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Committee on Economic and Monetary Affairs

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DRAFT REPORT

on the proposal for a Council regulation amending Regulation (EC) No 2183/2004 extending to the non-participating Member States the application of Regulation (EC) No 2182/2004 concerning medals and tokens similar to euro coins

(COM(2008)0514 VOL.II – C6-0335/2008 – 2008/0168(CNS))

Committee on Economic and Monetary Affairs

Rapporteur: Eoin Ryan

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission.)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. In the case of amending acts, passages in an existing provision that the Commission has left unchanged, but that Parliament wishes to amend, are highlighted in **bold**. Any deletions that Parliament wishes to make in passages of this kind are indicated thus: [...]. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). Suggested corrections of this kind are subject to the agreement of the departments concerned.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a Council Regulation amending Regulation (EC) No 2183/2004 extending to the non-participating Member States the application of Regulation (EC) No 2182/2004 concerning medals and tokens similar to euro coins

(COM(2008)0514 VOL. II – C6-0335/2008 – 2008/0168(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2008)0514 VOL. II),
 - having regard to Article 308 of the EC Treaty, pursuant to which the Council consulted Parliament (C6-0335/2008),
 - having regard to Rule 51 of its Rules of Procedure,
 - having regard to the report of the Committee on Economic and Monetary Affairs (A6-0000/2008),
1. Approves the Commission proposal;
 2. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 3. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
 4. Instructs its President to forward its position to the Council and the Commission.

EXPLANATORY STATEMENT

In general, there are two risks associated with the fraudulent use of medals and tokens mimicking the real euro coins: Firstly, citizens could believe that metallic objects have legal tender status. Secondly, medals and tokens could be used fraudulently in coin operated machines, if their size and metal properties are close to euro coins.

Regulation 2182/2004, based on Article 123(4) of the EC Treaty, aims to protect euro coins by stipulating that in the euro area Member States medals and tokens having visual characteristics, size or metal properties which are similar to euro coins should not be sold, produced, imported or distributed for the purpose of sale or for other commercial purposes. Regulation 2183/2004, based on Article 308 of the EC Treaty, extends the application of Regulation 2182/2004 to the Member States that have not (yet) introduced the euro.

Based on the experience gained during the implementation of Council regulations 2182/2004 and 2183/2004, the two proposed Council regulations update them in the following fields:

- The text is amended to clarify the protective provisions. The specific signs which should not be reproduced on medals and tokens in the way they are depicted on legal tender euro coins are described in more detail (Article 2, 1.).
- The Commission is competent to declare whether a design is similar to the one appearing on euro coins. To improve the decision making process, the Commission shall base its opinion on the entire range of the protective provisions. The criteria on the basis on which the Commission delivers an opinion on similarity are further clarified (Article 2, 2.).
- Finally, an amendment restricts the requirement to stamp 'Not legal tender' on medals and tokens that bear - with a specific authorisation granted by the Commission - the term 'euro' or 'euro cent' or the euro symbol to cases where such medals and tokens show a nominal value, as the risk of confusion with euro coins is then greater (Article 4).

Your rapporteur has analysed the text of the proposed Council regulation and has no objections. He therefore proposes to approve the text without amendments.