



General Secretariat

Bank of Finland

Instruction

17 November 2023
BOF/FIN-FSA-UNRESTRICTED

Public

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Use of banknote and coin designs

1 Copyright of euro banknotes

The copyright on the design of euro banknotes belongs to the European Central Bank (ECB). The ECB and national central banks acting on its behalf may invoke copyright in the context of reproductions of banknote designs produced or distributed in violation of copyright; such copyright infringements include, for example, reproductions of banknote designs that may adversely affect the standing of euro banknotes.

ECB Decision (ECB/2013/10) lays down detailed provisions for the reproduction of euro banknote designs, which must be strictly observed:

Decision of the European Central Bank of 19 April 2013 on the denominations, specifications, reproduction, exchange and withdrawal of euro banknotes (recast) (ECB/2013/10), consolidated text: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02013D0010-20210104>

2 Copyright of euro coins

Under the Coins Act (216/1998), the Finnish State has the exclusive right to mint coins in Finland for its own account in accordance with EU legislation.

The following EU Regulation provides for the issuance of euro coins (coins denominated in euros and cents) of Member States that have joined the euro:

Regulation (EU) No 651/2012 of the European Parliament and of the Council of 4 July 2012 on the issuance of euro coins: <https://eur-lex.europa.eu/eli/reg/2012/651/oj?locale=en>

3 Protecting euro banknotes and coins from counterfeiting and copyright infringement

Confidence in legal tender is maintained by provisions of the Criminal Code on various means of payment offences, in particular counterfeiting. Chapter 37, sections 1–7 of the Criminal Code (39/1889) lays down provisions on counterfeiting, preparation of counterfeiting, use and possession of counterfeit money, and circulation of imitation money.

Counterfeiting euro banknotes and coins is punishable by a fine or imprisonment of four months to 10 years (chapter 37, section 1–3 of the Criminal Code). The use of counterfeit currency or the distribution of imitation money is punishable by a fine or imprisonment of up to one year (chapter 37, sections 5 and 7 of the Criminal Code).



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Counterfeiting is also covered by Council Regulation (EC) No 1338/2001 (Article 1.2) laying down measures necessary for the protection of the euro against counterfeiting:

Council Regulation (EC) No 1338/2001 of 28 June 2001 laying down measures necessary for the protection of the euro against counterfeiting, consolidated text: <https://eur-lex.europa.eu/eli/reg/2001/1338/2009-01-23?locale=en>

Counterfeiting and circulation of imitation money are offences subject to public prosecution. The Bank of Finland acts as the injured party in offences concerning currency.

Copyright offences, on the other hand, are provided for in chapter 49, section 1 of the Criminal Code and copyright violations in chapter 7, section 56a of the Copyright Act. A copyright offence is punishable by a fine or imprisonment of up to two years. A copyright violation is punishable by a fine.

The definition of non-compliant reproduction of banknotes is given in Article 1 of ECB Guideline ECB/2003/5. This Guideline also provides for measures to be taken by the Bank of Finland and the ECB against non-compliant reproductions of banknotes.

Guideline of the European Central Bank 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 (ECB/2003/5), consolidated text: <https://eur-lex.europa.eu/eli/guideline/2003/206/2020-12-15?locale=en>

If the perpetrator's conduct meets, for example, the statutory definitions of both counterfeiting and a copyright offence, the question arises as to whether both statutory definitions applicable to the case shall apply or whether the wrong done is covered by the application of the statutory definition of counterfeiting. In each case, the body applying the law assesses the concurrence of offences on the basis of an overall assessment and taking into account the facts of the case.

4 Copyright of markka currency

Banknotes denominated in markka issued by the Bank of Finland ("markka banknotes") ceased to be legal tender on 1 March 2002. However, copyright related to markka banknote designs continues to be in force if fewer than 70 years have passed since the death of the author of the design. According to section 43 of the Copyright Act, copyright remains in force until 70 years have passed since the death of the author or, in the case of a collective work, the last deceased author.



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The use of photographs of markka banknotes for commercial purposes is prohibited without the permission of the copyright holder. The designs of markka banknotes may not be altered. The presenter and user of the images is liable for any damages resulting from the presentation of markka banknotes.

The use of markka banknotes, for example as news material and in scientific publications, is subject to Finnish law, including the Copyright Act.

Although markka banknotes are no longer legal tender, their non-compliant reproduction may be deemed to be a forgery offence under chapter 33 of the Criminal Code and the use of a counterfeit banknote to be fraud under chapter 36 of the Criminal Code.

The initiation of any legal proceedings is made at the discretion of the injured parties and the authorities. The Bank of Finland does not assume liability for any use of images presenting markka banknotes or any direct or indirect damages potentially resulting from their use.

It should be mentioned that the design of the 20 markka banknote is based on a photograph of Väinö Linna taken by Studio KuvaSiskot, and that, for example, the use of the design on the 100 markka banknote is monitored by the legal successors of Jean Sibelius.

5 Contact information

For questions concerning banknotes, please contact the Bank of Finland.

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For questions concerning coins, please contact the Ministry of Finance.

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