

| ARTICLE | | |
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| CONTENT | SUBTITLE | TITLE |
| <p><ol class="crrNumList"> This Regulation complements the provisions of Directive 91/308/EEC concerning transactions through financial and credit institutions and certain professions by laying down harmonised rules for the control, by the competent authorities, of cash entering or leaving the Community. This Regulation shall be without prejudice to national measures to control cash movements within the Community, where such measures are taken in accordance with Article 58 of the Treaty. </p> | Objective | Article 1 |
| <p><div class="crrArticle"> <p>For the purposes of this Regulation:</p> <ol class="crrNumList"> competent authorities means the customs authorities of the Member States or any other authorities empowered by Member States to apply this Regulation; cash means: <ol class="crrCharList"> bearer-negotiable instruments including monetary instruments in bearer form such as travellers cheques, negotiable instruments (including cheques, promissory notes and money orders) that are either in bearer form, endorsed without restriction, made out to a fictitious payee, or otherwise in such form that title thereto passes upon delivery and incomplete instruments (including cheques, promissory notes and money orders) signed, but with the payee's name omitted; currency (banknotes and coins that are in circulation as a medium of exchange). </div></p> | Definitions | Article 2 |
| <p><ol class="crrNumList"> Any natural person entering or leaving the Community and carrying cash of a value of EUR 10000 or more shall declare that sum to the competent authorities of the Member State through which he is entering or leaving the Community in accordance with this Regulation. The obligation to declare shall not have been fulfilled if the information provided is incorrect or incomplete. <p>The declaration referred to in paragraph 1 shall contain details of:</p> <ol class="crrCharList"> the declarant, including full name, date and place of birth and nationality; the owner of the cash; the intended recipient of the cash; the amount and nature of the cash; the provenance and intended use of the cash; the transport route; the means of transport. Information shall be provided in writing, orally or electronically, to be determined by the Member State referred to in paragraph 1. However, where the declarant so requests, he shall be entitled to provide the information in writing. Where a written declaration has been lodged, an endorsed copy shall be delivered to the declarant upon request. </p> | Obligation to declare | Article 3 |
| <p><ol class="crrNumList"> In order to check compliance with the obligation to declare laid down in Article 3, officials of the competent authorities shall be empowered, in accordance with the conditions laid down under national legislation, to carry out controls on natural persons, their baggage and their means of transport. In the event of failure to comply with the obligation to declare laid down in Article 3, cash may be detained by administrative decision in accordance with the conditions laid down under national legislation. </p> | Powers of the competent authorities | Article 4 |
| <p><ol class="crrNumList"> The information obtained under Article 3 and/or Article 4 shall be recorded and processed by the competent authorities of the Member State referred to in Article 3(1) and shall be made available to the authorities referred to in Article 6(1) of Directive 91/308/EEC of that Member State. Where it appears from the controls provided for in Article 4 that a natural person is entering or leaving the Community with sums of cash lower</p> | Recording and | |

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| than the threshold fixed in Article 3 and where there are indications of illegal activities associated with the movement of cash, as referred to in Directive 91/308/EEC, that information, the full name, date and place of birth and nationality of that person and details of the means of transport used may also be recorded and processed by the competent authorities of the Member State referred to in Article 3(1) and be made available to the authorities referred to in Article 6(1) of Directive 91/308/EEC of that Member State. | processing of information | Article 5 |
| <ol class="crrNumList" style="list-style-type: none"> Where there are indications that the sums of cash are related to any illegal activity associated with the movement of cash, as referred to in Directive 91/308/EEC, the information obtained through the declaration provided for in Article 3 or the controls provided for in Article 4 may be transmitted to competent authorities in other Member States. Regulation (EC) No 515/97 shall apply mutatis mutandis. Where there are indications that the sums of cash involve the proceeds of fraud or any other illegal activity adversely affecting the financial interests of the Community, the information shall also be transmitted to the Commission. | Exchange of information | Article 6 |
| <div class="crrArticle"> <p>In the framework of mutual administrative assistance, the information obtained under this Regulation may be communicated by Member States or by the Commission to a third country, subject to the consent of the competent authorities which obtained the information pursuant to Article 3 and/or Article 4 and to compliance with the relevant national and Community provisions on the transfer of personal data to third countries. Member States shall notify the Commission of such exchanges of information where particularly relevant for the implementation of this Regulation.</p> </div> | Exchange of information with third countries | Article 7 |
| <div class="crrArticle"> <p>All information which is by nature confidential or which is provided on a confidential basis shall be covered by the duty of professional secrecy. It shall not be disclosed by the competent authorities without the express permission of the person or authority providing it. The communication of information shall, however, be permitted where the competent authorities are obliged to do so pursuant to the provisions in force, particularly in connection with legal proceedings. Any disclosure or communication of information shall fully comply with prevailing data protection provisions, in particular Directive 95/46/EC and Regulation (EC) No 45/2001.</p> </div> | Duty of professional secrecy | Article 8 |
| <ol class="crrNumList" style="list-style-type: none"> Each Member State shall introduce penalties to apply in the event of failure to comply with the obligation to declare laid down in Article 3. Such penalties shall be effective, proportionate and dissuasive. By 15 June 2007, Member States shall notify the Commission of the penalties applicable in the event of failure to comply with the obligation to declare laid down in Article 3. | Penalties | Article 9 |
| <div class="crrArticle"> <p>The Commission shall submit to the European Parliament and the Council a report on the application of this Regulation four years after its entry into force.</p> </div> | Evaluation | Article 10 |
| <div class="crrArticle"> <p>This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.</p> <p>It shall apply from 15 June 2007.</p> </div> | Entry into force | Article 11 |