

(English version)

**Question for written answer E-003543/25
to the Commission
Rada Laykova (ESN)
(15 September 2025)**

Subject: Compatibility of Oberbank's decision to cease providing cash with CJEU ruling and Directive 2014/92/EU

Recently, Oberbank, an Austrian bank, announced that it would no longer provide cash directly to its customers. Instead, it suggested that customers obtain cash from retailers and supermarkets. While this scenario might seem absurd if reversed — for example, if supermarkets told customers to get their apples and oranges from banks — it actually highlights two significant issues in my view, especially in light of recent rulings and legislation.

The Court of Justice of the European Union (CJEU) ruled in the *Hessischer Rundfunk* cases of 2021 that there could be public restrictions on the legal tender of euro cash, provided that 'this does not lead, in law or in fact, to abolition of those banknotes, in particular by calling into question the possibility, as a general rule, of discharging a payment obligation in cash'.

Can the Commission therefore clarify:

1. its position regarding Oberbank's decision to stop providing cash?
2. whether, if other banks were to follow Oberbank's lead, this could effectively lead to the abolition of cash? And if so, how many banks would need to adopt this policy before it became a systemic issue?
3. whether Oberbank's decision is incompatible with Directive 2014/92/EU ⁽¹⁾? Article 17(1)(c), which specifically lists cash withdrawal and ATMs as a basic feature, and Article 17(4) makes it clear that this applies to an unlimited number of transactions.

Submitted: 15.9.2025

**Answer given by Mr Dombrovskis on behalf of the European Commission
(20 November 2025)**

Euro cash has legal tender status in the EU ⁽¹⁾. In its proposal on the legal tender of euro banknotes and coins ⁽²⁾, the Commission emphasises the need to ensure sufficient and effective access to cash, as without it, citizens cannot use cash for payments and its legal tender status would be undermined.

For the same reason, access to various cash services should be ensured, in particular cash withdrawals and cash deposits on payment accounts of credit institutions.

Pending the entry into force of the regulation, the Commission expects Member States to abide by the principles set out in the final report of the 3rd Euro Legal Tender Experts Group ⁽³⁾.

While non-binding, these principles were endorsed by all Member States. The principles emphasise that measures should be taken, where appropriate, that ensure that credit institutions holding payments accounts for citizens and businesses continue to provide essential banking services throughout the euro area.

Furthermore, while other possible channels for cash withdrawals and deposits outside the banking sector, such as cash-back in shop, have the potential to complement the cash services of banks, their inherent limitations exclude that they could work as a replacement of ATM networks or cash services at bank branches.

Therefore, ELTEG concluded that these solutions do not relieve banks from their social role to provide adequate cash services to citizens and business customers, with the needed geographical coverage.

To ensure financial inclusion, Article 16(1) of the Payment Accounts Directive (PAD) ⁽⁴⁾ requires Member States to ensure that all credit institutions or a sufficient number of credit institutions offer payment accounts with basic features (PABF) to consumers. Article 17 establishes a list of services that need to be provided for a PABF, including services enabling cash withdrawals ⁽⁵⁾.

¹ 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 (OJ L 257, 28.8.2014, p. 214, ELI: <http://data.europa.eu/eli/dir/2014/92/oj>).

⁽¹⁾ Article 128 (1) TFEU lays down the legal tender status of euro banknotes, and Article 11 of Regulation EC/974/98 does so with regard to euro coins.

⁽²⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52023PC0364>.

⁽³⁾ <https://ec.europa.eu/transparency/expert-groups-register/screen/expert-groups/consult?lang=en&groupId=3754&fromMembers=true&memberType=4&memberId=93719>.

⁽⁴⁾ 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 (OJ L 257, 28.8.2014, p. 214, ELI: <http://data.europa.eu/eli/dir/2014/92/oj>).

⁽⁵⁾ Article 17(1) point c refers to 'services enabling cash withdrawals within the EU from a payment account at the counter or at automated teller machines during

On the basis of the information available to the Commission, the relevant national law transposing PAD requires that all credit institutions that offer payment accounts to consumers have to offer payment accounts with basic features.

Whether a decision by a credit institution not to provide cash services to their clients is in line with EU law (and the national law transposing EU law) needs to be assessed in each individual case and is a responsibility of the national competent authorities, which the Commission will contact to clarify the situation.
