Questionnaire to PISPs and AISPs

1. **Are you a PISP or AISP? Please tick the relevant box(es).**

[ ]  PISP

[ ]  AISP

If you are a PISP, please answer questions under Section 1 - Common questions to PISPs and AISPs and then continue to Section 2 – Questions to PISPs

If you are an AISP, please answer questions under Section 1 - Common questions to PISPs and AISPs and then continue to Section 3 – Questions to AISPs.

Section 1 – Common questions to PISPs and AISPs

Business model-related questions:

1. **Which type of provider are you? Please tick the relevant box(es).**

[ ]  Credit institution subject to the Capital Requirements Directive (CRD IV)

[ ]  E-money institution subject to the Electronic Money Directive (EMD)

[ ]  Other, please specify:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **Do you provide services in more than one country? If yes, please indicate in how many countries within the EU and outside the EU you provide your services?**

[ ]  No

[ ]  Yes. Please indicate in how many countries:

 Within the EU:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Outside the EU:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **How many customers[[1]](#footnote-1) do you have? If you can break them down by country, please do so.**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

1. **Do you offer other services than PIS/AIS? If yes, please specify what types of services you provide and identify the extent to which, in your view, these services are likely going to be exposed to compensation claims by your customers.**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Other services than PIS/AIS**  | Highly unlikely | Unlikely | Uncertain | Likely | Highly likely |
|   | [ ]  | [ ]  | [ ]  | [ ]  | [ ]  |
|  | [ ]  | [ ]  | [ ]  | [ ]  | [ ]  |
|  | [ ]  | [ ]  | [ ]  | [ ]  | [ ]  |
|  | [ ]  | [ ]  | [ ]  | [ ]  | [ ]  |

Please provide the reasoning for your answer:

|  |
| --- |
|   |

1. **Please describe your business model by specifying the following:**

|  |  |
| --- | --- |
|  |  |
| How do you cooperate with account servicing payment service providers?  |  |
| Are your customers individuals or companies? Please specify how many of each you have.  |  |
| What is the proportion of revenue deriving from each service you provide? (if you provide more services and/or you provide services in more than one country (please see question 3 and 5), please specify them here as well |  |

1. **If you already act as a PISP or AISP, do you hold a PII or another comparable guarantee in order to cover liabilities as envisaged in the PSD2?**

[ ]  No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_

[ ]  Yes. Please specify what types of liabilities and risks the PII you are holding covers:

|  |
| --- |
|  |

1. **In your view, how likely is it that you will need to adjust your business model to fulfil the requirement under Article 5 of the PSD2 with regard to the PII or comparable guarantee? Please tick the relevant box(es).**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | Highly unlikely | Unlikely | Uncertain | Likely | Highly likely |
|  Adjustment  | [ ]  | [ ]  | [ ]  | [ ]  | [ ]  |

Please specify the adjustments you will need to make:

|  |
| --- |
|  |

IT-related questions:

1. **Please specify the level of compliance with the following IT-Standards/Frameworks? Please tick the relevant box(es).**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **IT-Standards/****Framework**  | Not at all | Partially | Mostly | Fully |
| ITIL  | [ ]  | [ ]  | [ ]  | [ ]  |
| COBIT | [ ]  | [ ]  | [ ]  | [ ]  |
| ISO270xx | [ ]  | [ ]  | [ ]  | [ ]  |

If you are complying with other IT-Standards/Frameworks, please specify them:

|  |
| --- |
|  |

1. **Please specify the number of cybercrime[[2]](#footnote-2) events[[3]](#footnote-3) that you experienced in the last year, grouped by the incurred loss[[4]](#footnote-4).**

|  |  |
| --- | --- |
| **Category** | **Number of events** |
| No Loss |  |
| < 10 EUR |  |
| < 50 EUR |  |
| < 100 EUR |  |
| < 500 EUR |  |
| >= 500 EUR |  |

Please describe the case(s) of cybercrime, including how your business addressed these cases:

|  |
| --- |
|  |

1. **What are your expectations regarding the likely trend of cybercrime and ICT risks[[5]](#footnote-5) in the next 3-5 years?**

|  |  |
| --- | --- |
| **Cybercrime**[ ]  Increase[ ]  Constant[ ]  Decrease | **ICT risks**[ ]  Increase[ ]  Constant[ ]  Decrease |

Please provide reasoning for your answer:

|  |
| --- |
|   |

1. **In your view, how likely is that your business will be exposed to the following threats in relation to the services you provide? Please tick the relevant box(es).**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Threat**  | Highly unlikely | Unlikely | Uncertain | Likely | Highly likely |
| Fraud  | [ ]  | [ ]  | [ ]  | [ ]  | [ ]  |
| Espionage | [ ]  | [ ]  | [ ]  | [ ]  | [ ]  |
| Data loss | [ ]  | [ ]  | [ ]  | [ ]  | [ ]  |
| DDoS-attacks | [ ]  | [ ]  | [ ]  | [ ]  | [ ]  |
| Phishing | [ ]  | [ ]  | [ ]  | [ ]  | [ ]  |
| Other | [ ]  | [ ]  | [ ]  | [ ]  | [ ]  |

If you consider “other” threats as likely or highly likely, please specify them:

|  |
| --- |
|  |

1. **Please specify your total annual budget for IT-security, in EUR and identify which of the following categories are included in your IT-security budget:**

Budget: in EUR\_\_\_\_\_\_\_\_\_\_\_\_ or your national currency: \_\_\_\_\_\_\_\_\_\_\_\_\_

And in percentage of the annual budget\_\_\_\_\_\_\_\_\_\_\_\_\_

Budget includes:

[ ]  Salaries of IT-security personnel

[ ]  IT-Security hardware (e.g. Intrusion detection systems, firewalls, etc.)

[ ]  IT-Security software (e.g. IT-security monitoring software)

[ ]  External IT-security consulting services

[ ]  External IT audit services

[ ]  Business Continuity Management provisions

[ ]  IT-Security awareness training provisions

[ ]  Other, please specify:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **Do you employ an IT Security Officer?**

[ ]  No

[ ]  Yes.

If you answered ‘Yes’, please specify whether this role is assigned to one person or more, and to whom this role reports:

|  |
| --- |
|  |

If you answered No’, please provide details on any external resources for IT security that you might employ via outsourcing contracts:

|  |
| --- |
|  |

1. **Do you run or keep your own data centres or do you use data centre services of corresponding service providers?**

**Own data centre:**

[ ]  No

[ ]  Yes. Please specify where the centre is located: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Data centre services of corresponding service providers:**

[ ]  No

[ ]  Yes. Please specify the extent and the location of the data centre: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **Do you use cloud computing[[6]](#footnote-6)? If yes, please specify the cloud provider and location where the provider is located.**

[ ]  No

[ ]  Yes. Please specify the cloud provider and location: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **Please specify the number of lawsuits and complaints that you have experienced in the last 5 years in relation to the services you provide, grouped by compensation paid.**

|  |  |  |
| --- | --- | --- |
| **Compensation paid** | **Number of lawsuits** | **Number of complaints[[7]](#footnote-7)** |
| No compensation paid  |  |  |
| < 1000 EUR |  |  |
| < 10 000 EUR |  |  |
| < 100 000 EUR |  |  |
| < 500 000 EUR |  |  |
| >= 500 000 EUR |  |  |

Please describe the cause(s) of the lawsuits and/or complaints:

|  |
| --- |
|  |

1. **Please identify any country-factors that should be considered by EBA when developing the Guidelines.**

|  |
| --- |
|  |

Section 2 - Questions to PISPs

1. **How many payment transactions did you initiate in the previous year in total? Please tick the relevant box(es).**

[ ]  < 100 000

[ ]  < 500 000

[ ]  < 1 million

[ ]  < 2 million

[ ]  < 5 million

[ ]  > = 5 million

1. **On average for each payment account, how many payment transaction have you initiated in the previous year? Please tick the relevant box(es).**

[ ]  < 10

[ ]  < 50

[ ]  > = 50

1. **What is the average value of all initiated payment transaction? Please tick the relevant box(es).**

**For other currencies, please specify the currency and the average value of all initiated payment transactions.**

[ ]  < 10 EUR

[ ]  < 50 EUR

[ ]  < 100 EUR

[ ]  < 500 EUR

[ ]  > = 500 EUR

Other currencies, please specify:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **What is the total value of all initiated payment transaction in EUR? Please tick the relevant box(es). For other currencies, please specify the currency and the total value of all initiated payment transactions.**

[ ]  < 100 000 EUR

[ ]  < 500 000 EUR

[ ]  < 2 million

[ ]  < 5 million

[ ]  > = 5 million

Other currencies, please specify:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **Do you limit the value of payment transactions you initiate? If yes, please specify the limit in EUR.**

[ ]  No

[ ]  Yes. Please specify the limit, in EUR :\_\_\_\_\_\_\_\_\_\_\_\_or your national currency: \_\_\_\_\_\_\_\_

Section 3 – Questions to AISPs

Business model-related questions:

1. **How many different payment accounts did you access in the last calendar year? Please tick the relevant box(es).**

[ ]  < 100 000

[ ]  < 500 000

[ ]  < 1 million

[ ]  < 2 million

[ ]  > = 2 million

1. **How many different payment accounts are you estimating or planning to access in the next 1/2/3 years? Please tick the relevant box(es).**

|  |  |  |
| --- | --- | --- |
|  **in 2016**[ ]  < 100 000[ ]  < 500 000[ ]  < 1 million[ ]  < 2 million [ ]  > = 2 million  | **in 2017** [ ]  < 100 000[ ]  < 500 000[ ]  < 1 million [ ]  < 2 million [ ]  > = 2 million  | **in 2018**[ ]  < 100 000[ ]  < 500 000[ ]  < 1 million [ ]  < 2 million [ ]  > = 2 million |

1. **How often is each payment account accessed by you, or your customer, on average per day / per week / per year? Please tick the relevant box(es).**

|  |  |  |
| --- | --- | --- |
| **Per day**[ ]  < 10[ ]  < 50[ ]  > = 50  | **Per week**[ ]  < 10[ ]  < 50[ ]  > = 50  | **Per year**[ ]  < 10[ ]  < 50[ ]  > = 50  |

1. For the purpose of this questionnaire, customers are persons who select the PISPs’ services as their preferred method of payment for a purchase, or who are using AISPs services, i.e. aggregated online information on one or more payment accounts held with one or more other payment service providers. [↑](#footnote-ref-1)
2. There is no commonly accepted definition of “cybercrime”. For the purposes of this questionnaire, cybercrime means any criminal or other offence that is facilitated by, or involves, the use of electronic communications or information systems, including any device or the Internet. [↑](#footnote-ref-2)
3. For the purposes of this questionnaire, any action related to a payment account within the scope of cybercrime definition is considered as an event. [↑](#footnote-ref-3)
4. For the purposes of this questionnaire, the loss should be considered within Article 28 of the EBA “Final Draft Regulatory Technical Standards on the specification of the assessment methodology under which competent authorities permit institutions to use Advanced Measurement Approaches (AMA) for operational risk in accordance with Article 312 of Regulation (EU) No 575/2013, [https://www.eba.europa.eu/documents/10180/1100516/EBA-RTS-2015-02+RTS+on+AMA+assesment.pdf](https://www.eba.europa.eu/documents/10180/1100516/EBA-RTS-2015-02%2BRTS%2Bon%2BAMA%2Bassesment.pdf) and should cover direct charges, including impairments and settlement charges, to the Profit and Loss account (‘P&L’) and write-downs due to the operational risk event; costs incurred as a consequence of the operational risk event; provisions or reserves accounted for in the P&L against probable operational risk losses including those from misconduct events; losses stemming from operational risk events, which are temporarily booked in transitory or suspense accounts and are not yet reflected in the P&L(‘pending losses’), and which are planned to be included within a time period commensurate to the size and age of the pending item; material uncollected revenues, related to contractual obligations with third parties, such as the decision to compensate a client following the operational risk event, rather than by a reimbursement or direct payment, through a revenue adjustment waiving or reducing contractual fees for a specific future period of time; negative economic impacts booked in a financial accounting period due to operational risk events impacting the cash flows or financial statements of previous financial accounting periods (‘timing losses’), where they span more than one financial accounting year and give rise to legal risk. [↑](#footnote-ref-4)
5. ICT (information and communication technology) risk means the current or prospective risk of losses due to the inappropriateness or failure of the hardware and software of technical infrastructures, which can compromise the availability, integrity, accessibility and security of such infrastructures and of data [↑](#footnote-ref-5)
6. There is no commonly agreed definition of “cloud computing”. For the purposes of this questionnaire, the cloud computing is an on-demand service model for IT provision, often based on virtualization and distributed computing technologies. Many businesses often outsource this service. [↑](#footnote-ref-6)
7. For the purposes of this questionnaire, a complain is at the company level and a lawsuit applies to cases brought to the court. [↑](#footnote-ref-7)