

# Coinage Act<sup>1</sup>

Coinage Act

Date of issue: 16 December 1999

Full citation

“Coinage Act of 16 December 1999 (Federal Law Gazette I, page 2402), as last amended by Article 10 of the Act of 22 December 2011 (Federal Law Gazette I, page 2959)”

**Status:** Last amended by Article 10 of the Act of 22 December 2011 I 2959

## Footnote

(+++ Wording as of 1 January 2002 +++)

The Act was adopted by the Bundestag as Article 2 of the Act of 16 December 1999, I 2402. It entered into force with effect from 1 January 2002 pursuant to Article 8 of this Act.

## Section 1 Minting of German euro coins

The Federal Republic shall mint coins (German euro coins) pursuant to Council Regulation (EC) No 975/98 of 3 May 1998 on denominations and technical specifications of euro coins intended for circulation (OJ EU No L 139/6), as amended.

## Section 2 Minting of collector coins

(1) The Federal Republic may mint as collector coins:

1. commemorative euro coins (German commemorative euro coins), and
2. special-issue German euro coins.

(2) Pursuant to this Act, German commemorative euro coins shall be legal tender in Germany.

(3) The Federal Ministry of Finance may stipulate a retail price for collector coins which is higher than their face value.

## Section 3 Obligation to accept and reimburse coins

(1) No party shall be obliged to accept an amount of German commemorative euro coins in excess of €200 for any single payment. If a single payment is made using both euro coins and German commemorative euro coins, no party shall be obliged to accept more than 50 coins; this shall also apply if the total amount is less than €200.

(2) Notwithstanding Article 123 (1) of the Treaty on the Functioning of the European Union and Article 8 (2) of Regulation (EU) No 1210/2010 of the European Parliament and of the Council of 15 December 2010 concerning authentication of euro coins and handling of euro coins unfit for circulation (OJ L 339/1 of 22 December 2010), the Deutsche Bundesbank shall accept any number and amount of euro coins and German commemorative euro coins as payment for the account of the Federal Government or reimburse such for other legal tender.

(3) No party shall be obliged to accept or exchange euro coins or German commemorative euro coins which have holes, have been falsified or have been altered in any way other than through normal use. The

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<sup>1</sup> This (revised) translation has been prepared by the Deutsche Bundesbank for the convenience of English-speaking readers. It is not official; the only authentic text is the German one as published in the Federal Law Gazette.

Deutsche Bundesbank shall refuse reimbursement of euro coins unfit for circulation which have been altered either deliberately or by a process that could be reasonably expected to have the effect of altering them.

#### **Section 4 Design of German euro coins**

(1) The Federal Government shall decide the design of the national side of the German euro coins, including the edge lettering of the €2 German euro coin and, in agreement with the Deutsche Bundesbank, shall apportion the amounts to be minted to the different face values.

(2) The design of the national side of the German euro coins shall be announced in the Federal Law Gazette (*Bundesgesetzblatt*).

#### **Section 5 Design of German commemorative euro coins**

The Federal Government shall decide the face values and the design and, in consultation with the Deutsche Bundesbank, the technical specifications of German commemorative euro coins; they must differ sufficiently from the euro coins. Section 4 (2) shall apply *mutatis mutandis*.

#### **Section 6 Minting of coins**

(1) German euro coins and German commemorative euro coins shall be minted by the mints in the federal states (*Länder*) which declare themselves willing to undertake this work and are commissioned to do so by the Federal Republic. The minting process shall be subject to supervision by the Federal Ministry of Finance.

(2) The Federal Ministry of Finance shall apportion the amounts to be minted to the individual mints and shall specify an appropriate standard fee to be paid to them for minting each individual type of coin.

(3) The Federal Ministry of Finance shall allocate the coin metals required for minting to the mints.

#### **Section 7 Putting coins into circulation**

(1) Notwithstanding Article 128 (2) sentence 1 of the Treaty on the Functioning of the European Union, the Bundesbank shall put German euro coins and German commemorative euro coins into circulation in accordance with requirements. To this end, it shall be obligated to accept coins minted in accordance with sections 1 and 2, with the exception of those coins specified in section 2 (3), from the Federal Republic against the crediting of their face value except where Article 123 (1) of the Treaty stipulates otherwise .

(2) Notwithstanding Article 128 (2) sentence 1 of the Treaty on the Functioning of the European Union, the Federal Government shall put collector coins into circulation in accordance with section 2 (3). It may instruct another entity to undertake this task.

#### **Section 7a Tasks defined in Articles 6 and 8 to 12 of Regulation (EU) No 1210/2010**

The Deutsche Bundesbank shall perform the tasks defined in Articles 6, 8 to 11 and 12(2) and (3) of Regulation (EU) No 1210/2010.

#### **Section 8 Withdrawal of coins**

The Deutsche Bundesbank shall accept euro coins and German commemorative euro coins which, as a result of prolonged circulation and general wear and tear, have noticeably decreased in weight or have noticeably deteriorated in visual appearance. They shall be withdrawn for the account of the Federal Republic.

#### **Section 9 Recall**

(1) The Federal Government may recall German euro coins and German commemorative euro coins. The redemption period shall be at least six months.

(2) Recall of the coins referred to in subsection (1) shall be announced in the Federal Law Gazette, the Official Gazette of the Federal Republic (*Bundesanzeiger*) and in national daily newspapers, and notified to the Commission of the European Communities.

## **Section 10 Authority to issue regulations**

The Federal Ministry of Finance shall be authorised, by way of a regulation not requiring the consent of the *Bundesrat*, to prohibit medals and tokens which risk being mistaken for German commemorative euro coins from being manufactured, sold, imported or distributed for sale or for other commercial purposes, or else may permit such subject to certain conditions.

## **Section 11 Coinage protection**

(1) It is prohibited to

1. a) forge or falsify coins which have been recalled or which are no longer legal tender, or  
b) hold stocks of such forged or falsified coins for sale, offer them for sale, put them into circulation or import them into Germany;
2. manufacture, hold for sale, offer for sale or put into circulation items which give the impression that they were formerly legal coins.

Sentence 1 shall not apply to items designed as imitations or manufactured before 1850.

(2) The prohibitions pursuant to subsection (1) also apply to foreign coins.

## **Section 12 Provisions concerning fines**

(1) An administrative offence shall be deemed to have been committed by any party which contravenes Council Regulation (EC) No 2182/2004 of 6 December 2004 concerning medals and tokens similar to euro coins (OJ EU No L 373/1) by manufacturing, selling, importing or distributing for sale or for other commercial purposes a medal or token in violation of Article 2.

(1a) An administrative offence shall be deemed to have been committed by any party which contravenes Regulation (EU) No 1210/2010 of the European Parliament and of the Council of 15 December 2010 concerning authentication of euro coins and handling of euro coins unfit for circulation (OJ L 339/1 of 22 December 2010) as a result of the fact that,

1. in contravention of Article 3 (1) sentence 1, it does not ensure that euro coins are subject to an authentication procedure,
2. in contravention of Article 3 (2), it does not submit, or does not submit in a timely manner, a euro coin specified therein to the Deutsche Bundesbank, or
3. in contravention of Article 12 (2), it does not provide the information specified therein, provides incorrect or incomplete information or does not provide the information in time.

(2) An administrative offence shall be deemed to have been committed by any party which contravenes a regulation pursuant to section 10 insofar as, for a specified offence, it refers to this provision concerning fines.

(3) An administrative offence shall be deemed to have been committed by any party which,

1. in contravention of section 11 (1) sentence 1 number 1, also in conjunction with subsection (2), forges, falsifies, holds for sale, offers for sale, puts into circulation or imports a coin specified therein, or
2. in contravention of section 11 (1) sentence 1 number 2, also in conjunction with subsection (2), manufactures, holds for sale, offers for sale, or puts into circulation an item specified therein.

(4) The attempt to commit an administrative offence pursuant to subsection (3) may be punished.

(5) An administrative offence in cases specified in subsections (1) to (3) may be punished by a fine of up to €20,000, and in all other cases by a fine of up to €5,000.

(6) The administrative authority within the meaning of section 36 (1) number 1 of the Act on Breaches of Administrative Regulations (*Gesetz über Ordnungswidrigkeiten*) shall be the Deutsche Bundesbank.

(7) If an administrative offence has been committed pursuant to subsections (1), (2) or (3),

1. items to which the administrative offence relates, and
2. items which were used to commit or prepare the offence or were intended for such purpose may be confiscated.

**Section 13 (repealed)**

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