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EUROPEAN COMMISSION

Brussels, 14.7.2010  
COM(2010)376 final

2010/0206 (APP)

Proposal for a

**COUNCIL REGULATION (EU) No .../...**

**concerning the extension of the scope of Regulation (EU) of the European Parliament  
and of the Council No xx/yy on the professional cross-border transportation of euro cash  
by road between euro-area Member States**

## **EXPLANATORY MEMORANDUM**

The purpose of the present proposal is to extend the scope of the *Proposal for a Regulation on the cross-border transportation of euro cash by road between euro-area Member States* to the territory of a Member State that is about to introduce the euro, since there will normally be an increased need for cross-border euro cash transportation in the run-up to the changeover.

The extension of the Regulation should be automatic and take effect as from the date when the Council decides to lift the derogation of a Member State from its participation in the euro.

The main proposal is based on Article 133 where voting rights in the Council are limited to Member States that have already adopted the euro. Since this proposal concerns Member States that have not yet adopted the euro, it is based on Article 352. This is appropriate since action by the Union is necessary in order to facilitate a smooth changeover to the euro.

Proposal for a

**COUNCIL REGULATION (EU) No .../...**

**concerning the extension of the scope of Regulation (EU) of the European Parliament and of the Council No xx/yy on the professional cross-border transportation of euro cash by road between euro-area Member States**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 352 thereof,

Having regard to the proposal from the European Commission<sup>1</sup>,

Having regard to the consent of the European Parliament<sup>2</sup>,

After transmission of the draft legislative act to the national Parliaments,

Acting in accordance with a special legislative procedure,

Whereas:

- (1) Regulation (EU) of the European Parliament and of the Council No xx/yy<sup>3</sup> applies to the territory of those Member States which have adopted the euro as their single currency.
- (2) There is a need for transportation of euro cash in the run-up to the euro changeover since the euro banknotes needed for the changeover are usually transported from existing euro area stocks and since euro coins are often fully or partly minted abroad.
- (3) It is therefore necessary that Regulation xx/yy applies to Member States that are preparing to adopt the euro as from the date of the decision by the Council to lift their derogation from participating in the euro.

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<sup>1</sup> OJ ..., p. ...  
<sup>2</sup> OJ ..., p. ...  
<sup>3</sup> OJ ..., p. ...

HAS ADOPTED THIS REGULATION:

*Article 1*

Council Regulation (EC) xx/yy shall apply to the territory of a Member State that has not yet adopted the euro as from the date of the decision of the Council taken in accordance with Article 140(2) of the Treaty to abrogate its derogation from participating in the euro.

*Article 2*

This Regulation shall enter into force six months after its publication in the *Official Journal of the European Union*.

It shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, [...]

*For the Council*  
*The President*  
[...]