

# JHA Council Adopts General Approach on New Law Combating Non-Cash Payment Fraud



## News

**Thomas Wahl**

At its meeting on 9 March 2018, the Justice Ministers of the EU Member States endorsed a [general approach](#) on new legislation regarding the fight against fraud and counterfeiting of non-cash means of payment. The [proposal for a directive](#) was tabled by the Commission on 13 September 2017 (see [eucrim 3/2017](#), p. 109).

The directive would replace an older framework decision of 2001. The aim of the reform is to update the legislation and keep pace with new technologies fraudsters use. Therefore, the directive would encompass not only traditional non-cash means of payment, such as bank cards or cheques, but also new forms of making payment that have appeared over recent years, e.g., electronic wallets, mobile payments, virtual currencies, etc.

In addition, the directive intends to eliminate operational obstacles that hamper investigation and prosecution. It also foresees the obligation to take preventive measures to enhance public awareness of fraudulent techniques, such as phishing or skimming.

The general approach reached in the Council now opens the door for negotiations with the European Parliament, which co-legislates on the new law. It is expected that the EP will submit its position in June 2018. LIBE is the responsible EP committee for the legislative dossier.

### AUTHOR

**Thomas Wahl**

Senior Researcher  
Max Planck Institute for the  
Study of Crime, Security and  
Law

---

ISSN: 1862-6947

<https://eucrim.eu>

---



---

## About eucrim

eucrim is the leading journal which regularly informs about current developments in European criminal and “criministrative” law.

All news items are freely accessible at: <https://eucrim.eu/news/>

Stay informed by emailing to [eucrim-subscribe@csl.mpg.de](mailto:eucrim-subscribe@csl.mpg.de) to receive alerts for new releases of issues.

The project is co-financed by the Union Anti-Fraud Programme (UAFF), managed by the European Anti-Fraud Office (OLAF).



**Co-funded by  
the European Union**