Basic information

2004/0010(CNS) CNS - Consultation procedure Regulation	Procedure completed
Protection against counterfeiting: medals and tokens similar to euro coins Amended by 2004/0011(CNS) Amended by 2008/0167(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
ECON Economic and Monetary Affairs	POMÉS RUIZ José Javier (PPE-DE)	11/02/2004

Council of the European Union

Council configuration	Meetings	Date
Employment, Social Policy, Health and Consumer Affairs	2627	2004-12-06

European Commission

Commission DG	Commissioner
European Anti-Fraud Office (OLAF)	

Key events

Date	Event	Reference	Summary
27/01/2004	Legislative proposal published	COM(2004)0039	Summary
25/02/2004	Committee referral announced in Parliament		
16/03/2004	Vote in committee		
16/03/2004	Committee report tabled for plenary, 1st reading/single reading	A5-0156/2004	
01/04/2004	Decision by Parliament	T5-0258/2004	Summary
06/12/2004	Act adopted by Council after consultation of Parliament		
06/12/2004	End of procedure in Parliament		
21/12/2004	Final act published in Official Journal		

Technical information

Procedure reference	2004/0010(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amended by 2004/0011(CNS) Amended by 2008/0167(CNS)
Legal basis	EC Treaty (after Amsterdam) EC 123-p4
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		A5-0156/2004	16/03/2004	
Text adopted by Parliament, 1st reading/single reading		T5-0258/2004 OJ C 103 29.04.2004, p. 0680-0779 E	01/04/2004	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2004)0039	27/01/2004	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
ECB	Document attached to the procedure	CON/2004/0013 OJ C 134 12.05.2004, p. 0011-0013	16/04/2004	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Regulation 2004/2182
OJ L 373 21.12.2004, p. 0001-0006 Summary

Protection against counterfeiting: medals and tokens similar to euro coins

2004/0010(CNS) - 06/12/2004 - Final act

PURPOSE : to regulate the use of the terms "euro", "eurocent" and the "euro

symbol" and to establish a level playing field for the production of medals

and tokens.

LEGISLATIVE ACT : Council Regulation 2182/2004/EC concerning medals and tokens similar to euro coins.

CONTENT : Commission Recommendation 2002/664/EC of 19 August 2002 concerning medals and tokens similar to the euro coins recommended that certain visual characteristics should be avoided in the sale and production, stocking, importation and distribution, for sale or for other commercial purposes, of medals and tokens whose size is close to that of euro coins.

Citizens may be led to believe that medals and tokens bearing the terms ‘euro' or ‘euro cent', the euro symbol, or a design similar to that which appears on the common face or on any of the national sides of the euro coins, have legal-tender status in any of the Member States that have adopted the euro, or in a participating third country.

There is an increasing risk that medals and tokens having a size and metal properties similar to euro coins may be unlawfully used in the place of euro coins.

Consequently, this Regulation stipulates that medals and tokens having visual characteristics, size or metal properties which are similar to euro coins should not be sold, produced, imported or distributed for the purpose of sale or for other commercial purposes.

It is for each Member State to introduce applicable sanctions for infringements, with a view to achieving an equivalent protection of the euro against similar medals and tokens throughout the Community.

ENTRY INTO FORCE : 21/12/2004.

Protection against counterfeiting: medals and tokens similar to euro coins

2004/0010(CNS) - 27/01/2004 - Legislative proposal

PURPOSE: To regulate the use of the terms "euro", "eurocent" and the "euro symbol" and to establish a level playing field for the production of medals and tokens. PROPOSED ACT: Council Regulation CONTENT: The proposed Council Regulation has been formulated in order to regulate the use of the terms "euro" and "eurocent" and of the euro symbol on metallic objects having the appearance and/or technical properties of coins (medals and tokens) and to define the similarity to the euro coins that should be banned for medals and tokens. There are two risks associated with the fraudulent use medals and tokens mimicking the real euro coins. Firstly, citizens could believe that metallic objects have legal tender status if they show the text appearing on euro coins or euro symbol. Secondly, medals or tokens could be used fraudulently in coin operated machines, if their size and metal properties are close to euro coins. Although the EU Commission Recommendations of 2002 on medals and tokens has offered useful guidance on regulating medals and tokens it has proven to be less than fully effective. The last year has shown that more needs to be done to establish rules concerning technical properties. This also offers the advantage of providing a clear, common, unambiguous legal instrument mandatory for all interested parties. A number of rising incidents have alerted the Commission on the need to offer harmonised provisions. Incidents, for example, where euro-coin like medals have been produced and come into circulation instead of the genuine euro coins. Other incidents include cases of coin like objects being fraudulently used in coin operated machines. The proposed Regulation would create a set of definitions relating to medals and tokens, in line with the Commission Recommendation of 2002. The reference band for the size of medals and tokens is set out in a number of combinations between values for diameter and values for edge height. These will then serve as a reference in which to establish whether or not a medal or token is considered to be similar to the one of the euro coins. The Regulation provides for a set of restriction and include under what circumstances the use, "euro" or "euro cent" or the euro symbol on the surface of medals and tokens is prohibited. There is a further prohibition on the use of designs similar in appearance to genuine euro coins since the designs in themselves are protected by national provisions. The design of the two euro coin is also protected as are the coin's edges and edge design. Exceptions to the rules are outlined. For example, tokens and coins which are very different in size to the actual euro coins are exempted as are medals and tokens with a large hole in the centre. Other provisions allow for authorised derogations to the size restrictions. However, only under two conditions: - the size of the medals and tokens, although inside the reference band, should not be in the immediate vicinity of the euro coins and - the metal properties should be sufficiently different fromthe ones of the euro coins. All derogations must be communicated to the European Technical and Scientific Centre (ETSC). On another point it was considered necessary to avoid upsetting the functioning of companies which use such tokens as part of their activity - such as casinos. For that purpose it has been proposed that medals and tokens not observing the rules but existing at the time of entry into force of this Regulation should only be replaced when they reach the end of their life-time and at the latest by the end of 2012. Lastly, this Regulation shall only apply to the participating Member States. A second Regulation will extend the effects of the proposed Regulation to non-participating Member States.

Protection against counterfeiting: medals and tokens similar to euro coins

2004/0010(CNS) - 01/04/2004 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the resolution on medals and tokens similar to euro coins.