

EUROPEAN CENTRAL BANK

GUIDELINE OF THE EUROPEAN CENTRAL BANK

of 16 December 2004

amending Guideline ECB/2004/13 on the Eurosystem's provision of reserve management services in euro to non-European Union central banks, countries outside the European Union and international organisations

(ECB/2004/20)

(2004/916/EC)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

HAS ADOPTED THIS GUIDELINE:

Having regard to the Statute of the European System of Central Banks and of the European Central Bank and in particular Article 12(1), Article 14(3) and Article 23 thereof,

Article 1

Guideline ECB/2004/13 is amended as follows:

Whereas:

1. The title is replaced by the following:

(1) The customers to whom Eurosystem reserve management services can be provided under Guideline ECB/2004/13⁽¹⁾ are non-European Union (non-EU) countries, non-EU central banks or monetary authorities, and international organisations.

'Guideline of the European Central Bank of 1 July 2004 on the Eurosystem's provision of reserve management services in euro to central banks and countries located outside the euro area and to international organisations (ECB/2004/13)'.

(2) In view of recent developments and after further assessment, the Governing Council considers it useful to broaden the definition of customer also to include the Member States that have not adopted the euro and their national central banks (NCBs). Guideline ECB/2004/13 should therefore be amended accordingly.

2. Article 1 is amended as follows:

(a) the first indent is replaced by the following:

(3) In accordance with Article 12(1) and Article 14(3) of the Statute, ECB guidelines form an integral part of Community law,

“all types of banking transactions” shall include the provision of Eurosystem reserve management services to central banks and countries located outside the euro area and to international organisations in connection with the management of the reserves of such central banks, countries and international organisations;”

⁽¹⁾ Guideline 2004/546/EC of the European Central Bank (OJ L 241, 13.7.2004, p. 68).

(b) the fourth indent is replaced by the following:

“customer” shall mean any country (including any public authority or government agency), any central bank or monetary authority located outside the euro area, or any international organisation to which Eurosystem reserve management services are provided by a Eurosystem member;”

(c) the last indent is deleted.

Article 2

Entry into force

This Guideline shall enter into force on 22 December 2004.

Article 3

Addressees

This Guideline is addressed to the NCBs of the Member States that have adopted the euro.

Done at Frankfurt am Main, 16 December 2004.

For the Governing Council of the ECB

The President of the ECB

Jean-Claude TRICHET
