

12<sup>th</sup> August 2020

To: European Banking Authority

Distribution: Public

From: Open Banking Europe

Dear Antonio,

We are writing on behalf of the Qualified Trust Service Provider (QTSP) community concerned by PSD2.

We take note of the EBA call to financial institutions for the finalisation of preparations on the potential event of the end of the Brexit transition period. Within this you make it clear that:

*“...account information service providers (AISPs) and payment initiation service providers (PISPs) registered/authorised in the UK will no longer be entitled to access customers’ payment accounts held at the EU payment service providers and their PSD2 eIDAS certificates under Article 34 of the Commission Delegated Regulation (EU) 2018/389 will be revoked.”*

As, the QTSPs will be the ones who will have to revoke the eIDAS certificates, they are eager to know what will be the formal signal that they need to act.

In December last year ETSI and OBE sent you the attached liaison describing their expectations. In short they feel that the presence of the UK National Competent Authority in the list published by the EBA called “NCA abbreviations for inclusion in eIDAS certificates”.

As the PSD2 Qualified Certificate requirements specification (ETSI TS 119 495) requires that the field NCA code found in this document, is the one to be put into the certificate – the removal of GB-FCA would be a clear signal that the QTSP community should revoke certificates to UK registered TPPs. We asked if this approach was appropriate.

At the time you indicated that you would consider it and come back to us after having discussed it with your members. Are you yet able to confirm this?

Given that it is highly likely that the UK will fully leave the EU at the end of this year, it would help EU Qualified Trust Service Providers to be certain on the rules that will apply to the issuing of qualified certificates for PSD2 to UK financial institutions.

Best regards,



John Broxis, Managing Director of PRETA-OBE



Nick Pope, Consultant for PRETA-OBE

## LIAISON STATEMENT

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**Title:** ETSI / OBE Joint Proposal to EBA on Brexit and PSD2 Certificates

Date: 12 November 2019

**From (source):** ETSI TC ESI

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**To:** European Banking Association

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Concerns have been raised by qualified trust service providers (QTSPs) regarding uncertainty over how they can establish whether or not UK payment service providers can participate in PSD2 following any Brexit. It is understood that the EBA's list of NCAs, as referenced in TS 119 495 Annex D (<https://eba.europa.eu/file/113255/>), is the definitive list of NCAs providing PSD2 registers for authorised payment service providers, and thus it is proposed that this reflects any formal decision relating to Brexit. More concretely:

- i) As long the UK appears in this list, then QTSPs will continue to issue PSD2 certificates (as defined in ETSI TS 119 495) to financial institutions coming from the UK.
- ii) If the UK is removed, the QTSPs will no longer issue PSD2 certificates, and can revoke existing PSD2 certificates, for financial institutions in the UK.

Is this approach considered appropriate by the EBA?

Additionally, the QTSP community would appreciate any advanced notification of changes to this list where possible.