



STATUTORY INSTRUMENTS.

**S.I. No. 460 of 2021**

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POSTAL AND TELECOMMUNICATIONS SERVICES ACT 1983  
(SECTION 67) (AMENDMENT) ORDER 2021

POSTAL AND TELECOMMUNICATIONS SERVICES ACT 1983  
(SECTION 67) (AMENDMENT) ORDER 2021

I, PASCHAL DONOHOE, Minister for Finance, in exercise of the powers conferred by section 67 of the Postal and Telecommunications Services Act 1983 (No. 24 of 1983), and having complied with subsections (1) and (2)(b) of that section, hereby make the following order:

1. This Order may be cited as the Postal and Telecommunications Services Act 1983 (Section 67) (Amendment) Order 2021.
2. The Postal and Telecommunications Services Act 1983 (Section 67) Order 2016 (S.I. No. 170 of 2016) is amended –
  - (a) in Article 2(1), by the substitution of the following definition for the definition of “Payment Services Regulations”:

“ ‘Payment Services Regulations’ means the European Union (Payment Services) Regulations 2018 (S.I. No. 6 of 2018);”,
  - (b) in Article 3, by the substitution of the following paragraphs for paragraphs (1) and (2):

“(1) An Post is authorised to provide services 1 to 7 and 9 either, as it considers fit –
    - (a) directly, or
    - (b) indirectly through one or more An Post service providers or subsidiaries,in accordance with paragraph (2) and subject to fulfilling any condition that, by virtue of any other enactment or other law, is required to be fulfilled in respect of the provision of the service.

(2) (a) Where An Post, either directly or indirectly through an An Post service provider or a subsidiary, provides services which comprise payment services, namely any of services 1 to 5 or 9, then Regulations 31 and 32 of the Payment Services Regulations shall apply in relation to the provision of such a service as if An Post were a payment institution and An Post service providers were agents within the meaning of those Regulations.

(b) Where An Post, either directly or indirectly through an An Post service provider or a subsidiary, provides services which comprise payment services, namely any of services 1 to 5, then Regulation 17 of the Payment Services Regulations shall also apply in relation to the provision of such a service as if An Post

were a payment institution and An Post service providers were agents within the meaning of those Regulations.”,

and

- (c) by the substitution of the following Schedule for the Schedule to that Order:

#### “SCHEDULE

1. Any service enabling cash to be placed on a payment account as well as all the operations required for operating a payment account.

2. Any service enabling cash withdrawals from a payment account as well as all the operations required for operating a payment account.

3. Execution of payment transactions, including transfers of funds on a payment account with the user’s payment service provider or with another payment service provider, that fall within one or more of the following subparagraphs:

- (a) execution of direct debits, including one-off direct debits,
- (b) execution of payment transactions through a payment card or a similar device,
- (c) execution of credit transfers, including standing orders.

4. Issuing payment instruments or acquiring payment transactions.

5. Money remittance.

6. Any Giro service and related money remittance, including the issuance or encashment (or both) of Giro debit paper instruments.

7. Any foreign exchange service, including the purchase and sale of foreign currency and foreign currency instruments for the transmission of money.

8. Issuing electronic money.
9. Provision of account information services.”.



GIVEN under my Official Seal,  
6 September, 2021.

PASCHAL DONOHOE,  
Minister for Finance.

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