
STATUTORY INSTRUMENTS

2009 No. 209

The Payment Services Regulations 2009

PART 6

**RIGHTS AND OBLIGATIONS IN RELATION
TO THE PROVISION OF PAYMENT SERVICES**

Authorisation of payment transactions

Evidence on authentication and execution of payment transactions

60.—(1) Where a payment service user—

- (a) denies having authorised an executed payment transaction; or
- (b) claims that a payment transaction has not been correctly executed,

it is for the payment service provider to prove that the payment transaction was authenticated, accurately recorded, entered in the payment service provider's accounts and not affected by a technical breakdown or some other deficiency.

(2) In paragraph (1) "authenticated" means the use of any procedure by which a payment service provider is able to verify the use of a specific payment instrument, including its personalised security features.

(3) Where a payment service user denies having authorised an executed payment transaction, the use of a payment instrument recorded by the payment service provider is not in itself necessarily sufficient to prove either that—

- (a) the payment transaction was authorised by the payer; or
- (b) the payer acted fraudulently or failed with intent or gross negligence to comply with regulation 57.

Commencement Information

11 Reg. 60 comes into force in accordance with reg. 1(2)

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Payment Services Regulations 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulations applied by [S.I. 2015/2038 reg. 26](#)
- Regulations applied (with modifications) by [S.I. 2011/245 Sch. 6 Pt. 1](#)
- Regulations functions modified by [S.I. 2013/161 art. 56\(1\)\(c\)\(ii\)](#)
- Regulations power to modify conferred by [2023 c. 29 s. 3 Sch. 1 Pt. 2](#)
- Regulations revoked by [2023 c. 29 Sch. 1 Pt. 2](#)
- Regulations revoked in part by [S.I. 2017/752 Sch. 9](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 3 para. 19(a)(b) words substituted by [S.I. 2012/1741 Sch. para. 11](#)
- Sch. 5 para. 2(za) inserted by [S.I. 2013/472 Sch. 2 para. 155\(6\)\(b\)\(ii\)](#)
- Sch. 5 para. 3(ba) inserted by [S.I. 2013/472 Sch. 2 para. 155\(6\)\(c\)\(iii\)](#)
- Sch. 5 para. 3(c)(iiia) inserted by [S.I. 2013/472 Sch. 2 para. 155\(6\)\(c\)\(v\)](#)
- Sch. 5 para. 10(a)(iv) inserted by [S.I. 2015/1911 reg. 17\(3\)\(b\)](#)
- Sch. 5 para. 3(c)(i)(aa) omitted by [S.I. 2013/472 Sch. 2 para. 155\(6\)\(c\)\(iv\)](#)
- Sch. 5 para. 2(a)(b) and word substituted by [S.I. 2010/22 Sch. 3 para. 189\(c\)](#)
- Sch. 5 para. 3(d)(i)(aa) substituted by [S.I. 2013/472 Sch. 2 para. 155\(6\)\(c\)\(vi\)](#)
- Sch. 5 para. 3(d)(i)(bb) word substituted by [S.I. 2013/472 Sch. 2 para. 155\(6\)\(c\)\(vii\)](#)
- Sch. 5 para. 5(a)(iii)(bb) words substituted by [S.I. 2013/472 Sch. 2 para. 155\(6\)\(e\)\(iii\)](#)
- Sch. 7 inserted by [S.I. 2009/2475 reg. 13](#)
- reg. 10A inserted by [S.I. 2009/2475 reg. 3](#)
- reg. 13(4)(da) inserted by [S.I. 2009/1912 reg. 4](#)
- reg. 13(4)(da) substituted by [2010 c. 38 Sch. 1 para. 8\(b\)](#)
- reg. 13(4A)-(4D) inserted by [S.I. 2012/1791 reg. 3\(2\)](#)
- reg. 29(3)(a)(ii)(aa) words substituted by [S.I. 2017/692 Sch. 7 para. 24\(6\)\(a\)](#)
- reg. 52(e) inserted by [S.I. 2010/1010 reg. 97\(b\)](#)
- reg. 80A inserted by [S.I. 2015/1911 reg. 17\(2\)](#)
- reg. 92(2)-(5) substituted for reg. 92(2) by [S.I. 2013/429 reg. 2\(4\)](#)
- reg. 109A inserted by [S.I. 2015/422 reg. 2\(6\)](#)
- reg. 110(1)(d)-(i) substituted for reg. 110(1)(d)(e) by [S.I. 2009/2475 reg. 11](#)
- reg. 125A inserted by [S.I. 2012/1791 reg. 3\(5\)](#)
- reg. 125B inserted by [S.I. 2013/472 Sch. 2 para. 155\(5\)](#)
- reg. 127 inserted by [S.I. 2009/2475 reg. 12](#)