

Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC (Text with EEA relevance)

TITLE III

TRANSPARENCY OF CONDITIONS AND INFORMATION REQUIREMENTS FOR PAYMENT SERVICES

CHAPTER 3

Framework contracts

Article 52

Information and conditions

Member States shall ensure that the following information and conditions are provided to the payment service user:

1. on the payment service provider:
 - (a) the name of the payment service provider, the geographical address of its head office and, where applicable, the geographical address of its agent or branch established in the Member State where the payment service is offered, and any other address, including electronic mail address, relevant for communication with the payment service provider;
 - (b) the particulars of the relevant supervisory authorities and of the register provided for in Article 14 or of any other relevant public register of authorisation of the payment service provider and the registration number or equivalent means of identification in that register;
2. on use of the payment service:
 - (a) a description of the main characteristics of the payment service to be provided;
 - (b) a specification of the information or unique identifier that has to be provided by the payment service user in order for a payment order to be properly initiated or executed;
 - (c) the form of and procedure for giving consent to initiate a payment order or execute a payment transaction and withdrawal of such consent in accordance with Articles 64 and 80;
 - (d) a reference to the time of receipt of a payment order in accordance with Article 78 and the cut-off time, if any, established by the payment service provider;

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- (e) the maximum execution time for the payment services to be provided;
 - (f) whether there is a possibility to agree on spending limits for the use of the payment instrument in accordance with Article 68(1);
 - (g) in the case of co-badged, card-based payment instruments, the payment service user's rights under Article 8 of Regulation (EU) 2015/751;
3. on charges, interest and exchange rates:
- (a) all charges payable by the payment service user to the payment service provider including those connected to the manner in and frequency with which information under this Directive is provided or made available and, where applicable, the breakdown of the amounts of such charges;
 - (b) where applicable, the interest and exchange rates to be applied or, if reference interest and exchange rates are to be used, the method of calculating the actual interest, and the relevant date and index or base for determining such reference interest or exchange rate;
 - (c) if agreed, the immediate application of changes in reference interest or exchange rate and information requirements relating to the changes in accordance with Article 54(2);
4. on communication:
- (a) where applicable, the means of communication, including the technical requirements for the payment service user's equipment and software, agreed between the parties for the transmission of information or notifications under this Directive;
 - (b) the manner in, and frequency with which, information under this Directive is to be provided or made available;
 - (c) the language or languages in which the framework contract will be concluded and communication during this contractual relationship undertaken;
 - (d) the payment service user's right to receive the contractual terms of the framework contract and information and conditions in accordance with Article 53;
5. on safeguards and corrective measures:
- (a) where applicable, a description of the steps that the payment service user is to take in order to keep safe a payment instrument and how to notify the payment service provider for the purposes of point (b) of Article 69(1);
 - (b) the secure procedure for notification of the payment service user by the payment service provider in the event of suspected or actual fraud or security threats;
 - (c) if agreed, the conditions under which the payment service provider reserves the right to block a payment instrument in accordance with Article 68;
 - (d) the liability of the payer in accordance with Article 74, including information on the relevant amount;

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- (e) how and within what period of time the payment service user is to notify the payment service provider of any unauthorised or incorrectly initiated or executed payment transaction in accordance with Article 71 as well as the payment service provider's liability for unauthorised payment transactions in accordance with Article 73;
 - (f) the liability of the payment service provider for the initiation or execution of [^{X1} payment transactions in accordance with Articles 89 and 90;]
 - (g) the conditions for refund in accordance with Articles 76 and 77;
6. on changes to, and termination of, the framework contract:
- (a) if agreed, information that the payment service user will be deemed to have accepted changes in the conditions in accordance with Article 54, unless the payment service user notifies the payment service provider before the date of their proposed date of entry into force that they are not accepted;
 - (b) the duration of the framework contract;
 - (c) the right of the payment service user to terminate the framework contract and any agreements relating to termination in accordance with Article 54(1) and Article 55;
7. on redress:
- (a) any contractual clause on the law applicable to the framework contract and/or the competent courts;
 - (b) the ADR procedures available to the payment service user in accordance with Articles 99 to 102.

Editorial Information

- X1** Substituted by [Corrigendum to Directive \(EU\) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation \(EU\) No 1093/2010 and repealing Directive 2007/64/EC \(Official Journal of the European Union L 337 of 23 December 2015\).](#)