Professional cross-border transportation of euro cash by road between euro-area Member States

2010/0204(COD) - 27/09/2011 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 634 votes to 23 with 8 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on the professional cross-border transportation of euro cash by road between euro-area Member States.

Parliament adopted its position in first reading in accordance with the ordinary legislative procedure. The amendments adopted in plenary are the result of a compromise negotiated between Parliament and Council. The Commission's proposal was amended as follows:

Subject matter: the text clarifies that the Regulation is designed to allow the professional cross-border transport of euro cash by road between participating Member States under conditions that guarantee the security of the transaction, the safety of the CIT security staff involved and of the public and the free movement of euro cash. In accordance with normal market practice, allows a limited value of non-euro cash to be transported in the same CIT vehicle.

Exclusions: the transport of euro banknotes and coins shall be excluded from the scope of the Regulation where it is(i) a) carried out on the account of, and between, NCBs, or between banknote printing works and /or mints of participating Member States and the relevant NCBs; and b) escorted by the military or the police.

Place of departure, maximum duration and number of euro cash deliveries/pick-ups: by derogation from the Regulation, point-to-point transport may be carried out within a time-slot of 24 hours, provided that night-time transport of euro cash is allowed under national rules of the Member State of origin, of the Member State of transit and of the host Member State. By way of derogation from Regulation (EC) No 1072/2009, there shall be no limit to the number of euro cash deliveries/pick-ups that a CIT vehicle may carry out in a host Member State during the same day.

Cross-border CIT licence: CIT companies established in those participating Member States which do not have a specific approval procedure for CIT-companies in addition to their general rules for the security or transport sectors must demonstrate a minimum experience of 24 months of regularly transporting cash in the Member State of establishment without infringing national law before they are granted a cross-border CIT licence by that Member State. Such an approach would increase mutual confidence between Member States. It must also have a valid civil liability insurance to cover at least third-party damage to life and property, regardless of whether the cash transported is insured thereunder.

The cross-border CIT licence shall be drawn up in accordance with the model and the physical characteristics defined in Annex I .

Training: the minimum requirements of initial training for CIT security staff that carry out cross-border euro cash transport are set out in Annexe VI. CIT security staff shall follow further training activities in the areas set out in point 3 of Annex VI, at least every three years.

At least one member of the CIT security staff in the CIT vehicle shall have at least A1-level language skills in the languages used by the local authorities and the population in the relevant areas of the Member State of transit and of the host Member State.

The CIT vehicle shall, furthermore, be in constant radio contact, via the CIT company's control centre, with someone who has at least B1-level language skills in the languages used by the local authorities and the population in the relevant areas of the Member State of transit and of the host Member State, so as to ensure that effective communication with the national authorities is possible at all times.

Carrying of weapons: CIT security staff shall comply with the law of the Member State of origin, of the Member State of transit and of the host Member State as regards the carrying of weapons and the maximum permitted calibre. CIT security staff who are armed or who travel in a CIT vehicle with arms on board shall (i) have a professional weapons licence or authorisation issued by the national authorities of the Member State of transit and/or the host Member State, where those Member States allow CIT security staff to be armed, and (ii) fulfil all the national requirements for that professional weapons licence or authorisation. For that purpose, Member States may recognise the professional weapons licence or authorisation of the other Member State .

Member States shall establish a single central national contact point to which CIT companies established in other Member States may submit applications for a professional weapons licence or authorisation for their CIT security staff.

Removal of neutralised banknotes from circulation: CIT companies operating under this Regulation shall remove from circulation all banknotes that may have been neutralised that they encounter while carrying out their activities. They shall hand over those banknotes to the appropriate NCB branch of their Member State of origin and provide a written statement on the cause and nature of the neutralisation.

Mutual information: Member States shall keep a register of all the companies to which they have delivered a cross-border CIT licence and shall inform the Commission about its content. To facilitate information-sharing, the Commission shall set up a central secured database containing data on licences issued, suspended or withdrawn, which shall be accessible to the relevant authorities of the participating Member States.

A company holding or having submitted an application for a cross-border CIT licence shall inform the granting authority at least two months before it begins its cross-border activity of the Member States in which it will carry out CIT transport. The Member State of origin shall subsequently immediately notify the Member States concerned that the cross-border activity is to start.

Applicable transport arrangements: with respect to the cross-border transport of euro banknotes by road carried out on its territory, each Member State shall allow:

- at least one of the five options laid down in the text; and
- those options laid down in the Regulation that are comparable to the transport arrangements allowed for domestic CIT transport.

Transport which includes both euro banknotes and coins shall be covered by the transport arrangements for the cross-border transport of euro banknotes.

Regarding the transport of banknotes, a Member State may decide that only end-to-end IBNS may be used on its territory for the servicing of off-premises ATMs or other types of off-premises cash dispensers, provided that the same rules apply for domestic CIT transport.

Participating Member States shall notify the Commission of the transport arrangements which are applicable. The Commission shall publish a corresponding information notice in the Official Journal of the European Union. The applicable transport arrangements shall take effect one month after publication of the information notice.

If a host Member State or a Member State of transit finds that an IBNS displays serious deficiencies as regards the technical characteristics normally required, namely that the cash can be accessed without triggering the neutralisation mechanism or the IBNS has been modified after homologation in such a way that it no longer fulfils the homologation criteria, it shall inform the Commission and the Member State that granted the homologation and may ask that new tests be carried out on that IBNS.

Pending the results of those new tests, Member States may provisionally prohibit the use of those IBNS on their territory. They shall, without delay, inform the Commission and the other participating Member States thereof.

In the case of a cabin-armoured CIT vehicle equipped with IBNS, or a fully-armoured CIT vehicle not equipped with IBNS, the cabin of the vehicle is equipped with a bullet-proof vest for each member of the CIT security staff on board. The CIT security staff may wear the bullet-proof vests referred to in point (c) during the transport and shall wear them where required by the law of the Member State where they are situated.

Compliance: during the period of validity of a cross-border CIT licence, Member States of origin shall ensure that the rules laid down in the Regulation are complied with, including via random inspections without prior notification to the company. Such inspections may also be carried out by host Member States.

Security: with a view to improving CIT security both for the staff involved and for the public, use of the intelligent banknote neutralisation system (IBNS) should be encouraged and, after a thorough impact assessment by the Commission, should be capable of being developed in a manner entailing harmonisation of IBNS among the participating Member States.

Review: four years after the entry into force of the Regulation, the Commission shall on the implementation of the Regulation, having consulted the stakeholders in the sector including the social partners followed by the Member States. The report shall, in particular, (i) examine the possibility of establishing common training requirements for the carrying of arms by CIT security staff and of amending Article 24 in the light of Directive 96/71/EC, take due account of technological progress in the area of IBNS, and (ii) consider the potential added value of granting Union CIT licences on a group basis and assess whether this Regulation needs to be revised accordingly.

Delegated acts: the Commission is empowered to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union (TFEU) in respect of the amendment of the technical rules on standards in regard to the IBNS, the armouring of CIT vehicles, bullet-proof vests and weapons strong-boxes.