**EUROPEAN UNION**

**THE EUROPEAN PARLIAMENT** **THE COUNCIL**

**Brussels, 25 September 2024**
**(OR. en)**

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**LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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| Subject: | DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2014/62/EU as regards certain reporting requirements |

**DIRECTIVE (EU) 2024/…**
**OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**of …**

**amending Directive 2014/62/EU**
**as regards certain reporting requirements**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 83(1) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Acting in accordance with the ordinary legislative procedure[1],

[1] Position of the European Parliament of 23 April 2024 (not yet published in the Official Journal) and decision of the Council of ...

Whereas:

(1) Reporting requirements play a key role in ensuring the proper monitoring and correct enforcement of legal acts. However, it is important that such requirements be streamlined in order to ensure that they fulfil the purpose for which they were intended and to limit administrative burden.

(2) Directive 2014/62/EU of the European Parliament and of the Council[2] requires Member States to transmit statistical data to the Commission, at least every two years, on the number of offences concerning counterfeit notes and coins and on the number of persons prosecuted for and convicted of such offences.

(3) With regard to counterfeiting the euro, Council Regulation (EC) No 1338/2001[3] provides for reporting obligations with respect to the number of confiscated counterfeit notes and coins. The size and trends of the phenomenon of counterfeit notes and coins are well documented and known to the competent national authorities. For that specific area of crime, the obligation to report statistical data on criminal proceedings is therefore not essential to ensuring that the objectives of Directive 2014/62/EU are achieved and monitored.

(4) Therefore, the requirement under Directive 2014/62/EU to transmit statistical data to the Commission should be abolished, in line with the communication of the Commission of 16 March 2023 entitled 'Long-term competitiveness of the EU: looking beyond 2030'.

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[2] Directive 2014/62/EU of the European Parliament and of the Council of 15 May 2014 on the protection of the euro and other currencies against counterfeiting by criminal law, and replacing Council Framework Decision 2000/383/JHA (OJ L 151, 21.5.2014, p. 1).

[3] 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).

(5) This Directive is based on a careful assessment of the particular circumstances of Directive 2014/62/EU and limited to the crime of counterfeiting notes and coins. This Directive is without prejudice to the need to ensure appropriate levels of reporting obligations in the field of Union criminal law.

(6) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union ('TEU') and to the Treaty on the Functioning of the European Union ('TFEU'), Denmark is not taking part in the adoption of this Directive and is not bound by it or subject to its application.

(7) In accordance with Article 3 and Article 4a (1) of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the TEU and to the TFEU, Ireland has notified, by letter of 13 December 2023, its wish to take part in the adoption and application of this Directive.

(8) Directive 2014/62/EU should therefore be amended accordingly. Since the targeted amendment of that Directive solely concerns the removal of a reporting obligation, there is no specific obligation for the Member States to transpose this Directive,

HAVE ADOPTED THIS DIRECTIVE:

*Article 1*

Article 11 of Directive 2014/62/EU is deleted.

*Article 2*

This Directive is addressed to the Member States in accordance with the Treaties.

Done at …,

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| *For the European Parliament* | *For the Council* |
| *The President* | *The President* |