### COMMISSION OF THE EUROPEAN COMMUNITIES



Brussels, 22.1.2004 COM(2004) 32 final

2004/0009 (CNS)

### Proposal for a

#### **COUNCIL REGULATION**

on the conversion rates between the euro and the currencies of the Member States adopting the euro

(Codified version)

(presented by the Commission)

EN EN

#### **EXPLANATORY MEMORANDUM**

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

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 Community law is to be clear and transparent.

- 2. On 1 April 1987 the Commission therefore decided<sup>1</sup> to instruct its staff that all legislative acts should be <u>codified</u> after <u>no more</u> 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 the Community rules are clear and readily understandable.
- 3. The Conclusions of the Presidency of the Edinburgh European Council (December 1992) confirmed this<sup>2</sup>, stressing the importance of <u>codification</u> 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 Community legislative procedure.

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.

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COM(1987) 868 PV.

See Annex 3 to Part A of the Conclusions.

- 4. The purpose of this proposal is to undertake a codification of Council Regulation (EC) No 2866/98 of 31 December 1998 on the conversion rates between the euro and the currencies of the Member States adopting the euro<sup>3</sup>. The new Regulation will supersede the various Regulations incorporated in it<sup>4</sup>; 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 <u>codification</u> proposal was drawn up on the basis of a <u>preliminary consolidation</u>, in all official languages, of Regulation (EC) No 2866/98 and the instrument amending it, carried out by the Office for Official Publications of the European Communities, by means of <u>a data-processing system</u>. 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 II to the codified Regulation.

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.

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<sup>&</sup>lt;sup>4</sup> Annex I of this proposal.

**4** 2866/98 (adapted)

2004/0009 (CNS)

#### Proposal for a

#### **COUNCIL REGULATION**

# on the conversion rates between the euro and the currencies of the Member States adopting the euro

#### THE COUNCIL OF THE EUROPEAN UNION.

Having regard to the Treaty establishing the European Community, and in particular Article  $\boxtimes$  123(4), third  $\boxtimes$  sentence thereof,

Having regard to the proposal from the Commission,

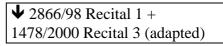
- ☑ Having regard to the opinion of the European Parliament<sup>5</sup>, ☑
- $\boxtimes$  Having regard to the opinion of the European Economic and Social Committee<sup>6</sup>,  $\boxtimes$

Having regard to the opinion of the European Central Bank<sup>7</sup>,

Whereas:



(1) Council Regulation (EC) No 2866/98 of 31 December 1998 on the conversion rates between the euro and the currencies of the Member States adopting the euro<sup>8</sup> has been substantially amended<sup>9</sup>. In the interests of clarity and rationality the said Regulation should be codified.



(2) According to Article ≥ 121(4) ≥ of the Treaty, the third stage of Economic and Monetary Union ≥ started ≥ on 1 January 1999. The Council, meeting in the

<sup>&</sup>lt;sup>5</sup> OJ C [...], [...], p. [...].

<sup>&</sup>lt;sup>6</sup> OJ C [...], [...], p. [...].

OJ C [...], [...], p. [...].

OJ C [...], [...], p. [...].

<sup>&</sup>lt;sup>8</sup> OJ L 359, 31.12.1998, p. 1. Regulation as amended by Regulation (EC) No 1478/2000 (OJ L 167, 7.7.2000, p. 1).

<sup>&</sup>lt;sup>9</sup> See Annex I.

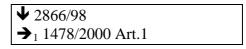
composition of Heads of State or Government, has confirmed ⊠ by Council Decision 98/317/EC of 3 May 1998 in accordance with Article 109j(4) of the Treaty<sup>10</sup> ⊠ that Belgium, Germany, Spain, France, Ireland, Italy, Luxembourg, the Netherlands, Austria, Portugal and Finland ⊠ fulfilled ⊠ the necessary conditions for the adoption of a single currency on 1 January 1999. ☒ Pursuant to Council Decision 2000/427/EC of 19 June 2000 in accordance with Article 122(2) of the Treaty on the adoption by Greece of the single currency on 1 January 2001<sup>11</sup> Greece fulfilled the necessary conditions. ☒

**◆** 2866/98 Recitals 2 and 3 (adapted)

(3) According to Council Regulation (EC) No 974/98 of 3 May 1998 on the introduction of the euro  $^{12}$ , the euro  $\boxtimes$  is  $\boxtimes$  the currency of the Member States which  $\boxtimes$  adopted  $\boxtimes$  the single currency as from 1 January 1999  $\boxtimes$  and in the case of Greece as from 1 January 2001  $\boxtimes$  . The introduction of the euro  $\boxtimes$  required  $\boxtimes$  the adoption of the conversion rates at which the euro  $\boxtimes$  was  $\boxtimes$  substituted for the national currencies and at which rates the euro  $\boxtimes$  was  $\boxtimes$  divided into national currency units. The conversion rates in Article 1 are the conversion rates referred to in the third indent of Article 1 of Regulation (EC) No 974/98,  $\boxtimes$  as calculated on 31 December 1998 and 19 June 2000 respectively  $\boxtimes$  .

**▶** 2866/98 Recital 5 (adapted)

(4) Regulation (EC) No 1103/97 stipulates that the conversion rates shall be adopted as one euro expressed in terms of each of the national currencies of the Member States adopting the euro. In order to ensure a high degree of accuracy, these rates ⋈ are ⋈ adopted with six significant figures and no inverse rates nor bilateral rates between the currencies of the Member States adopting the euro ⋈ are ⋈ defined,



#### HAS ADOPTED THIS REGULATION:

#### Article 1

The irrevocably fixed conversion rates between the euro and the currencies of the Member States adopting the euro are:

1 euro = 40,3399 Belgian francs

OJ L 167, 7.7.2000, p. 19.

OJ L 139, 11.5.1998, p. 30.

OJ L 139, 11.5.1998, p. 1. Regulation as amended by Regulation (EC) No 2596/2000 (OJ L 300, 29.11.2000, p. 2).

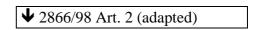
1,95583	German marks
340,750	Greek drachma 🗲
166,386	Spanish pesetas
6,55957	French francs
0,787564	Irish pounds
1936,27	Italian lire
40,3399	Luxembourg francs
2,20371	Dutch guilders
13,7603	Austrian schillings
200,482	Portuguese escudos
5,94573	Finnish marks.
	340,750 166,386 6,55957 0,787564 1936,27 40,3399 2,20371 13,7603 200,482



#### Article 2

Regulation (EC) No 2866/98 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 II.



#### Article 3

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

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

Done at Brussels, [...]

For the Council
The President

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# ANNEX I

# Repealed Regulation with its amendment

Council Regulation (EC) No 2866/98

(OJ L 359, 31.12.1998, p. 1)

Council Regulation (EC) No 1478/2000

(OJ L 167, 7.7.2000, p. 1)

# ANNEX II

### **CORRELATION TABLE**

Regulation (EC) No 2866/98	This Regulation
Article 1	Article 1
_	Article 2
Article 2	Article 3
_	Annex I
_	Annex II

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