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EUROPEAN COMMISSION

Brussels, 26.11.2010
COM(2010) 691 final

2010/0338 (NLE)

Proposal for a

COUNCIL REGULATION

on denominations and technical specifications of euro coins intended for circulation

(Codification)

EXPLANATORY MEMORANDUM

1. In the context of a people's Europe, the Commission attaches great importance to simplifying and clarifying the law of the Union so as to make it clearer and more accessible to the citizens, thus giving them new opportunities and the chance to make use of the specific rights it gives them.

This aim cannot be achieved so long as numerous provisions that have been amended several times, often quite substantially, remain scattered, so that they must be sought partly in the original instrument and partly in later amending ones. Considerable research work, comparing many different instruments, is thus needed to identify the current rules.

For this reason a codification of rules that have frequently been amended is also essential if the law is to be clear and transparent.

2. On 1 April 1987 the Commission decided¹ to instruct its staff that all acts should be codified after no more than ten amendments, stressing that this is a minimum requirement and that departments should endeavour to codify at even shorter intervals the texts for which they are responsible, to ensure that their provisions are clear and readily understandable.
3. The Conclusions of the Presidency of the Edinburgh European Council (December 1992) confirmed this², stressing the importance of codification as it offers certainty as to the law applicable to a given matter at a given time.

Codification must be undertaken in full compliance with the normal procedure for the adoption of acts of the Union.

Given that no changes of substance may be made to the instruments affected by codification, the European Parliament, the Council and the Commission have agreed, by an interinstitutional agreement dated 20 December 1994, that an accelerated procedure may be used for the fast-track adoption of codification instruments.

4. The purpose of this proposal is to undertake a codification of Council Regulation (EC) No 975/98 of 3 May 1998 on denominations and technical specifications of euro coins intended for circulation³. The new Regulation will supersede the various acts incorporated in it⁴; this proposal fully preserves the content of the acts being codified and hence does no more than bringing them together with only such formal amendments as are required by the codification exercise itself.
5. The codification proposal was drawn up on the basis of a preliminary consolidation, in 22 official languages, of Regulation (EC) No 975/98 and the Regulation amending it, carried out by the Publications Office of the European Union, by means of a data-processing system. Where the Articles have been given new numbers, the correlation between the old and the new numbers is shown in a table contained in Annex III to the codified Regulation.

¹ COM(87) 868 PV.

² See Annex 3 to Part A of the Conclusions.

³ Carried out pursuant to the Communication from the Commission to the European Parliament and the Council – Codification of the Acquis communautaire, COM(2001) 645 final.

⁴ See Annex II to this proposal.

Proposal for a

COUNCIL REGULATION

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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 Parliament⁵,

Having regard to the opinion of the European Central Bank⁶,

Whereas:



- (1) Council Regulation (EC) No 975/98 of 3 May 1998 on denominations and technical specifications of euro coins intended for circulation has been substantially amended⁷. In the interests of clarity and rationality the said Regulation should be codified.

- (2) According to Article 128(2) of the Treaty, Member States may issue euro coins subject to approval by the European Central Bank (ECB) of the volume of the issue. The Council on a proposal from the Commission and after consulting the European Parliament and the ECB, may adopt measures to harmonise the denominations and technical specifications of all coins intended for circulation to the extent necessary to permit their smooth circulation within the Union.
- (3) Euro banknotes range from 5 to 500 euro. The denominations of banknotes and coins need to allow for cash payments of amounts expressed in euro and cent to be made easily.

⁵ OJ C [...], [...], p. [...].

⁶ OJ C [...], [...], p. [...].

⁷ See Annex II.

- (4) The mint directors of the Union=submitted a report in November 1996 followed by a revised report in February 1997 indicating the denominations and technical specifications (diameter, thickness, weight, colour, composition and edge) of the euro coins.
- (5) The European single coinage system should induce public confidence and entail technological innovations ☒ which ensure that ☒ it is a secure, reliable and efficient system.
- (6) The acceptance of the system by the public is one of the main objectives of the coinage system of the Union. Public confidence in the system depends on the physical characteristics of the euro coins, which should be as user-friendly as possible.
- (7) Consultations with consumer associations, the European Blind Union and representatives of the vending machines industry ☒ were ☒ carried out to take into account the specific requirements of important categories of coin users. In order to ensure a smooth changeover to the euro and to facilitate acceptance of the coinage systems by users, easy distinction between coins through visual and tactile characteristics ☒ needed ☒ to be guaranteed.
- (8) The euro coins ☒ are ☒ more readily distinguishable and easier to become accustomed to ☒ because of the ☒ link between their diameter and face value.
- (9) Certain special security features are needed in order to reduce the scope for fraud for the 1 and 2 euro coins given their high value. The use of a technique whereby coins are made in three layers and the combination of two different colours in the coin are considered to be the most efficient security features available.
- (10) Giving the coins one European and one national side is an appropriate expression of the idea of European monetary union between Member States.
- (11) European Parliament and Council Directive 94/27/EC of 30 June 1994 amending for the 12th time Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations⁸ limits the use of nickel in certain products in recognition that nickel could cause allergies under certain conditions. Coins are not covered by that Directive. It seems desirable to reduce the nickel content of coins ☒ for reasons of public health ☒.

↓ 975/98

- (12) It is therefore appropriate to follow in principle the proposal of the aforesaid mint directors and to adapt it only to the extent necessary to take into account in particular the specific requirements of important categories of coin users and the need to reduce the use of nickel in coins.
- (13) Of all prescribed technical specifications for euro coins, only the value for thickness is of an indicative nature since the actual thickness of a coin depends on prescribed diameter and weight,

⁸ OJ L 188, 22.7.1994, p. 1.

HAS ADOPTED THIS REGULATION:

↓ 975/98 (adapted)

Article 1

The series of euro coins ☒ shall ☒ include eight denominations in the range from 1 cent to 2 euro ☒ which shall meet the technical specifications set out in Annex I. ☒

↓

Article 2

Regulation (EC) No 975/98 is repealed.

References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex III.

↓ 975/98 (adapted)

Article 3

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

This Regulation 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
[...]

↓ 975/98 (adapted)
 →₁ 423/1999 Art. 1 pt. 1(a)
 →₂ 423/1999 Art. 1 pt. 1(b)
 →₃ 423/1999 Art. 1 pt. 1(c)
 →₄ 423/1999 Art. 1 pt. 2

ANNEX I

⊠ Technical specifications referred to in Article 1 ⊠

Face value (euro)	Diameter in mm	Thickness in mm (¹)	Weight in gr	Shape	Colour	Composition	Edge
2	25,75	1,95	8,5	Round	External part: white Internal part: yellow	Copper-nickel (Cu75Ni25) Three-layers: nickel-brass/nickel/nickel-brass CuZn20Ni5/Ni12/CuZn20Ni5	Edge lettering Fine milled
1	23,25	2,125	7,5	Round	External part: yellow Internal part: white	Nickel-brass (CuZn20Ni5) Three-layers: Cu75Ni25/Ni7/Cu75Ni25	Interrupted milled
0,50	24,25	→ ₁ 1,88 ←	→ ₂ 7,8 ←	Round	Yellow	Nordic Gold Cu89Al5Zn5Sn1	→ ₃ shaped edge with fine scallops ←
0,20	22,25	1,63	5,7	‘Spanish flower’ shape	Yellow	Nordic Gold Cu89Al5Zn5Sn1	Plain
0,10	19,75	1,51	4,1	Round	Yellow	Nordic Gold Cu89Al5Zn5Sn1	→ ₄ shaped edge with fine scallops ←
0,05	21,25	1,36	3,9	Round	Red	Copper-covered steel	Smooth

0,02	18,75	1,36	3	Round	Red	Copper-covered steel	Smooth with a groove
0,01	16,25	1,36	2,3	Round	Red	Copper-covered steel	Smooth

(¹) The values relating to thickness are of an indicative nature.



ANNEX II

Repealed Regulation with its amendment

Council Regulation (EC) No 975/98

(OJ L 139, 11.5.1998, p. 6)

Council Regulation (EC) No 423/1999

(OJ L 52, 27.2.1999, p. 2)

ANNEX III

CORRELATION TABLE

Regulation (EC) No 975/98	This Regulation
Article 1	Article 1
-	Article 2
Article 2	Article 3
—	Annex I
—	Annex II
—	Annex III