Decision (EU) 2020/2090 of the European Central Bank of 4 December 2020 amending Decision ECB/2013/10 on the denominations, specifications, reproduction, exchange and withdrawal of euro banknotes (ECB/2020/60)

DECISION (EU) 2020/2090 OF THE EUROPEAN CENTRAL BANK

of 4 December 2020

amending Decision ECB/2013/10 on the denominations, specifications, reproduction, exchange and withdrawal of euro banknotes (ECB/2020/60)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 128(1) thereof,

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular Article 16 thereof,

Whereas:

(1) There has been an increase in the number of reproductions of euro banknotes withdrawn from circulation which the general public might risk mistaking for genuine euro banknotes, despite the fact that some of these reproductions bear small or not easily detectable indications that they are ‘copies’, ‘not legal tender’ or should ‘be used only for movies or props’, as they have the optical appearance of euro banknotes and imitate certain banknote security features. These reproductions are mainly offered and purchased via online market places or websites. Reproductions which the general public might mistake for genuine banknotes are unlawful pursuant to Decision ECB/2013/10[(1)]. It is therefore important to enact measures to reduce and eventually stop their further dissemination. In particular, a clearer prohibition of unlawful activities increases legal certainty. At the same time, it is important to have the possibility to exempt activities regarding certain reproductions, if the Eurosystem deems that the general public cannot mistake them for genuine euro banknotes.

(2) Therefore, Decision ECB/2013/10 should be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Amendment

Article 2 of Decision ECB/2013/10 is replaced by the following:

Changes to legislation: *There are currently no known outstanding effects for the Decision (EU) 2020/2090 of the European Central Bank. (See end of Document for details)*

Article 2

Reproduction rules for euro banknotes

1 "Reproduction" shall mean any tangible or intangible image that uses all or part of a euro banknote as specified in Article 1, or parts of its individual design elements such as, inter alia, colour, dimensions and use of letters or symbols, which image may resemble or give the general impression of a genuine euro banknote, irrespective of:

a the size of the image; or

b the material(s) or technique(s) used to produce it; or

c whether or not elements of the design of the euro banknote, such as the letters or symbols, have been altered or added to.

2 Unless the ECB or an NCB agrees to an exemption as set out in paragraph 5, reproductions which do not comply with the criteria set out in paragraph 3 shall be deemed unlawful and their production, possession, transportation, dissemination, selling, promotion, import into the Union and use or attempted use for transactions prohibited.

3 Reproductions complying with the following criteria shall be deemed lawful, since there is no risk that the general public might mistake them for genuine euro banknotes:

a one-sided reproductions of a euro banknote as specified in Article 1, provided that the size of the reproduction is equal to or greater than 125 % of both the length and width, or equal to or less than 75 % of both the length and the width of the respective euro banknote as specified in Article 1; or

b two-sided reproductions of a euro banknote as specified in Article 1, provided that the size of the reproduction is equal to or greater than 200 % of both the length and width or equal to or less than 50 % of both the length and width of the respective euro banknote as specified in Article 1; or

c reproductions of individual design elements of a euro banknote as specified in Article 1, provided that such a design element is not depicted on a background resembling a banknote; or

d one-sided reproductions depicting a part of the front side or reverse side of a euro banknote, provided that such a part is smaller than one third of the original front side or reverse side of the euro banknote as specified in Article 1; or

e reproductions made of a material clearly different from paper, which looks and feels distinctly different from the material used for banknotes; or

f intangible reproductions made available electronically on websites, by wire or wireless means or by any other means that allow members of the public to access these intangible reproductions from a place and at a time individually chosen by them, provided that:

— the word SPECIMEN (sample) (or its equivalent in another official language of the European Union) is incorporated diagonally across the reproduction in Arial font or a font similar to Arial font,

— the resolution of the electronic reproduction in its 100 % size does not exceed 72 dots per inch (dpi),

— the length of the word SPECIMEN (or its equivalent in another official language of the European Union) is at least 75 % of the length of the reproduction,

— the height of the word SPECIMEN (or its equivalent in another official language of the European Union) is at least 15 % of the width of the reproduction, and