



EUROPEAN COMMISSION

Brussels, 25.5.2011  
COM(2011) 296 final

2011/0128 (NLE)

Proposal for a

**COUNCIL REGULATION**

**amending Regulation (EC) No 975/98 of 3 May 1998 on denominations and technical specifications of euro coins intended for circulation**

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## **COUNCIL REGULATION**

### **amending Regulation (EC) No 975/98 of 3 May 1998 on denominations and technical specifications of euro coins intended for circulation**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 128(2) thereof,

Having regard to the proposal from the European Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the European Central Bank,

Whereas:

- (1) The Commission Recommendation 2009/23/EC of 19 December 2008 on common guidelines for the national sides and the issuance of euro coins intended for circulation<sup>1</sup>, endorsed by the Council conclusions of 10 February 2009, defines common principles for the designs used for the national sides of euro circulation coins and for the mutual information and approval of those designs.
- (2) As the euro coins circulate throughout the euro area, their national design features are a matter of common interest. To permit their smooth circulation and in the interest of legal certainty and transparency it is appropriate to give those rules of Recommendation 2009/23/EC that concern denominations and technical specifications of euro circulation coins, a legally binding form by integrating them into the existing Council Regulation (EC) 975/98 on denominations and technical specifications of euro coins intended for circulation<sup>2</sup>.
- (3) Euro coins have a common European side and a distinctive national side. The common European sides of the euro coins bear both the name of the single currency and the denomination of the coin. The national side should neither repeat the name of the single currency nor the denomination of the coin.
- (4) A clear indication of the name of the issuing Member State should be put on the national side of the euro coin in order to allow interested coin users to easily identify the issuing Member State.

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<sup>1</sup> OJ L 9, 14.1.2009, p. 52.

<sup>2</sup> OJ L 139, 11.5.1998, p. 6.

- (5) The designs on the national sides of the euro coins are decided by each participating Member State within the limits set by the present Regulation and taking into account the fact that euro coins circulate in the whole euro area and not only in the issuing Member State. In order to ensure that also the national side is immediately recognisable as a euro coin, the design should be fully surrounded by the 12 stars of the European flag.
- (6) In order to facilitate the recognition of euro circulation coins and ensure an appropriate continuity in the minting, the designs used for the national sides of regular euro circulation coins should in principle not be modified, except if the Head of State referred to on a coin changes.
- (7) Member States should however be allowed to issue commemorative euro circulation coins to celebrate subjects of major national or European relevance, whereas commemorative coins collectively issued by all participating Member States should be reserved for subjects of the highest European relevance. The 2-euro coin constitutes the most suitable denomination for this purpose, principally on account of the large diameter of the coin and its technical characteristics offering adequate protection against counterfeiting.
- (8) Issuing Member States should inform each other about new national sides well in advance of the planned issue date. To this effect, issuing Member States should forward their draft euro coin designs to the Commission, which will verify the compliance with this Regulation.
- (9) Regulation (EC) No 975/98 should therefore be amended accordingly.

HAS ADOPTED THIS REGULATION:

#### *Article 1*

In Regulation (EC) 975/98 the following Articles 1a–1h are inserted:

##### *Article 1a*

#### **Types of euro circulation coins**

1. Euro coins intended for circulation shall be either regular or commemorative.
2. Euro circulation coins shall have a common European side and a distinctive national side.

##### *Article 1b*

#### **Absence of the currency name and denomination on the national side**

1. The national side of euro circulation coins shall not repeat any indication of the denomination, or any parts thereof, of the coin. It shall not repeat the name of the single currency or of its subdivision, unless such indication stems from the use of a different alphabet.

2. The edge lettering of the 2-euro coin may, however, include an indication of the denomination, provided that only the figure '2' or the term 'euro' or both are used.

#### *Article 1c*

#### **Identification of the issuing Member State on the national side**

The national side of all the denominations of euro circulation coins shall bear an indication of the issuing Member State by means of the Member State's name or an abbreviation of it.

#### *Article 1d*

#### **Design of the national sides**

1. The national side of euro circulation coins shall bear 12 stars that shall fully surround the national design, including the year mark and the indication of the issuing Member State's name. The 12 stars shall be depicted as on the European flag.

2. The design shall be chosen taking into account that euro coins circulate in all participating Member States as defined in Article 1 of Regulation (EC) No 974/98<sup>3</sup>.

#### *Article 1e*

#### **Changes to the national sides of regular euro circulation coins**

1. Without prejudice to Article 1f, the designs used for the national sides of the circulation coins denominated in euro or in cent shall not be modified, except in cases where the Head of State referred to on a coin changes. Issuing Member States shall, however, be allowed to update the design of euro coins depicting the Head of State every fifteen years in order to take account of a change in the appearance of the Head of State. Issuing Member States shall update their national sides of euro coins in order to fully comply with this Regulation before the end of the transitional period laid down in Article 1h.

2. A temporary vacancy or the provisional occupation of the function of Head of State shall not give the right to change the national sides of the regular euro circulation coins.

#### *Article 1f*

#### **Commemorative euro circulation coins**

1. Commemorative euro circulation coins shall bear a different national design from that of the regular euro circulation coins and shall only commemorate subjects of major national or European relevance. Commemorative euro circulation coins collectively issued by all participating Member States shall only commemorate subjects of the highest European relevance.

2. The edge lettering on commemorative euro circulation coins shall be the same as on regular euro circulation coins.

3. Commemorative circulation coins may only have the face value of 2 euro.

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<sup>3</sup> OJ L 139, 11.5.1998, p. 1.

## Article 1g

### **Information procedure and publication of changes of the national sides**

1. Member States shall inform each other on the draft designs of new national sides of euro circulation coins, including the edge letterings, and of the volume of issuance before they formally approve these designs.
2. For the purpose of paragraph 1, new draft designs of euro coins shall be forwarded by the issuing Member State to the Commission at least six months before the planned issue date. The Commission shall verify compliance with the provisions of this Regulation without delay and at the latest within ten working days.
3. If and when the Commission considers that the provisions of this Regulation are respected, it shall provide this assessment without delay to the issuing Member State. It shall also provide the assessment to the other Member States without delay via the Economic and Financial Committee's relevant subcommittee. If a Member State considers that the design is not appropriate, taking into account that euro coins circulate in all participating Member States, it shall inform the Commission within five working days. The Commission shall subsequently take the final decision on the approval or rejection of the design without delay.
4. If and when the Commission considers that the provisions of the present Regulation are not respected, it shall inform without delay the issuing Member State, which shall submit a new design.
5. All relevant information on new national euro coin designs shall be published by the Commission in the *Official Journal of the European Union*.

## Article 1h

### **Transitional provisions**

Articles 1b, 1c and 1d as well as Article 1f(2):

- a) shall not apply to euro circulation coins which have been issued prior to the entry into force of Council Regulation (EU) No ... [*number of the present amending Regulation to be inserted when adopted*],
- b) shall, during a transitional period ending 10 years after the entry into force of Council Regulation (EU) No ... [*number of the present amending Regulation to be inserted when adopted*], not apply to the designs that are already legally in use on euro circulation coins at the time of the entry into force of that Regulation.'

## Article 2

### **Entry into force**

This Regulation shall enter into force on the twentieth day following its publication in the *Official Journal of the European Union*.

It shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.

Done at Brussels,

*For the Council  
The President*