

Basic information	
2000/0208(CNS) CNS - Consultation procedure Regulation	Procedure completed
Euro: protection against counterfeiting for countries that have adopted or not adopted the euro Amended by 2007/0192A(CNS) Amended by 2007/0192B(CNS) Subject 5.20.02 Single currency, euro, euro area 7.30.30.10 Action against counterfeiting	

Key players				
European Parliament	Committee responsible		Rapporteur	Appointed
	LIBE	Citizens' Freedoms and Rights, Justice and Home Affairs	CEDERSCHIÖLD Charlotte (PPE-DE)	14/09/2000
	Committee for opinion		Rapporteur for opinion	Appointed
	ECON	Economic and Monetary Affairs	The committee decided not to give an opinion.	02/10/2000
Council of the European Union	Council configuration		Meetings	Date
	Economic and Financial Affairs ECOFIN		2329	2001-02-12
	Economic and Financial Affairs ECOFIN		2312	2000-11-27
	Justice and Home Affairs (JHA)		2314	2000-11-30
	Transport, Telecommunications and Energy		2364	2001-06-28
European Commission	Commission DG		Commissioner	
	Economic and Financial Affairs			

Key events			
Date	Event	Reference	Summary
26/07/2000	Initial legislative proposal published	COM(2000)0492 	Summary

08/09/2000	Committee referral announced in Parliament		
27/11/2000	Debate in Council		Summary
30/11/2000	Debate in Council		
16/02/2001	Legislative proposal published	06281/2001	Summary
11/04/2001	Vote in committee		
11/04/2001	Committee report tabled for plenary, 1st reading/single reading	A5-0120/2001	
02/05/2001	Debate in Parliament		
03/05/2001	Decision by Parliament	T5-0225/2001	Summary
28/06/2001	Act adopted by Council after consultation of Parliament		
28/06/2001	End of procedure in Parliament		
04/07/2001	Final act published in Official Journal		

Technical information	
Procedure reference	2000/0208(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amended by 2007/0192A(CNS) Amended by 2007/0192B(CNS)
Legal basis	EC Treaty (after Amsterdam) EC 308 EC Treaty (after Amsterdam) EC 123
Stage reached in procedure	Procedure completed

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0120/2001	11/04/2001	
Text adopted by Parliament, 1st reading/single reading		T5-0225/2001 OJ C 027 31.01.2002, p. 0020-0066 E	03/05/2001	Summary
Text adopted by Parliament, 1st reading/single reading		T5-0226/2001 OJ C 027 31.01.2002, p. 0020-0066 E	03/05/2001	
Council of the EU				
Document type	Reference	Date	Summary	
Legislative proposal	06281/2001	16/02/2001	Summary	
European Commission				

Document type	Reference	Date	Summary
Initial legislative proposal	COM(2000)0492  OJ C 337 28.11.2000, p. 0264 E	26/07/2000	Summary

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Final act	
Regulation 2001/1338 OJ L 181 04.07.2001, p. 0006	Summary
Regulation 2001/1339 OJ L 181 04.07.2001, p. 0011	Summary

Euro: protection against counterfeiting for countries that have adopted or not adopted the euro

2000/0208(CNS) - 28/06/2001 - Final act

PURPOSE: to ensure the protection of the euro against counterfeiting.

LEGISLATIVE ACT: Council Regulation (EC) No 1338/2001/EC laying down measures necessary for the protection of the euro against counterfeiting.

CONTENT: the first regulation aims to ensure a high level of protection against counterfeiting and falsification. Its purpose is to strengthen the legal protection of euro banknotes and coins in time for their introduction on the 1 January 2002. The Regulation covers the processing of technical and statistical information relating to counterfeiting, the processing of operational and strategic data, and co-operation and mutual assistance.

Under the terms of the regulation, credit institutions, and any other institutions engaged in the sorting and distribution to the public of notes and coins as a professional activity, including establishments whose activity consists in exchanging notes and coins of different currencies, such as bureaux de change, shall be obliged to withdraw from circulation all euro notes and coins received by them which they know or have sufficient reason to believe to be counterfeit. They shall immediately hand them over to the competent national authorities. Each Member State shall take the necessary measures to ensure that the establishments which fail to discharge their obligations shall be subject to effective, proportionate and deterrent sanctions.

The regulation also contains provisions dealing with:

- gathering and access of technical and statistical data by the competent national authorities and the role of the ECB;
- the obligation of the competent national authorities to transmit counterfeit notes and coins for identification to the National Analysis (NAC) or NAC or National Coins Analysis Centres to be established by the Member States and to communicate their findings to the ECB;
- co-operation amongst the competent national authorities to protect the Euro against counterfeiting;
- centralisation of information at national level;
- definition of competent national authorities (the remaining open question on this issue was resolved by the adoption of a Council declaration which takes note of the existing situation in two Member States concerning the competence of police and judicial authorities);
- relations with third countries and relevant international organisations (Europol in particular);
- unauthorised notes.

The second regulation aims to extend the effects of the Regulation to Member States that have not adopted the euro as a single currency.

ENTRY INTO FORCE : the two regulations shall enter into force on 4 July 2001 and shall apply from 1 January 2002.

Euro: protection against counterfeiting for countries that have adopted or not adopted the euro

2000/0208(CNS) - 03/05/2001 - Text adopted by Parliament, 1st reading/single reading

The European Parliament broadly endorsed the report by Mrs Charlotte CEDERSCHIÖLD (EPP/ED, S) on the Council position on a draft Council regulation laying down measures necessary for the protection of the euro against counterfeiting to those Member States which have not adopted the euro as their single currency. (Please refer to the previous document).

Euro: protection against counterfeiting for countries that have adopted or not adopted the euro

2000/0208(CNS) - 26/07/2000 - Initial legislative proposal

PURPOSE : to present a proposal for a Council Regulation on the protection of the euro against counterfeiting. CONTENT : this proposal is based on the third sentence of Article 123(4) and Article 308 of the EC Treaty. It covers three main subjects: - the processing of technical information on counterfeiting; - the processing of operational and strategic data; - cooperation and mutual assistance. This regulation should in due course be amplified by an extension to Europol's mandate to cover more specific aspects of the protection of the euro and by such other adjustments are found to be necessary, including clarification of the procedures to be complied with for Europol participation in joint investigations. With regard to the technical data, this shall be gathered and indexed by the relevant national authorities and notified to the European Central Bank for storage and processing. The ECB shall also be responsible for gathering technical information relating to counterfeit euro notes and coins from non-member countries. The relevant national authorities and the Commission and Europol, in their respective areas of responsibility, shall have direct access to the technical data held by the European Central Bank. In relation to operational and strategic data, the Member States shall ensure that a Unit to combat euro counterfeiting is set up by Europol and managed as a Europol administrative entity. The Unit shall manage a system for the exchange, gathering and analysis of operational and strategic information within the Europol information system. Finally, Member States shall ensure that, at the request of the requesting national authority, the requested national authority transmits to the requesting authority, with copy in appropriate cases to the Unit, all such information as may be of assistance to it in preventing, detecting and combating euro counterfeiting.

Euro: protection against counterfeiting for countries that have adopted or not adopted the euro

2000/0208(CNS) - 28/06/2001 - Final act

PURPOSE: to protect the euro against counterfeiting to those Member States which have not adopted the euro as their single currency.

LEGISLATIVE ACT: [Council Regulation \(EC\) No 1339/2001 extending the effects of Regulation \(EC\) No 1338/2001 laying down measures necessary for the protection of the euro against counterfeiting to those Member States which have not adopted the euro as their single currency.](#)

CONTENT: in adopting Regulation (EC) No 1338/2001 (refer to the other legislative act in this procedure file), the Council provided a certain number of provisions to protect the euro from counterfeiting for those Member States which have adopted the euro as their single currency.

However, it is important that the euro should enjoy the same level of protection in those Member States which have not adopted it and the necessary provisions should be taken to that end.

This is the aim of this legislative act. The application of Articles 1 to 11 of Regulation (EC) No 1338/2001 shall be extended to those Member States which have not adopted the euro as their single currency.

ENTRY INTO FORCE: 4 July 2001.

APPLICABLE: it shall apply from 1 January 2002. However, it shall apply from 4 July 2001 to notes and coins which have not yet been issued but which it is intended to issue.

Euro: protection against counterfeiting for countries that have adopted or not adopted the euro

2000/0208(CNS) - 27/11/2000

The Council took note of progress in proceedings on a proposal for a Regulation on the protection of the euro against counterfeiting designed to ensure a high level of protection for the euro against counterfeiting and falsification. The Council: - confirmed the importance of early adoption of an effective system to protect the euro against counterfeiting, which means that examination of the proposal for a Regulation within the scope of the EC Treaty

must be actively continued; - emphasised the desirability of supplementing the overall arrangements for protecting the euro against counterfeiting. The draft Regulation, as revised by the Presidency, concerns only those aspects of the initial Commission proposal likely to be adopted in the framework of a Regulation falling within the scope of the EC Treaty. This would concern inter alia: - the gathering by the relevant national authorities of counterfeit euro notes and coins in order to provide technical and statistical data on all detected cases of counterfeiting (including in criminal proceedings); - an obligation, among others, adequately to verify the authenticity of the euro notes and coins distributed by credit institutions; - strengthened cooperation among all the actors concerned (Member States, Commission, European Central Bank and Europol) and improved exchange and centralisation of information.

Euro: protection against counterfeiting for countries that have adopted or not adopted the euro

2000/0208(CNS) - 16/02/2001 - Legislative proposal

At the 12 February 2001 ECOFIN Council, the delegations reached a political agreement on the regulation concerning the protection of the Euro against counterfeiting, based on Article 123 (4) of the Treaty. The agreement also concerns a parallel regulation based on Article 308 of the ECT which ensures that the regulation applies equally to Member States outside the Economic and Monetary Union. The new draft Council regulation fulfills the same objectives as the initial proposal. Its purpose being to strengthen the legal protection of Euro banknotes and coins in time for their introduction on 1 January 2002. The new draft Regulation covers, as in the previous version, the processing of technical and statistical information relating to counterfeiting, the processing of operational and strategic data, and cooperation and mutual assistance. Under the terms of the Regulation, credit institutions, and any other institutions engaged in the sorting and distribution to the public of notes and coins as a professional activity, including establishments whose activity consists in exchanging notes and coins of different currencies, such as bureaux de change, shall be obliged to withdraw from circulation all Euro notes and coins received by them which they know or have sufficient reason to believe to be counterfeit. They should immediately hand them over to the competent national authorities. Each Member State shall take the necessary measures to ensure that the establishments which fail to discharge their obligations shall be subject to effective, proportionate and deterrent sanctions. The Regulation also contains provisions relating to: - gathering and access of technical and statistical data by the competent national authorities and the role of the ECB; - the obligation of the competent national authorities to transmit counterfeit notes and coins for identification to the National Analysis Centres (NAC) or National Coin Analysis Centres (NCAC) (which should be established by the Member States) and to communicate their findings to the ECB; - cooperation amongst the competent national authorities to protect the Euro against counterfeiting; - centralisation of information at national level; - definition of competent national authorities (the remaining open question on this issue was resolved by the adoption of a Council declaration which takes note of the existing situation in two Member States concerning the competence of police and judicial authorities); - relations with third countries and relevant international organisations; - unauthorised notes. The European Parliament has been consulted but not yet delivered its opinion. The agreed texts, will be sent to the European Parliament so as to take them into account when drafting its opinion. The text will also be communicated to the ECB for information. Lastly, it should also be noted that the protection of the Euro against criminal activity in the context of the criminal justice systems of the Member States will be secured by a third pillar instrument currently being examined by Justice and Home Affairs working groups.