

(English version)

**Question for written answer E-002851/24
to the Commission
Vilija Blinkevičiūtė (S&D)
(11 December 2024)**

Subject: Difficulties in opening basic payment accounts

Directive 2014/92/EU of the European Parliament and of the Council of 2014 establishes that a person legally residing in an EU Member State has the right to open a payment account with basic features. A bank cannot refuse an application to open a basic payment account simply because the person does not live in the country where the bank is established. Unfortunately, banks in EU Member States often refuse to open basic payment accounts if the person lives in another Member State. Banks refuse to open such accounts if the applicant has not declared his or her residence in the country where the bank is established. Often, even the justification of ties, including employment, to a Member State is not deemed a sufficient reason to open an account. In some cases, banks will only agree to open basic payment accounts if they know that they will benefit financially, i.e. if the person commits to buying additional services from the bank (e.g. insurance or other services offered by the bank). Furthermore, banks often charge different account fees to non-residents.

Could the Commission answer the following questions:

1. Is the Commission aware of the scale of refusals to open basic payment accounts and are data being collected on refusals and the reasons for them?
2. What action is the Commission taking to ensure the smooth implementation of Directive 2014/92/EU and to protect the right to open basic payment accounts?
3. What action is the Commission taking to prevent discrimination in terms and conditions (different charges for such accounts for residents and non-residents)?

Submitted: 11.12.2024

**Answer given by Ms Albuquerque on behalf of the European Commission
(3 March 2025)**

The Commission is aware that applications to open basic payment accounts are sometimes refused, for example due to a lack of specific documents, the need to demonstrate a genuine interest or ‘de-risking’ practices ⁽¹⁾. The situation differs between the different Member States.

Whereas Article 16 of the Payment Accounts Directive (PAD) ⁽²⁾ obliges Member States to ensure that consumers legally resident in the EU have the right to have a basic payment account, irrespective of their place of residence, it also includes some derogations ⁽³⁾.

In addition, Article 15 of the PAD prohibits discrimination as regards the conditions to holding a payment account with basic features. However, a different treatment by credit institutions may still be possible in case there is an objective justification.

Member States have a primary responsibility to monitor the application of the relevant legal provisions and to take the necessary steps for enforcement.

In its role as guardian of the Treaties, the Commission monitors the situation and may decide to take appropriate action. It has opened a number of pre-infringement processes with Member States and follows up on citizens’ complaints.

Recognising the importance of the issue of access to payment accounts and aiming to enhance its application, the Commission services also discuss issues related to the directive, including the right to a basic payment account with Member States in different expert groups, including the Single Market Enforcement Taskforce ⁽⁴⁾.

⁽¹⁾ See the report on specific payment account related data from Member States as required by Article 27, COM/2023/248 final (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52023DC0248&qid=1736174762840>) and the report on the application of Directive 2014/92/EU, COM/2023/249 final, (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52023DC0249>).

⁽²⁾ Directive 2014/92/EU of the European Parliament and of the Council of 23 July 2014 on the comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features Text with EEA relevance, OJ L 257, 28.8.2014, p. 214-246.

⁽³⁾ For instance, Member States may require that consumers show a genuine interest to open a basic payment account. Also, anti-money-laundering rules may prevent the opening of a basic payment account.

⁽⁴⁾ Examples of expert groups include: Government Expert Group on Retail Financial Services: <https://ec.europa.eu/transparency/expert-groups-register/screen/expert-groups/consult?lang=en&groupID=2021>; Financial Services User Group: https://finance.ec.europa.eu/regulation-and-supervision/expert-groups-comitology-and-other-committees/financial-services-user-group-fsug_en; The Single Market Enforcement Taskforce: https://single-market-economy.ec.europa.eu/single-market/single-market-enforcement-taskforce_en

The Commission has also issued a report on the application of the Payment Accounts Directive ⁽⁵⁾ and is reviewing the directive to assess whether legislative changes are needed.

⁽⁵⁾ The report is based on external studies on the EU payment accounts market and tools to facilitate account switching and cross-border opening of payment accounts (see the Study on EU payment accounts market: <https://op.europa.eu/en/publication-detail/-/publication/0854f727-6117-11eb-8146-01aa75ed71a1/language-en> and the Study on tools designed to facilitate switching and cross-border opening of payment accounts on the EU payment accounts market: <https://op.europa.eu/en/publication-detail/-/publication/70d1fcb7-f338-11eb-aeb9-01aa75ed71a1/language-en>