

STATUTORY INSTRUMENTS

2015 No. 1911

The Payment Card Interchange Fee Regulations 2015

PART 3

The Financial Conduct Authority

Designation as a competent authority

^{F1}16.

F1 Reg. 16 omitted (31.12.2020) by virtue of [The Interchange Fee \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/284), regs. 1(2), **2(3)** (with savings in [S.I. 2019/680](#), reg. 11); 2020 c. 1, Sch. 5 para. 1(1)

Amendment of the Payment Services Regulations 2009

17.—(1) The Payment Services Regulations 2009 ^{F2} are amended as follows.

(2) After regulation 80 (functions of the Authority) insert—

“Application of this Part to requirements of the Interchange Fee Regulation

80A.—(1) For the purposes of this Part with the exception of regulation 92A and Schedule 4A—

- (a) the requirements imposed on payment services providers by Articles 8(2), 9(2) and 12 of the interchange fee regulation are to be treated as if they were included in Part 5 of these Regulations, and
- (b) the requirements imposed on payment services providers by Articles 8(5) and (6), 9(1), 10(1) and (5) and 11 of the interchange fee regulation are to be treated as if they were included in Part 6 of these Regulations.

(2) In paragraph (1) “the interchange fee regulation” means Regulation (EU) 2015/751 of the European Parliament and of the Council of 29th April 2015 on interchange fees for card-based payment transactions.”.

(3) In paragraph 10 of Schedule 5 (application and modification of the Financial Services and Markets Act 2000 (Disclosure of Confidential Information) Regulations 2001)—

(a) for sub-paragraph (a)(i) substitute—

“(i) in the definition of “EEA competent authority” after “single market directives” insert “ , the payment services directive, Regulation (EU) 2015/751 of the European Parliament and of the Council of 29th April 2015 on interchange fees for card-based payment transactions ”;”

(b) after sub-paragraph (a)(iii) insert—

“(iv) in the definition of “single market restrictions” after paragraph (m) insert—

Changes to legislation: There are outstanding changes not yet made by the [legislation.gov.uk](https://www.legislation.gov.uk) editorial team to The Payment Card Interchange Fee Regulations 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- “(n) article 22 of the payment services directive;”;
- (c) for sub-paragraph (e)(i) substitute—
 - “(i) in paragraph (1) after “paragraphs” insert “ (1B) ”;
- (d) in sub-paragraph (e)(ii)—
 - (i) for “(3B)” substitute “ (1A) ”;
 - (ii) renumber the inserted paragraph (4) as paragraph (1B); and
 - (iii) in that inserted paragraph, for “Part 5” substitute “ Part 4A ”; and
- (e) in sub-paragraph (h), renumber the inserted Part 5 as Part 4A.

F2 S.I. 2009/209 .

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Changes and effects yet to be applied to :

- Regulations power to modify conferred by [2023 c. 29 s. 3Sch. 1 Pt. 2](#)
- Regulations revoked by [2023 c. 29 Sch. 1 Pt. 2](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 2(1A) inserted by [S.I. 2023/790 reg. 3\(2\)\(g\)](#)
- reg. 3(2)(a)(iii) and word inserted by [S.I. 2023/790 reg. 3\(3\)\(a\)\(ii\)](#)
- reg. 4A inserted by [S.I. 2023/790 reg. 3\(5\)](#)