Article 58: Matching-service liability

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

Application
Article 124 provides application 27 months after eventual entry into force. Existing Regulation 260/2012 duties retain their separate dates. Final Official Journal text remains to be checked.

Provision
Article 58, first-third unnumbered paragraphs

Requirement
If a provider breaches Article 51 and that breach results in defective execution, the payer's provider refunds the amount transferred without delay and restores the account where applicable. Where the breach results from the recipient provider's or initiation provider's non-compliance, that provider compensates the payer's provider for the resulting financial damage.

Responsible
The payer's provider gives the customer the specified remedy. The provider whose non-compliance caused the breach bears the stated compensation obligation to it.

Timing
The customer refund is without delay. Article 58 applies 27 months after eventual entry into force under Article 124.

Conditions and exceptions
Establish both the Article 51 failure and the resulting defective execution. Additional financial loss may be compensated under the law governing the customer-provider contract.

PSD2 comparison
The Council correlation Annex lists no direct PSD2 predecessor. This does not exclude thematic or technical-standard precursors.

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

What it means for the fraud function

- Preserve the matching-service evidence and its causal connection to the executed transfer.

- Issue the customer remedy separately from allocation of the other provider's contribution.

- Include account restoration and any separate contractual loss analysis in the case record.

Common misreadings

- A fraud loss alone does not establish an Article 58 matching-service breach.

- The recipient's provider being at fault does not itself remove the payer provider's customer-facing remedy.

Episodes: Archive lesson 7. Links on the updated HTML card.