
04/03/2024

Finantsinspeksioon issued an advisory guideline that highlights that banks must follow the same rules when opening basic payment accounts for clients, refusing to open them, or closing them, and that opening an account may be refused or an account closed only in exceptional circumstances.

Finantsinspeksioon has identified during its supervisory work that the activities and practice of banks varies in the application of the regulations for basic payment services. The Chancellor of Justice indicated in spring this year that there were problems with basic payment accounts, and the issue has also been discussed in the Supreme Court. The advisory guideline issued by Finantsinspeksioon emphasises to the banks that basic payment accounts may not be closed lightly, and that they should only refuse to open a basic payment account as a last resort. Finantsinspeksioon will from 2024 start to monitor compliance with the principles set out in the guideline and it is planned that the general results will be published.

Finantsinspeksioon does not have any legal right to resolve consumer complaints, but consumers still contact it even so with their concerns. Some of those concerns have been about refusals to open accounts or the closure of accounts. Finantsinspeksioon would be aided in resolving consumer complaints out of court by a financial ombudsman operating at Finantsinspeksioon, as it has been stressing for years. This would require a change to the law, for which Finantsinspeksioon has submitted proposals.

Basic payment services are everyday payment services that are used frequently and that include cash transactions, card payments, online payments and suchlike. The banks have an obligation to provide basic payment services, and this affects only the services offered to consumers. A bank may only close a basic payment account in strictly limited circumstances where there is evidence that the account is being used for money laundering, or if the account holder has not made any transaction on the account for more than 24 consecutive months.

There were 123,314 applications to open an account submitted last year, and 106,703 in the previous year, and 120,311 basic payments contracts were signed, and 105,036 in the previous year. The banks closed the basic payment accounts of 31,883 people last year, and 65,048 the year before, and they refused to open accounts on 2785 occasions, after 1677 the year before.

The Finantsinspeksioon advisory guideline can be found on the Finantsinspeksioon website. There is an article in Estonian on basic payment services on the consumer website minuraha.ee run by Finantsinspeksioon.

