to refer solely to the specific refund services instead.

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	<ul style="list-style-type: none"> Secondly, we would be supportive of obliging PSPs to provide merchants with the possibility to transfer digital euro funds to their non-digital euro payment accounts only once per predefined time period (“batch payout”), rather than instantly for each transaction. Such a possibility would be an operational relief for merchants and would also reflect existing market practices. A possible solution would be to instantly defund digital euro to an acquirers’ commercial bank transit account, where the funds are collected and eventually transferred to the merchant’s commercial bank account at the end of a business day. Such a service could be mandatory but would not necessarily be free of charge. Finally, we believe that more clarity is needed on the types of pre-dispute and dispute services that PSPs would be obliged to offer. At the same time, we are analyzing whether this approach is in line with existing ADR regulation. <p>FR (Comments): We are opposed to the provision of acquiring services. We are also opposed to imposing dispute resolution or pre-dispute services on PSPs. As a reminder, such services imposed by schemes are highly contested by merchants.</p> <p>NL (Comments): NL: Yes, we support the Presidency’s proposal for Annex IIa.</p> <p>FI (Comments): Yes</p> <p>IT</p>

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	<p>(Comments):</p> <p>IT. We broadly agree with the Presidency’s proposed amendments. Still, in line with what we clarified in the previous answer (Q8), we believe that in the interest of clarity and legal certainty the annex should include references to the corresponding compensation envisaged for the digital euro services provided. We agree on keeping pre-dispute and dispute management in the list of core services. Nonetheless, we would suggest naming and defining these services in the Annex in the light of the definition of Dispute management mechanism provided for in Article 27 and possibly doing the same also among the definitions included in Article 2.</p> <p>In light of the provisions set out in Article 14.1(bis), particularly the expression "for whom they already provide them", it appears that acquiring services such as account opening services will only be mandatory if they are already offered for other instruments comparable to the digital euro. If this interpretation is correct, we agree with the inclusion of such services among the mandatory acquiring services; otherwise, their inclusion should be further investigated, since - even looking at the market - acquiring services are traditionally offered without the need to directly offer an account. For this reason, including account opening services among the mandatory acquiring services would require many of the current PSD2-authorized acquirers to modify their operating models.</p> <p>IE</p> <p>(Comments):</p> <p>IE Supports</p> <p>Additionally, in regard to some of the opening remarks at the CWP referring to the need for a discussion on simplification, while IE is happy engage on this topic if required, at present we are mostly satisfied with the current drafting of Art.13 (refer to Q5) and Annex II.</p> <p>EE</p>

Presidency Questions	Comments
	<p>(Comments):</p> <p>EE: We support the Presidency’s proposed amendments, but we are open to considering suggestions to further refine the text.</p> <p>PT (Comments): Yes.</p> <p>AT (Comments): Yes.</p> <p>On letter (e) and (f): As for letter (h) in Annex II, we support a clarification that only (pre-)dispute services related to technical or fraud-related measures should be included in the list of mandatory services. With a view to the Draft Scheme Rulebook, we conclude that dispute reasons such as ”goods or services not delivered” or “misrepresentation of goods or services” would not be part of mandatory (pre-)dispute services.</p> <p>ES (Comments):</p> <ul style="list-style-type: none"> - Agree with including pre-dispute and dispute handling services, but dispute handling should NOT be subject to the MSC cap if that cap is homogeneous given the heterogeneity of merchants we see later on the compensation) - We do not like the wording “enabling the reception and initiation of D€ payment transactions, including refunds”, we would say initiation of refunds ONLY. We want to make super clear that PSPs do not have any obligation towards enterprises to provide D€ payment initiation services – if the merchant decides to pay salaries with D€ there is no obligation for its acquiring PSP to provide D€ payment initiation services to their

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	<p>employees. As for B2B payments, as we have stated in several occasions, we believe they should be eliminated from the scope of mandatory acceptance.</p>
<p>Q10. Do Member States support the Presidency’s proposed introduction of a new Annex VI?</p>	<p>BE (Comments): We overall support the PDCY proposal even though further work is needed regarding the drafting of Article 13(1) to cater for the case of PSPs providing non-equivalent services. Please see our comments above on Q5.</p> <p>HR (Comments): We strongly support introduction of a new Annex VI in the Proposal (DER) because it will ensure greater legal clarity by confirming that both PIs and EMIs are eligible, on a voluntary basis, to offer the mandatory digital euro payment services listed in Annex II of the Proposal, provided that they hold a licence for services 1, 2 and 3 in the Annex to PSD3/R. Also, as for mandatory digital euro payment services Annex VI is proposed, there is a need to make correspondence table for mandatory acquiring digital euro payment services to ensure legal clarity regarding additional licences for all PIs and EMIs wishing to voluntarily provide acquiring digital euro payment services. We propose to introduce Annex VI a for mandatory acquiring digital euro services because by comparing the mandatory acquiring D€ payment services with the payment services under PSD2/PSD3, it can be concluded that all PIs and EMIs currently providing acquiring services under PSD2, and wishing to voluntarily provide acquiring digital euro payment services, will need to obtain an additional licence for service 2 under PSD3 in addition to acquiring service.</p> <p>SK</p>

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	<p>(Comments): We can support the introduction of Annex VI. EL (Comments): Yes, we support the Presidency’s proposal for a new Annex VI. LU (Comments): LU: indeed, annex VI is necessary, and its introduction represents a step in the right direction. SI (Comments): SI: Yes, we support. CZ (Comments): We support the direction of travel. Leg tech I let. d) DER Annex II correct the word „through“. LT (Comments): We support. PL (Comments): PL: We support the introduction of a new Annex VI. In our view this kind of “map” improves legal certainty and helps users know who is responsible for</p>

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	<p>what. Such an approach may help reducing uncertainty and lower the risk of disputes over responsibility.</p> <p>DE (Comments):</p> <ul style="list-style-type: none"> • We do support introducing a correspondence table for the services to be provided under Annex II and the related license required under PSD3/R. • In this context, we would like to recall our request for an in-depth analysis of the applicability of the individual PSD3/PSR provisions to digital euro payment services. To our understanding, such an analysis was being conducted by the Commission, and we cannot imagine that these analyses have merely resulted in the creation of the correlation table. • While Annex VI is certainly helpful, numerous important questions remain unanswered. <ul style="list-style-type: none"> ○ For example, we still expect answers as to whether PSPs, despite the fact that the actual transactions are executed within the DESP, will be able to meet all the technical and legal requirements of the PSR. This includes specifications for maximum execution times, as well as fraud prevention measures such as the name-IBAN check or the freezing of funds on the payee’s side. ○ This then raises the further question of how the liability rules under the PSR should apply to digital euro payment services provided under the DER. Ultimately, it must be ensured that PSPs do not bear liability for errors of the DESP or the supporting Eurosystem infrastructure. ○ We also question whether, given the nature of the digital euro as central bank money and as a non-physical in rem asset, the

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	<p>PSR provisions on the transfer of ownership can be applied. We have serious doubts, as the PSR regulations presuppose bank money. For the offline digital euro, this seems less problematic. Since payments will always be made in physical proximity, the rules governing the transfer of ownership can be left to national property law. However, this does not apply to online payments, which can also take place cross-border. In this case, difficult questions may be raised in Private International Law that require further discussion. We could consider addressing the transfer of ownership issue in the regulation itself.</p> <ul style="list-style-type: none"> ○ Before we can conclude the negotiations on this file, we need answers to these important questions. <p>FR (Comments): We support the proposal of creating such Annex VI but we believe that future discussions regarding articulation between DER and PSD/PSR will need to take place.</p> <p>NL (Comments): NL: Yes, we support the Presidency's introduction of a new Annex VI.</p> <p>FI (Comments): Yes</p> <p>IT (Comments): IT. We generally support the proposal to elaborate the Annex VI that would contribute to provide more clarity and streamline licensing and supervision processes.</p>

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	<p>We would suggest some adjustments to better reflect the coordination with the upcoming PSD3/R. In particular, in the PSD3/R Annex II column:</p> <ul style="list-style-type: none"> - the service under letter (a) which consists of “opening, holding, managing and closing of one digital euro payment account per digital euro user, including consulting balances and transaction records” could be equivalent to the provision of a payment account and therefore it requires the authorization under the service n. 2 of PSD3; - it should be clarified that also the service under letter (c) requires a licence, by adding (“<i>Such service would require a Payment institution license</i>”); - in line with the Presidency proposal of considering cash related service provision to be provided by PSP already offering cash service, letter d) it could be also specified that this service is to be provided by those PSPs only; - the reference to point 3) in relation to the service under letter (e) may in our view be deleted as it pertains to the following letter (g), as correctly reported therein. <p>Additionally, it should be better clarified in the Regulation if payment institutions that have already been authorised under PSD2/R to provide one of the services included in the second column of the table would be required to expand their authorizations to cover the full range of payment services listed in that column, since a 'pick and choose' approach would not be allowed for digital euro services.</p> <p>The same reasoning applies to the acquiring services. It should be clarified if under the current proposal it would be necessary for a payment institution to be already authorized to offer acquiring services under the PSD3/R in order to offer digital euro acquiring services. In addition to that, it should be made more explicit if a payment institution is authorized to offer digital euro acquiring services even without offering distribution services.</p> <p>As a last proposal, we would suggest introducing a prior notification requirement for payment institutions intending to offer digital euro services, given that these entities are not subject to a mandatory offering obligation. In this way the NCA would be aware of the intention to provide digital euro</p>

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	<p>services and may assess if the payment institution is already authorized to offer the correspondent PSD3/R services.</p> <p>IE (Comments):</p> <p>IE Supports</p> <p>EE (Comments):</p> <p>EE: We support the Presidency’s proposed introduction of a new Annex VI, which will strengthen legal clarity and ensure better alignment with the PSD3/PSR framework.</p> <p>PT (Comments):</p> <p><i>No.</i> We consider that this proposal, alongside other approaches already reflected in the text, makes the draft overly prescriptive and may, in the future, generate more uncertainty (difficult to anticipate) than the intended legal clarity and certainty.</p> <p>AT (Comments):</p> <p>Yes. We would further support introducing a separate Annex VIa for Acquirer PSPs.</p> <p>ES (Comments):</p> <p>Yes, very useful. We wonder whether it would be necessary to provide a similar list for acquiring digital euro services as well.</p> <p>In any case more guidance is needed on the relationship between PSD3/PSR and DER for other topics as well.</p>

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<p>Presidency discussion note on the compensation model (WK 13472 / 2025)</p>	<p>FR (Comments):</p> <p>By way of introduction, we will explain our position in detail before answering questions.</p> <p>We would like to reiterate our high-level objectives, which are:</p> <ul style="list-style-type: none"> -an incentive-based economic model that works and remunerates the players involved in the payment chain. Issuers (banks) and acquirers will have the heavy burden of distributing the digital euro to individuals and businesses, which will entail significant costs. Despite its legal tender status and the obligation to distribute it, they will not do so if they are not properly remunerated. The quality of distribution will depend on the quality of the incentive. Distributors must be given a financial incentive and a credible public-private partnership must be created. - A level playing field between the different operators and the market segments they serve. We cannot disadvantage incumbent players in relation to new entrants. <p>Firstly, we must align our policies between the ‘single currency’ (digital euro) and payments (PSD/PSR) packages. In PSD/PSR, we recognise a lack of knowledge about payment costs and advocate for transparency measures.</p> <p>We cannot get bogged down in a debate about ex-ante price caps when we have no knowledge of the costs or the market.</p> <p>Secondly, we will detail our position on the three components of transaction costs, namely acquisition costs, interchange fees and network fees.</p> <p style="text-align: center;">Acquisition</p> <p>Legally, we believe that the legal tender argument is insufficient to justify such intervention in the acquisition market, which is currently largely</p>

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	<p>free and competitive, with 300 players (according to the industry) operating in Europe. Only the argument of a market failure would justify such an ex ante price cap. We therefore advocate a free observation period of several years and a response from the competition authorities. We ask the Commission, and in particular DG COMP, to provide us with an impact assessment of such price regulation. Such ex ante regulation could have two adverse effects: the disappearance of small players and significant concentration through attrition; and the non-coverage of certain unprofitable markets (customer types and geography).</p> <p style="text-align: center;">Interchange fee</p> <p>When it comes to interchange, setting the amount is intrinsically a matter of scheme governance and is linked to the governance of the Rulebook. It must be attractive enough for issuers without being overvalued. We therefore support the neutral pricing rationale used by the IFR regulation, but without the rates obtained being used as a basis for discussion.</p> <p>The interchange percentage must be uniform for all, otherwise the largest players will crush the smallest. This interchange fee will have to evolve over time, starting relatively high and then decreasing over time.</p> <p>We therefore wish to open the discussion on governance. We understand that the Eurosystem is uncomfortable with this issue and will have to open the discussion with the industry.</p> <p style="text-align: center;">Scheme fee</p> <p>With regard to network fees, we would point out that free access for users is financed by the Eurosystem and therefore by its shareholders, i.e. the Member States.</p>

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	<p>Finally, we dissociate ourselves from false promises of free services due to the absence of scheme fees. In a market economy, economic actors must earn money to survive, and these costs will have to be passed on elsewhere, particularly in package fees.</p> <p>NL (Comments):</p> <p>NL general comment: The current payments landscape is fragmented, and the proposal in this note does not adequately reflect this starting position. Because of this, we cannot support the direction of travel as we have serious concerns about the implications of this proposal for the payments landscape in the Netherlands and elsewhere in the EU. However, we will make concrete proposals to temporarily accommodate the existing fragmentation, while going towards harmonization in the final model.</p> <p>Given the discussion in the CWP on 17 October, we would propose the following options:</p> <p>1. Introduction of temporary national discretion to have caps lower than the EA-average</p> <p>We understand the need to move towards a harmonized model in the long run, but given the current heterogeneity in the payments landscape it is necessary to allow Member States adequate time to move towards this harmonized model. Therefore, we propose providing nationally competent authorities in Member States an option to introduce different caps in case the EU-average caps are not in line with the principles of article 15(2). A temporary, justified national discretion to change caps would have the advantage that other Member States which welcome the current proposal are not affected. We are currently of the</p>

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	<p>opinion that such a national discretion would be possible, especially when it is temporary and proportionate to apply such a discretion. Notably, the discretion could be designed on uniform principles which NCA's have to apply when setting a lower cap, ensuring harmonized application of the discretion in the Euro Area. Setting a national discretion would require limited changes to article 15 (including a new paragraph 3) and article 17.</p> <p>2. No worse off clause</p> <p>An elegant solution that would cater for heterogeneity in the short term would be a no worse off clause, as presented by our Spanish colleagues. We would specifically support a no worse off clause on the MSC-fee. For the inter-PSP fee, we are still reviewing whether a no worse off clause is sensible.</p>
	<p>DE (Comments): General remarks:</p> <ul style="list-style-type: none"> • We wish to thank the DNK PCY team for preparing this thorough and very comprehensive proposal for the compensation model. • Overall, we believe that the discussions are certainly going in the right direction. • Of course, we reserve further comments on the actual legislative proposal. We understand that such proposal will be submitted in due course after the meeting and that Member States will have to opportunity to comment again on this text.
<p>Q1. Do Member States agree with a compensation model initially based on a uniform 'comparable means of payments' cap referencing international debit cards?</p>	<p>BE (Comments):</p>

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	<p>We share the concerns expressed by some other MSs regarding the negative consequences a capping based on international debit cards may entail for BE merchants which currently face a low level of MSC fees.</p> <p>In this context, we have doubts about the single reference to international debit cards in the PDCY proposal. 1) National card schemes, where they exist, and possibly other digital means of payment, should also be considered in the calculation of caps as they may represent locally a better estimate of fees charged to merchants. 2) The calculation of caps should be based on a comprehensive assessment of the estimated impacts at national level. In case a uniform cap were to apply across the Eurosystem, significant upward deviations from the current fees should be catered for in the formula for calculating the cap, as a protective measure for merchants. 3) We should also take care, as part of annual updates of caps, that the continuous increase in international debit card fees does not mechanically lead to a proportional increase of fees charged to merchants.</p> <p>HR (Comments): Yes, we agree with a compensation model initially based on a uniform ‘comparable means of payments’ cap referencing international debit cards.</p> <p>SK (Comments): In general, we strongly support introduction of the uniform EU wide cap. We do not oppose limiting the comparable means of payments to the international debit cards only. We welcome the narrowing of the concept, as we do not see other means of payments, especially the instant payments schemes, to be comparable to digital euro scheme. We would strongly support the reintroduction of the no worse-off clause with the aim to ensure protection of smaller merchants with lower negotiating power.</p>

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	<p>EL (Comments): Yes, we agree. Consistent with our reply at the May Council working party (WK 5982/2025).</p> <p>LU (Comments): General comment on the price setting mechanism:</p> <p>We have repeatedly expressed our concerns regarding the application of caps for the compensation model. The payments market in the EU is already highly competitive, with a wide range of PSPs providing services to consumers and merchants, meaning that there are sufficient capabilities on the market to ensure the distribution of the digital euro. Introducing a capped compensation model may be redundant and could distort a functioning market. PSPs already operate under competitive pressure to offer low fees and innovative services. Price caps, especially uniform ones, risk misaligning with actual cost structures and market dynamics. This could lead to under-compensation for PSPs or over-regulation that stifles competition. For all these reasons we have a strong preference towards letting the market set prices allows for natural adjustment based on demand, cost, and service quality. PSPs should be allowed to negotiate fees based on the actual costs incurred, the services provided and their relevant/ applicable business model. Flexibility in pricing fosters innovation and allows PSPs to differentiate their offerings. As an alternative, we can also support the no worse off solution briefly discussed during the June meeting</p>

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	<p>Answer to Q1: While debit cards are widely used, their fee structures may not reflect the cost of digital euro, especially in the light of the recently published studies concerning the implementation costs. The upfront investment costs should also be included in the calculation of the initial cap.</p> <p>SI (Comments):</p> <p>SI: Yes, we agree.</p> <p>LT (Comments):</p> <p>We can agree with the Presidency’s proposal, but we are also open to discuss the "no worse off" approach if most of the MSs agree. What is very important for us in this case to make sure that the approach adopted is homogeneous across the whole euro area.</p> <p>PL (Comments):</p> <p>PL: In general, we do agree with the approach if supported by the Euro Area Member States. We believe that a uniform limit across all Member States should be broadly aligned, given the underlying objective of introducing the digital euro – namely, to enhance the financial integrity of the Member States and the European Union as a whole. However, we believe there is still a need for clarification in the guidance on fee caps calculations. Whereas average fees for consumer-based international debit cards could indeed serve as the reference for comparable means of payment, we wonder what exactly fee calculations would include. We are of the view that fee calculations should include costs of payment services rendered within the EEA and should exclude those transactions with merchants and service providers in third countries, or transactions with debit</p>

Presidency Questions	Comments
	<p>cards issued in third countries, since the fees associated with these instruments may differ, potentially resulting in higher acceptance costs and would not be relevant for the euro area.</p> <p>LV (Comments):</p> <p>While an EU-wide cap based on average debit card costs offers regulatory simplicity, it risks disadvantaging certain merchants — particularly those operating in markets where these fees are lower than the average.</p> <p>DE (Comments):</p> <ul style="list-style-type: none"> • We support this approach. • For the start, this seems to be a sound approach which ensures that market participants can plan ahead and set up the digital euro based on a solid cost structure. • Basing fee caps in the first phase on the fees for international debit cards seems to be making economic sense while keeping the administrative burden still reasonable. • A straightforward approach not only facilitates implementation but also enhances communication with stakeholders. Therefore, adopting a single, uniform cap across the euro area seems both practical and appropriate. • We also agree with the proposed reliance on international debit cards as the sole reference point. These cards are widely and consistently used across the euro area, representing a significant share of the market. Including additional payment instruments would likely add unnecessary complexity to the model and the associated data collection process, without materially affecting the outcome.

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	<ul style="list-style-type: none"> • We also continue to assume that aligning the fee levels for the digital euro and international debit cards, as the currently most widespread comparable means of payment, can set crucial incentives for PSPs to actively onboard users and quickly increase the volumes of digital euro transactions. Especially in this initial phase, an attractive compensation model for PSPs will be crucial for the success of the project. • That said, we have heard the concerns expressed by our colleagues from other MS during the CWP meeting regarding this approach. We understand that in MS with a generally low fee structure, a reference to international debit card fees could jeopardize merchant acceptance and, consequently, the overall success of the project. • We are, however, of the firm conviction that the alternative approach proposed by some MS during the last CWP meeting – a ‘no worse off’ cap on both the MSC and the inter-PSP fee – entails a significant risk that the principle laid down in Article 15(2), according to which PSPs are to be compensated for the relevant costs incurred, would be rendered ineffective. • Given foreseeable market developments – particularly the rise of A2A solutions – the benchmark of the cheapest MSC for comparable means of payment may end up being so low that the costs of the distributing PSP and the acquiring PSP would no longer be covered. • This risk is already clearly emerging today: The Girocard, which is the national card scheme still widely used at the point of sale in Germany, applies an authorization fee (the equivalent to the MSC) of only 0.17%, which is significantly below a level that could cover the actual costs of both acquiring and distributing PSP. • The dilemma that became so apparent during the last CWP meeting arises directly from the national discretion granted under the IFR: MS that have made use of the option to apply lower interchange fee caps

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	<p>must, in the interest of their merchants, advocate for correspondingly lower caps for the digital euro. Conversely, MS that have left the IFR caps unchanged should support caps that are not significantly below the fee levels of other payment solutions. Otherwise, PSPs may have an incentive to promote alternative payment solutions with more attractive fee structures at the expense of the digital euro – which would equally risk undermining the project’s success.</p> <ul style="list-style-type: none"> • We would therefore be open, unless there are compelling legal reasons to the contrary, to allowing some national discretion also under the DER during a transitional period to ensure a smooth roll-out of the digital euro despite the very different market conditions across MS. • Further consideration could be given to how the economic benefit resulting from the saved scheme fees might be distributed more fairly among all stakeholders. One way to achieve this could be to deduct a share of the saved scheme fees from the caps on the MSC and the inter-PSP fee. <p>FR (Comments): We are opposed to this. Determining a basket of ‘comparable means of payment’ poses significant practical difficulties. For example, should cash be included or not? The prices of services will have to be monitored very regularly, and therefore so will the service providers. This generates a significant burden for PSPs, additional monitoring and reporting costs, and legal risk. Furthermore, the composition of this basket and the PSPs to be monitored will evolve over time. Payment methods are changing rapidly and we cannot predict what the market will look like in 2035 or 2050. It is very likely that PSPs will no longer serve customers whose cost price exceeds this ceiling, particularly those who are high-risk or have few transactions.</p>

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	<p>Cost per transaction is not a good metric. PSPs agree to serve customers because the financial result is positive. Capping the cost per transaction amounts to limiting their revenue for the same cost: these customers will no longer be offered electronic payments.</p> <p>NL (Comments):</p> <p>NL comment: Given our explanation in the general comment, we do not agree with the proposal in question 1. However, if a harmonized comparable means of payments cap were to be introduced instantly, it should in our opinion reference more different types of payments, not only international debit cards. Including these payment methods would make the fees more comparable to the actual EA-average, and less vulnerable to an increase of fees by international card payment companies. Having two types of methods for comparable means of payment is difficult to communicate to merchants, PSPs and consumers as well. For the sake of simplicity, we would have one method for comparable means of payment, preferring the one which is presented in the second part of the note.</p> <p>We think in this approach at least a significant reduction of the MSC-cap would be necessary, e.g. by broadening the scope of comparable means of payment and taking into account scheme fees which issuing and acquiring PSPs do not pay. For merchants in the Netherlands, the current proposal for an MSC-cap of approximately 50 basis points would not provide the protection they need under the principles of Article 15(2) and they could face fees which are a multitude of those they are used to today. Our initial analysis shows that their fees at point of sale would more than double for the average transaction amount.</p> <p>FI</p>

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	<p>(Comments):</p> <p>We are hoping for one more discussion round on this topic. Referencing international debit cards would be the simplest approach, but we are hoping for more discussion on how this would affect smaller merchants. Digital euro should be attractive to merchants, including smaller ones, from the starts. We are also open for the no-worse-off approach.</p> <p>IT</p> <p>(Comments):</p> <p>IT. We generally appreciate the constructive and pragmatic approach brought forward by the Danish Presidency in terms of compensation model and we are strongly supportive of the gradual approach. However, we believe that the choice of the caps is highly political and that the public nature of the digital euro – together with the mandatory acceptance principle – should guide us in identifying the most sustainable level of the cap.</p> <p>Conversely to banks, which will have a number of ways to profit from the digital euro, merchants will be forced to always accept the digital euro and will not have the possibility to transfer any costs given the surcharge ban. Also, we need to consider that merchants will probably incur in some investment and operational costs for accepting the digital euro.</p> <p>Thus, we should primarily strive to design a compensation model that allow merchants to support digital euro adoption, incentivise consumers to use it and avoid that the investments and operational costs will be transferred to the European consumers.</p> <p>On the opposite, including a cap referencing to international debit card scheme only would create three main issues:</p> <ul style="list-style-type: none"> - establish an analogy between two payment instruments that have a different nature, different value/risk profile (e.g. there is no counterparty

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	<p>risk) and ultimately different costs (e.g. there are no scheme or processing fees). This choice can lead to undesired consequences both in terms of practical results and of communication and reputational aspects;</p> <ul style="list-style-type: none"> - introduce a distorted incentive for international debit card scheme to € further increase their scheme fees to increase the D€ cap and damage the project (and increase costs in MSs where international debit card scheme are the only option), undermining rather than strengthening our strategic autonomy (the cap would be defined by the decisions of non-European players); - in many jurisdictions, as Italy, impose MSCs that are higher than the ones applied by other domestic schemes and other digital means of payment (since the experience tells us that PSPs mostly use caps to the full). <p>We should avoid at all costs to replicate the high costs associated with card-based payment options available on the market and we should avoid that merchants in member states that have lower MSCs than 0,5% will suffer from higher fees for a public means of payment like the digital euro. In such jurisdictions it would be politically very difficult to justify to merchants the imposition of a public means of payment that is priced as the international debit cards and we need to consider potential alternatives.</p> <p>The first one is to reintroduce the no worse off clause, which would better safeguard the merchants in jurisdictions with cheapest and widely available private payment solutions, such as domestic schemes or instant credit transfer at the POI.</p> <p>The second, together or as an alternative to the former, is to provide for a definition of comparable payment instruments that allows to include cheaper and widely used electronic payment instruments as a benchmark for the</p>

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	<p>calculation of the cap; again, widely used European, national and cross-border schemes and instant credit transfer at the POI should not be discarded.</p> <p>The third option, together or as an alternative to the two described above, would be to introduce, along the capped %-based fee, a cap equal to 0 for transactions below a certain threshold (for example 30 or 50 euro) to incentivise the use of the digital euro for low value transactions (where cash remain relevant) and, at the same time, reducing by a small amount the revenues for acquirers (%-based fee for low-value transactions provide little income to PSPs).</p> <p>If none of the above mentioned solutions is considered, we are afraid that we should acknowledge the difference in national payments market and could not support the setting of an uniform fee across the euro area; thus, we would explore the possibility of a national discretion to set lower MSC caps if they are in line with competition principle (as in the IFR).</p> <p>IE (Comments):</p> <p>IE Agrees but noted the comments of other MS. IE is open to alternative solutions, mainly, the ‘No Worse Off’ Cap or refining the products referenced for the comparable means to be more reflective of the digital euro services that will be provided.</p> <p>EE (Comments):</p> <p>EE: We support the Presidency’s approach to base the initial compensation model on a uniform cap referencing international debit cards. We remain open to adjustments and to finding a balanced solution to address the concerns of Member States where fees are lower. The “no worse off” clause may still be relevant in this context.</p>

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	<p>PT (Comments): <i>No.</i></p> <p>We continue to believe that aligning the inter-PSP cap with what is currently foreseen in the IFR remains the best solution, as this approach would simplify the definition of the applicable cap.</p> <p>Furthermore, regarding both the inter-PSP and MSC fees, we have serious concerns about the potential impact this approach could have in countries like Portugal, where the levels of these fees are comparatively lower.</p> <p>Despite concerns raised by some Member States that individual merchant safeguards may introduce legal uncertainty and regulatory complexity, we continue to see merit in such an approach. From a policy perspective, it does not seem appropriate to apply the same level of protection to all merchants, regardless of their size or characteristics. We recall that larger merchants, particularly those operating cross-border, are likely to benefit most from the introduction of a digital euro.</p> <p>AT (Comments):</p> <p>We support the inclusion of national debit card schemes in the calculation beyond ICS during the transition period. We may recall that additional information on the overall expected impact of such solution is needed to allow an informed decision on this matter.</p> <p>As ICS would remain a decisive input factor for the yearly fee cap calculation, we cannot exclude that dEUR fee caps could be unjustifiably increased. We</p>

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	<p>therefore must ensure that the legislative text allows some flexibility in amending fee caps following the yearly fee cap calculation.</p> <p>We are open to investigate temporary solutions on how to tackle situations in MS, where existing fees are substantially lower than the proposed fee caps.</p> <p>ES (Comments):</p> <p>A homogeneous cap with the proposed benchmark of comparable means of payment derives in caps that are too high compared to the fees currently charged for consumer cards in Spain:</p> <ul style="list-style-type: none"> - Looking into the data of current inter-PSP and MSC fees charged in Spain published by the Bank of Spain (includes the weighted average and the average per sector and in total separating between business and consumer cards): The average inter-PSP fee for consumer debit cards in Spain is between 9-10bp (well below the 18 bp²) and the average MSC for consumer debit cards in Spain is 29pb (well below 50bp: almost half) <ul style="list-style-type: none"> o We have to take into account that even if we do not have a domestic card scheme we do have a domestic processor which allows to lower the fees in domestic transactions. Visa/MC do not process domestic transactions due to the low fees of our domestic processor. - If we take the benchmark suggested by the PCY that would mean that: <ul style="list-style-type: none"> o Our PSPs will be able to charge almost twice as much for D€ as they do for debit cards (that use the Visa/MC scheme), even if

² Transactions above 20€: 9,6bp (0,0967%); Transactions below 20€: 9,3pb (0,093%) - We need to take into account that in Spain the caps to the inter-PSP fee for domestic debit card transactions are: (i) For payments > 20€: 20bp with max 7 cents, and (ii) for payments < 20€: 10 bp → so the average is calculated separately depending on value of the transaction, but the values are similar (btw 9 – 10 bp)

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	<p>they do not have to pay for scheme and processing fees to the Eurosystem.</p> <ul style="list-style-type: none"> ○ Our merchants will be “protected” by a cap that is twice as high for D€ than for debit cards (no real protection) <p>- This will have an impact on the narrative of the project and does not fulfil the pples of art. 15(2) of LT avoid excessive charges.</p> <p>For this reason:</p> <ul style="list-style-type: none"> - We support an MSC cap based on the no worse off clause and an inter-PSP fee cap that refers to article 3(2) of the IFR for the transitional period and as a second benchmark for the final model. - <u>If a homogeneous cap were necessarily to be set from the start</u>, we should make sure that it reflects the reality of fees charged for comparable means of payment, not limiting only to debit card transactions of International Card Schemes.
<p>Q2. Do Member States agree with the Presidency’s proposal to set the evaluation of the compensation model five years after the first issuance of the digital euro, and in any case no later than eight years after issuance, if exceptionally subject to postponement?</p>	<p>BE (Comments): We overall support the PDCY proposal.</p> <p>HR (Comments): Yes, we agree with the Presidency’s proposal to set the evaluation of the compensation model five years after the first issuance of the digital euro, and in any case no later than eight years after issuance, if exceptionally subject to postponement.</p> <p>SK (Comments):</p>

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	<p>We can agree with the proposed periods.</p> <p>EL (Comments): Yes, we agree.</p> <p>LU (Comments): LU: indeed, the cost -based model should be the long-term solution. We note that the Presidency approach does not take into consideration the initial investment costs but only stabilized average unit costs.</p> <p>The compensation model should cover all costs for the PSPs from the very beginning. Should not crowd out any business model or smaller PSPs.</p> <p>SI (Comments): SI: Yes, we agree.</p> <p>LT (Comments): We agree</p> <p>PL (Comments): PL: We generally agree with the Presidency’s proposal.</p> <p>DE (Comments):</p> <ul style="list-style-type: none"> • We support this approach.

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	<ul style="list-style-type: none"> As a general comment, we wish to emphasise that it will be important to strike a good balance between merchants and PSPs. In particular, the way in which the economic advantage of the absent scheme fees will be shared between these parties of the scheme logic will be important. Cost savings resulting from the ECB providing infrastructure services free of charge should be passed on to merchants wherever possible. It must be ensured that also businesses and consumers benefit from the services offered free of charge by the ECB to the PSPs. We believe that this aspect could be set out, in general terms, in the Regulation as a key principle serving to set the trajectories for the compensation model. In addition, as part of the review, the aspect of how to share the economic advantage of the absent scheme fees should be evaluated. <p>FR (Comments): We are opposed to capping fees but are in favour of reviewing the overall economic balance.</p> <p>NL (Comments): NL comment: We agree with the Presidency’s proposal. As it is necessary to gather enough data, we agree with evaluating the compensation model five years after issuance. We also understand the need to postpone this evaluation, if the Commission believes the data is not sufficient enough.</p> <p>FI (Comments): Yes</p>

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	<p>IT (Comments): IT. Yes, we find this proposal reasonable since this time would be beneficial for collecting data during the transitional period.</p> <p>IE (Comments): IE Agrees</p> <p>EE (Comments): EE: We agree with the Presidency’s proposal and proposed timeline for the evaluation after five years, and exceptionally no later than eight years, as long as the approach provides legal certainty for the market.</p> <p>PT (Comments): Yes. We welcome the additional flexibility of potentially extending the first phase of the compensation model to eight years.</p> <p>AT (Comments): We agree with the principle to introduce flexibility in the evaluation of the compensation model.</p> <p>ES (Comments): As a general comment for questions 2 to 5: - We very much support the fact that the cost-based model will not automatically be activated, but only if we see that it best contributes to</p>

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	<p>the principles of article 15. Leaving open the possibility that after the implementation, if it is proven that the cost based is not a good option, it could be substituted by a more suitable model.</p> <ul style="list-style-type: none"> - We like the fact that a homogeneous cap based on the comparable means of payment that could be introduced in the long term (instead of the cost based cap=. We think that this homogeneous cap should be reduced to pass on part of the savings on the scheme and processing fees to the merchants and society. - We like the fact that we can wait until 10 years to make the decision, making sure that we have a sufficiently long period of time for unit costs to stabilize. - In any case, we fear that a single homogeneous cap in the long term could lead to harmful decisions for merchants (and consumers) in MSs with current lower fees. For this reason we would like to maintain the no worse off cap also in the long term, allowing each member state to apply the homogeneous cap at different paces. <p>Having said this, we answer to Q2: Yes, it seems a reasonable period and allows flexibility in case we see costs are far from being stabilized (which is a concern)</p>
<p>Q3. Do Member States agree with the Presidency’s proposal to apply Article 15(2) as the basis for evaluating the compensation model? In particular, do Member States agree that, under this approach, it would no longer be the lower value of the cost-based model and the comparable-means-of-payment model that determines the applied cap?</p>	<p>BE (Comments): We partly support the PDCY proposal. While acknowledging that the digital euro fee structure may not be fully stabilised after 5 years and initial investments may represent a significant burden for PSPs, we think important to send a signal to PSPs that the digital euro fee structure should progressively converge towards a more competitive fee structure applied to the most efficient digital means of payment in Europe. Therefore, in case the « lowest of the two models » principle were removed</p>

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	<p>from the Regulation, we would find it important to include a convergence principle in the text.</p> <p>HR (Comments):</p> <p>We agree with the DK PRES proposal to apply Article 15(2) as the basis for evaluating the compensation model and that it would no longer be the lower value of the cost-based model and the comparable-means-of-payment model that determines the applied cap.</p> <p>SK (Comments):</p> <p>We can support the proposal.</p> <p>EL (Comments):</p> <p>Yes, we agree. Taking under consideration the fluid and shifting state of the payment markets and also the principals set in Art.15(2)</p> <p>LU (Comments):</p> <p>LU: we can support this approach.</p> <p>SI (Comments):</p> <p>SI: Yes, we agree.</p> <p>LT (Comments):</p> <p>We agree with the Presidency’s proposal to apply Article 15(2) as the basis for evaluating the compensation model initially based on a uniform ‘comparable</p>

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	<p>means of payments’ cap referencing international debit cards. If other approach is agreed, we should discuss this question.</p> <p>PL (Comments):</p> <p>PL: We are flexible as we do not have a strong view.</p> <p>DE (Comments):</p> <ul style="list-style-type: none"> • We support this approach. • We support the proposal to use the conditions outlined in Article 15(2) as the benchmark for assessing the appropriateness of transitioning to a cost-based model. That benchmark appears suitable as it balances multiple objectives. • Nevertheless, we continue to support the overall trajectory of a cost-based model. Ideally, PSPs should be compensated for exactly the costs the digital euro will incur plus a reasonable margin of profit. This goal should be established clearly in the Regulation. • Yet, we also recognise the challenges which might be associated with this model. Therefore, the proposed approach, overall, seems to strike a good balance here. • Finally, we agree that it would no longer be the lower value of the cost-based model and the comparable-means-of-payment model that determines the applied cap. If, in addition to the cost-plus caps, further “safeguard” caps are introduced by reference to fees for comparable means of payment, there is a risk that these secondary caps may effectively undercut the cost-based model in the long term.

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	<ul style="list-style-type: none"> We have therefore repeatedly warned in the past, that a parallel application of the two caps would risk undermining the credibility of the assurance given to PSPs under the cots-plus approach that they will be able to operate on a cost-covering basis in the long run. <p>FR (Comments): We are opposed to the capping of fees without data and without evidence of a market failure by the Commission.</p> <p>NL (Comments): NL comment: While we appreciate this as a basis, the principles can contain an internal contradiction. One principle aims to protect merchants against excessive charges, while another seeks to compensate PSPs for relevant costs. In the fragmented European landscape, it is likely that it will be up to the Commission’s discretion to determine which model complies with them.</p> <p>In our opinion, a cost-based approach would be the best method to adhere to the principles and provide fair pricing for merchants and PSPs in the long term. However, our answer here depends on the direction of travel which we discussed in Q1 and the resulting impact on merchants.</p> <p>FI (Comments): Yes</p> <p>IT (Comments): IT. Yes, we agree with the proposed solution as it allows to prevent uncertainty surrounding market developments, considering, the uptake of the digital euro, and the related costs. Indeed, we acknowledge that the “lowest of the two</p>

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	<p>models” would not necessarily align with the principles in Article 15(2). In particular, in case of a slow adoption speed, the unit cost would not be a valid reference.</p> <p>IE (Comments):</p> <p>IE acknowledges the basis for a uniform approach and in the absence of an alternative approach, we support the President’s proposal as part of the initial, transitional phase.</p> <p>IE can accept that this approach would no longer be the lowest of the two caps determining the applied cap.</p> <p>EE (Comments):</p> <p>EE: Regarding Q3 and Q4, we can support the proposed evaluation framework under Article 15(2), and agree that, if the conditions for activating the cost-based model are met, the adoption of an implementing act under comitology would be appropriate. Predictability and transparency remain important for us.</p> <p>PT (Comments):</p> <p><i>Yes.</i></p> <p>AT (Comments):</p> <p>Yes. However, we deem it necessary to revisit the discussion on the final compensation model as soon as we have found an agreement on the temporary compensation model.</p> <p>ES (Comments):</p>

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	<p>We like the fact that it is the lowest to protect merchants – but we see that the best way to do that is if the second benchmark is heterogeneous (no worse off MSC cap and art 3(2) IFR as inter-PSP fee cap).</p> <p>We nevertheless value this proposal: allows to take a decision with data on hand and taking into account the circumstances. We are only afraid that the fact that no heterogeneities are taken into account leads to caps that contribute to the pples in art. 15(2) for some MSs but not for others.</p>
<p>Q4. Do Member States agree with the Presidency’s proposal that the evaluation, if it shows that the conditions for activating the cost-based model are met, should lead to the adoption of an implementing act, adopted in accordance with the examination procedure (comitology) referred to in Article 39?</p>	<p>BE (Comments): We overall support the PDCY proposal.</p> <p>HR (Comments): We agree with the Presidency’s proposal that the evaluation, if it shows that the conditions for activating the cost-based model are met, should lead to the adoption of an implementing act, adopted in accordance with the examination procedure (comitology) referred to in Article 39.</p> <p>SK (Comments): We can support the proposal.</p> <p>EL (Comments): Yes, we agree.</p> <p>LU (Comments): LU: we can support this approach and ensure the introduction of a cost-based approach.</p>

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	<p>SI (Comments): SI: Yes, we agree.</p> <p>LT (Comments): We agree</p> <p>PL (Comments): PL: Yes, we agree. If the assessment confirms that the cost-based model can be applied, in our view it should lead to the adoption of an implementing act.</p> <p>DE (Comments):</p> <ul style="list-style-type: none"> We support this approach. <p>FR (Comments): We are opposed to the capping of fees without data and without evidence of a market failure by the Commission.</p> <p>NL (Comments): NL comment: We agree with the Presidency’s proposal.</p> <p>FI (Comments): Yes</p> <p>IT (Comments):</p>

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	<p>IT. Yes, we strongly agree and appreciate the idea of considering whether sufficient and reliable data on PSPs' costs are available. We also deem it important to work on a framework to detect these data during the initial phase.</p> <p>IE (Comments): IE Agrees</p> <p>EE (Comments): EE: Regarding Q3 and Q4, we can support the proposed evaluation framework under Article 15(2), and agree that, if the conditions for activating the cost-based model are met, the adoption of an implementing act under comitology would be appropriate. Predictability and transparency remain important for us.</p> <p>PT (Comments): We are unsure whether the DK Presidency intends to define the cost-based model in the text and reserve our final position until a drafting proposal is presented.</p> <p>Nonetheless, we would like to express the following concerns. We find it difficult to define in the Regulation what a cost-based model could look like at this stage, given the lack of available information and data. For this reason, we are concerned that the mandate given to the COM may be too broad, as it may not yet be possible to anticipate the necessary political decisions that should be considered when establishing this model.</p> <p>Therefore, we are not able at this stage to have a definitive view.</p> <p>AT (Comments): Yes.</p>

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	ES (Comments): Yes, but we think that this implementing act should not only state that the cost based enters into force, but shall also establish the details of the methodology.
Q5. Do Member States agree with the Presidency’s proposal to introduce a review clause to assess the general feasibility of regulating fees for digital euro service?	BE (Comments): We overall support the PDCY proposal. HR (Comments): We agree with DK PRES proposal to introduce a review clause of the digital euro compensation model in Article 41, including an assessment of the general feasibility of regulating fees for digital euro services. SK (Comments): We can support the proposal. EL (Comments): Yes, we think this is towards the right direction in addressing compensation. LU (Comments): LU: in the spirit of compromise, we can support the introduction of a review clause. SI

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	<p>(Comments):</p> <p>SI: Yes, we agree.</p> <p>CZ</p> <p>(Comments):</p> <p>We support the direction of travel, but would like to understand better the reasons for removing the lower of the two models limits proposed by the PCY.</p> <p>LT</p> <p>(Comments):</p> <p>We agree</p> <p>PL</p> <p>(Comments):</p> <p>PL: Yes, we generally agree with the Presidency’s proposal. We believe that a review clause is necessary to determine, at a later stage, whether the regulation of digital euro fees remains justified and feasible.</p> <p>DE</p> <p>(Comments):</p> <ul style="list-style-type: none"> • Yes, we support this approach. We welcome a comprehensive analysis of the adequacy and necessity of the entire model after 10 years. • Furthermore, this review should adopt a holistic approach, encompassing offline digital euro payments as well. <p>FR</p> <p>(Comments):</p> <p>We thank the Presidency and support this.</p> <p>NL</p> <p>(Comments):</p> <p>NL comment: We agree with the Presidency’s proposal.</p>

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	<p>FI (Comments): Yes</p> <p>IT (Comments): IT. Yes, we agree, and we consider it as highly necessary, especially given the uncertainty surrounding the available data.</p> <p>IE (Comments): IE Agrees</p> <p>EE (Comments): EE: We support introducing a review clause, as this would allow for assessing the feasibility and functioning of the compensation model over time.</p> <p>PT (Comments): Yes.</p> <p>AT (Comments): Yes.</p> <p>ES (Comments): Yes: we have doubts on the possibility to change the text of the Regulation with implementing acts: - In the case the cost+ model is introduced but with changes in respect to the model of the Regulation → need to modify the regulation</p>

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	<p>- In the case a modified method based on comparable means of payment is implemented → need to modify the Regulation</p> <p>In the end we should have a final version with the final model in place: for legal certainty</p>
<p>Q6. Do delegations support the Presidency’s proposed approach for establishing the methodology under the cost-plus model?</p>	<p>BE (Comments): We overall support the PDCY proposal.</p> <p>HR (Comments): We support the Presidency’s proposed approach for establishing the methodology under the cost-plus model. We find it essential to prescribe in the Proposal a deadline within which EC implementing act must be adopted from the date of entry into force of the Proposal, in order to allow PSPs sufficient time to prepare for reporting.</p> <p>SK (Comments): We support proposed methodology.</p> <p>EL (Comments): Yes, we think that there are sufficient requirements in the described methodology.</p> <p>LU (Comments):</p>

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	<p>LU: this methodology seems too complex and may not reflect actual cost structures across diverse PSPs. The administrative set-up would also be extremely burdensome and costly.</p> <p>SI (Comments): SI: Yes, we support.</p> <p>CZ (Comments): At this point we are open.</p> <p>LT (Comments): We agree</p> <p>PL (Comments): PL: Yes we support the Presidency’s approach. However, we believe that more clarity is needed regarding the (geographical) scope of the PSPs subject to reporting data for cost-plus model calibration. We wonder whether this would include credit institutions incorporated in non-euro area Member States, obliged to provide digital euro services (given the proposal in the Presidency Discussion Note WK 13473/2025).</p> <p>DE (Comments):</p> <ul style="list-style-type: none"> • We support this approach. • We welcome the shift to referencing <i>cost-efficient</i> PSPs, rather than the most cost-efficient ones. That adjustment provides greater flexibility to account for smaller PSPs, which may play a vital role in national payment markets but have less capacity to spread fixed costs across

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	<p>large transaction volumes. It is crucial to ensure that smaller PSPs can generally also deliver the services outlined in Annex II and IIa on a cost-covering basis.</p> <ul style="list-style-type: none"> • Additionally, we consider it essential to establish clear accounting and reporting requirements within the methodology to be adopted by the Commission, as suggested by the Presidency. • Given the highly technical nature of that work, we propose specifying that the Commission should be supported by the ECB and, considering its role in the EU retail payment market, the EBA as well. <p>FR (Comments): Taking a representative group of ‘cost-efficient’ PSPs seems unacceptable to us in a market economy. However, some customers choose these providers and agree to pay more for a different service. Pushing costs down is only made through a large number of PSPs. We are opposed to this.</p> <p>NL (Comments): NL comment: We believe this is the right direction of travel and consider the methodology sound. We especially appreciate a focus on cost-efficient PSPs, as this could gradually bring down transaction fees in the Eurosystem. While we could support this proposal, the original proposal put forward by the Commission is also valid in our opinion. If we decide on this approach for the cost-based model, we would propose to include a clear and delineated explanation as to the circumstances in which an NCA could exempt parties from the calculations.</p> <p>FI (Comments):</p>

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	<p>Yes</p> <p>IT (Comments): IT. Yes, we agree.</p> <p>IE (Comments): IE supports the Presidency’s proposed approach for establishing the methodology under the cost-plus model, which assigned the role of technical support to the ECB, to collect and aggregate the relevant unit cost data and profit margins from the statistically representative sample of cost-efficient PSPs designated by national competent authorities. As such, IE understands that the NCA will remain central to the process.</p> <p>EE (Comments): EE: We can support the Presidency’s proposed methodology, while underlining our preference for a flexible approach rather than a fully standardised one. Transparency is essential, but administrative burden should be kept to a minimum.</p> <p>PT (Comments): Again, we are not able at this stage to have a definitive view, as we would need to analyse the proposed wording.</p> <p>AT (Comments): Yes.</p>

Presidency Questions	Comments
	<p>ES (Comments):</p> <p>In general terms yes, but we have some suggestions and Qs:</p> <ul style="list-style-type: none"> - Regarding the content of the Regulation: <ul style="list-style-type: none"> o In the clarification of what costs are included: We would not only mention that it should be the average cost, but also that it can only include costs that are relevant and directly attributable to the provision of (i) Mandatory and free services for natural persons (Annex II) for the inter-PSP fee cap, and (ii) mandatory acquiring services (Annex IIa) for the MSC cap o As for the determination of the representative group of most cost-efficient PSPs: We wonder <ul style="list-style-type: none"> ▪ We wonder what type of guidance will be provided for NCAs to select the most cost-efficient PSPs. ▪ We feel that the easiest way to do this is a two step process where NCAs select the representative PSPs and then to select the most cost-efficient a homogeneous % is determined. - Regarding the content of the implementing act: <ul style="list-style-type: none"> o We agree on the content suggested o We believe in any case that more transparency on the tasks of the ECB and the banks should be achieved. It is very difficult for banks to know what they have to deploy if they do not know exactly what investments they will have to be making. We should be aware of the costs related to managing an account, the fact that the institutions are only obliged to open an account to existing clients does not mean that there are no costs in the management of that account.

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	As for the data collection: We wonder if it would be better to have a decentralized data collection by NCAs then reported to an EU institution.
<p>Q7. Do Member States support the Presidency’s proposed approach for establishing the methodology under the comparable means of payment cap? If not, which alternative model for the comparable means of payment do Member States prefer?</p>	<p>BE (Comments): We overall support the PDCY proposal.</p> <p>HR (Comments): We support DK PRES proposed approach for establishing the methodology under the comparable means of payment cap.</p> <p>SK (Comments): In our view comparable means of payments should be limited to the international debit card schemes. We would be cautious to include instant payments under the scope to other means of payments, as these could push the benchmark too low, potentially threatening the possibility of the PSPs to recover the costs. Based on their features and the expected features of the digital euro, we do not deem it justifiable to consider both means of payments comparable.</p> <p>EL (Comments): <i>Yes, we agree. Since the principals in art.15(2) set the frame, and also the technical support from ECB and the NCAs</i></p> <p>LU (Comments):</p>

Presidency Questions	Comments
	<p>LU: we agree with the general principle that costs should not be higher than the one of similar means of payment, however the proposed methodology remains too complex.</p> <p>SI (Comments): SI: Yes, we support.</p> <p>CZ (Comments): We agree with this approach.</p> <p>LT (Comments): We agree</p> <p>PL (Comments): PL: We are flexible as we do not have a strong view.</p> <p>LV (Comments): The compensation model is the priority — both for merchants and for PSPs.</p> <p>The Presidency rightly notes that “any reference to a comparable means of payment that does not ensure adequate compensation for the relevant costs incurred by PSPs would be inconsistent with the objectives set out in Article 15(2).”</p> <p>Business models differ significantly between PSPs within a single country and even more so across the euro area. PSPs will need to implement new services to support the digital euro, such as waterfall functionalities, holding limit</p>

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	<p>monitoring, and offline solutions. These features differ substantially from those of debit cards. While for some PSPs the costs might be comparable, for others they could be considerably higher.</p> <p>Given this diversity, it seems unrealistic to assume that a single cap could provide fair compensation for all PSPs equally.</p> <p>We therefore encourage including a reference that the final methodology for calculating the cap should also take into account the additional services PSPs will be required to provide to their clients free of charge.</p> <p>DE (Comments):</p> <ul style="list-style-type: none"> • Overall, we support the approach. • However, we have some questions on the way the ‘comparable means of payment’ cap will be defined. <ul style="list-style-type: none"> ○ Will other comparable means of payment also include payment methods which do not offer the same range of use cases as the digital euro? ○ What about payment methods which are not offered as a scheme? We hear that the scheme logic also includes other aspects such as liability and fraud detection and ADR which can bring up overall costs. • We agree with retaining the definition proposed by the Belgian Presidency, whereas comparable means of payments are those initiated at the point of interaction and debited immediately from the payer’s account. • But we think the application of this concept in the note or the legislative text should be more precise. For example, we think that instant payments per se are not a comparable means of payment under

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	<p>this definition because they are not initiated at the POI but through a direct channel between payer and bank. Only payment solutions at the POI using instant payments, maybe through a payment initiation service, can be seen as comparable means of payment.</p> <p>FR (Comments):</p> <p>In the current context of simplification and reduction of administrative burdens, we are opposed to price reporting. The Commission must demonstrate a market failure.</p> <p>NL (Comments):</p> <p>NL comment: We would remove the comparable means of payment approach in the long term, as we continue to believe that the digital euro infrastructure should have its own economic model, as is the case for cash infrastructure and other means of payment. _Nevertheless, if we agree as Member States that it is necessary to keep a comparable means of payment cap, then this basket of payment methods would currently be representative. As said, we would prefer this basket for the initial phase as well and see no justification for changes between the two. We welcome that the approach leaves room for the payments landscape to develop.</p> <p>FI (Comments):</p> <p>Yes</p> <p>IT (Comments):</p> <p>IT. Please see our reply to Q1. Moreover, to ensure the highest possible level of harmonisation between the data collection processes for the cap on comparable means of payment, we would recommend that the same statistical reporting framework is used in both</p>

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	<p>the transitional and final phases. In particular, we suggest considering the involvement of the NCAs to promote consistency and comparability over time.</p> <p>IE (Comments): IE Agrees</p> <p>EE (Comments): EE: We can support the Presidency’s proposed methodology, while underlining our preference for a flexible approach rather than a fully standardised one. Transparency is essential, but administrative burden should be kept to a minimum.</p> <p>PT (Comments): The DK Presidency’s approach is a step in the right direction, in many aspects. We strongly support reintroducing the definition of “<i>comparable means of payment</i>”, in the proposed terms.</p> <p>Nonetheless, as we read it, “<i>domestic card schemes</i>” would be, at this stage, included in the determination of the applicable cap. Well, it is difficult for us to understand the rationale of not including “<i>domestic card schemes</i>” since the beginning, since, as recognized by the DK Presidency, there are highly efficiently.</p> <p>It is true that its inclusion could potentially lower the applicable caps, assuming the current status quo remains unchanged. However, we would like to highlight the following: (i) the cap would, nonetheless, remain higher than what is currently practice in Member States where such schemes exist and (ii) we should aim at ensuring a digital euro that is highly efficient and based on the best market practices.</p>

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	<p>More importantly, this cap is only relevant for setting the price for services made available by PSPs to merchants. Larger merchants are capable to negotiate below the cap.</p> <p>AT (Comments): Yes.</p> <p>ES (Comments): OK with definition of comparable means of payment</p>
<p>Q8. Do Member States agree with the Presidency’s proposal to maintain the offline compensation model discussed proposed under the Polish Presidency?</p>	<p>BE (Comments): We overall support the PDCY proposal.</p> <p>HR (Comments): We agree with the Presidency’s proposal to maintain the offline compensation model proposed under the Polish Presidency.</p> <p>SK (Comments): We do not oppose the proposal but show openness to the discussion of DE proposal, ensuring same treatment of online and offline mode of payment.</p> <p>EL (Comments): Yes, consistently with our reply at the May Council working party (WK 5982/2025) in Q12.</p>

Presidency Questions	Comments
	<p>LU (Comments): LU: yes, we can support this proposal.</p> <p>SI (Comments): SI: Yes, we agree.</p> <p>LT (Comments): We suggest that the same percentage of the MSC fee would be applied for both functionalities of the digital euro: online and offline. It is important to ensure homogeneity of fees applied that there wouldn't be any difference for merchants what kind of digital euro payment it is, i.e. offline or online. Otherwise, there is a possibility that one functionality could be more favoured than the other. Moreover, it is important that users learn to use both functionalities, online and offline, as quickly as possible. Additionally, it would be prudent for consumers to have a say in determining the functionality to be used at the point of sale.</p> <p>PL (Comments): PL: We broadly support the Presidency's proposal to maintain the compensation model for offline transactions as proposed under the Polish Presidency. A model based on a common inter-PSP fee pool, managed by the Eurosystem and allocated proportionally to PSPs' contribution to offline financing seems a good way forward and is operationally feasible.</p> <p>LV (Comments):</p>

Presidency Questions	Comments
	<p>Additional explanation should be provided to explain the percentage distribution.</p> <p>DE (Comments):</p> <ul style="list-style-type: none"> • We continue to support this approach. • However, we have two remarks: • First, we would like to clarify that, in our understanding, the review of the entire compensation model after 10 years should also address the funding model for offline. • Second, we would propose to carefully consider whether the proposed 50% share is the best way to reach a solid model. <ul style="list-style-type: none"> ○ One the one hand, the note states that the cap on inter-PSP fees should not differ between online and offline transactions. On the other hand, the note proposes that the contribution of the payee’s PSP should be 50 % of its MSC, possibly exceeding a given cap on inter-PSP-fees. ○ Therefore, we could also support the application of a fixed inter-PSP fee for offline transactions. That fee could be aligned with the cap set for the inter-PSP fee applicable to online transactions. Such an approach could also help address potential concerns that the 50/50 split between PSPs might be perceived as arbitrary. <p>FR (Comments):</p> <p>Offline confidentiality is important to us, and it is therefore not possible to identify the PSP issuing the payment method offline. We are in favour of maintaining the same fixed percentage interchange online and offline. We are in favour of it being paid into a pool.</p>

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	<p>NL (Comments): NL comment: We agree with the Presidency’s proposal.</p> <p>FI (Comments): Yes</p> <p>IT (Comments): IT. Yes, we deem it to be an acceptable compromise solution to remunerate offline transactions while safeguarding users’ privacy.</p> <p>IE (Comments): IE Agrees</p> <p>EE (Comments): EE: We agree with maintaining the offline compensation model proposed under the Polish Presidency, which appears proportionate and justified. However, we are open to considering suggestions to further refine the text and make the model operational.</p> <p>PT (Comments): No.</p> <p>The identity of the payer’s PSP is not known to the acquiring PSP, not because of a technical limitation but due to a policy decision we are making. This decision is particularly difficult for us to accept, especially when we consider the potential solutions available to address the issues it creates. Therefore, we</p>

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	<p>would prefer to accept that the information on the identity of the payer’s PSP is provided to the acquiring PSP. We could try to safeguard that this information can only be used for the purpose of directly transferring the inter-PSP fee.</p> <p>AT (Comments):</p> <p>Yes, we agree with the proposal that PSPs would transfer 50% of the total MSC received for offline transactions to a common inter-PSP fee pool operated by the Eurosystem. In order to comply with the criterion that inter-PSP fee cap for offline digital Euro should be the same as for online digital Euro and subject to the final agreement regarding the online compensation model, we must ensure that the offline inter-PSP fee cap cannot exceed the online inter-PSP fee cap in any case.</p> <p>ES (Comments):</p> <p>We support this approach if we introduce a no worse off MSC cap and an inter-PSP fee cap referenced to article 3(2) IFR. Heterogeneous caps oblige to come up with a rule and the 50%/50% rule makes sense</p> <p>If there is only a homogeneous cap for both inter-PSP fee and MSC, then we should seek higher parallelism with online to minimize PSP’s incentives to promote one or the other. This would be achieved by contributing per transaction the inter-PSP fee to the pool.</p>
	<p>FR (Comments):</p> <p>We must be extremely careful when it comes to all these funding issues. Beyond the functional aspect of the digital euro, financing the economy is a greater concern.</p> <p>Bank deposits serve as a stable resource in bank balance sheets. We must not send any signals that these deposits will be more liquid, as this will impact the</p>

Presidency Questions	Comments
<p>Q9. Do Member States agree with the Presidency’s proposed way forward on open funding reverse waterfall for natural persons?</p>	<p>ability of credit institutions to finance the European economy and destabilise fixed-rate loans.</p> <p>BE (Comments): As already stated in our answer to Q8, we have strong concerns regarding the PDCY proposal regarding the deletion of open-funding for reverse waterfall services from the list of basic services to natural persons. However, we support the provision of this service for free, whether it is provided on a voluntary or mandatory basis.</p> <p>HR (Comments): Yes, we agree with the Presidency’s proposed way forward on open funding reverse waterfall for consumers (not natural persons) in Article 13(4).</p> <p>SK (Comments): We do not oppose the proposed way forward.</p> <p>EL (Comments): We have reservations regarding making open funding reverse waterfall a voluntary service for natural persons, based on contractual arrangements between PSPs, as this limits the scope for widespread use of the digital euro.</p> <p>LU (Comments): LU: Funding and defunding represent key features of the digital euro, these processes must run smoothly in order to ensuring usability of the digital euro for users, Users must be able to switch easily between several non-digital euro accounts (with the same or with different PSPs). Open funding and reverse</p>

Presidency Questions	Comments
	<p>waterfall would foster competition and increase the quality of services provided to the digital euro users.</p> <p>SI (Comments): SI: Yes, we agree, although we have concerns that such proposal would cause confusion amongst end-users, as they would not be sure if they have reverse waterfall open funding available. This would deteriorate user experience. Furthermore, we are afraid such proposal means multitude of contracts and unwillingness of the banks to negotiate.</p> <p>LT (Comments): We agree</p> <p>PL (Comments): PL: We support the Presidency’s approach to the reverse waterfall. The service enabling the top-up of a digital euro account from an account held with another PSP should be voluntary, based on contractual arrangements between PSPs, and free of charge for end users if offered. In our view, this solution promotes accessibility of the digital euro and competition without excessive regulatory intervention.</p> <p>LV (Comments): We support.</p> <p>DE (Comments):</p>

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	<ul style="list-style-type: none"> • We do not support the proposed way forward. • We continue to believe that the issue of open funding merits a much broader, political debate about the policy goals to be reached. • In essence, the question of open funding relates to the question of how the future market for the digital euro would be structured. In particular, it should be discussed and analysed what role non-EU based BigTechs are going to play in the digital euro framework. • We believe, there are two options: First, a more liberal open-market approach. This would essentially replicate today’s market. Citizens would continue to use Wallets of BigTechs such as Apple Pay and Google Pay. One might argue that every digital euro spend in a BigTech Wallet is already a success. • However, we remain sceptical about this approach. Because it would simply replicate existing market structures. Already today, there are European PSPs who are offering Apple Pay to their customers while effectively paying Apple to be able to offer these services. Customers’ demand is so strong and the PSPs’ negotiation powers are so weak that effectively offering Apple Pay becomes a loss for EU PSPs. • Therefore, we are wondering whether it is the intended consequence to replicate these market situations also with regard to the digital euro. • In addition, what is the policy goal? To us, the goal is to protect European PSPs who are offering normal current accounts to their customers, including cash services and partly also face to face support. We don’t think it is fair that these PSPs should offer the current account as a free funding source if a substantial share of the revenue created with digital euro payments is going to BigTechs.

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	<ul style="list-style-type: none"> • To us, one thing is clear: In any scenario, the reverse waterfall functionality, but also funding and defunding should be free of charge for consumers. We do not want to reach a scenario where users would be charged for these functionalities. Instead, as it is common practice today, the pricing should be an issue between the two PSPs. • Hence, we take note of the approach presented by the PCY. • In spirit of compromise, we may generally support the approach presented by the Presidency. • However, we believe that the proposed approach is not sufficient to adequately address the issue. • Making only the provision of the reverse waterfall functionality subject to an agreement between the PSPs is likely not going to reach the desired goal. • In practical terms, we see the potential to circumvent the reverse waterfall functionality, thus making it a redundant service with almost no incentive for PSPs or users to use it. • Two scenarios came to our mind: <ul style="list-style-type: none"> ○ One, a user might set an automatic funding request for a zero digital euro holding. Thus, every time the Wallet would reach zero digital euros, an automatic top-up would follow. With this, even in the event of a ‘reverse waterfall payment scenario’, the automatic funding would essentially deliver the same result. The payment to be made would be higher than the digital euro holdings. Thus, automatically, during the payment transaction the wallet would be funded. ○ Second, a user may also set an automatic funding at, let’s say, 800 euro. So whenever the holding in the Wallet would be

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	<p>lower, an automatic funding would take place. Unless in very exceptional circumstances, these 800 digital euro would suffice to basically perform any digital euro transaction. Again, the reverse waterfall would not be necessary.</p> <ul style="list-style-type: none"> • In both scenarios, European PSPs would essentially offer the linkage to the funding current account free of charge to the BigTech. In turn, all revenue generated with the digital euro transactions would end up in non-EU based companies, hereby deepening existing market imbalances. • Therefore, we call to also include automatic and scheduled funding in the list of services which should be subject to an agreement between the two PSPs. If applied correctly, automatic and scheduled funding is a way to make reverse waterfall almost meaningless. If the desired policy goals should be reached, automatic and scheduled funding shall be included in the package to be agreed on. • In addition, this would also strengthen the EU PSP’s negotiation position which is already weak. Unless digital euro users were content with the possibility of manual funding and defunding alone, full usability of the digital euro account with a BigTech PSP would require an agreement with the funding PSP. <p>FR (Comments): We must align our approach to the FiDA regulation with data holders and data users. The situations are similar, and we must not open the door wide to foreign technology players. We must defend a market-based approach where players agree among themselves on remuneration for data sharing. We are in favour of initially restricting this mechanism within the same PSP. We must remain vigilant to ensure that the distribution of the digital euro does not favour non-European players.</p>

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	<p>NL (Comments): NL comment: We are open to the views of other MS in this regard. Our initial thought is that this approach might be somewhat inconsistent. If a service is deemed important, it could be made mandatory, explaining the reasoning for why it should be offered free of charge. Alternatively, if it is not considered essential and should not be mandatory, then allowing PSPs to offer it and charge a fee seems suitable. We are still analyzing, but currently we would lean to making this voluntary and allowing a fee to be charged.</p> <p>FI (Comments): We have some concerns on how the contract-based approach related to open funding would work. At the moment, it is hard to estimate the demand for the feature. But the contract-based approach could also in practice reduce demand, since reaching contracts could be difficult in practice.</p> <p>IT (Comments): IT. Yes, in the view of reaching a compromise we support this way forward.</p> <p>IE (Comments): IE supports the Presidency proposal that open funding reverse waterfall services between two different PSPs (funding PSP and distributing PSP) should not be a mandatory service to be provided by PSPs to natural persons. Instead, PSPs may choose to make such services available based on contractual arrangements.</p> <p>IE believes this approach is a reasonable compromise to ensure both the funding and distributing PSP are adequately compensated for the services provided.</p> <p>EE</p>

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	<p>(Comments):</p> <p>EE: We can support the proposed way forward on the open funding reverse waterfall for natural persons, but we are open to considering suggestions to further refine the text.</p> <p>PT</p> <p>(Comments):</p> <p><i>No.</i></p> <p>We prefer to have a more restrictive approach as presented by the Polish Presidency (Working Party of 15 and 16 May). We believe that leaving this matter to the market could compromise the digital euro project's ability to safeguard one of its key objectives: strategic autonomy. PSPs do not typically take this into account when making commercial decisions.</p> <p>AT</p> <p>(Comments):</p> <p>We would like to raise a few concerns related to the automatic and manual (de)funding from PSPs that provide non digital euro payment accounts in Article 13 paragraph 2 and the reverse waterfall wording that restricts such functionality, where the PSP provided the dEUR and non-dEUR account in Article 13 paragraph 4 point b.</p> <p>The reverse waterfall restriction aims to tackle a situation, where Big Techs would free ride on PSPs' customer relationship for non-dEUR bank accounts.</p> <p>At the same time, we prescribe automatic funding from non-dEUR payment accounts, which is to our understanding a relatively good substitute for the reverse waterfall function, as a mandatory and free-of-charge service.</p>

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	<p>This appears misleading in our view for several reasons. First, because we could reduce the attractiveness of the dEUR product if the reverse waterfall functionality remains entirely with the PSP that provides non-dEUR payment accounts. Secondly, we strongly predetermine the market landscape for dEUR users and deviate from the „no choose and pick“ principle defined for the exclusion of PISPs. Third, we would even see a simple way for circumventing the problem we'd like to address, with allowing automated funding possibilities from different PSPs and free of charge.</p> <p>For these reasons, we still advocate for a reverse waterfall option available for different PSPs, and a mandatory pass through of a certain percentage of the inter-PSP fee, between the funding and the distributing PSP. While it is understandable that this solution adds another element to the compensation model, we regard such solution as balanced, effective and least interventionist compared to available other options.</p> <p>ES (Comments): Yes.</p>
<p>Q10. Do Member States agree with the Presidency's proposed way forward that other funding and defunding services across PSPs should always be available for free for natural persons in order to preserve competition?</p>	<p>BE (Comments): We overall support the PDCY proposal.</p> <p>HR (Comments): We agree that other funding and defunding services across PSPs i.e. manual and automated (scheduled) funding and defunding from or into a non digital euro payment accounts, including waterfall should always be available for free for natural persons in order to preserve competition.</p>

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	<p>SK (Comments): We can support the proposal.</p> <p>EL (Comments): We agree.</p> <p>SI (Comments): SI: Yes, we agree.</p> <p>CZ (Comments): We suppose that the open funding reverse waterfall is a key service for users and they should be always able to use it free of charge.</p> <p>LT (Comments): We agree</p> <p>PL (Comments): PL: We agree with the Presidency’s proposed way forward. We understand that transfers between PSPs in euro – from a non-digital account to a digital euro account – would be free of charge for end users, as part of ensuring basic accessibility to the digital euro.</p> <p>However, in cases where the transfer involves currency conversion (e.g. from accounts denominated in USD, CHF, PLN to a digital euro account), a fee would apply. It is also because such operations involve foreign exchange risk,</p>

Presidency Questions	Comments
	<p>settlement costs, and the use of FX mechanisms (which may justify charging a market-based fee).</p> <p>LV (Comments): We agree.</p> <p>DE (Comments):</p> <ul style="list-style-type: none"> • We agree that funding and defunding services should be available and should be free of charge for natural persons acting as consumers. • However, those services should not entail automatic and scheduled funding options as such options would effectively bypass the reverse waterfall mechanism, as detailed further in our response to Q9. <p>FR (Comments): We are, in principle, opposed to this free service. Institutions holding accounts must be remunerated for the services they provide. We are opposed to this constraint: a market must be structured before forcing these services to be free of charge.</p> <p>NL (Comments): NL comment: We agree with the proposed way forward regarding other funding and defunding services.</p> <p>FI (Comments): Yes, taking into account our answer in Q9.</p> <p>IT</p>

Presidency Questions	Comments
	<p>(Comments):</p> <p>IT. Yes, we agree. We believe it is essential to ensure the provision of automatic funding and defunding services, particularly since the open reverse waterfall is not mandatory.</p> <p>IE</p> <p>(Comments):</p> <p>IE Agrees</p> <p>EE</p> <p>(Comments):</p> <p>EE: We agree with the Presidency's proposed way forward. However, we consider that Article 17(7) should be deleted.</p> <p>PT</p> <p>(Comments):</p> <p>Yes.</p> <p>AT</p> <p>(Comments):</p> <p>See answer to Q9.</p> <p>ES</p> <p>(Comments):</p> <p>We agree with offering mandatory and free of charge to natural persons:</p> <ul style="list-style-type: none"> - Manual (de)funding with the same or different PSP - Waterfall and reverse waterfall with the same PSP - Waterfall open defunding - As for the automated funding: <ul style="list-style-type: none"> • We would make it mandatory and free within the same PSP

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	<ul style="list-style-type: none"> • With a different PSP we would make a distinction: <ul style="list-style-type: none"> ✓ We would make mandatory and free of charge scheduled funding ✓ Event-driven funding however, which can be more assimilated to the reverse waterfall open funding – we would not make it neither mandatory nor free of charge (like the reverse waterfall open funding)
<p>Q11. Do Member States agree with the Presidency’s proposal regarding which services in the list of mandatory digital euro payment services (Annex II) should be provided free of charge?</p>	<p>BE (Comments):</p> <p>We have concerns regarding the absence of provision of cash (de)funding services for free. At minimum, PSPs which already offer cash (de)funding services from non-digital euro accounts for free should also provide cash (de)funding services from digital euro accounts for free in the same terms. Moreover, we should discuss imposing PSPs which do not already offer cash (de)funding services from non-digital euro accounts for free to at least offer 1 monthly withdrawal for free in the MS where the PSP is located, to ensure that the convertibility principle embedded in Article 13 (5) is respected (as part of the DE regulation and/or the legal tender for cash regulation).</p> <p>We would also appreciate clarifications on how to read the regulation on the following points as the text is open to various interpretations:</p> <ul style="list-style-type: none"> • Would only one digital euro account per user and PSP be free of charge or would only one digital euro account per user for all PSPs be free of charge? • In case one person holds a digital euro account in its own name plus a joint account, would the 2 accounts be free of charge? <p>HR (Comments):</p>

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	<p>Yes, we agree with the Presidency’s proposal regarding which services in the list of mandatory digital euro payment services (Annex II) should be provided free of charge.</p> <p>But, for legal clarity reasons, we propose to prescribe in the second column of the table, next to the service (c): "Yes. But, if PSP chose to provide funding operations referred to in Article 13(4b) on the basis of contractual arrangements with consumers, this payment service should also be free of charge."</p> <p>SK (Comments):</p> <p>We agree with the proposal but would welcome clarification in letter a) stating that it is one digital euro payment account per user per PSP. In letter g) we would welcome clarification that the obligation can be fulfilled by providing one electronic payment instrument covering both modes of payments.</p> <p>EL (Comments):</p> <p>We agree, but in relation to point (d) we note that the charges which apply for funding/ defunding a digital euro account from/to cash should be the same as the charges for funding/defunding a non-digital euro bank account from/to cash.</p> <p>LU (Comments):</p> <p>LU: yes, we agree with the presidency’s proposal. At this stage it is not clear for us what would be a payment instrument to be used in relation with the digital euro.</p> <p>SI (Comments):</p> <p>SI: Yes, we agree.</p>

Presidency Questions	Comments
	<p>LT (Comments): We agree with the direction.</p> <p>PL (Comments): PL: Yes, we generally agree.</p> <p>LV (Comments): d) Proposal to make sure that costs incurred by consumers for cash services with the digital euro are not discriminated between digital euro and non-digital euro accounts: "manual funding and defunding from or to euro banknotes through the same technical means and within the same limits in which the distributing PSP provides such cash services for non-digital euro payment accounts."</p> <p>DE (Comments):</p> <ul style="list-style-type: none"> • Overall, we welcome that there will be two Annexes, one establishing the mandatory payment services and another established those services which should be offered free of charge. • This begin said, we have several remarks on the draft proposal: • First, as stated before, we believe that the list of mandatory services is incomplete. <ul style="list-style-type: none"> ○ The draft regulation contains several other obligations for the PSPs which are not yet included in the Annex. For example, this includes the offer of multiple accounts, joint accounts as well as the linking of the digital euro wallet to several non-digital euro accounts.

Presidency Questions	Comments
	<ul style="list-style-type: none"> ○ It seems pertinent to first establish a comprehensive list of all relevant services that PSPs are obliged to offer. Only in a second step, shall it be discussed which services should be offered free of charge. ● Second, we would like to comment on the different services mentioned in the Annex. On point... <ul style="list-style-type: none"> ○ (a) We welcome that only the first digital euro account should be provided free of charge. However, we would like to highlight that this proposal introduces an additional layer of complexity. PSPs would need to monitor whether consumers have closed their "first" digital euro payment account at a different PSP, as this would affect their ability to charge for the second account. For that purpose, additional information would need to be stored in the Single Access Point (SAP) within the DESP to track the order in which digital euro payment accounts were opened. Without such information, PSPs would be unable to determine which account must remain free of charge after the closure of the first account. ○ (a) We believe the list of services under (a) is incomplete. The Regulation refers to a package fee in Recital 40. This package fee should be listed here. Furthermore, as mentioned before, there should be an analysis of joint accounts, multiple accounts and the linking to multiple non-digital euro accounts. Clearly, not all of these services should be offered free of charge. ○ (c) We do not believe that only carving out the reverse waterfall functionality from the mandatory open funding services is going to solve the issue at hand. Instead, we propose to include also the automatic and scheduled funding in the list of excepted services. We will provide a more detailed input on this issue in the context of our later discussions on the compensation model.

Presidency Questions	Comments
	<ul style="list-style-type: none"> ○ (c) It should be explicitly clarified that funding operations involving a non-digital euro payment account denominated in a foreign currency would not be free of charge. ○ (g) Regarding the mandatory payment instrument under (g), we repeat our call for a more general debate. ○ As said before, one possible solution would be that PSPs would have to offer both card an app, but only one instrument would have to be offered free of charge. However, this would of course depend on the costs associated with cards vs. Apps. From an inclusion perspective, a physical card is essential, even if banks are permitted to charge a fee for providing it. ○ Additionally, rather than stipulating that PSPs may only charge a fee for a second instrument, it could be clarified that personalizing the first instrument –such as issuing a physical card featuring a custom design, like a favourite football club – could also be subject to a fee. This approach would provide PSPs with greater flexibility while ensuring that basic functionality remains accessible to all users. ○ On point (h), we would still need more clarity on the types of pre-dispute and dispute services that should be offered (Fraud, technical issues, commercial disputes), before opining on whether PSPs may charge a fee for those services. ● In sum, we believe that the debate on the Annexes is not yet finished. After a thorough analysis of all possible services which PSPs shall offer, a solid analysis of services to be offered free of charge shall be finalised. <p>FR (Comments):</p>

Presidency Questions	Comments
	<p>We reiterate the need to indicate that a package fee may be charged for these services, linked to a standard bank account.</p> <p>We are opposed to the free provision of payment instruments that are currently charged for, and therefore reject points (b) offline payment and (g) offline payment.</p> <p>As indicated in the previous WP, we are opposed to interfering in PSP-merchant and customer-merchant commercial relationships. We do not know which relationship is covered by point (h). As a reminder, merchants complain about unpaid bills resulting from these scheme rules.</p> <p>We are in favour of the rest.</p> <p>NL (Comments):</p> <p>NL comment: we are glad that manual funding and defunding from or to euro banknotes and coins does not have to be offered for free. This would allow the proposal to better align with national circumstances. We therefore agree with the Presidency’s proposal.</p> <p>FI (Comments):</p> <p>Yes</p> <p>IT (Comments):</p> <p>IT. We broadly agree with the Presidency’s proposal, with the following adjustments in the Annex II:</p> <ul style="list-style-type: none"> - The table should also include that cash services are to be provided only if already provided by the PSP and possibly be subject to the same fees applied to non-digital euro cash services, as done in letter c) of annex II) when specifying the reverse waterfall exception. - It should be clarified if only the first account should be free of charge or the first account per PSP.

Presidency Questions	Comments
	<p>- It should be clarified if the emergency switching as defined in Article C should also be free of charge since refence to article 31 only is made.</p> <p>- It should be clarified the electronic payment instrument that will be provided free of charge. If the PSP has developed its own mobile app but the user is asking for a card, it is unclear if the latter should be provided for free.</p> <p>As reported in Q8-Q9 of the Distribution questionnaire above we would suggest defining the pre-dispute and dispute services to be provided by the PSPs as listed in Annex II in the light of Dispute management mechanism defined in Article 27. Same applies to Annex IIa.</p> <p>IE (Comments):</p> <p>IE Agrees. Additionally, IE supports HR and CION suggestion to make reference to contractual arrangements with regard point c, and that this service should remain free of charge if provided for voluntarily.</p> <p>EE (Comments):</p> <p>EE: We can agree with the Presidency’s approach regarding the list of mandatory services to be provided free of charge.</p> <p>PT (Comments):</p> <p><i>We agree with having two lists.</i></p> <p><i>Nonetheless</i>, please consider our following concerns regarding the services to be offered mandatorily under Annex II:</p> <ul style="list-style-type: none"> — First, please consider our position on single vs. multiple accounts; — Second, point (d) should not be included in the list of services provided free-of-charge, in line with our proposal for Article 17(1), second paragraph.

Presidency Questions	Comments
	<p>These operations should be free only when they are already provided free-of-charge for non-digital euro operations.</p> <ul style="list-style-type: none"> — The same principle of equivalence should be applied to services such as credit transfers and standing orders, allowing PSPs to charge fees equal to those applied when these services are executed using non-digital euro funds. — Services where the use of the digital euro closely resembles cash (such as offline transactions) should remain free of charge. <p>AT (Comments): Yes (subject to our answer to Q8 of the PCY note on distribution).</p> <p>ES (Comments):</p> <ul style="list-style-type: none"> - Regarding letter a, we can only support limiting the mandatory and free to the first account, as long as it is PER PSP, not the first account at all. Otherwise, it would create perverse incentives not to be the first bank to open the account. This should be stated clearly. - OK with letter ab - OK with letter ba - Regarding letter c on funding and defunding see Q10. Ok with everything except for the automated funding with a different PSP, where we would only oblige the scheduled but not the event driven funding. - As for funding and defunding of cash (letter d), we think that the wording could be clearer, saying through the same technical means might not be enough. At least there should be a recital explaining also what would happen with digital banks that provide cash services through agreements with other banks. - Regarding letter (e): OK not to state specific use cases, but it should be made very clear that it is not mandatory for PSPs to offer D€ payment services to businesses and governments to initiate D€

Presidency Questions	Comments
	<p>payments: The D€ is being introduced mainly as a retail payment, not as a means of payment for pensions and salaries</p> <ul style="list-style-type: none"> - Regarding letter g, on the number of payment instruments that need to be provided. We think we should focus on cell phones, which provide the best user experience. Also given that cell phones are growing exponentially. We think that the current wording makes sense, requiring only to provide one form factor free of charge. We could include as mandatory service to also provide cards, but we could allow PSPs to charge for this service. <ul style="list-style-type: none"> • If we go for cell phone apps, which we think is the best way forward, we should be really focusing on making a good User Experience, and see how we can integrate the D€ in mobile wallets currently used like Apple Pay, Google Pay or a way to integrate them in the phone that is as convenient and as easy to use. - Regarding letter h, on pre-dispute and dispute services: During the CWP the ECB clarified that pre-dispute services refers to facilitating the communication between the consumer and the merchant, so that they can come to an agreement. If there is no agreement, there would be a dispute where the DESP would adopt a passive role. There are valid debates in this regard: <ul style="list-style-type: none"> • Some may argue that a digital form of cash shall not benefit from commercial dispute services³, since cash doesn't offer this. However, if we want to make the digital euro as attractive as other competing means of payment, it seems reasonable that users benefit from pre-dispute and dispute services. For comparable means of payment, chargebacks are usually free for

³ It is important to be aware of the difference between commercial and technical disputes:

- Commercial dispute: related to the underlying business transaction, contract or satisfaction with the goods/services. It implies a disagreement over the value or legitimacy of the purchase – e.g.: the customer paid but didn't receive the goods, the quality of goods is not as described, late delivery, invoicing discrepancies
- Technical dispute: error in the payment processing system or administrative process – e.g. duplicate billing, incorrect amount charged in the card, incorrect code; fraudulent transaction; problem with bank's internal processing

Presidency Questions	Comments
	<p>consumers, so we would emulate this for the D€ (as foreseen by the PCY).</p> <ul style="list-style-type: none"> In any case, if we are trying to emulate the card solution here, we need to be aware of the role of the ECB (and the DESP) as manager of the scheme. It is the scheme manager that is involved in these issues, if it doesn't then the role is delegated to the Courts and that can have an impact on the service and perception of consumers. We agree with maintaining dispute and pre-dispute services as mandatory services, since they are essential for user protection and part of comparable means of payment
<p>Q12. Do Member States agree with the Presidency's proposal regarding which services in the list of mandatory acquiring services (Annex IIa) should be provided free of charge?</p>	<p>BE (Comments): We overall support the PDCY proposal.</p> <p>HR (Comments): We agree with the Presidency's proposal regarding which services in the list of mandatory acquiring services (Annex IIa) should be subject to MSC cap.</p> <p>SK (Comments): We agree with the proposal.</p> <p>EL (Comments): We note there is a mismatch between this presidency note and the note on distribution regarding pre-dispute and dispute services in case of acquiring (dispute services are listed as chargeable in this note but free in the distribution note). Assuming that the note on distribution is the correct version, i.e. that</p>

Presidency Questions	Comments
	<p>both pre-dispute and dispute services are included in the mandatory acquiring services, we agree.</p> <p>LU (Comments):</p> <p>LU: It is not clear what would represent a pre-dispute service. In our view dispute resolution is not a service itself but e mere consequence of providing payment services. Thus, we question the necessity to include such service in the list of basic services.</p> <p>SI (Comments):</p> <p>SI: Yes, we agree.</p> <p>CZ (Comments):</p> <p>At this point we are open. We would like to point out that the existence of (free) dispute management for payers could be a factor in deciding whether a means of payments is comparable to digital euro for the initial cap.</p> <p>LT (Comments):</p> <p>We agree</p> <p>PL (Comments):</p> <p>PL: Yes, we generally agree.</p> <p>DE (Comments):</p>

Presidency Questions	Comments
	<ul style="list-style-type: none"> • Overall, we agree. • However, we have to place our comment under a scrutiny reservation as regards the pre-dispute and dispute services. We are still checking internally whether this approach is feasible in light of existing ADR regulation. • On points (e) and (f), we would still need more clarity on the types of pre-dispute and dispute services that should be offered (Fraud, technical issues, commercial disputes), before opining on whether PSPs may charge a fee for those services. • In addition, we would propose to oblige PSPs to provide merchants with the possibility to transfer digital euro funds to their non-digital euro payment accounts only once per day (“batch payout”), rather than instantly for each transaction. Such a possibility would be an operational relief for merchants and would also reflect existing market practices. • A possible solution would be to instantly defund digital euro to a acquirers’ commercial bank transit account, where the funds are collected and eventually transferred to the merchants’ commercial bank account at the end of a business day. Such a service could be mandatory but would not be necessarily free of charge. <p>FR (Comments): Faced with a regulatory obligation, the market will structure itself to offer these services. We are opposed to such a list of basic acquisition services.</p> <p>NL (Comments):</p>

Presidency Questions	Comments
	<p>NL comment: We generally agree with the Presidency’s proposal but we still have questions regarding which electronic payment will be free of charge, and which one will not. We believe that consumers should choose one free payment instrument (card or app), after which PSPs should have the option to charge a fee for the provision of e.g. a new card.</p> <p>FI (Comments): Yes. In addition, we are hoping for clear definitions for pre-dispute and dispute services.</p> <p>IT (Comments): IT. We agree on the list of services – intended that they will be provided within the MSC cap. Still, it is to be further clarified which services need to be free of charge. For example, given the zero holding limit imposed on merchants, the reverse waterfall and waterfall must be free of charge. To be clear, the MSC has to be applied to the transaction, but no additional charge shall be applied for the mere fact of activating a (reverse) waterfall.</p> <p>IE (Comments): IE Agrees</p> <p>EE (Comments): EE: We can agree with the Presidency’s approach, however, the exact scope of Annex IIa may require further fine-tuning once the final model is agreed.</p> <p>PT (Comments): <i>Please see our comments to the previous question.</i></p>

Presidency Questions	Comments
	<p>AT (Comments): Yes. (subject to our answer to Q8 of the PCY note on distribution).</p> <p>ES (Comments):</p> <ul style="list-style-type: none"> - We do not like the wording in letter c: it should not be a basic service to enable the “initiation of online and offline D€ payment transactions, including refunds”, it should state “enabling the reception and refund of offline and online digital euro payment transactions” - We agree that waterfall and reverse waterfall with the same or different PSPs in included in the annex and subject to the MSC cap. We would clarify somewhere that the merchant can link for waterfall and reverse waterfall purposes their D€ account to a normal account belonging to a different owner (e.g. omnibus account of the acquirer) - OK with dispute services being mandatory but not subject to the cap
<p>Presidency discussion note on the distribution obligations for credit institutions incorporated in non euro area Member States (WK 13473 / 2025)</p>	
<p>Q1. Do Member States support the Presidency’s proposal for a methodology, and the corresponding drafting suggestions, defining which NEA credit institutions that should be subject to the distribution obligations in the Regulation on the establishment of the digital euro?</p>	<p>BE (Comments): We overall support the PDCY proposal even if we reserve our assessment pending the outcome of the PDCY envisaged work on relative or absolute thresholds regarding the number of digital euro users permanently residing in the EA.</p> <p>EL</p>

Presidency Questions	Comments
	<p>(Comments):</p> <p>In principle we support the Presidency’s direction of travel as well as the interests of fellow non-EA MS.</p> <p>SI</p> <p>(Comments):</p> <p>SI: /.</p> <p>CZ</p> <p>(Comments):</p> <p>This regulation is our priority, for obvious reasons.</p> <p>We would like to clarify whether our understanding of the proposal aligns with what we aim to achieve, in order to ensure legal clarity.</p> <p>From our perspective, it would be very useful to clarify the meaning of the term „incorporated in“. We assume that it is a matter of which jurisdiction the entity is under. If so, we rather recommend to use different wording so that the obligation is more closely linked to the territory of the actual operation rather than to the place of an official incorporation of the PSP, but we understand the EC explanation why is not an appropriately way forward. In this case, would not be a solution to clarify in a recital that is intended the NEA credit institution actively providing payment services in the eurozone?</p> <p>If we understand the aim of the proposal correctly, a Czech credit institution that actively provides payment services—either physically located in the eurozone (e.g. branch of the CZ bank in Austria or Germany) or operating online and targeting the eurozone market (e.g. through a website and advertising in the language of a eurozone Member State)— such credit institution would be obliged to offer digital euro services and should fall within the scope of the DER.</p>

Presidency Questions	Comments
	<p>Imagine an illustrative case of a Czech credit institution providing payment services only in the Czech Republic (be located outside the eurozone), targeting Czech clients, offering only payment accounts in Czech currency and have sufficient number of clients from eurozone. Would such CI be obliged to provide eurozone clients payment services in digital euros? We would be concerned by such an interpretation and hope that this is not the aim. Moreover, since euro does not have a legal tender status in Czechia, it would be strange and disproportionate to enforce such obligation. It would also be not clear, which authority would enforce it in a situation when a particular credit institution would not provide digital euro services – taking into account the fact that it is a monetary policy issue of eurozone.</p> <p>LT (Comments): We agree</p> <p>PL (Comments): PL: The Presidency’s proposal that aims to tackle this crucial issue in our view is comprehensive, and the direction of the proposed approach is a good one and indeed focuses on the most important issues. In general, we are of the view the methodology proposed by the Presidency, especially the methodology presented in Article 3(2) and corresponding recitals seems reasonable, taking into account all the previous discussions and arguments raised throughout the discussions during the CWP meetings (that complete exclusion of NEA credit institutions is not possible for various reasons). We also agree with the identified outstanding elements in the Presidency Note. We are of the view that the key issue for the assessment of this proposal will be the calibration of thresholds mentioned in Article 3(2)(b) and Recital 4a. In</p>

Presidency Questions	Comments
	<p>our view, the calibration should ensure that the obligation to provide digital euro services applies in cases where the activity of a NEA bank in EA country is material – i.e. should be relatively high.</p> <p>Nonetheless, we also have some additional comments that can further contribute to legal certainty regarding the obligations of banks incorporated outside the Euro Area:</p> <p>1) We are of the view that explicit reference should be made to the premise included in Article 3(2)(b) to ‘actively provides the services referred to in point (a)’ and that it should be clarified in the of the Regulation (definition) that the situation of ‘actively providing services’ should be understood as a situation in which the customer has used payment services provided by a credit institution at least once during a specified period (e.g. the last 10 years). This proposal would aim to exclude persons who have dormant payment accounts from the number of customers residing in euro area Member States.</p> <p>2) We would also like to note that Article 3(2)(c) of the proposal may be understood as referring to payment service providers providing digital euro services on a mandatory basis (rather than simply providing such services, regardless of whether they are obliged to do so or do so voluntarily). In our view, this provision should be amended to refer to all payment service providers simply offering digital euro services. In our view, with such understanding the current provision omits, for example, credit institutions from Member States outside the euro area, as well as payment service providers who provide digital euro services despite not being obliged to do so.</p> <p>3) We would like to propose amending Recital 4b to clarify that a credit institution incorporated in a Non Euro Area Member State may verify whether a natural person is a user of digital euro services with another payment service provider not only on the basis of the user's declaration, but also on the basis of</p>

Presidency Questions	Comments
	<p>other sources. In our view it would be possible, for example, to use the wording of the provision laid down in Article 16(5), second subparagraph, of Directive 2014/92/EU (PAD directive).</p> <p>4) With respect to the proposed quantitative criteria, we wonder whether it is worth specifying what happens when a non-Euro Area bank ceases to fulfil these criteria introduced in Article 3(2) (i.e. when the number of euro area clients it serves falls below both thresholds).</p> <p>5) We also wonder and would like to ask whether non-Euro Area banks that are obliged to provide digital euro payment services on the basis of meeting the quantitative criteria would be able to receive direct access to digital euro services platform run by the ECB/Eurosystem on a non-discriminatory basis (compared to euro area banks). In our view, any bank that would be required by law to provide digital euro payment services should not be forced to rely on intermediary access to digital euro services platform. And maybe the regulation should include an explicit provision to that effect.</p> <p>SE (Comments): SE Comments:</p> <p>It remains highly important to ensure that the requirements for payment services providers incorporated in non-euro area MS remain proportionate. We believe the additions suggested by the DK PCY are important steps in the right direction, yet see a need for further clarifications.</p> <p>Recital 4b: We wonder if there may be reason - in order to avoid the complications of a 'declaration of honour' - to possibly link this to the 'digital euro payment alias number', as specified in Art. 2 point (32) in the digital euro regulation?</p>

Presidency Questions	Comments
	<p>Recital 4c: We wonder if this text should also be reflected also in the legal text, in order to ensure its consistency. The reasoning that clients may be referred to operational entities (subsidiaries or branches) where digital euro services are provided appears rational and would also contribute to limiting the administrative burden.</p> <p>Recital 4d: As highlighted during the last CWP, there may be reason to adjust the text here; specifically “should apply the same rules as PSPs incorporated in MS whose currency is the euro ...”. This relates to Article 13(3) on funding/defunding, and Article 22(2) on non-digital euro products and possible several other specific provisions in the digital euro regulation (e.g. connections to other ‘standard’ payment accounts), which may not be fit-for-purpose when a PSP in a NEA-MS provides digital euro services on a voluntary basis.</p> <p>Article 3: We wonder if the specificity in Article 12a(4) in the digital euro regulation (i.e. merchants in non-euro area MS, which may receive digital euro payments) should also be clarified in the list of recipients of digital euro services? Or how are these merchants supposed to handle the incoming euro payments?</p> <p>Article 3(2): We wonder if this paragraph should refer to Article 3(1)(a) of this regulation, instead of Article 12a(a) in the digital euro Regulation? This would ensure better certainty, as the same type of client is categorised in this regulation.</p> <p>Article 3(2)(b): We wonder if these limits need to be set sufficiently high, in order to ensure that only banks – which in their cross-border services provide payment services to a significantly high number of clients, constituting also a meaningful share of euro area clients – are included.</p>

Presidency Questions	Comments
	<p>Article 4: Here, we wonder about possible next steps in clarifying in what parts the provisions of the digital euro regulation will be applicable vs. which provisions that may need to be adjusted or at least adapted, in order to cater for possible certain other circumstances when payment service providers in non-euro area MS provide digital euro services in accordance with both Article 3(1) and (2), and acknowledging that there may be differences here. Will there be a need to directly adapt the provisions, or should this Article be amended with e.g. “in relevant parts”?</p> <p>DE (Comments):</p> <ul style="list-style-type: none"> • Overall, we support the proposed approach. A balanced and proportionate solution shall be found for this issue. • Of course, we should listen carefully to delegations from non-Euro Area MS and the concerns raised by them. • However, it also needs to be ensured that those NEA credit institutions that have a meaningful footprint, as established by the thresholds, do not benefit from an unduly wide range of exemptions to avoid distributing the digital euro. • We would therefore like to express our reservation on the third criterion, according to which NEA credit institutions would either not be obliged to distribute the digital euro where their clients also have a payment account with a euro area credit institution or could refer those clients to subsidiaries or branches in the euro area. Both exemptions seem to strongly narrow the cases where NEA credit institutions with a strong retail banking footprint would actually contribute to the digital euro project. • Also, to avoid cliff-effects, i.e. institutions transitioning in and out of their obligations on a regular basis, it could be considered to use a

Presidency Questions	Comments
	<p>three-year average of the quantitative thresholds, as it is often done in European banking law.</p> <ul style="list-style-type: none"> Clearly, it will also be important to calibrate these thresholds in a meaningful way. For example, a specific absolute number of clients might be insignificant for some larger Member States, yet highly relevant for smaller ones. <p>FR (Comments):</p> <p>We are in favour of optional distribution of the digital euro to all credit institutions. We must ensure a level playing field between all credit institutions in the EU and have doubts about the introduction of thresholds that will need to be defined and then updated. We will need to have further discussion about this issue.</p> <p>NL (Comments):</p> <p>NL: We thank the Presidency for drafting a proposal in response to these specific questions on the distribution model. As stated in an earlier discussion, we believe that we can find a balanced and proportionate solution to keep a level-playing field between euro area and non-euro area credit institutions, without unnecessarily imposing obligations on non-euro area credit institutions. We believe that both the first and second criterion are the right approach for determining whether presence of a non-euro area credit institution is material. For the third criterion, we would be cautious to include this in the regulation as it adds complexity and we would prefer for consumers in the European Union to have a choice in which bank they use for the provision of digital euro services. Rather we believe that with the right calibration of the first two criteria, the third one would be made redundant. We</p>

Presidency Questions	Comments
	<p>agree with the list of outstanding elements of the Presidency and would emphasize that the timeframe for non-euro Area Credit Institutions should be sufficiently long to fulfil the conditions to transition to digital euro distribution.</p> <p>FI (Comments):</p> <p>Presidency’s proposal shows many steps into right direction.</p> <p>Regarding the proposed way forward and the three criteria, we find the first two relevant. In the second criteria, it is important to have the number of natural persons and share of natural persons as alternative criteria keeping in mind also the smaller member states. We do not find the third criteria necessary. In practice, it may also be that a non-EA bank is the primary bank of a natural person even though he/she might have an account at another bank for example for preparedness reasons. Likely this person would like to have digital euros via his/her primary bank. We do not see the reasoning behind IT cost savings in the third criteria, because it is highly unlikely that all of the customers of such a bank would also have an account at another bank. Therefore, IT costs are likely not to be avoided.</p> <p>Regarding the outstanding elements mentioned in the note, we support the data gathering efforts regarding thresholds and would be happy to learn more once they are ready.</p> <p>Regarding the timeframe during which non-EA credit institutions should be subject to distribution obligation, we suggest separating two cases:</p> <ol style="list-style-type: none"> 1. Non-EA CI already with strong presence in euro area member state i.e. threshold exceeded already at the first issuance. These should offer digital euro services from day one.

Presidency Questions	Comments
	<p>2. Those non-EA CI who will eventually grow to become significant in a EA member state. These should have a suitable transitional period to prepare and to build up their IT-systems</p> <p>We are also hoping for a level playing-field regarding this issue, since small credit institutions in euro area member states also need to comply with the distribution obligation.</p> <p>IT (Comments):</p> <p>IT. We do not have a strong view on Q1-2, as we can be flexible and open for discussion with non-euro area MSs.</p> <p>We just wanted to flag that it would be worth providing additional explanation on the proportionality of imposing on NEA credit institutions the same obligations of EA credit institutions only because of the residence of its clients, what would lead to a situation where two NEA credit institutions identical in any aspects except for the residence of (most of) their clients would be subject to different legal obligations.</p> <p>Additionally, it would be worth clarifying the estimate of the number of NEA credit institutions that will be subject to these obligations, and whether we are aware of how many euro area customers are currently served by such institutions.</p> <p>Finally, with respect to the proposed criteria to identify NEA credit institutions to be subject to mandatory distribution, we hardly see how the third criterion could be applied as we believe that, should the proposed framework enter into force, a NEA credit institution would wish to have a full and clear picture of its obligations (including the obligation to distribute digital euro services) well before the time when its clients (residing in the EU) actually request digital euro services.</p> <p>IE (Comments):</p> <p>IE Agrees</p>

Presidency Questions	Comments
	<p>EE (Comments):</p> <p>EE: We support the Presidency’s balanced approach, which aims to ensure a level playing field while taking proportionality into account. Equal treatment between euro area and non-euro area service providers is essential to preserve the integrity of the Single Market and ensure fair competition. We agree that obligations should apply to NEA credit institutions with a significant presence and client base in the euro area, while avoiding unnecessary burdens on smaller institutions. The proposed threshold-based methodology is a pragmatic way to achieve this balance. It is important that these thresholds are calibrated carefully (as explained by Finland during the WP on the 17th of October) and applied consistently across Member States. At the same time, legal clarity must be strengthened, including on supervisory responsibilities, applicable obligations, and transitional arrangements for institutions crossing the threshold. We tend to share the Commission’s view that a purely territorial approach would risk market fragmentation and should be avoided. Overall, we support the Presidency’s direction, which combines proportionality, legal clarity, and equal treatment to ensure broad and fair access to the digital euro.</p> <p>PT (Comments):</p> <p>While <i>we are open</i> to the methodology proposed by the Presidency establishing certain criteria to ensure proportionality, we have <i>some doubts</i> regarding the specifically proposed conditions:</p> <ul style="list-style-type: none"> — First, regarding the condition in point (a) of Article 3(2), we believe the word “<i>permanently</i>” should be deleted from Recital 4a. It is not clear how this reference articulates with the wording proposed in point (a). Additionally, its inclusion introduces unnecessary subjectivity and creates

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	<p>a misalignment with the provisions of Article 3(1)(a). Enough proportionality is already achieved by the articulation of the proposed conditions.</p> <ul style="list-style-type: none"> — Second, we cannot have a definitive view on the condition set in point (b) of Article 3(2), since the calibration of the thresholds is, as recognized by the DK Presidency, a key issue. — <i>We have strong doubts regarding the third condition and prefer its deletion.</i> It may introduce further complexity from a user’s point of view. <p>Lastly, we do not agree with the possibility of more clearly defining residence, since we believe we should rely on the existing definitions.</p> <p>RO (Comments):</p> <p>In general we support the proposal, however we think that further clarification should be brought to the term incorporated in order to better clarify the location. Also, a clarification is needed regarding if an exception for PSP authorized in RO that is also part of a group with presence in other MS whose currency is EUR, should be granted as to the presence is already ensured by a bank member of that group.</p> <p>AT (Comments):</p> <p>Yes, we agree with the proposal to introduce three criteria as conditions under which Non Euro Area credit institutions are obliged to distribute the digital euro.</p> <p>The thresholds of Article 3 (2) (b) must strike a reasonably balance between proportionality – to avoid imposing obligations on NEA credit institutions with only marginal activity in euro area Member States – and accessibility – to</p>

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	<p>guarantee that residents of euro area countries served by NEA institutions are not excluded from digital euro services.</p> <p>ES (Comments): Yes. Maybe we should try not to make it overly complicated and target those entities that are blatantly targeting EA residents.</p> <p>HU (Comments): We would like to thank the Presidency’s efforts to further discuss this issue which is of priority for us. We need proportionate and clear rules on the distribution obligations for credit institutions incorporated in non-euro area Member States. We can agree with the direction of the Presidency approach. However, the proportionality aspect shall be further strengthened and some provisions shall be further clarified. The threshold of the significant number and percentage of natural person clients shall be set relatively high. Relying on a declaration of honour provided by the client likely does not provide sufficient certainty for the credit institutions. Other sources, alternative verification methods should be added. We think that the legal consequences of a false statement should be clarified. We also highlight that this provision is not mirrored in the Articles, only in recital (4b). We welcome the possibility of recital (4c) to refer natural person clients to branches or subsidiaries of the credit institution. Nevertheless, it shall be mirrored in the Articles, not only in the recital. We would like to ask for a longer transition period for the credit institutions. Finally, we agree with the Presidency’s statement in the discussion note that the question how actual residence or address can be credibly verified is an important outstanding question.</p>

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<p>Q2. Do Member States have further comments to the Article 114 TFEU Regulation?</p>	<p>BE (Comments): We would suggest a minor redrafting in recital 4a, as follows : « To ensure access to digital euro payment services for natural persons permanently residing in Member States whose currency is not the euro »).</p> <p>EL (Comments): No.</p> <p>SI (Comments): SI: /.</p> <p>CZ (Comments): We are quite sceptical regarding customer declaration of holding a payment account. We welcome longer transition period (implementation measures). In art. 3 par. 2 let. b) complete „actively“provides the services.</p> <p>LT (Comments): We don't have further comments.</p> <p>PL (Comments): PL: No further comments.</p>

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	<p>SE (Comments): SE comments:</p> <p>DE (Comments):</p> <ul style="list-style-type: none"> • Generally, we support the direction of travel. • However, we are a bit sceptical whether the proposed Article 3(2) letter (c) is in line with the idea of a level playing field. We are concerned that this criterion would only add additional complexity and is not in line with level playing field vis-à-vis euro area-based PSPs. Furthermore, we are not convinced that this criterion would bring substantial relief. NEA PSPs would, in any event, still need to undertake the initial investments required to provide access to digital euro payment services for such clients that are not simultaneously clients of a EA bank. • Instead, in the interest of proportionality, we consider Articles 3 (2) letters (a) and (b) to suffice. • We continue to call for the thorough analysis of the applicability of PSD3/PSR on the digital euro. Logically, any amendments necessary in the digital euro regulation would also have to be mirrored in the Art. 114 Regulation. In particular, this holds true for the various references made to definitions in the Art. 114 Proposal. These references will require an update.

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	<ul style="list-style-type: none"> Furthermore, any adaptations made to the distribution framework in Articles 13 and 14 of the DER would also require to reflect these changes in the Art. 114 Regulation. <p>FR (Comments): We are opposed to the mandatory provision of digital euro services.</p> <p>NL (Comments): NL: No.</p> <p>FI (Comments): -</p> <p>IT (Comments): IT. See above.</p> <p>IE (Comments): No further comments but note a range of views was expressed at the CWP and further work is required.</p> <p>EE (Comments): EE: No comments at this stage.</p> <p>PT (Comments): No.</p>

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	<p>RO (Comments):</p> <p>We would like to raise the issue of the substance of Recital’s (4b) and (4c) in the operative part of the Regulation (e.g. in Article 3 or a dedicated provision), given that recitals do not in themselves establish legal rights or obligations, similar to the view of Sweden.</p> <p>Given that the terminology “<i>declaration of honor</i>” is taken over from <i>Directive 2014/92/EU of the European Parliament and of the council of 23 July 2014 on the comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features</i> (PAD) where it is both stated at recital no. 42 and as well at art. 16 (“<i>may rely on a declaration of honor</i>”), we therefore propose a similar approach in the <i>114 TFEU Proposal</i> to be included for example at Article 3 or a dedicated provision in order to provide greater legal certainty for both PSPs and supervisors.</p> <p>Furthermore, we would like to point out that access to digital euro services via an EA branch of the same PSP should be ensured with a level of user convenience as close as possible to that offered through the originally selected NEA branch. From a customer perspective, the referral mechanism should not result in reduced usability or additional procedural burdens. Furthermore, we do have concerns regarding the limitations on account opening present in some member states towards nonresidents.</p> <p>Also, we propose to introduce a longer transition period for credit institutions incorporated in a Non-Euro Area Member State regarding the obligation to provide digital euro services to persons permanently residing in euro area countries, provided by the fact that credit institutions incorporated in a Non-Euro Area Member State might need more time for implementation and integration, similar to the view of Hungary.</p> <p>While in principle we agree with the proposed methodology in assessing the significance of a NEA credit institution in an EA Member State, it is not</p>

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	<p>particularly clear to us the interaction this will have with other stipulations of the digital euro regulation, for instance will this still be subject to the provisions of article 18 and require that "payment service providers may only distribute the digital euro to natural and legal persons residing or established in a Member State whose currency is not the euro if the European Central Bank and the national central bank of that Member State have signed an arrangement to that effect".</p> <p>A second clarification would be on how the holding limit would work in this case. Would the limit set for the NEA member states be valid? As you recall, from a financial stability perspective, we support setting a single holding limit for all non-euro Member States based on the lowest individual ceiling derived from each national quantitative assessment. In Romania's case, our empirical estimates currently suggest an appropriate individual limit of approximately EUR 1,500. Some flexibility should also be maintained in revising this threshold to account for evolving macro-financial conditions and the potential coexistence of two CBDCs (e.g. Digital RON and Digital EUR) within the same jurisdiction.</p> <p>AT (Comments): No.</p> <p>ES (Comments): No.</p>
	<p>DE (Comments): <u>Editorial remarks:</u> <u>Recital 3:</u></p>

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	<p>“It is essential to ensure that all payment services providers (...) may distribute the digital euro (...)” (emphasis is ours). [If payment initiation service providers (PISP) are not allowed to participate in the distribution of the digital euro, the wording of recital 3 might need to be slightly adjusted.]</p> <p><u>Recital 4a:</u> “(...) Member State whose currency is they euro should (...)” Typo</p> <p><u>Recital 4c:</u> “(...) subsidiaries of the credit institution in the a Member State (...)” Typo</p> <p><u>Recital 5:</u> “(...) the relevant provisions of Directive (EU) 2015/2366 of the European Parliament and the Council, and Directive (EU) 2024/1640 of the European Parliament (...)” Typo</p> <p><u>Recital 7:</u> “(...) considered as funds under Directive (EU) 2015/2366 (...)” Typo</p> <p><u>Article 2, point (1):</u> “(...) as defined in Article 2, point (1), of Regulation (...)” Typos</p> <p><u>Article 2, point (2):</u> “(...) as defined in Article 4, point (11), of Directive (EU) 2015/2366 (...)” Typos</p> <p><u>Article 2, point (3):</u> “(...) as defined in Article 2, point (8), of Regulation (EU) (...)” Typos</p> <p><u>Article 2, point (5):</u> “(...) as defined in Article 2, point (22), of Regulation (...)” Typos</p> <p><u>Article 2, point (6):</u></p>

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	<p>Rather than repeating the definition already laid down in Article 2, point (23), of the DER, a cross-reference should be made to that definition. This would reduce the risk that the two definitions diverge in the future.</p> <p><u>Article 2, point (7):</u> “(...) as defined in Article 2, point (31), of Regulation (...)” Typos</p> <p><u>Article 3(1), point (b):</u> “(...) who opened a digital euro payment account (...)” Typo</p> <p><u>Article 3(1), point (c):</u> This point appears to be a tad too vague. The wording should be aligned with Article 12a(1), point (c), of the DER and hence read: “(c) visitors to Member States whose currency is the euro;” Otherwise, that point might also cover visitors to non-Euro area Member States.</p> <p><u>Article 3(1):</u> Article 12a(1), point (f), of the DER is not mirrored in the list provided in Article 3(1).</p> <p><u>Article 3(2):</u> “(...) referred to in Article 12a(1), point (a), of Regulation (EU) No X (...)” Typos “(...) as referred to in Annex II of to Regulation (EU) No X (...)” Typos</p> <p><u>Article 3(2), point (c):</u> “(...) as defined in point (3) of Article 3, point (3), of Directive (EU) 2014/92/EU (...)” Typos “(...) in accordance with Regulation (EU) No X (...)” Typo</p> <p><u>Article 4(1):</u> “(...) of Regulation (EU) No X on the establishment (...)” Typo</p>

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	<p>“(…) in accordance with Article 3(1) and 3(2) of this Regulation (…)” Typos</p> <p>“(…) Article 2(1) of Directive (EU) 2018/1972 (…)” Typo</p> <p><u>Article 4(4):</u></p> <p>“Without prejudice to Articles 37 of Regulation (…)” Typo</p> <p><u>Article 5(1):</u></p> <p>“(…) referred to in Chapters IV, V, VI and to VII of Regulation (EU) (…)” Typo</p> <p><u>Article 5(2):</u></p> <p>“(…) Member States whose currency is not the euro (…)” Typo</p> <p>“(…) purpose of applying thus this Regulation (…)” Typo</p> <p><u>Article 6:</u></p> <p>“(…) Chapters IV, V and VII of the Regulation (…)” Typo</p>
END	<p>BE (Comments):</p> <p>END</p> <p>HR (Comments):</p> <p>END</p> <p>SK (Comments):</p> <p>END</p> <p>EL (Comments):</p> <p>END</p>

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