

Regulation (EU) 2015/847 of the European Parliament and of the Council
of 20 May 2015 on information accompanying transfers of funds and
repealing Regulation (EC) No 1781/2006 (Text with EEA relevance)

CHAPTER I

SUBJECT MATTER, SCOPE AND DEFINITIONS

Article 1

Subject matter

This Regulation lays down rules on the information on payers and payees, accompanying transfers of funds, in any currency, for the purposes of preventing, detecting and investigating money laundering and terrorist financing, where at least one of the payment service providers involved in the transfer of funds is established in the Union.

Article 2

Scope

1 This Regulation shall apply to transfers of funds, in any currency, which are sent or received by a payment service provider or an intermediary payment service provider established in the Union.

2 This Regulation shall not apply to the services listed in points (a) to (m) and (o) of Article 3 of Directive 2007/64/EC.

3 This Regulation shall not apply to transfers of funds carried out using a payment card, an electronic money instrument or a mobile phone, or any other digital or IT prepaid or postpaid device with similar characteristics, where the following conditions are met:

- a that card, instrument or device is used exclusively to pay for goods or services; and
- b the number of that card, instrument or device accompanies all transfers flowing from the transaction.

However, this Regulation shall apply when a payment card, an electronic money instrument or a mobile phone, or any other digital or IT prepaid or postpaid device with similar characteristics, is used in order to effect a person-to-person transfer of funds.

4 This Regulation shall not apply to persons that have no activity other than to convert paper documents into electronic data and that do so pursuant to a contract with a payment service provider, or to persons that have no activity other than to provide payment service providers with messaging or other support systems for transmitting funds or with clearing and settlement systems.

This Regulation shall not apply to transfers of funds:

- a that involve the payer withdrawing cash from the payer's own payment account;
- b that transfer funds to a public authority as payment for taxes, fines or other levies within a Member State;

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- c where both the payer and the payee are payment service providers acting on their own behalf;
- d that are carried out through cheque images exchanges, including truncated cheques.

5 A Member State may decide not to apply this Regulation to transfers of funds within its territory to a payee's payment account permitting payment exclusively for the provision of goods or services where all of the following conditions are met:

- a the payment service provider of the payee is subject to Directive (EU) 2015/849;
- b the payment service provider of the payee is able to trace back, through the payee, by means of a unique transaction identifier, the transfer of funds from the person who has an agreement with the payee for the provision of goods or services;
- c the amount of the transfer of funds does not exceed EUR 1 000.

Article 3

Definitions

For the purposes of this Regulation, the following definitions apply:

- (1) 'terrorist financing' means terrorist financing as defined in Article 1(5) of Directive (EU) 2015/849;
- (2) 'money laundering' means the money laundering activities referred to in Article 1(3) and (4) of Directive (EU) 2015/849;
- (3) 'payer' means a person that holds a payment account and allows a transfer of funds from that payment account, or, where there is no payment account, that gives a transfer of funds order;
- (4) 'payee' means a person that is the intended recipient of the transfer of funds;
- (5) 'payment service provider' means the categories of payment service provider referred to in Article 1(1) of Directive 2007/64/EC, natural or legal persons benefiting from a waiver pursuant to Article 26 thereof and legal persons benefiting from a waiver pursuant to Article 9 of Directive 2009/110/EC of the European Parliament and of the Council⁽¹⁾, providing transfer of funds services;
- (6) 'intermediary payment service provider' means a payment service provider that is not the payment service provider of the payer or of the payee and that receives and transmits a transfer of funds on behalf of the payment service provider of the payer or of the payee or of another intermediary payment service provider;
- (7) 'payment account' means a payment account as defined in point (14) of Article 4 of Directive 2007/64/EC;
- (8) 'funds' means funds as defined in point (15) of Article 4 of Directive 2007/64/EC;
- (9) 'transfer of funds' means any transaction at least partially carried out by electronic means on behalf of a payer through a payment service provider, with a view to making funds available to a payee through a payment service provider, irrespective of whether the payer and the payee are the same person and irrespective of whether the payment service provider of the payer and that of the payee are one and the same, including:
 - (a) a credit transfer as defined in point (1) of Article 2 of Regulation (EU) No 260/2012;

- (b) a direct debit as defined in point (2) of Article 2 of Regulation (EU) No 260/2012;
 - (c) a money remittance as defined in point (13) of Article 4 of Directive 2007/64/EC, whether national or cross border;
 - (d) a transfer carried out using a payment card, an electronic money instrument, or a mobile phone, or any other digital or IT prepaid or postpaid device with similar characteristics;
- (10) ‘batch file transfer’ means a bundle of several individual transfers of funds put together for transmission;
- (11) ‘unique transaction identifier’ means a combination of letters, numbers or symbols determined by the payment service provider, in accordance with the protocols of the payment and settlement systems or messaging systems used for the transfer of funds, which permits the traceability of the transaction back to the payer and the payee;
- (12) ‘person-to-person transfer of funds’ means a transaction between natural persons acting, as consumers, for purposes other than trade, business or profession.

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- (1) Directive 2009/110/EC of the European Parliament and of the Council of 16 September 2009 on the taking up, pursuit and prudential supervision of the business of electronic money institutions amending Directives 2005/60/EC and 2006/48/EC and repealing Directive 2000/46/EC ([OJ L 267, 10.10.2009, p. 7](#)).

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