

(English version)

**Question for written answer E-003082/25
to the Commission
Cristina Guarda (Verts/ALE)
(24 July 2025)**

Subject: Italy potentially infringing Directive (EU) 2015/2366 by applying charges on card payments by citizens via the pagoPA platform

Under Article 62(4) of Directive (EU) 2015/2366 (PSD2), Member States are required to ensure that the payee does not apply charges for the use of payment instruments for which interchange fees are covered by Chapter II of Regulation (EU) 2015/751.

In Italy, citizens required to make payments via the pagoPA platform — and who opt for using debit or credit cards in fulfilling their obligations to the public administration — are charged fees, plus additional costs, with the amount varying depending on the payment service provider (PSP).

The service can only be provided free of charge by paying via current account and only on the pagoPA website, but this is limited to customers of two PSPs.

In light of the above:

1. Is the application of such fees for card payments to the public administration in line with the provisions of Directive (EU) 2015/2366 and Regulation (EU) 2015/751?
2. What steps will the Commission take to ensure compliance with EU legislation on payment services so that no Italian citizens end up with additional financial burdens when fulfilling their obligations to pay the public administration and choosing to do so via debit or credit card?

Submitted: 24.7.2025

**Answer given by Ms Albuquerque on behalf of the European Commission
(16 September 2025)**

Under Article 62(4) of the second Payment Services Directive (PSD2) ⁽¹⁾, Member States must ensure that payees do not request charges for the use of payment instruments for which interchange fees are regulated under the Interchange Fees Regulation (IFR) ⁽²⁾.

The IFR sets caps for interchange fees for debit and credit card transactions, which are not applicable, among other things, to transactions with commercial cards or with cards issued by three party payment card schemes.

The Commission does not have enough information to evaluate if the situation described by the Honourable Member is compatible with PSD2.

Whether or not any fees levied via the Italian pagoPA platform for card payments is compliant with PSD2 can only be established in full knowledge of the facts of the case.

The Italian national authority designated to enforce PSD2 and the IFR — the Italian Central Bank — is responsible to enforce the PSD2 provisions on surcharging.

Member States have a primary responsibility to monitor the application of the relevant legal provisions and to take the necessary steps for their enforcement. In its role as guardian of the Treaties, the Commission monitors the situation and may decide to take appropriate action.

⁽¹⁾ OJ L 337, 23.12.2015, p. 35-127.

⁽²⁾ OJ L 123, 19.05.2015, p. 1-15.