Article 2: Scope

Council first-reading position 8543/1/26 REV 1, 4 November 2026. Verified 19 November 2026. Final wording and numbering may change.

Application
The Council position provides for general application 21 months after eventual entry into force under Article 124. Final Official Journal text and calendar dates remain to be checked.

Provision
Article 2(1)-(10)

Requirement
The Regulation applies to payment services within the Union provided by the listed payment-provider categories. Paragraph 2 extends specified articles to named non-bank actors, including technical suppliers, schemes, hosting and communications providers and very large platforms. Apply the currency, provider-location and Union-transaction-part rules in paragraphs 4-6, then test the transaction against the paragraph 3 exclusions.

Responsible
The provider and advisor must classify the service and participants. Other listed actors are responsible only for the provisions specified for them.

Timing
Assess scope before choosing a legal route. EBA commercial-agent guidelines and submission of draft limited-network RTS are due by 12 months after eventual entry; Member State notifications under paragraph 10 are due by 21 months.

Conditions and exceptions
One-provider and non-Member-State-currency routes have explicit article exclusions. Paragraph 7 allows specified institutional exemptions by Member States. A merchant’s location alone does not establish either provider’s location.

PSD2 comparison
PSD2 Articles 1-3 are reorganised across this scope provision. Check the paragraph-level correlation and actual conditions rather than assuming an unchanged scope.

Source: Council of the European Union, 8543/1/26 REV 1. Updated article card.

What it means for the fraud function

- Record both provider locations, currency and relevant Union transaction parts at intake.

- Use a provision-level scope check for one-provider and non-Member-State-currency cases.

- Test exclusions against their actual conditions rather than product labels such as crypto or limited network.

Common misreadings

- A non-euro currency does not by itself remove the transaction from every obligation.

- An actor outside the bank sector may still have expressly assigned obligations.

Episodes: Archive lesson 3. Links on the updated HTML card.