

Pursuant to Article 44 paragraph 2 point 3 and in conjunction with Article 25 paragraph 1 of the Central Bank of Montenegro Law (OGM 40/10, 46/10), at its meeting held on 1 July 2011, the Council of the Central Bank of Montenegro passed the following

## **DECISION**

### **ON THE HANDLING OF SUSPECT EURO NOTES AND COINS AND OTHER ACTIVITIES AIMED AT PROTECTING THE EURO AGAINST COUNTERFEITING**

#### **I. BASIC PROVISIONS**

##### **Article 1**

This Decision regulates the handling of suspicious euro notes and coins and other activities aimed at protecting the euro against counterfeiting.

##### **Article 2**

Within the meaning of this Decision, counterfeiting shall mean the following activities:

- a) any fraudulent making or altering of euro notes or euro coins, whatever means are employed;
- b) the fraudulent uttering of counterfeit euro notes or counterfeit euro coins;
- c) the import, export, transport, receiving or obtaining of counterfeit euro notes or counterfeit euro coins with a view to uttering the same and with knowledge that they are counterfeit;
- d) the fraudulent making, receiving, obtaining or possession of:
  - instruments, articles, computer programs and any other means peculiarly adapted for the fraudulent making or altering of euro notes or coins, or
  - holograms or other components which serve to protect euro notes and coins against fraudulent making or alteration.

This Decision shall apply, without prejudice to the application of provisions of the national Criminal Code, to the protection of the euro against counterfeiting.

##### **Article 3**

For the purpose of this decision, the following definitions shall apply:

- 1) **‘Suspected counterfeits of euro notes and coins’** shall mean notes and coins which have the appearance of euro notes and coins and which are suspected of being fraudulently made or altered;

- 2) **Counterfeit notes** and **counterfeit coins** shall mean notes and coins denominated in euro which are identified by means of technical analysis to have been fraudulently made or altered;
- 3) **Cash handlers** are banks and financial institutions and other providers of services of payment and payout of euro notes and coins, authorised bureaux de change and any other entities engaged in the sorting and distribution to the public of euro notes and coins as a professional activity, including cash transporters of euro notes and coins and other entities whose secondary activity consists of the sorting and distribution to the public of euro notes and coins via cash dispensers (traders, casinos and the like), as well as the Central Bank of Montenegro (hereinafter: the Central Bank) performing payment system transactions.
- 4) **Client** shall mean a resident and/or non-resident who hands over to a cash handler euro notes and coins suspected of being counterfeits;
- 5) **Technical and statistical data** shall mean data by means of which counterfeit notes or counterfeit coins may be identified (technical description of type of counterfeit) and data on the number of counterfeit notes and counterfeit coins by their origin, in particular geographical;
- 6) **National Centres** shall mean the National Counterfeit Centre (NCC), the National Analysis Centre (NAC) and the Coin National Analysis Centre (CNAC). The National Centres shall be established within the Central Bank and they shall develop and implement activities aimed at preventing and detecting counterfeit euro notes and coins at the national level and take activities in cooperation with competent authorities and bodies in the country and abroad to prevent counterfeiting and detect counterfeits.

Financial institution within the meaning of paragraph 1 point 3 above shall mean a micro-credit financial institution, a credit union or entity involved in credit-guarantee business for which it was licensed by the Central Bank.

## **II. HANDLING OF SUSPECT EURO NOTES AND COINS BY CASH HANDLERS**

### **Article 4**

Cash handlers shall check the authenticity of euro notes and coins both when receiving these from clients and putting them back into circulation.

Cash handlers shall check the authenticity of euro notes and coins in the manner and in accordance with the procedures prescribed in a decision regulating the authenticity and fitness checking and recirculation of euro notes and coins.

### **Article 5**

Cash handlers shall, without any delay, temporarily seize and withdraw from circulation all euro notes and coins received by them which they know or have sufficient reason to believe to be counterfeit.

Cash handlers shall issue a receipt for all temporarily seized euro notes and coins in the form enclosed in Annex 1 to this decision and making an integral part hereof.

### **Article 6**

Cash handler shall submit temporarily seized euro notes and coins to the National Counterfeit Centre together with the request for technical analysis of the euro notes and coins to determine the authenticity thereof. The request shall be submitted in the form enclosed in Annex 2 to this decision and making an integral part hereof.

### **Article 7**

Should the technical analysis prove that the euro notes and coins are not counterfeits, the National Counterfeit Centre shall return the temporarily seized euro notes and coins to the cash handler.

The cash handler shall, at the earliest possible time, inform the client about the results of the technical analysis and invite him to take over the temporarily seized euro notes and coins.

## **III. NATIONAL CENTRES**

### **Article 8**

The National Counterfeit Centre shall:

- collect technical and statistical information about counterfeit euro notes and coins, sort the counterfeits, establish the counterfeit monitoring system, and allow access to the data on counterfeits in accordance with this decision and other regulations;
- establish all technical and statistical information relating to counterfeit euro notes and coins within the counterfeit monitoring system, including a detailed content of the database on seized and detected counterfeits with their detailed images, functions necessary to administer the system, the network and communications, as well as security features;
- prepare and communicate information on new counterfeit euro notes and coins that are subject of cooperation with competent authorities in the country and abroad;
- prepare agreements with the competent authorities in the country and abroad on cooperation in the areas of prevention and detection of counterfeits and on cooperation with manufacturers of devices for verifying the authenticity of notes;

- organise and carry out the training of employees of cash handlers and all other interested parties handling euro notes and coins in order to prevent and detect counterfeits.

### **Article 9**

The National Analysis Centre shall:

- perform technical analysis of suspected counterfeit euro notes and prepare reports thereof;
- prepare reports on detected counterfeit euro notes;
- store samples of detected counterfeit euro notes.

### **Article 10**

The Coin National Analysis Centre shall:

- perform technical analysis of suspected counterfeit euro coins and prepare reports thereof;
- prepare reports on detected counterfeit euro coins;
- store samples of detected counterfeit euro coins.

## **IV. HANDLING OF SUSPECT COUNTERFEIT EURO NOTES AND COINS BY THE NATIONAL CENTRES**

### **Article 11**

The National Counterfeit Centre shall accept temporarily seized euro notes and coins, for which there is reason to believe to be counterfeit, from cash handlers and the public authority in charge of police affairs, as well as from other persons.

The National Counterfeit Centre shall send on to technical analysis received euro notes and euro coins under paragraph 1 above to the National Analysis Centre and the Coin National Analysis Centre, respectively.

The National Analysis Centre and the Coin National Analysis Centre shall prepare respective reports on technical analysis of temporarily seized euro notes and coins using the forms enclosed in Annex 3 and Annex 4 to this decision and making integral parts hereof and they shall submit these reports to the National Counterfeit Centre which shall forward them to the cash handler or another person that has submitted the suspect counterfeit euro notes and coins.

Counterfeit euro notes shall be kept in the National Analysis Centre and the counterfeit euro coins shall be kept in the Coin National Analysis Centre.

### **Article 12**

Counterfeit euro notes and coins shall be ranked as per the quality of their making and/or similarity to the genuine euro notes and coins as follows:

- 1) poor quality counterfeit,
- 2) medium quality counterfeit,
- 3) good quality counterfeit,
- 4) very good quality counterfeits,
- 5) finest quality counterfeit.

#### **Article 13**

The National Counterfeit Centre shall deliver the samples of counterfeit euro notes and coins at a written request of the public authority in charge of police affairs, courts or the prosecutor's office.

The National Counterfeit Centre may deliver the samples of counterfeit euro notes and coins to the European Central Bank and the European Technical and Scientific Centre for the purpose of their classification and verification.

#### **Article 14**

At a written request of a cash handler, the National Counterfeit Centre may give for temporary use the samples of counterfeit euro notes and coins for the purpose of control and adjustment of devices for authenticity checking of euro notes and coins.

#### **Article 15**

The Central Bank shall detain counterfeit euro notes and coins without compensation.

#### **Article 16**

The National Counterfeit Centre may organise training for authenticity checking of euro notes and coins for employees of cash handlers.

### **V. COOPERATION AND ASSISTANCE**

#### **Article 17**

With a view to ensuring efficient protection of euro notes and coins against counterfeiting, the National Counterfeit Centre shall cooperate with cash handlers and the competent national authorities.

In particular, the National Counterfeit Centre and the public authority in charge of police affairs, in the performance of their respective tasks, shall cooperate in:

- exchanging information on preventing counterfeiting and combating the uttering of counterfeit notes and counterfeit coins;
- providing regular information on the impact of counterfeiting for the purposes of strategic analysis;
- ensuring mutual assistance in preventing counterfeiting and combating the uttering of counterfeit notes and counterfeit coins, which shall include, inter alia, scientific support and training with the logistical support .

The National Counterfeit Centre is obliged to make available information of the emergence and features of counterfeit euro notes and coins to the public authority in charge of police affairs.

### **Article 18**

The National Counterfeit Centre may establish cooperation with foreign authorities and bodies in charge of preventing counterfeiting and detecting counterfeits, in particular with the European Central Bank (ECB), the ECB's Counterfeit Analysis Centre (CAC), the European Commission – European Anti-Fraud Office (OLAF), the European Technical and Scientific Centre (ETSC) and national counterpart centres in other countries.

## **VI. GOVERNING PROVISIONS**

### **Article 19**

Provisions of this Decision shall apply accordingly to the handling of suspicious samples of notes and coins other than euro.

## **VII. TRANSITIONAL AND FINAL PROVISIONS**

### **Article 20**

The National Centres shall start exercising the competences provided by this Decision no later than within one year following its entry into force during which period all necessary activities shall be taken to ensure the functioning of the National Centres at the national level.

Until the initiation of exercising the competences of the National Centres, tasks and activities under this Decision as regards suspect counterfeits of euro notes and coins shall be performed by the Central Bank – the Vault.

### **Article 21**

This Decision shall enter into force on the eighth day following that of its publication in the Official Gazette of Montenegro.

**COUNCIL OF THE CENTRAL BANK OF MONTENEGRO**

Decision no. 0101-4014/16-4-2010  
Podgorica, 1 July 2011

**CHAIRMAN  
GOVERNOR,**

**Radoje Žugić**

<hr/> <p>(Name of cash handler or another person)</p>
---

**RECEIPT  
FOR TEMPORARILY SEIZED MONEY**

This is to confirm that the suspected counterfeit money was temporarily seized from (name and surname, personal ID number or passport number and citizenship, address and contact details- telephone number)

---

---

Temporarily seized money suspected of being counterfeit:

<b>BANKNOTES</b>			
<b>Curre ncy</b>	<b>Denom ination</b>	<b>Serial number</b>	<b>No of pieces</b>

<b>COINS</b>			
<b>Curre ncy</b>	<b>Denomin ation</b>	<b>Year of minting</b>	<b>No of pieces</b>

The money seized will be surrendered to the Central Bank of Montenegro - National Counterfeit Centre for technical analysis and authenticity verification. We will inform you of results once we receive the report of the technical analysis.

Place and date: \_\_\_\_\_  
(of temporary seizure of money)

Receipt received by:  
  
\_\_\_\_\_  
(signature)

Place for stamp

Receipt issued by:  
  
\_\_\_\_\_



\_\_\_\_\_  
 (Name of cash handler or another person)

Registry No: \_\_\_\_\_

Place and date: \_\_\_\_\_

**R E Q U E S T  
 FOR TECHNICAL ANALYSIS OF MONEY  
 TO DETERMINE ITS AUTHENTICITY**

BANKNOTES				COINS			
Curren cy	Denomi nation	Serial number	No of pieces	Curren cy	Denomi nation	Year of minting	No of pieces

Date and place of detecting suspect counterfeit money	Date:
	Place:
Details on circumstances of detecting suspect counterfeit money:	
Information on the person suspected of uttering the counterfeit money and/or the person requesting its authentication	Name and surname:
	Address:
	Contact telephone:
	Personal ID number or passport number and citizenship
Data on the cash handler paying in suspected counterfeit money:	Name, head office and organisational unit:  Contact telephone:

Place for stamp

\_\_\_\_\_  
 (signature of authorised person)

**CENTRAL BANK OF MONTENEGRO**  
**National Analysis Centre /**  
**Coin National Analysis Centre <sup>1</sup>**

Podgorica, \_\_\_\_\_ year  
No. \_\_\_\_\_

**REPORT ON TECHNICAL ANALYSIS OF DELIVERED MONEY SUSPECTED  
OF BEING COUNTERFEIT**

Based on the request \_\_\_\_\_  
No. \_\_\_\_\_ as of \_\_\_\_\_, technical analysis was performed:

It was determined that the money concerned is **COUNTERFEIT** of known – new type of  
1) poor quality, 2) medium quality, 3) good quality, 4) very good quality, 5) finest quality

**DESCRIPTION OF COUNTERFEIT MONEY**

Counterfeit money of this type was registered:

- a) with the European Central Bank, where it is recorded as the type:  
indicative:
- b) with the Central bank of Montenegro, where it is recorded as the type:  
indicative:

The place, date and circumstances of detecting suspected counterfeit money, according to information in the request:

Place for stamp

\_\_\_\_\_  
(signature of authorised person)

<sup>1</sup> The National Analysis Centre prepares a report on technical analysis of euro notes and the Coin National Analysis Centre prepares a report on technical analysis of euro coins.

**CENTRAL BANK OF MONTENEGRO**  
**National Analysis Centre /**  
**Coin National Analysis Centre<sup>2</sup>**

Podgorica, \_\_\_\_\_ year  
No. \_\_\_\_\_

**REPORT ON TECHNICAL ANALYSIS OF DELIVERED MONEY SUSPECTED  
OF BEING COUNTERFEIT**

Based on the request \_\_\_\_\_  
No. \_\_\_\_\_ of \_\_\_\_\_, technical analysis was performed:

It was determined that the money concerned is **GENUINE**.

NOTE

Place for stamp

\_\_\_\_\_  
(signature of authorised person)

<sup>2</sup> The National Analysis Centre prepares a report on technical analysis of euro notes and the Coin National Analysis Centre prepares a report on technical analysis of euro coins.