

GUIDELINES

GUIDELINE (EU) 2016/1061 OF THE EUROPEAN CENTRAL BANK

of 26 May 2016

amending Guideline ECB/2008/8 on data collection regarding the euro and the operation of the Currency Information System 2 (ECB/2016/15)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 128 thereof,

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular Articles 5 and 16 thereof,

Having regard to Council Regulation (EC) No 3603/93 of 13 December 1993 specifying definitions for the application of the prohibitions referred to in Articles 104 and 104b(1) of the Treaty ⁽¹⁾, and in particular Article 6 thereof,

Whereas:

- (1) Article 128(1) of the Treaty and Article 16 of the Statute of the European System of Central Banks and of the European Central Bank (hereinafter the 'Statute of the ESCB') provide that the European Central Bank (ECB) has the exclusive right to authorise the issue of euro banknotes within the Union.
- (2) Article 128(2) of the Treaty provides that Member States may issue coins subject to approval by the ECB of the volume of the issue. Therefore, the ECB adopts annual decisions approving the volume of coin issuance by the Member States which have adopted the euro (hereinafter the 'participating Member States') and decisions approving additional volumes of coin issuance by one or several participating Member States on an ad hoc basis.
- (3) Article 5 of the Statute of the ESCB provides that in order to perform the tasks of the European System of Central Banks (ESCB) the ECB, assisted by the national central banks (NCBs), should collect the necessary statistical information, which comprises statistical information in the area of euro banknote and coin issuance.
- (4) Furthermore, the ECB needs to collect information for the purpose of monitoring compliance with the prohibition established by Article 123 of the Treaty and implemented by Regulation (EC) No 3603/93. In particular, Article 6 of Regulation (EC) No 3603/93 provides that the holding by any NCBs of euro coins issued by and credited to the public sector should not be regarded as a credit facility within the meaning of Article 123 of the Treaty where the amount of those assets remains at less than 10 % of the coins in circulation.
- (5) Without prejudice to the competences of the Member States with regard to the issuance of euro coins, and taking into account the essential role of most NCBs in the distribution of euro coins, in order to perform the tasks described above, the ECB, together with NCBs, needs to collect data on euro banknotes as well as on euro coins. Such data collection should facilitate decision-making in the area of euro banknote and coin issuance and should enable the ECB to monitor compliance with any decisions in this area as regards planning the production of euro banknotes and coordinating their issuance, putting euro banknotes into circulation and arranging any necessary transfers of euro banknotes between NCBs. The synergy effects of such data collection should also enable the ECB to supply data, where so requested, to the institutions and bodies with competences with regard to euro coins.
- (6) The procedure for collecting data related to euro banknotes needs to be improved, in particular by integrating certain elements of Article 2a of Guideline ECB/2008/8 ⁽²⁾ into Article 2 and by deleting elements that are no longer required.

⁽¹⁾ OJ L 332, 31.12.1993, p. 1. Articles 104 and 104b(1) of the Treaty establishing the European Community have been replaced by Article 126 of the Treaty on the Functioning of the European Union.

⁽²⁾ Guideline ECB/2008/8 of 11 September 2008 on data collection regarding the euro and the operation of the Currency Information System 2 (OJ L 346, 23.12.2008, p. 89).

- (7) The procedure for collecting data related to euro coins should also be improved.
- (8) A definition of the term 'coin-issuing entities' in line with Article 128(2) of the Treaty should be included for reasons of legal clarity.
- (9) The procedure for collecting data related to cash infrastructure and operational activities of third parties should also be improved. Certain provisions defining when data needs to be reported for the first time and defining transitional periods are no longer required.
- (10) Access to the Currency Information System 2 (CIS 2) will be restricted to the ECB, the NCBs and any future Eurosystem NCB. The possibility of granting access to eligible third parties will no longer be available. Interested third parties, such as the European Commission and coin issuing entities with regard to coin-related data, will be informed by the ECB's Directorate Banknotes.
- (11) Further minor amendments are required to update the procedures for the collection of statistical information in the area of euro banknote and coin issuance.
- (12) Therefore, Guideline ECB/2008/8 should be amended accordingly,

HAS ADOPTED THIS GUIDELINE:

Article 1

Amendments

Guideline ECB/2008/8 is amended as follows:

1. In Article 1 paragraph 1 is amended as follows:

(a) point (c) is replaced by the following:

'(c) "CIS 2" means the system comprising: (i) the central database installed at the ECB to store all the relevant information on euro banknotes, euro coins, cash infrastructure and operational activities of third parties, collected pursuant to this Guideline and Decision ECB/2010/14 (*); (ii) the web-based online application which allows flexible configuration of the system and provides information on the data delivery and validation status, revisions and various types of reference data and system parameters; (iii) the reporting module for viewing and analysing the collected data; and (iv) the CIS 2 transmission mechanism;

(*) Decision ECB/2010/14 of 16 September 2010 on the authenticity and fitness checking and recirculation of euro banknotes (OJ L 267, 9.10.2010, p. 1).;

(b) points (g) to (n) are replaced by the following:

'(g) "CIS 2 transmission mechanism" means the ESCB XML Data Integration (EXDI) application. The EXDI application is used to transmit data messages between NCBs, future Eurosystem NCBs and the ECB in confidence, independently of the technical infrastructure, e.g. computer networks and software applications supporting it;

(h) "data message" means a file containing daily, monthly or semi-annual data of an NCB or future Eurosystem NCB for one reporting period or, in the case of revisions, one or several reporting periods in a data format compatible with the CIS 2 transmission mechanism;

(i) "future participating Member State" means a non-participating Member State that has fulfilled the conditions set for the adoption of the euro and in relation to which a decision on the abrogation of the derogation (pursuant to Article 140 of the Treaty on the Functioning of the European Union) has been taken;

- (j) “working day” means any day on which a reporting NCB is open for business;
- (k) “accounting data” means the unadjusted value of euro banknotes in circulation corrected by the amount of unremunerated claims vis-à-vis credit institutions operating an extended custodial inventory programme at the close of a reporting period in accordance with Article 12(2)(a) and (b) of Guideline ECB/2010/20 (*);
- (l) “data event” means an event recorded in the CIS 2 which triggers the sending of notification from the CIS 2 to one or more NCBs and the ECB. A data event occurs: (i) when an NCB has sent a daily, monthly or semi-annual data message to the CIS 2 triggering a feedback message to that NCB and the ECB; (ii) when the data messages of all NCBs have been successfully validated for a new reporting period triggering a status report message from the CIS 2 to NCBs and the ECB; or (iii) when, following the sending of a status report message, a revised data message for an NCB is successfully validated by the CIS 2 triggering a revision notification to NCBs and the ECB;
- (m) “cash handlers” means the institutions and economic agents referred to in Article 6(1) of Council Regulation (EC) No 1338/2001 (**);
- (n) “coin-issuing entities” means any bodies entrusted by a euro area Member State with the task of putting euro coins into circulation. Coin-issuing entities may include NCBs, national mints, national treasuries, appointed public agencies and entities that put into circulation coins under coin-held-to-order schemes;

(*) Guideline ECB/2010/20 of the European Central Bank of 11 November 2010 on the legal framework for accounting and financial reporting in the European System of Central Banks (OJ L 35, 9.2.2011, p. 31).

(**) Council Regulation (EC) No 1338/2001 of 28 June 2001 laying down measures necessary for the protection of the euro against counterfeiting (OJ L 181, 4.7.2001, p. 6).;

(c) the following definitions are inserted after point (n):

- (o) “coin-held-to-order (CHTO) scheme” means a scheme consisting of individual contractual arrangements between a coin-issuing entity and one or more custodians in the coin-issuing entity’s Member State, whereby the coin-issuing entity:
 - (i) supplies the custodians with euro coins to hold them in custody outside the coin-issuing entity’s premises for the purpose of putting them into circulation; and
 - (ii) directly credits or debits the NCB account held by one of the following:
 - the custodian,
 - credit institutions that are customers buying euro coins from the custodian.

The euro coins subject to the CHTO scheme are deposited with or withdrawn from the custody premises of the coin-issuing entity by the custodian or by the custodian’s customers as notified to the NCB.

- (p) “category 1 data item” means a data item reported by NCBs to the CIS 2 as defined in Annexes I to III and Annex VII, which shall be reported for each reporting period;
- (q) “event-driven data item” means a data item reported by NCBs to the CIS 2 as defined in Annexes I to III and Annex VII for which data is reported only if the underlying event occurs during the reporting period;
- (r) “Identity and Access Management (IAM)” means a shared security service, used to grant and control access to ESCB applications;;

2. Article 2 is replaced by the following:

Article 2

Collection of data related to euro banknotes

1. NCBs shall report to the ECB the CIS 2 data related to euro banknotes, i.e. the data items specified in Part 1 of Annex I and in Annex VII, while observing the reporting frequency specified therein and the booking rules specified in Part 3 of Annex I.

2. NCBs shall transmit the monthly data identified as category 1 data and event-driven data related to euro banknotes no later than on the sixth working day of the month following the reporting period.
3. NCBs shall transmit the daily data identified as category 1 data and event-driven data related to euro banknotes no later than 5 p.m. Central European Time (CET) (*) on the working day following the reporting period.
4. NCBs shall use the CIS 2 transmission mechanism to transmit data related to euro banknotes to the ECB pursuant to this Guideline.

(*) CET takes account of the change to Central European Summer Time.;

3. Article 2a is deleted;
4. Article 3 is replaced by the following:

‘Article 3

Collection of data related to euro coins

1. NCBs shall collect CIS 2 data related to euro coins, i.e. the data items specified in Part 1 of Annex II, from the relevant coin-issuing entities in their Member States.
 2. NCBs shall report to the ECB the CIS 2 data related to euro coins on a monthly basis, while observing the booking rules specified in Part 3 of Annex II.
 3. NCBs shall use the CIS 2 transmission mechanism to transmit data related to euro coins to the ECB in accordance with this Guideline.;
5. Article 4 is amended as follows:

- (a) the title is replaced by the following:

‘Collection of data related to cash infrastructure and operational activities of third parties pursuant to Decision ECB/2010/14’;

- (b) paragraph 1 is replaced by the following:

‘1. NCBs shall provide the ECB with the cash infrastructure and operational data, as specified in Annex IIIa, on a semi-annual basis. The data provided to the ECB shall be based on data that NCBs have obtained from cash handlers pursuant to Annex IV to Decision ECB/2010/14.;

- (c) paragraphs 2, 3 and 7 are deleted;

6. in Article 5, paragraph 1 is replaced by the following:

‘1. An NCB shall include in the contractual arrangements which it concludes with a future Eurosystem NCB pursuant to Article 3(3) of Guideline ECB/2006/9 (*), specific provisions on the reporting obligations laid down in that Guideline. Furthermore, the contractual arrangements shall require the future Eurosystem NCB to report to the ECB on a monthly basis the data items specified in Sections 4 and 5 of the table in Annex I and Sections 4 and 7 of the table in Annex II. The future Eurosystem NCB shall be required to report while observing *mutatis mutandis* the booking rules specified in Part 3 of Annex I and Part 3 of Annex II, related to any euro banknotes and/or coins which it borrows from and which have been delivered to it by an NCB. Where a future Eurosystem NCB has not concluded such contractual arrangements with an NCB, the ECB shall conclude such contractual arrangements with that future Eurosystem NCB, including the reporting obligations referred to in this Article.

(*) Guideline ECB/2006/9 of the European Central Bank of 14 July 2006 on certain preparations for the euro cash changeover and on frontloading and sub-frontloading of euro banknotes and coins outside the euro area (OJ L 207, 28.7.2006, p. 39).;

7. in Article 5, paragraph 4 is replaced by the following:

'4. NCBs shall use the CIS 2 transmission mechanism to transmit data referred to in paragraph 1.');

8. in Article 6, paragraph 3 is replaced by the following:

'3. NCBs shall timely transmit to the ECB, where so requested, the system parameters specified in Annex IV and they shall also transmit to the ECB any subsequent change to the system parameters.');

9. in Article 7, paragraph 1 is replaced by the following:

'1. NCBs shall take appropriate measures to ensure the completeness and correctness of data required pursuant to this Guideline before transmitting them to the ECB. As a minimum, they shall perform:

- (a) the completeness checks, i.e. ensuring that category 1 and event-driven data items are reported according to the principles laid down in this Guideline and in Annexes V and VII;
- (b) the correctness checks set out in Annex VI.

The CIS 2 application shall reject data messages that do not contain category 1 data items as defined in Annexes I to III and Annex VII, which shall be reported for the respective reporting period.;

10. Article 8 is replaced by the following:

Article 8

Access to the CIS 2

1. On receipt of an electronic user access request via the IAM and subject to the conclusion of the separate contractual arrangements described in paragraph 2, the ECB shall grant access to the CIS 2 for the individual users from each NCB and each future Eurosystem NCB, subject to availability and capacity.

2. The responsibility for the technical user management of individual users shall be laid down in separate contractual arrangements between the ECB and an NCB for its individual users and between the ECB and a future Eurosystem NCB for the latter's individual users. The ECB may also incorporate in these contractual arrangements references to user management arrangements, security standards and licensing conditions applicable to the CIS 2.;

11. in Article 11, paragraph 2 is replaced as follows:

'2. In accordance with Article 17.3 of the Rules of Procedure of the European Central Bank, the Executive Board shall be authorised to make technical amendments to the Annexes to this Guideline and to the specifications of the CIS 2 transmission mechanism, after taking into account the views of the Banknote Committee, the Legal Committee and the Information Technology Committee.'

Article 2

Taking effect and implementation

1. This Guideline shall take effect on the day of its notification to the national central banks of the Member States whose currency is the euro.
2. The Eurosystem central banks shall comply with this Guideline from 1 July 2016.

*Article 3***Addressees**

This Guideline is addressed to all Eurosystem central banks.

Done at Frankfurt am Main, 26 May 2016.

For the Governing Council of the ECB

The President of the ECB

Mario DRAGHI
