

Decree of 20 November 2013, approving the regulations concerning the declaration of cross border movement of cash

Preamble

The recent approval and entry into force of Law 20/2013 of 10 October, amending the Law on international cooperation in criminal matters and the fight against money laundering and the financing of terrorism of 29 December 2000, creates a new chapter in this law concerning the declaration of cross border movement of cash.

The creation of this new chapter in the abovementioned law aims at implementing the Regulation (EC) No 1889/2005 of the European Parliament and of the Council of 26 October 2005 on controls of cash entering or leaving the Community, and the Monetary Agreement signed between the Principality of Andorra and the European Union.

These Regulations develop the content of the obligation to declare to the Customs the cross border movement of cash and set out the necessary formalities to ensure a proper compliance with it.

At the request of the Minister of Finance and Civil Service and the Minister of Justice and Home Affairs, and with the Government's agreement, in its session of 20 November 2013.

I decree

Sole article

The Regulations concerning the declaration of cross border movement of cash are approved and will enter into force within fifteen days from the date of their publication in the Official Gazette of the Principality of Andorra.

REGULATIONS CONCERNING THE DECLARATION OF CROSS BORDER MOVEMENT OF CASH

Article 1. Scope

These Regulations implement the obligation of declaration provided for in Article 62 of the Law on international cooperation in criminal matters and the fight against money laundering and the financing of terrorism of 29 December 2000.

Article 2. Declaration form

1. Any natural person entering or leaving the Principality of Andorra and carrying cash of a value of EUR 10,000 or more or its equivalent in foreign currency shall declare that sum to the Customs using the declaration form as set out in Annex I of these Regulations.

2. The declaration form can be obtained from the Customs offices and its website. It consists of one copy for the Customs and another for the declarant.

3. The declaration form is unique and valid for one cross border movement of cash. Any variation of the data included in the declaration form shall be notified to the Customs before the cross border movement of cash by submitting a new declaration form.

Article 3. Place and manner of the submission of the declaration

1. The bearer of the cash shall declare it, without prior notification, to the Customs office.

2. The Customs, after verifying the identity of the declarant and that the declaration has been correctly filled may verify, if deemed appropriate, the authenticity of the data reported, stamp the declaration expressly indicating the submission date, and delivering an endorsed a copy to the declarant.

3. The Government may regulate the electronic submission of the declaration.

Article 4. Information to travellers

Customs shall establish on their premises information systems allowing the travellers to know the obligations of declaration under the terms set forth in these Regulations.

In addition, the Government may require the collaboration of passenger transport companies and Andorran financial entities.

Made public for general knowledge

Andorra la Vella, 20 November 2013

Antoni Martí Petit

Head of Government