

TECHNICAL STANDARDS ON STRONG CUSTOMER AUTHENTICATION AND COMMON AND SECURE METHODS OF COMMUNICATION (AMENDMENT OF TESTING PROVISIONS) INSTRUMENT 2019

Powers exercised

- A. The Financial Conduct Authority, being the appropriate regulator within the meaning of the Financial Regulators' Powers (Technical Standards etc.) (Amendment etc.) (EU Exit) Regulations 2018 ("The Regulations"), with the approval of the Treasury, makes this instrument in exercise of the power conferred by regulation 3 of the Regulations.

Pre-conditions to making

- B. The FCA is the appropriate regulator for the EU Regulations specified in Part 1 of the Schedule to the Regulations.
- C. The FCA has consulted the Prudential Regulation Authority and the Bank of England as appropriate in accordance with regulation 5 of the Regulations.
- D. A draft of this instrument has been approved by the Treasury, the Minister considering that it makes appropriate provision to prevent, remedy or mitigate any failure of retained EU law to operate effectively, or any other deficiency in retained EU law, arising from the withdrawal of the United Kingdom from the European Union.

Modifications

- E. The FCA makes the modifications contained in the Annex to Article 30(3) and (5) of the Commission Delegated Regulation (EU) 2018/389 of 27 November 2017 supplementing Directive (EU) 2015/2366 of the European Parliament and of the Council with regard to regulatory technical standards for strong customer authentication and common and secure open standards of communication.

Commencement

- F. This instrument comes into force on exit day as defined in the European Union (Withdrawal) Act 2018.

Citation

- G. This instrument may be cited as the Technical Standards on Strong Customer Authentication and Common and Secure Methods of Communication (Amendment of Testing Provisions) Instrument 2019.

By order of the Board
28 March 2019

[Editor's Note: This instrument amends Article 30(3) and (5) only of the Commission Delegated Regulation (EU) 2018/389 of 27 November 2017 supplementing Directive (EU) 2015/2366 of the European Parliament and of the Council with regard to regulatory technical standards for strong customer authentication and common and secure open standards of communication. They are the only Articles in that Commission Delegated Regulation that will be in force on exit day, and therefore will become part of UK law in accordance with the European Union (Withdrawal) Act 2018.]

Annex

Article 30(3) and (5) of the COMMISSION DELEGATED REGULATION (EU) 2018/389 of 27 November 2017 supplementing Directive (EU) 2015/2366 of the European Parliament and of the Council with regard to regulatory technical standards for strong customer authentication and common and secure open standards of communication

In this Annex, underlining indicates new text and striking through indicates deleted text.

Article 30

General obligations for access interfaces

3. Account servicing payment service providers shall ensure that their interfaces follow standards of communication which are issued by international or European standardisation organisations.

Account servicing payment service providers shall also ensure that the technical specification of any of the interfaces is documented specifying a set of routines, protocols, and tools needed by payment initiation service providers, account information service providers and payment service providers issuing card-based payment instruments for allowing their software and applications to interoperate with the systems of the account servicing payment service providers.

Account servicing payment service providers shall at a minimum, and no less than 6 months before ~~the application date referred to in Article 38(2), 14 September 2019~~ or before the target date for the market launch of the access interface when the launch takes place after ~~the date referred to in Article 38(2) 14 September 2019~~, make the documentation available, at no charge, upon request by authorised payment initiation service providers, account information service providers and payment service providers issuing card-based payment instruments or payment service providers that have applied to ~~their competent authorities~~ the FCA or the Gibraltar Financial Services Commission for the relevant authorisation, and shall make a summary of the documentation publicly available on their website.

5. Account servicing payment service providers shall make available a testing facility, including support, for connection and functional testing to enable authorised payment initiation service providers, payment service providers issuing card-based payment instruments and account information service providers, or payment service providers that have applied for the relevant authorisation, to test their software and applications used for offering a payment service to users. This testing facility should be made

available no later than 6 months before ~~the application date referred to in Article 38(2)~~ 14 September 2019 or before the target date for the market launch of the access interface when the launch takes place after ~~the date referred to in Article 38(2)~~ 14 September 2019.

However, no sensitive information shall be shared through the testing facility.