

Full wording of

Decree of the National Bank of Slovakia No. 607/2008 Coll. of 16 December 2008 on some details of cash currency circulation and on amendments to certain decrees, as amended by Decree No. 11/2011 of the National Bank of Slovakia

Pursuant to Article 17b(5), Article 17e(5), and Article 17f (10) of the Act of the National Council of the Slovak Republic No. 566/1992 Coll. on the National Bank of Slovakia, as amended (hereinafter the “Act”), the National Bank of Slovakia stipulates as follows:

Section I

Article 1

Definition of basic terms

For the purposes of this Decree

- a) genuine euro banknotes and genuine euro coins are the euro banknotes and the euro coins whose design, technical parameters, basic security features, and other elements correspond to the design, technical parameters, basic security features, and other elements published by the National Bank of Slovakia in accordance with Article 17h(1) of the Act;
- b) fit euro banknotes and fit euro coins are the genuine euro banknotes and the genuine euro coins fit for use in circulation;
- c) unfit euro banknotes are the genuine euro banknotes that are unfit for use in circulation as being worn out by circulation or damaged; to assess unfitness of the euro banknotes, special rules for handling euro banknotes applicable in the euro area¹ and this Decree shall be followed;
- d) unfit euro coins are the genuine euro coins that are unfit for circulation, or that are unfit for use in circulation as being worn out by circulation or damaged, and whose parameters, such as size, weight, colour, have been significantly altered as a result of corrosion, damage to the edges following a long period of circulation, or as a result of accidental or deliberate alteration of the euro coin²;
- e) complete euro banknotes and complete euro coins are the genuine euro banknotes and the genuine euro coins that have all necessary parts; the complete euro banknotes shall be taken to include also the euro banknotes which have all necessary parts and which are composed of more parts, if there are no doubts that the individual parts belong together, e.g. according to the serial number or the shape in the place where torn;

¹⁾ For example, Decision of the European Central Bank No. ECB/2003/4 (2003/205/EC) of 20 March 2003 on denominations, specifications, reproduction, exchange and withdrawal of euro banknotes (OJ Special Edition Chapter 10 Volume 03), Council Regulation (EC) No. 1338/2001 of 28 June 2001 laying down measures necessary for the protection of the euro against counterfeiting (OJ Special Edition Chapter 19 Volume 04), Guideline of the European Central Bank No. ECB/2003/5 (2003/205/EC) of 20 March 2003 on the enforcement of measures to counter non-compliant reproductions of euro banknotes and on the exchange and withdrawal of euro banknotes (OJ Special Edition Chapter 1 Volume 04).

²⁾ For example, Council Regulation (EC) No. 2182/2004 of 6 December 2004 concerning medals and tokens similar to euro coins (OJ L 373 of 21 December 2004), Commission Recommendation No. 2005/504/EC of 27 May 2005 concerning authentication of euro coins and handling of euro coins unfit for circulation (OJ L 184 of 15 July 2005).

- f) incomplete euro banknotes and incomplete euro coins are the genuine euro banknotes and the genuine euro coins that are not complete under subparagraph e);
- g) ATM is a customer-operated self-service machine that dispenses euro banknotes irrespective of other services provided, for example electronic transfers, printing of account statements, except for cash recycling or cash handling machines;
- h) bank is a bank, other credit institution, branch of a foreign bank, branch of other foreign credit institution, foreign bank, and other foreign financial institution that pursues banking activities in the territory of the Slovak Republic.

Article 2

Handling euro banknotes and euro coins

(1) The euro banknotes and the euro coins handled in accordance with Article 17f of the Act by entities listed in Article 17f(1) of the Act are classified according to their denominations and genuineness as

- a) genuine euro banknotes and genuine euro coins that are further classified according to their quality as
 - 1. fit euro banknotes and fit euro coins;
 - 2. unfit euro banknotes and unfit euro coins;
- b) counterfeit banknotes and counterfeit coins, or altered banknotes and altered coins, and banknotes and coins suspected of being counterfeit, altered or produced illegally.

(2) The euro banknotes and the euro coins are packed in compliance with Article 17f of the Act according to their number and individual denominations as follows:

- a) euro banknotes of the same denomination are placed smoothed in packets of 100 banknotes which are banded; ten full packets of euro banknotes of the same denomination represent a bundle of euro banknotes;
- b) euro coins of the same denomination are placed in bags or rolls, and the bags or rolls with euro coins are then packed in coin bags containing the quantity specified in Annex No. 1, or in coin bags in bulk, in quantities determined for the quantity of euro coins in the euro bag or in quantities as agreed by persons listed in Article 17 f(1) of the Act.

(3) Bands used for banding the euro banknote packets, and the bags, rolls or coin bags with euro coins shall always indicate the quantity of banknotes and coins contained therein, their denomination and total amount, business name and place of the competent organization unit of the handling entity listed in Article 17f(1) of the Act; in delivering and receiving the euro banknotes and the euro coins, there shall be a list specifying the quantity and the sums of the individual denominations of the euro banknotes and the euro coins, and the total amount of the packaged euro banknotes and euro coins.

(4) The unfit euro banknotes and the unfit euro coins shall be delivered in accordance with Article 17f of the Act in packets or bundles of such euro banknotes, and in bags, rolls or coin bags of such euro coins, marked with the text “Unfit cash”, with the large bold letter “N”, or with the text “UNFIT”.

Article 3

Seizure of counterfeit banknotes and coins

(1) A certificate of the seizure of counterfeit banknotes and counterfeit coins, or altered banknotes and altered coins in any currency, and banknotes and coins suspected of being counterfeit, altered or produced illegally (hereinafter the “Counterfeit Banknotes and Coins”) shall be issued by the National Bank of Slovakia, bank, other legal entity and individual – entrepreneur (hereinafter the “Entitled Party”) in accordance with Article 17e(3) of the Act to the one who presented them (hereinafter the “Presenter”), with such certificate containing

- a) details of the presenter, namely:
 1. if an individual
 - 1a. first name, last name, and date of birth; country of nationality in the case of foreign nationals;
 - 1b. address of permanent or temporary residence³; address of temporary, permanent, or tolerated residence⁴ in the case of foreign nationals; if the presenter is not a permanent, temporary or tolerated resident of the Slovak Republic, or when there is a reasonable cause to believe that his/her stay in the territory of the Slovak Republic will terminate earlier than the suspicion of forgery or fraudulent alteration of banknotes or coins is confirmed or ruled out, the address of the presenter’s permanent residence abroad shall be stated;
 2. if a legal entity
 - 2a. business name and identification number;
 - 2b. registered office, or registered office abroad, if the presenter does not reside in the territory of the Slovak Republic, or when there is a reasonable cause to believe that the registered office of the presenter will be relocated abroad, or that the presenter will terminate his/her activity earlier than the suspicion of forgery or fraudulent alteration of banknotes or coins is confirmed or ruled out;
 3. if a representative of the presenter, details specified in the first and second subparagraphs;
- b) type and number of document based on which the presenter was identified;
- c) denomination of the counterfeit banknote and coin, currency, type, series, serial number, year of issue, count, and total amount; specification of the national side in the case of a euro coin;
- d) details of the entitled party, namely:
 1. if an individual–entrepreneur
 - 1a. first name, last name, and identification number, if any;
 - 1b. address of permanent residence, and address of the place of business;
 2. if a legal entity
 - 2a. business name and identification number, if any;
 - 2b. registered office and address of the organization unit of the entitled party that seized the counterfeit banknotes and coins;
- e) date and place of seizure of the counterfeit banknotes and coins, stamp, and signature of the entitled party;
- f) signature of the presenter.

(2) Upon request of the presenter, the certificate of the seizure of counterfeit banknotes and coins shall contain details of a bank in the territory of the Slovak Republic where the corresponding value of the seized banknotes and coins may be credited, if proved to be genuine. Upon request of the presenter who has no permanent, temporary or tolerated residence, or registered office, in the territory of the Slovak Republic, or who assumes that his/her stay will be terminated earlier than the

³) Act No. 253/1998 Coll. on residence notification of citizens of the Slovak Republic and on the register of residents of the Slovak Republic, as amended.

⁴) Act No. 48/2002 Coll. on stay of aliens, and on amendments to certain laws, as amended.

suspicion of forgery or fraudulent alteration of banknotes and coins is confirmed or ruled out, the certificate may also specify the first name, last name, and address of the individual, or the business name and registered office of the legal entity authorized by him/her in the territory of the Slovak Republic to receive such banknotes or coins, or their corresponding value, or the bank details of the entity thus authorized. The sample certificate is attached hereto as the Annex No. 2.

(3) The presence of the presenter under Article 17e(3) of the Act shall be certified upon the placement of the seized counterfeit banknotes and coins in the packet with signature across the seal of the packet; the responsible employee of the entitled entity shall also sign the packet across the seal.

(4) If the presenter refuses to specify any of the required details in breach of Article 17e(3) of the Act, this fact shall be stated on the certificate. If the presenter refuses to certify his/her presence during the placement of the seized counterfeit banknotes and coins in the packet under Article 17e(3) of the Act, this fact shall be stated across the seal of the packet.

(5) The counterfeit banknotes and coins seized under Article 17e of the Act shall be kept with the National Bank of Slovakia under separate regulation.⁵

(6) When producing a certificate of seizure of other banknotes and coins, for which no replacement is provided, paragraphs 1 to 4 shall be followed.

Article 4

Replacement of impaired, incomplete or otherwise damaged euro banknotes and euro coins

(1) Impaired and otherwise damaged euro banknotes, if complete or missing just a fractional part, shall be replaced by the National Bank of Slovakia and banks under Article 17b(3) of the Act in accordance with rules applicable in the euro area.⁶ Fractional part shall mean a part, which shortens the length or width of euro banknotes by 10 millimetres at the most, while the difference is always measured against the determined length or width of the euro banknote.

(2) Incomplete banknotes are replaced under Article 17b(3) of the Act only by the National Bank of Slovakia in accordance with rules applicable in the euro area⁶, unless otherwise provided by paragraph 1.

(3) The National Bank of Slovakia and the banks replace the impaired and otherwise damaged, complete euro coins to the presenter under Article 17b(3) of the Act in the amount corresponding to the denomination of the euro coins, provided their genuineness and denomination is not challenged.

(4) Subject to Article 17b(2) and (3) of the Act, incomplete euro coins and intentionally damaged euro coins, for example euro coins with a drilled hole, are not redeemed. When presented, such euro coins are seized by the National Bank of Slovakia and by the banks without any compensation and in compliance with the applicable provisions of Article 3.

⁵) Act No. 395/2002 Coll. on archives and registries, and on amendments to certain laws, as amended.

⁶) For example, Article 3 of the Decision of the European Central Bank No. ECB/2003/4 (2003/205/EC) of 20 March 2003 on denominations, specifications, reproduction, exchange and withdrawal of euro banknotes (OJ Special Edition Chapter 10 Volume 03).

Article 10

Elements of the application for permission to handle banknotes and coins

- (1) The application for permission of the National Bank of Slovakia to handle banknotes and coins for other persons under Article 17f(3) of the Act (hereinafter the “Application”) shall contain
- a) business name, registered office, identification number, and business line of the applicant;
 - b) legal form of the applicant;
 - c) first name, last name, and address of permanent residence of the person or persons who are statutory representatives of the applicant;
 - d) application date;
 - e) stamp and signature of the member or members of the statutory body authorized to act on behalf of the applicant.
- (2) In addition to information listed in paragraph 1, the application shall contain
- a) specification of persons for whom the banknotes and coins will be processed, or for whom the applicant plans and intends to process the banknotes and coins;
 - b) specification of the permission duration.
- (3) The following documents supporting the fulfilment of the conditions of Article 17f (3) of the Act shall be attached to the application:
- a) a copy of a record in the Companies Register certifying the incorporation of the legal entity, issued not earlier than one month ago;
 - b) a document certifying the amount of the paid-up contribution to the share capital of the applicant, or a document certifying the amount of the insurance benefit under the third party liability insurance of the applicant;
 - c) a list of other activities carried out by the applicant in the form of an affirmation certifying that such other activities are pursued only to support the performance of the bank activities in the area of cash currency circulation;
 - d) a document certifying professional competence of the applicant’s managers;
 - e) a statement of criminal records of the individual who is the statutory representative of the applicant, or of the individuals who are members of the statutory body of the applicant, and of the applicant’s staff, issued not earlier than three months ago; in the case of foreign nationals, a similar certificate of no criminal records, issued not earlier than three months ago by the competent authority of the country in which the foreign national usually resides;
 - f) Organization Rules of the applicant;
 - g) the internal regulation governing the procedure to be followed in handling, safekeeping, and transporting banknotes and coins, including security regulations;
 - h) an authenticated translation of the documents listed in sub-paragraphs a) to g), if their originals are executed in a foreign language.

Article 11

The conditions of the material and technical arrangements, equipment, and competence of the cash handler under Article 17f(3)(e) and (f) of the Act shall be deemed to be fulfilled if the following is ensured

- a) suitable premises for banknote and coin handling, which are
 1. secured mechanically and physically as well as by electronic security system;
 2. monitored by a CCTV 24 hours a day; CCTV records shall be stored for a minimum of one month;¹¹⁾
- b) strong room, which
 1. is suitable for safekeeping of banknotes and coins;

2. meets the certification requirements¹²⁾ according to the total amount of the banknotes and coins kept therein;
- c) banknote and coin handling machines, which
 1. meet the certification requirements; ¹²⁾
 2. are technically capable to process banknotes and coins by providing for an automatic sorting of banknotes and coins by their authenticity, quantity, and denominations, and in the case of banknotes also by their quality;
 3. meet the requirements valid in the euro area. ¹³⁾

Section V

This Decree shall become effective as at 1 January 2009, except for Section I, Articles 5 to 9a, and Article 11(c) of the third sub-paragraph, which shall become effective as at 1 January 2010.

Decree No. 11/2011 Coll. of the National Bank of Slovakia became effective on 15 January 2011.

11) Article 122 of the Civil Code.

12) Act No. 264/1999 Coll. on technical requirements for products and on conformity assessment, and on amendments to certain laws, as amended.

13) For example, Decision of the European Central Bank of 16 September 2003 on the authenticity and fitness checking and recirculation of euro banknotes (ECB/2010/14), (OJ L 267, 9.10.2010), 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, 22.12.2010).

EURO COIN PACKAGES

Denomination	Number of euro coins in bag or roll	Number of bags or rolls in coin bag	Number of euro coins in coin bag
1 euro cent	50	10	500
2 euro cents	50	10	500
5 euro cents	50	10	500
10 euro cents	40	10	400
or	50	8	400
20 eurocents	40	10	400
or	50	8	400
50 eurocents	40	10	400
or	50	8	400
1 euro	25	10	250
or	50	5	250
2 euros	25	10	250
or	50	5	250

SAMPLE

I. Details of entitled entity

First name and last name of the individual /
business name of the legal entity

Identification number, if any

Address of permanent residence and place of business of the individual / registered office and address of the
organization unit of the legal entity

C E R T I F I C A T E

**a) of the seizure of banknotes and coins suspected of being counterfeit,
altered or produced illegally***

b) of the seizure of banknotes and coins for which no compensation is provided*

Count	Denomination	Currency	Type, series of banknotes (year of issue)	Serial number (national side of the euro coin)	Total amount

II. Details of presenter

First name and last name of the individual / business name and identification number of the legal entity

Date of birth of the individual

Country of nationality, if a foreign national

Address of the individual's residence in the territory of the Slovak Republic / registered office of the legal entity

Address of the individual's permanent residence abroad / registered office of the legal entity abroad

First name, last name and address / business name and registered office of the person authorized by the presenter in the
Slovak Republic to receive banknotes and coins, if genuine

Details of bank in the Slovak Republic

Type and number of document

Signature of the presenter

Place and date of seizure

Stamp and signature of the authorized entity

* Cross out if not applicable