

Chapter 9

Payment Systems Regulator funding

9.2 PSR fees

Obligation to pay PSR fees

- 9.2.1** **R** A *PSR fee payer* must pay to the *FCA* the *PSR fees* applicable to it and calculated by the *FCA* in accordance with ■ FEES 9 Annex 1 R:
- (1) in full and without deduction; and
 - (2) in accordance with this chapter, subject to:
 - (a) ■ FEES 9.2.1AR;
 - (b) ■ FEES 9.2.1CR; and
 - (c) ■ FEES 9.2.1DR.
- 9.2.1A** **R**
- (1) A *PSR fee payer* is not required to pay any *PSR fee* in accordance with ■ FEES 9.2.1R where, in the opinion of the *FCA* and *PSR*, the costs of collection would be disproportionate to the amount payable.
 - (2) If (1) applies in any given *fee year*, the *transaction volumes* and *transaction values* attributable to that *PSR fee payer* are not to be included in the sum of all *PSR fee payers'* relevant transactions set out in columns 4 and 5 of the table in ■ FEES 9 Annex 1R for that *fee year*.
 - (3) [deleted]
- 9.2.1B** **R**
- (1) If a *payment service provider* (A) acquires all or part of the business of another *payment service provider* which includes *transaction volumes* (B), whether by merger, acquisition or transfer, during the course of a *fee year*, the liability for paying the *PSR fee* in the following *fee year* in relation to B shall rest with A.
 - (2) ■ FEES 9.2.1BR(1) also applies when the business acquired, transferred or merged is not a legal entity but is an unincorporated business, or is in the form of assets and/or contracts.
- 9.2.1C** **R** An *operator acting as a PSR fee payer* must pay the entire *PSR fee* for the relevant *card payment system* or *IFR card payment system* for that *fee year*.
- 9.2.1D** **R** Where ■ FEES 9.2.1CR applies, no other *acquirers* or *card issuers* are required to pay any *PSR fee* for that *card payment system* or *IFR card payment system* in accordance with ■ FEES 9.2.1R.

9.2.1E **R** [deleted]

9.2.1F **R** [deleted]

9.2.1G **G** [deleted]

Time of payment

9.2.2 **R** *PSR fee payers falling within the scope of ■ FEES 4.3.6R(1C) – (1E) must pay to the FCA:*

- (1) an amount equal to 50% of the *PSR fee* payable for the previous *fee year*, by 1 April in the current *fee year* or, if later, within 30 *days* of the date of the invoice; and
- (2) the balance of the *PSR fee* due by 1 September in the current *fee year* or, if later, within 30 *days* of the date of the invoice.

9.2.2A **R** [deleted]

9.2.2B **R** [deleted]

9.2.3 **R** If ■ FEES 9.2.2R does not apply, the *PSR fee payer* must pay its *PSR fee* in full to the FCA:

- (1) by 1 August in the current *fee year*; or
- (2) if later, within 30 *days* of the date of the invoice.

9.2.3A **R** [deleted]

9.2.3B **R** [deleted]

Method of payment

9.2.4 **G** *A PSR fee payer should pay its fees to the FCA by direct debit, electronic credit transfer, cheque, Maestro, Visa Debit or by credit card (Visa/MasterCard only).*

9.2.4A **R** [deleted]

9.2.4B **R** [deleted]

9.2.4C **R** [deleted]

Provision of information

- 9.2.4D **R** (1) The operator of a regulated payment system or IFR card payment system must provide to the FCA and PSR, for each of its direct payment service providers (and for itself, where it is an operator acting as an acquirer or card issuer):
- (a) a copy of the data setting out the transaction volumes and transaction values required by the FCA to calculate the PSR fees as set out in ■ FEES 9 Annex 1R; and
 - (b) the following information (which is either in the operator's possession or to which it has reasonable access) to enable and/or assist the FCA to issue invoices to PSR fee payers and/or collect PSR fees:
 - (i) telephone and/or e-mail contact information (including named point of contact);
 - (ii) billing address;
 - (iii) FCA firm reference number (where applicable);
 - (iv) company name, registered address and company number; and
 - (v) any other information which in the opinion of the operator would assist the FCA in issuing invoices to the relevant PSR fee payers within the operator's regulated payment system or IFR card payment system.
- (2) The operator of a regulated payment system or IFR card payment system must:
- (a) provide the information in (1) to the PSR and FCA as soon as practicable, but no later than 1 March each year; and
 - (b) provide such other data to the FCA and PSR on request to enable the individual PSR fees to be verified.
- (3) [deleted]
- 9.2.4E **G** [deleted]
- 9.2.4F **G** [deleted]
- 9.2.4G **G** The FCA will use the data provided by the relevant operators in ■ FEES 9.2.4DR to calculate the PSR fees. Before being submitted to the FCA, if requested by a PSR fee payer, the operator should confirm with the relevant PSR fee payer the accuracy of the data it proposes to submit. In the event of a dispute raised by a PSR fee payer over the accuracy of the data provided to the FCA, the FCA will continue to use the data as originally provided. Any later dispute should be directed to the relevant operator of the regulated payment system or IFR card payment system responsible for the provision of the data to the FCA.

Ceasing to be designated as a regulated payment system, ceasing to be a direct payment system provider of a regulated payment system or IFR card payment system, and ceasing to be subject to the IFR

9.2.5 **G** The *FCA* will not relieve or refund a *PSR fee* if after the start of that *fee year*:

- (1) a *payment system* ceases to be a *regulated payment system*; or
- (2) an *IFR card payment system* ceases to be subject to the *IFR*; or
- (3) a *person* ceases to be a *direct payment service provider* of a *regulated payment system* or an *IFR card payment system*.

9.2.6 **R** If a *payment system* ceases to be a *regulated payment system*, or an *IFR card payment system* ceases to be subject to the *IFR*, all *direct payment service providers* of that system, and the *operator* of that *IFR card payment system*, must pay any outstanding *PSR fees* before the system ceases to hold that status.

9.2.6A **R** If a *person* ceases to be:

- (1) a *direct payment service provider* of a *regulated payment system* or of an *IFR card payment system*, it must pay any outstanding *PSR fees* in respect of that system, before it ceases to be a *direct payment system provider* of the system; or
- (2) the *operator* of a *IFR card payment system*, it must pay any outstanding *PSR fees* in respect of that system before it ceases to be the *operator* of that *IFR card payment system*.

Late payments

9.2.7 **R** If a *PSR fee payer* does not pay the total amount of its *PSR fees* before the end of the date on which it is due, it must pay to the *FCA*:

- (1) an administrative fee of £250; plus
- (2) interest on any unpaid part of the fee at an annual rate of 5% above the Official Bank Rate from time to time in force, accruing daily from the date on which the amount concerned became due.

9.2.7A **G**

- (1) The *FCA* may recover a *PSR fee* as a debt owed to it under paragraph 23 (8) of Schedule 1ZA of the Act.
- (2) The *FCA* will consider taking action for the recovery (including interest) through the civil courts.
- (3) In addition, the *FCA* or *PSR* may be entitled to take regulatory action in relation to the non-payment of *PSR fees*. What action, if any, that is taken by the *FCA* or *PSR* will be decided upon given the particular circumstances of the case.

Reduction, remission and repayment of fees
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9.2.8 **G** The *FCA* may reduce or remit all or part of a *PSR fee*, if it appears to the *FCA*, having consulted the *PSR*, that in the exceptional circumstances of a particular case paying all or part of it would be inequitable.

9.2.9 **G** The *FCA* may refund all or part of a *PSR fee* if it appears to the *FCA*, having consulted the *PSR*, that in the exceptional circumstances of a particular case the *FCA* or the *PSR* retaining all or part of it would be inequitable.

9.2.10 **G** The *FCA* will not consider a claim to refund a *PSR fee* due to a mistake of fact or law by the *PSR fee payer* if the claim is made more than two years after the beginning of the *fee year* to which the fee relates.

VAT
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9.2.11 **R** *PSR fees payable* are stated net of VAT. Where VAT is applicable this must also be included.