
STATUTORY INSTRUMENTS

2017 No. 752

The Payment Services Regulations 2017

PART 11

General

Criminal Offences

Prohibition on provision of payment services by persons other than payment service providers

138.—(1) A person may not provide a payment service in the United Kingdom, or purport to do so, unless the person is—

- (a) an authorised payment institution;
 - (b) a small payment institution;
 - (c) a registered account information service provider;
 - (d) an EEA authorised payment institution or an EEA registered account information service provider exercising its passport rights;
 - (e) a credit institution authorised in the United Kingdom or exercising an EEA right in accordance with Part 2 of Schedule 3 to the 2000 Act (exercise of passport rights by EEA firms);
 - (f) an electronic money institution which for the purposes of the Electronic Money Regulations 2011⁽¹⁾ is—
 - (i) registered in the United Kingdom as an authorised electronic money institution or a small electronic money institution; or
 - (ii) an EEA authorised electronic money institution exercising passport rights in the United Kingdom;
 - (g) the Post Office Limited;
 - (h) the Bank of England, the European Central Bank or a national central bank of an EEA State other than the United Kingdom,
 - (i) a government department or a local authority; or
 - (j) exempt under regulation 3 (exemption for certain bodies).
- (2) A person who contravenes paragraph (1) is guilty of an offence and is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding three months or to a fine, which in Scotland or Northern Ireland may not exceed the statutory maximum, or both;

⁽¹⁾ S.I. 2011/99.

- (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine, or both.