# Combating fraud and counterfeiting: security of non-cash means of payment. Framework Decision

1999/0190(CNS) - 28/05/2001 - Final act

PURPOSE: to combat fraud and counterfeiting of non-cash means of payment. COMMUNITY MEASURE: Council Framework Decision 2001/413/EC combating fraud and counterfeiting of non-cash means of payment. CONTENT: the Framework Decision defines 'payment instrument' as a corporeal instrument, other than legal tender enabling, by its specific nature, alone or in conjunction with another (payment) instrument, the holder or user to transfer money or monetary value (using credit cards for instance). The Framework Decision lists the cases which are considered an offence and calls upon each Member State to take the necessary measures to counter such punishable behaviour. The Framework Directive also contains provisions in relation to offences related to computers and to specifically adapted devices. It also defines which persons are legally liable and the types of sanctions that can be invoked. As regards extradition and prosecution, any Member State which does not extradite its own nationals shall take the necessary measures to establish its jurisdiction over the offences provided for in the Framework Decision when committed by its own nationals outside its territory. Member States shall designate operational contact points or may use existing operational structures for the exchange of information and for other contacts between Member States for the purposes of applying this Framework Directive. In conclusion, the Framework Decision shall apply to Gibraltar. ENTRY INTO FORCE: 02.06.2001. DEADLINE FOR IMPLEMENTATION: 02.06.2003.