

EU Court Opinion: Cash must be accepted as legal tender for transactions

Press Release – 29 September 2020

Since the birth of the single European currency, the principle that euro banknotes and coins are legal tender has been enshrined in the EU Treaty. Unfortunately, during the Coronavirus pandemic, fake news about a link between cash and the covid-19 virus has scared many retailers. In the wake of a case brought against a German broadcaster, **Advocate General Giovanni Pitruzzella of the Court of Justice of the European Union (CJEU) has now stated that people must be allowed to make payments in cash for goods and services**, unless expressly stated otherwise in a contract agreed to by both parties. Member States can impose restrictions only when these are justified by overriding public interest.

The Advocate General in today's Opinion underlined: **“the concept of legal tender as regards banknotes and coins must be understood as entailing an obligation in principle for the creditor of a payment obligation to accept banknotes and coins.”**

The Advocate General pointed to the importance of cash in consumer payments across Europe: **“in numerical terms, cash accounts for some 79% of Europeans' daily payments and around 54% of their value in the European Union.”** He also underlined the key role that cash plays in social inclusion, pointing to the millions of Europeans who are not holders of a banking account: **“For these vulnerable individuals, cash is the only form of accessible money and thus the only means of exercising their fundamental rights linked to the use of money.”**

This opinion will feed into the decision ultimately made by the CJEU – but the importance highlighted here of ensuring that all Europeans are able to pay cash is clear. Cash is an important factor not only in social inclusion, but also **personal freedom and privacy**, and is the only means of payment that is itself a public good. **Cash belongs to all of us.**

The International Currency Association (ICA), which represents the global currency sector, welcomes this Opinion. ICA Director General Jutta Buyse underlined: “Cash belongs to all Europeans – and all Europeans should be able to use it in their day-to-day transactions. We are extremely happy that the CJEU's Advocate General has reiterated that euro banknotes and coins are legal tender and should be accepted everywhere.”

We will follow this case with interest and will continue to contribute to the debate on the importance of cash – as we did when we offered our support for, and cooperation with, the United Nations “Verified” initiative fighting fake news around Covid-19 ([link](#)).

You can find the full Opinion of Advocate General Pitruzzella on joined cases C-422/19 and C-423/19 here:

<http://curia.europa.eu/juris/document/document.jsf?docid=231781&mode=req&pageIndex=1&dir=&occ=first&part=1&text=&doclang=EN&cid=4750199>

Contact

Evan O'Connell – evan.oconnell@currencyassociation.org +33 6 17 57 21 26 / +1 914 272 5803

About the International Currency Association

The International Currency Association exists to create a coherent voice for the currency industry – covering design, production, manufacturing and distribution. We are the first industry body of its kind with a membership made up of businesses that span the sector.

<https://currencyassociation.org/>