

Protection of the euro and other currencies against counterfeiting by criminal law: certain reporting requirements

2023/0355(COD) - 17/10/2023 - Legislative proposal

PURPOSE: to amend Directive 2014/62/EU with a view to streamlining certain reporting requirements.

PROPOSED ACT: Decision of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: reporting requirements play a key role in ensuring proper monitoring and correct enforcement of legislation. Reporting requirements can however also impose disproportionate burdens on stakeholders, particularly affecting SMEs and micro-companies, also given organisational and technological developments that call for original reporting requirements to be adjusted. Their cumulation over time can result in redundant, duplicating or obsolete obligations, inefficient frequency and timing, or inadequate methods of collection.

Streamlining reporting obligations and reducing the administrative burden are therefore a priority.

Article 11 of **Directive 2014/62/EU** of the European Parliament and of the Council on the protection of the euro and other currencies against counterfeiting by criminal law requires Member States to transmit statistical data to the Commission, at least every two years, on the number of offences concerning counterfeit notes and coins and the number of persons prosecuted for and convicted in connection with those offences. Regarding euro-counterfeiting, there are already reporting obligations on the number of confiscated counterfeit coins and banknotes in place, namely in Council Regulation (EC) No 1338/2001. For this specific area of crime, the obligation to report statistical data on criminal proceedings is therefore not essential to ensure that the objectives of Directive 2014/62/EU are achieved and monitored.

In line with the Commission's Communication on '[Long-term competitiveness of the EU: looking beyond 2030](#)', this proposal is part of a first package of measures to rationalise reporting requirements. This is a step in a process looking comprehensively at existing reporting requirements, with a view to assess their continued relevance and to make them more efficient.

CONTENT: the proposal seeks to bring **limited and targeted changes to Directive 2014/62/EU as regards certain reporting requirements**. It is based on experience from implementing legislation.

This proposal would abolish the obligation for Member States' competent authorities to transmit statistical data to the Commission on the number of counterfeiting offences and on the number of persons prosecuted and convicted of the counterfeiting offences, as laid down in Article 11 of Directive 2014/62/EU. While Member States' authorities have difficulties gathering and transmitting reliable data to comply with this specific provision, they do not play a pivotal role in the effective implementation of this specific legal act.