

COMMISSION DECISION
of 12 February 2016
setting up the Euro Counterfeiting Experts Group
(2016/C 58/06)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Whereas:

- (1) Commission Decision (EU) 2015/512 ⁽¹⁾ provides that the Directorate-General for Economic and Financial Affairs ('the Directorate-General') is responsible for the tasks related to the preparation of the Commission's legislative and regulatory initiatives in order to protect the euro against counterfeiting and to provide support by means of training and technical assistance. With a view to ensuring the effective and consistent protection of the euro, the Commission needs to call upon the expertise of specialists in an advisory body.
- (2) It is therefore necessary to set up a group of experts in the field of the protection of euro notes and coins against counterfeiting and to define its tasks and its structure.
- (3) The group should assist the Commission in improving conditions for the overall protection of the euro on the basis of legislative initiatives to reinforce the prevention and combating of counterfeiting and in the application of Regulation (EU) No 331/2014 of the European Parliament and of the Council ⁽²⁾. The group should also establish close and regular cooperation with the national competent authorities, the Commission, the European Technical Scientific Centre ('ETSC') established by Council Decision 2003/861/EC ⁽³⁾, the European Central Bank ('ECB') and Europol.
- (4) The group should be composed of experts from Member States' competent authorities, the ETSC, the ECB and Europol.
- (5) Rules on the disclosure of information by members of the group should be laid down.
- (6) Personal data should be processed in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council ⁽⁴⁾.
- (7) It is appropriate to fix a period for the application of this Decision. The Commission will in due time consider the advisability of an extension,

HAS DECIDED AS FOLLOWS:

Article 1

Subject matter

The Commission's Euro Counterfeiting Experts Group ('ECEG') is hereby set up.

Article 2

Tasks of the ECEG

The tasks of the ECEG shall be:

- (a) to assist the Commission in the preparation of legislative proposals, delegated acts or policy initiatives which cover both notes and coins against counterfeiting;
- (b) to establish close and regular cooperation among the Member States' competent authorities, the Commission, the ETSC, the ECB and Europol in order to ensure the effective and consistent protection of the euro;

⁽¹⁾ Commission Decision (EU) 2015/512 of 25 March 2015 amending Decision 1999/352/EC, ECSC, Euratom establishing the European Anti-fraud Office (OJ L 81, 26.3.2015, p. 4).

⁽²⁾ Regulation (EU) No 331/2014 of the European Parliament and of the Council of 11 March 2014 establishing an exchange, assistance and training programme for the protection of the euro against counterfeiting (the 'Pericles 2020' programme) and repealing Council Decisions 2001/923/EC, 2001/924/EC, 2006/75/EC, 2006/76/EC, 2006/849/EC and 2006/850/EC (OJ L 103, 5.4.2014, p. 1).

⁽³⁾ Council Decision 2003/861/EC of 8 December 2003 concerning analysis and cooperation with regard to counterfeit euro coins (OJ L 325, 12.12.2003, p. 44).

⁽⁴⁾ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1).

- (c) to exchange information and establish good practices on preventing euro counterfeiting, on combating counterfeit notes and coins and on the impact of counterfeiting for the purposes of strategic analysis;
- (d) to provide advice and expertise to the Commission in implementing Union legislation, programmes and policies, in particular with regard to Council Regulation (EC) No 1338/2001 ⁽¹⁾;
- (e) to discuss the application of Regulation (EU) No 331/2014.

Article 3

Consultation

The Commission may consult the ECEG on matters relating to the overall protection of the euro on the basis of legislative initiatives to reinforce the prevention and combatting of counterfeiting ⁽²⁾.

Article 4

Membership and Appointment

1. The members of the ECEG shall be the Member States' competent authorities, the ETSC, the ECB and Europol.
2. The members shall inform the Commission of their appointed representatives.
3. Personal data shall be collected, processed and published in accordance with Regulation (EC) No 45/2001.

Article 5

Operation

1. The competent Commission service shall appoint the Chairperson of the group.
2. The Commission's representative may invite experts from outside the ECEG with specific competences in a subject on the agenda to participate in the work of the group on an ad hoc basis. In addition, the Commission's representative may give observer status to individuals, organisations as defined in Rule 8(3) of the horizontal rules on expert groups ⁽³⁾, and candidate countries.
3. Members of the ECEG and their representatives, as well as invited experts and observers, shall comply with the obligations of professional secrecy laid down by the Treaties and their implementing rules, as well as with the Commission's rules on security regarding the protection of EU classified information laid down in Commission Decisions (EU, Euratom) 2015/443 ⁽⁴⁾ and (EU, Euratom) 2015/444 ⁽⁵⁾. Should they fail to respect these obligations, the Commission may take all appropriate measures.
4. The meetings of the ECEG shall be held on Commission premises. The Commission shall provide secretarial services.
5. The ECEG shall adopt its rules of procedure on the basis of the standard rules of procedure for expert groups.
6. The Commission shall publish all relevant documents on the activities carried out by the ECEG, including agendas, minutes and participants' submissions, either by including them in the Register of Commission expert groups and other similar entities or via a link from this Register to a dedicated website containing these documents. The relevant documents shall not be published where the disclosure of a document would undermine the protection of a public or private interest pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council ⁽⁶⁾.

Article 6

Meeting expenses

1. Participants in the activities of the ECEG shall not be remunerated for the services they render.

⁽¹⁾ Council Regulation (EC) No 1338/2001 of 28 June 2001 laying down measures necessary for the protection of the euro against counterfeiting (OJ L 181, 4.7.2001, p. 6).

⁽²⁾ As referred to in recital 12 of Council Regulation (EC) No 1338/2001.

⁽³⁾ C(2010) 7649 final.

⁽⁴⁾ Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

⁽⁵⁾ Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53).

⁽⁶⁾ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

2. Travel and subsistence expenses incurred by participants in the activities of the group shall be reimbursed by the Commission in accordance with the provisions in force within the Commission.
3. Those expenses shall be reimbursed within the limits of the available appropriations allocated under the annual procedure for the allocation of resources.

Article 7

Applicability

This Decision shall apply as from the date of its adoption until 31 December 2025.

Done at Brussels, 12 February 2016.

For the Commission
Pierre MOSCOVICI
Member of the Commission
