Technical Article

Will retailers and service providers continue to abandon cash under the planned EU Cash Regulation?

Hansjörg Stützle and Hakon von Holst

Published by:
Hansjörg Stützle
Krummes Land 11
D-88690 Uhldingen-Mühlhofen
Tel: +49 (0)7556/920215
info@wertvollleben.net

Date of publication: 4 November 2025

Hansjörg Stützle and Hakon von Holst are the initiators of the petition to preserve cash as a means of payment in Europe. Information about the initiative can be found at www.Bargelderhalt.eu.

Content

1 Introduction

We are losing our freedom of choice to pay with cash whenever we like: Cafés, restaurants, hotels, swimming pools, local transport companies, and even bakeries are starting to refuse cash. This trend is noticeable not only in Germany but also in the Netherlands, where according to the latest figures the rate of cash refusal among pharmacies has soared up to 21 per cent.[1]

The consequences are clear: If people cannot pay with cash, they stop withdrawing cash from their bank accounts. This leads banks to reduce their ATM networks, depriving shopkeepers more and more of the option of depositing their cash takings into their bank accounts. Retailers are therefore beginning to phase out cash in their own businesses for security reasons. If this continues, the only state-issued analogue currency will have no chance of survival.

Officially, cash and the planned digital euro are intended to serve side by side as the physical and electronic form of our common European currency. Given this, it is wholly unacceptable that the state should give preference to a new, untried means of payment over cash, which is to date the only proven means of payment that complies with EU constitutional law. Cash is under severe pressure and could suffer irreparable damage as a payment system if it continues to be displaced by the digital euro. This can only be prevented by resolutely protecting cash.

As far as it concerns the rules for acceptance, the draft Cash Regulation proposed by the European Commission puts cash at a disadvantage to the digital euro. This will be discussed below.

1 See survey by the Dutch central bank: https://www.dnb.nl/algemeen-nieuws/nieuws-2025/iets-minder-winkels-accepteren-cash/.

2 The analysis

2.1 No clearly defined obligation to accept cash

Article 4(2) of the draft Cash Regulation proposed by the European Commission states:

> "In accordance with the mandatory acceptance of cash, the payee shall not refuse euro banknotes and/or coins tendered in payment to comply with that obligation."[2]

However, Article 5(1)(b) provides for an exception to the obligation to accept cash:

> "... where, prior to the payment, the payee has agreed with the payer on a different means of payment."

The principle of mandatory acceptance of cash already applies today.[3] This means that cash must be accepted unless otherwise agreed in advance between the customer and the seller. If, for example, a café visitor or a motorist at a petrol station only finds out at the point of payment that only cash cards are accepted, they undoubtedly have a right to pay in cash.

However, it is widely held among lawyers that putting up a “no cash” sign on the door suffices to circumvent the acceptance obligation on the strength of freedom of contract. Customers who nonetheless enter the shop can be deemed to have consented, as they could have gone to another bakery or supermarket five kilometres away. Or, in the words of Bundesbank Executive Board member Burkhard Balz in a report by public broadcaster MDR:

> "'So what right do retailers have to refuse cash?' In reply to this question, Burkhard Balz, lawyer and member of the Executive Board of the Deutsche Bundesbank here in Frankfurt am Main said, "We have the fundamental legal principle of freedom of contract. This allows payment terms to be negotiated. The buyer is of course free to refuse a contract and choose not to buy something."[4]

Article 5 of the draft Cash Regulation proposed by the European Commission thus provides for an exception which numerous businesses in Germany and other countries are already utilising today. But was it really the European Commission's intention to give companies the freedom to refuse cash with a sign on the door? Or did the Commission deliberately keep the wording vague so as to leave its interpretation to the courts? After all,

2 Regulation text COM(2023) 364 final at https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52023PC0364.

3 See Article 128 TFEU as interpreted by the ECJ in 2021, Case C-423/19.

4 See statement by Bundesbank Executive Board member Burkhard Balz from minute 6:20 in: MDR, Umschau, 5 November 2024.

there has been disagreement on this issue among EU countries for many years, with some emphasising freedom of contract and others mandating the acceptance of cash.

2.1.1 What was the European Commission's intention? An analysis of the Cash Regulation

2.1.1.1 Definitions

In the definitions (Article 3), the European Commission states:

> "'Ex ante unilateral exclusions of cash' means a situation when a retailer or service provider unilaterally excludes cash as a payment method for example by introducing a ‚no cash' sign. In this case, the payer and payee do not freely agree to a means of payment for a purchase."

The European Commission therefore determines that the term "ex ante unilateral exclusions of cash" refers to a situation in which the buyer and seller do not freely agree on a means of payment other than cash. This is the case when the seller unilaterally declares the exclusion of cash with a sign on the shop door.

Does this mean that putting up a „no cash" sign on the door to indicate refusal does not fall under the exceptions to the obligation to accept cash listed in Article 5? In Article 5, however, the European Commission neither uses the term "ex ante unilateral exclusions of cash" nor does it emphasise that the agreement must be reached "freely", "without coercion" or "with the express consent of the buyer". Whether or not the seller and the buyer have a mutual interest in cashless payment appears not to be decisive at this point.

2.1.1.2 Scope

On the Cash Regulation's scope, Article 2 states:

> "To ensure the effectiveness of the legal tender of cash, this Regulation applies also to ex ante unilateral exclusion of payments in cash and to the access to cash."

The Regulation therefore expressly also applies in cases where cash is refused by means of a sign on the door. However, the scope of a regulation does not tell us anything about its content. It is only the content, i.e. the specific provisions, that allows us to infer which measures and regulations apply when a shopkeeper refuses cash with a sign on the door.

2.1.1.3 Recitals

Guidance as to when measures and regulations against the rejection of cash via the „no cash" sign are to apply is provided in the draft Regulation‘s recitals.

> "If a Member State concludes that ex ante unilateral exclusions of cash undermine the mandatory acceptance of payments in euro banknotes and coins in all or part of its territory, that Member State should take effective and

> proportionate measures to remedy the situation, such as a prohibition or restrictions on ex ante unilateral exclusions of cash in all or parts of its territory, for example in rural areas, or in certain sectors which are deemed essential such as post offices, supermarkets, pharmacies or healthcare, or for certain types of payments which are deemed essential."[5]

In summary: After the EU Cash Regulation has come into force, ex ante unilateral exclusions of cash with a sign on the shop door will only be prohibited by EU Member States such as Germany if an analysis shows that this option is being used by so many companies that the principle of obligatory acceptance is being undermined. If it is found that something needs to be prohibited or restricted after the Regulation comes into force ("prohibition or restrictions"), then it cannot have been prohibited before. Apparently, the EU Commission wants to allow freedom of contract, as cited by Bundesbank Executive Board member Burkhard Balz, for as long as possible.

The list of possible countermeasures in the recitals also calls for close attention. The European Commission is not considering a total ban on “no cash” signs on shop doors in eurozone countries in the event that this practice becomes widespread. Instead, it suggests that it would be satisfied if the problem were merely curbed by making it compulsory for retailers of essential goods (supermarkets, pharmacies) to accept cash. This would be similar to the Swedish model. The majority of businesses in Sweden refuse cash, albeit at varying rates by sector.[6] To counteract this, the government is now planning to make acceptance compulsory for pharmacies and food retailers.[7]

Thus, as per the draft Regulation, the practice of refusing of cash with a sign on the door is initially only to be monitored in the eurozone countries. The last mention of "ex ante unilateral exclusions of payments in cash", a term explained in the definitions, is in Article 7, which stipulates that EU governments must monitor "the extent" of this phenomenon and take countermeasures if necessary. The explanatory memorandum to the regulation also clearly states that no countermeasures are to be taken if the analysis shows that the principle of mandatory acceptance is not undermined by "widespread cash non-acceptance":

> "Member States would not be required to adopt implementing measures if their assessment shows that the principle of mandatory acceptance of cash is not undermined by widespread cash non-acceptance levels through the unilateral and ex ante exclusion of cash by enterprises (...)."

---

5 See recital 6.

6 See https://www.riksbank.se/en-gb/payments--cash/payments-in-sweden/payments-report-2025/trends-on-the-payments-market/many-small-retail-businesses-have-stopped-accepting-cash-/cash-acceptance-differs-widely-between-sectors/.

7 See https://www.regeringen.se/contentassets/e0e985e1e90047b9965f110cc03595eb/kontantutredningen.pdf.

2.1.1.4 Comparison with the Digital Euro Regulation

On comparing the Cash Regulation with the Digital Euro Regulation, which were both published at the same time, we find a significant difference. Article 9 of the Digital Euro Regulation echoes the Cash Regulation in that it also allows for the refusal of the digital euro, but only on the explicit condition that "the payee has agreed with the payer on a different means of payment, subject to Article 10". Article 10 then states:

> "Payees subject to the obligation to accept the digital euro shall not use contractual terms that have not been individually negotiated or commercial practices which have the object or the effect to exclude the use of the digital euro by the payers of monetary debts denominated in euro. (...). A contractual term shall be regarded as not individually negotiated where it has been drafted in advance and where the payer has therefore not been able to influence the substance of the term (...)."

A sign of refusal on the shop door is clearly a commercial practice that prevents a customer from using a specific means of payment. Furthermore, it is by its very nature an exclusion that was not individually negotiated, but one that was determined in advance with the aim of permanently rejecting the means of payment in question. This practice is prohibited in the Digital Euro Regulation, whereas the Cash Regulation lacks a clarification to this effect. Since both regulations were published simultaneously in a legislative package, this is unlikely to be an oversight. And since it is clear from the wording of the draft Cash Regulation that the risk of cash being refused with a sign on the door was known, it is equally clear that the EU Commission did not want to prohibit this form of cash refusal outright.

2.1.1.5 Lack of exemptions for vending machine sales

The draft Cash Regulation does not apply to distance selling (see Article 2), but operators of unmanned points of sale, including cashless parking ticket machines, are not expressly exempt from its provisions. Most EU member states that mandate the acceptance of cash provide for an exception in this case.[8] Installing and maintaining cash machines entails costs. It can therefore be assumed that the EU Commission's lawyers wanted to allow the unilateral exclusion of cash, if clearly signposted, in order to accommodate the interests of operators of automated points of sale.

8 These include, for example, Belgium (https://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&cn=2013022819&table_name=loi#Art.VI.7/5), Norway (https://www.stortinget.no/no/Saker-og-publikasjoner/Vedtak/Beslutninger/Lovvedtak/2023-2024/vedtak-202324-066/) and Denmark (https://www.elov.dk/lov-om-betalinger/). See also the technical paper "Cash acceptance regulations in Europe", www.Bargelderhalt.info/doc-regulations-europe.

2.1.1.6 Awareness of the need for clarification

Conclusions about the intentions of the European Commission can also be drawn from the history of the Cash Regulation. Ever since the introduction of the single currency there has been an ongoing dispute over the interpretation of the term of "legal tender" and the scope of the obligation to accept cash. In this context, representatives of the national central banks and finance ministries met with staff from the European Commission and the European Central Bank (ECB) on a monthly basis during 2009. While Germany, the Netherlands, Finland and Ireland insisted in internal discussions that there was no obligation to accept cash for ordinary sales at the checkout, the majority of countries, including the European Commission and the ECB, took the view that retailers could not refuse cash payments as a rule.[9]

While some eurozone countries now clearly prohibit the refusal of cash at checkouts, the governments of a number of countries, including Germany, the Netherlands and Finland, take the standpoint that excluding cash with a sign on the door is legitimate. Europe thus presents itself as a regulatory patchwork when it comes to cash acceptance. We refer to our overview paper on this subject.[10] Besides this, over the past 15 years, the European Commission and EU countries have made considerable efforts to promote digital payments in the retail sector, in other words, to reduce cash payments.[11] Their motives in doing so ranged from saving banks the costs of maintaining the cash infrastructure[12] to curbing tax fraud and combatting crime.

Viewed against this backdrop, it appears doubtful whether universal cash acceptance across all sectors is desired at all today at the highest leadership levels. Given the differing views on freedom of contract at the checkout, the European Commission must have been aware of the need to clarify in the Cash Regulation that Article 5 does not justify the exclusion of cash with a sign and, more importantly, the need to instruct EU member states to ban this practice not only when it becomes excessive by some unknown standard, but rather immediately at its first reporting. However, this is precisely what the European Commission avoids in the draft Regulation, suggesting that it sought to avoid controversy

---

9 Report of the Euro Legal Tender Expert Group (ELTEG) on the definition, scope and effects of legal tender of euro banknotes and coins. Page 6. https://ec.europa.eu/economy_finance/articles/euro/documents/elteg_en.pdf.

10 See "Cash acceptance regulations in Europe", www.Bargelderhalt.info/doc-regulations-europe.

11 To give an example: The explanatory memorandum to the 2015 EU Interchange Fee Regulation states: „Card-based payment transactions instead of payments in cash could therefore be beneficial for merchants and consumers …“ Or also: „To protect the consumer and the consumer's ability to use the payment cards as often as possible …“ See Regulation 2015/751, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32015R0751.

12 In 2014, for example, the EU Commission stated in connection with the reduction of cash card fees: „Experience shows that reducing excessive inter-bank fees to merchants encourages card acceptance by merchants and can lead to an increase in card transactions and higher income for banks. It also leads to fewer cash transactions, which impose significant costs on banks …“ See Memo 14/138, https://ec.europa.eu/commission/presscorner/detail/en/memo_14_138.

by subjecting the level of non-acceptance to monitoring rather than imposing a mandatory obligation to accept cash.

2.1.1.7 Political indecision

Under Article 133 of the Treaty on the Functioning of the European Union, the European Union has a mandate to take the measures necessary for the use of the euro as the single currency. It was on this basis that the introduction of a digital euro was proposed in 2023. However, the European Commission had already long been in default of its mandate to introduce a regulation to protect the acceptance and availability of the euro cash, which is the only embodiment of the single currency under EU constitutional law. This was clearly not a political priority, even as the decline of the branch and ATM network and the increasingly widespread rejection of cash were already clearly evident, especially in the northern countries.

It was not until September 2020 that the Commission published its "Retail payments strategy", where it emphasised the importance of cash. This communication included an announcement that, if necessary, a decision would be taken at the end of 2021 to take measures to protect the acceptance and availability of cash.[13] Following the declaration of the strategy, the Commission reconvened the Cash Working Group of central banks and finance ministries. In its final report in 2022, the group advised:

> "In parallel with a possible legislative initiative explicitly granting legal tender to the digital euro, ELTEG considers that the Commission should also consider regulating the legal tender status of euro cash. It would seem incoherent in policy terms to define in EU legislation the legal tender for the digital euro, while a parallel definition is not provided for euro cash. Any such definition of legal tender status, at any rate for banknotes, must respect the definition given by the CJEU ..."[14]

In other words, the Cash Working Group argued that for reasons of legal certainty, the European Commission should lay down rules not only for the acceptance of the digital euro, but also for cash, in accordance with a 2021 ruling by the European Court of Justice in which the status of cash as legal tender was discussed for the first time by the highest court.[15] This can be understood as an indication that, in spelling out the principle of the obligation to accept cash (Article 4) along with the exceptions to it (Article 5) in the Cash Regulation, the Commission did not intend to enact new rules for the protection of cash but rather to reiterate the legal situation (which remains unclear and open to interpretation as far as freedom of contract at the checkout is concerned, even after the court ruling). The only novelty introduced by the Commission in the draft Cash Regulation was the

13 See Chapter III Measure 7 in COM(2020) 592 final, https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=CELEX:52020DC0592.

14 See „Final report of the Euro Legal Tender Expert Group (ELTEG) of 6 July 2022“, page 10.

15 See Case C-423/19.

obligation on EU national governments to monitor the acceptance and availability of cash (in Articles 7 and 8) and to take effective countermeasures against excessive levels of cash refusal in order to at least slow down the decline of cash.

The draft Cash Regulation was finally presented on 28 June 2023 together with the draft Digital Euro Regulation in what was dubbed the “digital euro package”. It remains unclear whether the EU Commission would have introduced a draft law to protect cash (so soon) if it had not been for the digital euro. This is also suggested by a statement made by Dr Heike Wörlen of the Deutsche Bundesbank. Referring to the digital euro package in a lecture in October 2025, she remarked:

> "The initial aim was to create a legal framework for the digital euro. Because if it were to be introduced at some point, it would of course need a legal basis. And then, in this context, people thought: 'Okay, then perhaps we could also regulate cash as legal tender in greater detail', all the more as, so far, the term 'legal tender' has not been regulated much."[16]

2.1.2 What do renowned experts and institutions say?

2.1.2.1 European Central Bank

In October 2023, the European Central Bank commented on the European Commission's draft cash regulation. It was not satisfied with the proposed legislation:

> "A new provision should be included in the proposed regulation to clearly indicate that ex ante unilateral exclusions of cash are prohibited."[17]

2.1.2.2 Former Bundesbank Vice-President Prof. Zeitler

In an article for Wirtschaftswoche magazine in February 2025, lawyer and former Vice-President of the Deutsche Bundesbank Prof. Franz-Christoph Zeitler criticised that the acceptance provisions in the Cash Regulation were "soft". This is because it would still be possible to exclude cash by placing a sign on the shop door:

> "As shops and restaurants are increasingly excluding the use of cash in their general terms and conditions or with 'no cash' signs, it is the task of the European legislator to safeguard the function of euro cash as legal tender, as provided for in Article 128 of the European Treaties (TFEU), by means of additional provisions. According to public statements, this is to be achieved through the cash regulation planned by the EU Commission (...). Unfortunately, this does not solve the problem.

16 Dr Heike Wörlen: Our cash: Why we should love it. Frankfurt am Main, 14 October 2025. From minute 40 at https://www.youtube.com/live/U1mFfQv8CQ8?si=BeF-x7uTe2suTyVn&t=2405.

17 See European Central Bank: Opinion on a proposal for a regulation on the legal tender of euro banknotes and coins. CON/2023/31, https://www.ecb.europa.eu/pub/pdf/legal/ecb.leg_con_2023_31.en.pdf.

> Firstly, although the European Commission's draft regulation of June 2023 appears comprehensive, it is 'soft' with regard to the crucial point of a customer's right to use cash in commercial transactions. According to Article 5 of the draft, the exclusion of cash, for example in general terms and conditions or with 'no cash' signs, would still be possible. The applicability of the draft regulation to public institutions also needs to be clarified (...)."[18]

2.1.2.3 Federal Ministry of Social Affairs and Consumer Protection in Austria

Johannes Rauch, Federal Minister for Social Affairs, Health, Care and Consumer Protection of the Republic of Austria, responded to a parliamentary question as follows:

> "The aim of the Cash Regulation is to maintain euro cash as legal tender equivalent to the digital euro (...). While Article 10 of the draft regulation on the introduction of the digital euro prohibits the unilateral exclusion of payments in digital euros, Article 5(1)(b) of the draft cash regulation also allows exclusions in general terms and conditions or by means of simple notices in business premises. This would mean that the status of cash as legal tender would not have an equal level of protection as that of the digital euro, at least with regard to the relationship between the payer and the payee."[19]

2.1.2.4 Consumer associations

The Federation of German Consumer Organisations (VZBV) calls for a clear obligation to accept cash at the checkout and indirectly criticises the unequal treatment of cash in this respect compared to the digital euro:

> "The unilateral rejection of cash must be ruled out and sanctioned by authorities in the member states. There must be no unequal treatment between the digital euro and cash. The VZBV demands: Based on Article 10 of the proposed regulation on the digital euro, 'unilateral exclusion' should be explicitly ruled out for the sake of clarity."[20]

2.1.2.5 Members of the European Parliament's Committee on Economic and Monetary Affairs

The European Parliament's Committee on Economic and Monetary Affairs, which includes numerous economists, attempted to treat the cash regulation as a priority. A total of 178 amendments were submitted in January 2024. Members of various political groups, including Paul Tang, Jonás Fernández, Aurore Lalucq and Evelyn Regner from the Social

---

18 Franz-Christoph Zeitler: "Securing cash – now!", 24 February 2025, https://www.boersen-zeitung.de/konjunktur-politik/das-bargeld-absichern-jetzt.

19 Federal Ministry of Social Affairs, 15719/AB dated 20 November 2023 to 16263/J (XXVII. GP), reference number: 2023-0.706.503, https://www.parlament.gv.at/dokument/XXVII/AB/15719/imfname_1594449.pdf.

20 Federal Association of Consumer Organisations: "Making cash future-proof", 11 August 2023, https://www.vzbv.de/sites/default/files/2023-08/230810_Stellungnahme_Bargeld_Legislativvorschlag_BMF_final.pdf.

Democratic S&D parliamentary group, called for a clear ban on unilateral exclusion of cash with a sign on the door. In amendment 89, they proposed an additional Article 5a:

> "Prohibition of ex ante unilateral exclusions of cash: Payees subject to the obligation to accept euro banknotes and coins shall not use contractual terms that have not been individually negotiated or commercial practices (e.g. 'no cash' signs) that have the object or the effect of excluding the use of euro banknotes and coins by payers of monetary debts denominated in euro. (...)."[21]

Henrike Hahn from the Green Party also supported this proposal.[22] Stefan Berger from the EPP parliamentary group led the discussions on the Cash Regulation in the Monetary Affairs Committee. The CDU politician submitted two amendments that would prevent the unilateral exclusion of cash.[23]

2.1.3 No guarantee of effective measures against widespread rejection of cash

Article 12 of the Cash Regulation requires eurozone countries to introduce a system of sanctions to ensure compliance with EU law. As our analysis has shown, it can be assumed that in countries such as Germany, the legal opinion will be that excluding cash by means of a sign on the door will remain legal under the new regulation. In practice, payees would then only face penalties if they were to refuse cash without prior notice, i.e. without informing customers in advance. This is currently the case in Estonia, for example. We refer to our overview research on acceptance regulations across Europe.[24]

If, contrary to all expectations, a court were to interpret the EU regulation as prohibiting the exclusion of cash with a sign on the door, it would at least be conceivable for consumer centres to issue warnings to cashless retailers. However, in order to effectively protect consumer rights, the law must provide for a deterrent penalty. In addition, a central complaints office should be set up. This authority would be responsible for receiving complaints about insufficient cash supplies to the population and businesses, as well as reports of cash being refused. In both cases, it would be obliged to take immediate action to ensure the usability of the euro in its physical form as cash.

If the Cash Regulation were to come into force unchanged, all hope would rest with the EU Commission. In accordance with Articles 7 and 9, it, and not the elected representatives of the people (!), would then lay down criteria in a subsequent legal act, on the basis of which EU governments would have to monitor and subsequently assess whether the principle of mandatory acceptance is being undermined "by widespread cash non-

21 European Parliament/ECON Committee: "Amendments 26 – 178" to 2023/0208(COD), 29 January 2024, https://www.europarl.europa.eu/doceo/document/ECON-AM-758713_EN.pdf .

22 See amendment number 90.

23 See amendments number 6 and 10 in: „Draft Report on the proposal for a regulation of the European Parliament and of the Council on the legal tender of euro banknotes and coins", 11 January 2024, https://www.europarl.europa.eu/doceo/document/ECON-PR-758001_EN.pdf.

24 See "Cash acceptance regulations in Europe", www.Bargelderhalt.info/doc-regulations-europe.

acceptance levels". In the process, it remains completely unclear how far the economy can go with the abolition of cash before the line is crossed.

It remains to be seen whether the EU Commission will even define such a boundary in a subsequent legal act. In any case, if a Member State were to conclude "that the level of acceptance of payments in cash in their territory or parts thereof undermines mandatory acceptance of euro banknotes and coins", it would have to take remedial measures in accordance with Article 7(3). In summary, the Cash Regulation would mean that citizens would be buying a pig in a poke. No one knows how the European Commission will deal with the following questions:

- How will the Commission address the principle of proportionality which it emphasises when fewer and fewer people are paying with cash? Will it advocate for at least 90 per cent acceptance of cash in retail as long as 40 per cent of purchases are paid for in cash? Will 50 per cent acceptance be enough if cash is only used for 15 per cent of purchases?
- In which sectors will EU governments have to monitor cash acceptance in accordance with the Commission's criteria? Will this also apply to local and long-distance transport, vending machines, the hotel industry, catering, the events sector and the leisure industry? What about local government offices? As discussed, paragraph 6 of the recitals gives rise to concerns that the Commission may ultimately be satisfied if cash acceptance is only ensured in food retail and pharmacies.
- What circumstances will cash payers have to tolerate in practice and how will the Commission assess this? What if local authorities send cash payers to the last open city treasury in a district four kilometres away and only install card payment terminals in the offices? What if cash payers have to purchase a prepaid card in order to be able to pay at all retailers in a shopping street? Is it sufficient for a local transport company to sell tickets for cash only at the main station and at individual underground stations? What if discounters and DIY stores rely on cashless self-service checkouts and cash payers first have to ring for an employee? Such practices would dangerously reduce the use of cash. As a result, it could be considered disproportionate for the state to ensure universal acceptance of cash.
- What criteria will the EU Commission apply to vending machine sales? Cashless just-walk-out shops (self-service shops without checkout staff) are just coming into vogue. Ticket and parking ticket machines, as well as petrol station machines, provide access to essential goods and services. Here, we believe that cash must be accepted. In general, only small businesses should be exempt from the requirement to accept cash at vending machines.

- What happens if companies discourage the use of cash by offering discounts on other payment methods? Such discounts act as a fee for cash payments. In a study, the Deutsche Bundesbank found that more than half of those surveyed would pay electronically instead of in cash if they were granted a discount of 50 cents (1 per cent) on a bill of 50 euros.[25] Cashback schemes offered by banks to reward the use of cash cards should also be prohibited.

2.2 Clear obligation to accept the digital euro

Almost all businesses would be clearly obliged to accept the digital euro. This is regulated by Articles 7 to 9 of the Digital Euro Regulation. The only exception is for small businesses with fewer than ten employees and an annual turnover of no more than two million euros – provided that no other electronic means of payment are accepted. However, given consumer preferences and the dwindling number of cash machines, few businesses can afford to refuse card payments.[26]

In Germany, the federal states are pushing to oblige the last remaining businesses that only accept cash to accept digital means of payment.[27] These are usually small businesses. It is therefore unlikely that the digital obligation will only apply to larger companies. It is therefore to be expected that almost all businesses in Germany will ultimately have to accept the digital euro. In other EU countries such as Belgium[28] and Italy[29], there is already an obligation to accept electronic means of payment.

In Article 10 of the Digital Euro Regulation, the European Commission clarifies that practices that prevent customers from using the digital euro in general – such as signs on shop doors – do not constitute an exception to the obligation to accept the digital euro and that they remain legally ineffective. Article 6(1) requires euro area countries to guarantee the mandatory obligation to accept digital euros with a system of penalties. Since the clarification that unilateral rejection of the digital euro is against the rules constitutes a separate article of law and thus has a prominent position, it can be assumed that countries will penalise such practices.

---

25 Deutsche Bundesbank: Costs of cash and card payments from a consumer perspective. 2024. Page 41. https://www.bundesbank.de/resource/blob/820852/e1512d7e9107cfd7d30c3b345b9f6480/472B63F073F07130736 6337C94F8C870/kosten-von-bargeld-kartenzahlungen-verbrauchersicht-2024-data.pdf.

26 We highly recommend a statement by Christoph Werner, head of the DM drugstore chain: https://www.wiwo.de/unternehmen/handel/bargeldloses-bezahlen-europas-irrweg-beim-bargeldlosen-bezahlen/100164470.html.

27 See "Printed Paper 474/25" of the Federal Council dated 17 October 2025, starting on page 29, https://www.bundesrat.de/drs.html?id=474-25%28B%29.

28 See https://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&cn=2013022819&table_name=loi#Art.VI.7/4.

29 See https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legge:2022-04-30;36~art18!vig.

If the proposed regulations were to come into force without amendment, the digital euro would be privileged over cash not only in terms of its acceptance in the free economy. There is currently no guarantee that cash will be accepted by government agencies. In particular, there is a lack of obligations for credit institutions to provide banknotes free of charge.[30] We refer to our tabular overview of the unequal treatment of cash.[31]

30 See specialist article „Thirteen points for improving the EU Cash Regulation“, www.Bargelderhalt.info/doc-improving-regulation.

31 See specialist article „Cash on an unequal footing with the digital euro“, www.Bargelderhalt.info/doc-unequal-e-euro.