

# GUIDELINES

## GUIDELINE OF THE EUROPEAN CENTRAL BANK

of 19 April 2013

amending Guideline ECB/2003/5 on the enforcement of measures to counter non-compliant reproductions of euro banknotes and on the exchange and withdrawal of euro banknotes

(ECB/2013/11)

(2013/212/EU)

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(1) thereof,

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular Articles 12.1, 14.3 and 16 thereof,

Having regard to Decision ECB/2013/10 of 19 April 2013 on the denominations, specifications, reproduction, exchange and withdrawal of euro banknotes <sup>(1)</sup>,

Whereas:

(1) In light of experience in applying and interpreting Guideline ECB/2003/5 of 20 March 2003 on the enforcement of measures to counter non-compliant reproductions of euro banknotes and on the exchange and withdrawal of euro banknotes <sup>(2)</sup> and for the sake of consistent reference to genuine legal tender euro banknotes, it is appropriate to use only the term 'damaged'.

(2) Therefore, Guideline ECB/2003/5 should be amended accordingly,

HAS ADOPTED THIS GUIDELINE:

### Article 1

#### Amendment

Article 4 of Guideline ECB/2003/5 is replaced by the following:

#### 'Article 4

##### Exchange of damaged euro banknotes

1. The NCBs shall duly implement Decision ECB/2013/10 <sup>(\*)</sup>.

2. When implementing Decision ECB/2013/10, and subject to any legal constraints, NCBs may destroy any damaged euro banknotes or any parts thereof, unless there are legal grounds for them to be preserved or returned to the applicant.

3. The NCBs shall appoint a single organ or body to take decisions on the exchange of damaged euro banknotes for the cases provided for in Article 3(1)(b) of Decision ECB/2013/10, and shall inform the ECB accordingly.

<sup>(\*)</sup> OJ L 118, 30.4.2013, p. 37'.

### Article 2

#### Taking effect

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.

### Article 3

#### Addressees

This Guideline is addressed to the national central banks of the Member States whose currency is the euro.

Done at Frankfurt am Main, 19 April 2013.

*The President of the ECB*

Mario DRAGHI

<sup>(1)</sup> See page 37 of this Official Journal.

<sup>(2)</sup> OJ L 78, 25.3.2003, p. 20.