Article 60: Own-provider impersonation fraud

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 60(1)-(5)

Requirement
Providers must maintain prevention measures and technical safeguards against misuse of their communication channels. Where a consumer is manipulated by an impersonator of that consumer's own provider through attributed channels into a fraudulent authorised transaction, the article gives a full refund route subject to prompt notification and a police report. The provider must refund or give the specified justified refusal, with the relevant referral and authority information.

Responsible
The consumer's provider handles the claim and bears the burden of proving consumer fraud or gross negligence. It must invite and consider the consumer's account before those findings.

Timing
The consumer must notify the provider and report to police without undue delay after awareness. The paragraph 3 decision is due within 15 business days after the provider is notified and receives the police report.

Conditions and exceptions
The paragraph 2 refund route excludes consumer fraud or gross negligence. Establish the consumer, own-provider impersonation, attributed channel, causation and notification conditions. Consumer silence alone cannot prove fault; only reasonably available information is expected.

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

- Capture impersonated identity, channel attribution, manipulation and payment sequence.

- Track notification and receipt of the police report as separate dates.

- Assess the consumer's account and evidence before any fraud or gross-negligence finding.

Common misreadings

- Article 60 does not cover every social-engineering loss merely because the customer authorised payment.

- Impersonation of a merchant or another institution is not automatically impersonation of the consumer's own provider.

Episodes: Archive lesson 7, Season 1 episode 1, Season 1 episode 2, Season 1 episode 4. Links on the updated HTML card.