

# Consolidated TEXT

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► **B**

► **C1** GUIDELINE OF THE EUROPEAN CENTRAL BANK

of 7 July 1998

on certain provisions regarding euro banknotes, as amended on 26 August 1999 ◀

(ECB/1999/3)

(1999/656/EC)

(OJ L 258, 5.10.1999, p. 32)

Amended by:

		Official Journal		
		No	page	date
► <b>M1</b>	Decision ECB/2001/7 of the European Central Bank of 30 August 2001	L 233	55	31.8.2001
► <b>M2</b>	Guideline of the European Central Bank of 20 March 2003 (ECB/2003/5)	L 78	20	25.3.2003

Corrected by:

► **C1** Corrigendum, OJ L 287, 14.11.2000, p. 68 (ECB/656/1999)

▼B► C1 GUIDELINE OF THE EUROPEAN CENTRAL BANK

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on certain provisions regarding euro banknotes, as amended on 26 August 1999 ◀

(ECB/1999/3)

(1999/656/EC)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

Having regard to the Treaty establishing the European Community, (hereinafter referred to as the 'Treaty') and in particular to Article 106(1) thereof,

Having regard to Articles 12.1, 14.3 and 16 of the Statute of the European System of Central Banks and of the European Central Bank (hereinafter referred to as the 'Statute'),

Having regard to ECB Decision ECB/1998/6 of 7 July 1998 on the denominations, specifications, reproduction, exchange and withdrawal of euro banknotes <sup>(1)</sup> as amended by ECB Decision of 26 August 1999 (ECB/1999/2) <sup>(2)</sup>,

- (1) Whereas the copyright on the designs of the euro banknotes was received by the European Central Bank (ECB) from the European Monetary Institute (EMI); whereas such copyright needs to be administered and enforced, *inter alia*, in all participating Member States according to the individual national legal systems, and this situation warrants entrusting such functions to the national central banks (NCBs);
- (2) Whereas, in order to enhance the protection of euro banknotes against counterfeiting, it appears advisable to establish a Counterfeit Analysis Centre (CAC), in which the resources of the NCBs of the participating Member States and of the ECB could be pooled, and which would require the establishment of certain rules within the European System of Central Banks (ESCB);
- (3) Whereas, in order to widen the acknowledgement by the general public of any decision taken by the ECB to withdraw types or series of banknotes, in addition to the official publication of that decision by the ECB in the *Official Journal of the European Communities*, it is deemed to be appropriate to make announcements in the national media and for this task to be entrusted to the NCBs;
- (4) Whereas, in accordance with Articles 12.1 and 14.3 of the Statute, ECB Guidelines form an integral part of Community law,

HAS ADOPTED THIS GUIDELINE:

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*Article 3*
**Counterfeit Analysis Centre and counterfeit currency database**

1. The Counterfeit Analysis Centre (CAC) and the counterfeit currency database (CCD) of the ESCB will be established by and run under the aegis of the ECB. The establishment of the CAC is intended to centralise the technical analysis of and data relating to the counterfeiting of euro banknotes issued by the ECB and the NCBs. All relevant technical and statistical data concerning the counterfeiting of euro banknotes shall be centrally stored in the CCD.

<sup>(1)</sup> OJ L 8, 14.1.1999, p. 36.

<sup>(2)</sup> See page 29 of this Official Journal.

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2. The location of the CAC and the CCD shall be Frankfurt am Main. The Governing Council shall appoint the head of the CAC, approve its budget and organise its staffing and resources.

3. Subject to legal constraints, the NCBs shall provide the CAC with originals of new types of counterfeit euro banknotes in their possession, for the purposes of technical investigation and central classification. The preliminary assessment of whether a specific counterfeit belongs to a classified type or to a new category shall be carried out by the NCBs.

4. All the technical data within the CCD shall be available to the ECB and to the NCBs of participating Member States. The CAC shall cooperate with the police forces of the participating Member States, with Europol and with the European Commission, as appropriate, regarding their respective areas of expertise. The individual staff members of the CAC may appear in judicial proceedings to offer technical expertise in cases of counterfeiting, if requested. Any contacts established by the CAC with individual national authorities shall be effected together with the relevant NCB.

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*Article 5***Final provisions**

This Guideline is addressed to the national central banks of participating Member States and shall have immediate effect.

This Guideline shall be published in the *Official Journal of the European Communities*.