# Article 80: Execution liability with initiation services

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 80(1), (2)

**Requirement**
Where an order is placed by the payer or recipient through an initiation provider, the account-servicing provider refunds a non-executed or defective transaction and restores the account where applicable, subject to the stated cross-references. The initiation provider must prove receipt by the payer's account-servicing provider and the specified authentication, recording and technical integrity within its competence. If liable, it immediately compensates the account-servicing provider on request.

**Responsible**
The account-servicing provider handles the user-facing refund. The initiation provider bears its evidential duties and any resulting compensation obligation.

**Timing**
An initiation provider that is liable must compensate the account-servicing provider immediately on request. Apply the relevant notification and execution rules to the customer claim; paragraph 1 states no separate numerical refund deadline.

**Conditions and exceptions**
Article 55 and Article 78(2) are preserved. Paragraph 1 addresses customer refunds for non-execution or defective execution, while paragraph 2 expressly also covers initiation-provider liability for late execution.

**PSD2 comparison**
PSD2 Article 90. The Council correlation is an article-level starting point, not equivalence of every duty.

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

**What it means for the fraud function**

- Obtain initiation-provider and account-servicing-provider receipt logs on the same timeline.

- Keep the customer refund decision separate from recovery of the initiation provider's share.

- Check authentication and technical evidence within each party's actual sphere of competence.

**Common misreadings**

- Using an initiation provider does not require the payer to seek the Article 80 refund from that provider first.

- Article 80 uses authenticated in its evidence clause; do not replace it with the different wording authorised in Article 56.

Episodes: Coverage follows the curriculum. Links on the updated HTML card.