

Based on the provisions of Article (7) paragraph fourth, and Articles (34) and (35) of the AML & CFT Law No. (39) for the year 2015, we have issued the following regulations:

No. (1) for the year 2017, on

Declaration of Cross- Iraqi Borders Transportation of Funds and Bearer-Negotiable Instruments.

under the provisions of the paragraph and two articles mentioned above which obligate any person who enters or leaves Iraq shall declare, upon request of a representative of the General Administration for Customs, that he/she is in possession of funds, currency, bearer negotiable instruments or is transporting such items into or out of Iraq through a person, shipping company, and postal service or through any other means. Disclosure shall include the value of such funds or instruments.

As well as, in accordance with the decision was taken by the Anti-Money Laundering and Counter-Financing the Terrorism Council, at the meeting held on July 11th /2017 , and it has been decided the following:

1- Every traveler who enters or leaves territory of the republic of Iraq must declare the following:

- A) The money exceeds than amount of (USD \$ 10000) or equivalent in other foreign currencies.
- B) Precious stones and metals if their value exceeds (USD \$ 10000).
- C) Bearer negotiable instruments or transporting such items into or out of Iraq through a person, shipping company, and postal service or through any other means exceeding more than Value of (USD \$ 10000).

2- Passengers shall declare to the employee of Customs at the airport or the border crossing points of the Republic of Iraq, according to the form attached to these regulations, and the limits mentioned in item (1) shall apply to persons of age 18 years and over, while for those who are under the age of 18 years, the funds in their possession should be added to the limit allowed for the guardian.

3- The entry and exit of the Iraqi currency shall be brought to and from Iraq only through the permitted limit of (two hundred thousand Iraqi Dinars). In the event that the amount transferred is higher than the previously mentioned limit by a person, postal service, shipping service or through any other means, the amount that beyond the allowed limit should be seized and fill in the declaration form to be sent to the AML&CFT Office.

4-Each customs department at airports and border crossing points shall implement the following measures:

A) Placing sufficient guidance boards in Arabic, Kurdish and English in high and visible places showing the provisions of these regulations.

B) requiring travelers to fill out the above-mentioned declaration form if they have cash or negotiable financial instruments for their bearer, the amounts of which exceed ten thousand US dollars or equivalent in other foreign currencies, as well as in case they have more than two hundred thousand Iraqi Dinars, and also if they have precious stones and metals worth more than ten thousand US dollars.

(c) Providing appropriate number of declaration forms at all border crossing points to make these forms available for arriving and departing passengers to provide for the purpose of the declaring the cash, financial instruments and precious stones and precious metals in their possession .

D) Keeping regular records in which all declaration forms issued by the Customs Department and cases in which the passenger has not made the required declaration in accordance with the provisions of the AML & CFT Law and these regulations, and maintaining those documents, declaration forms and official paper for a period of five (5) years or more, as that maintaining depends on the nature of such cases.

E) Request additional information from travelers about the source of the funds and the purpose of their movement in the event of a false declaration, also in case of not making declaration, with no convincing reason for the act of non-declaration or in case of suspicion.

G. Providing the AML & CFT Office with the authorization forms and any information requested.

5-In addition to what is stated in item (3) above, the staff of the General Authority for Customs at the border crossings to seize a cash, negotiable financial instruments precious stones and metals in any of the following cases:

A) The passenger who does not make the declaration, and fund is being found with him, which exceeds the permitted limit stated in item (1) above, or in case a passenger gives false information regarding that fund, at that situation, the official of the General Authority for Customs should investigate the reasons for not requesting the declaration form and in case of there is no convincing reasons, that fund should be seized, but if there is a reasonable reason and in addition to the absence of suspicion, the declaration form is to be filled out and the amount to be released.

B) There is sufficient evidence to suspect that the money described in item (1) above is derived from a predicate offense, a money laundering crime a terrorist financing offense or prepared for that act.

6- The Anti-Money laundering and Counter-Terrorism Financing Office issues a recommendation to lift the seizure stipulated in paragraph (5) of these regulations in the case of there are proofs supporting the legitimacy of a seized fund, or referring it to the judiciary within seven days from the date of notification of the decision, as well as, the General authority for Customs must be informed regarding the procedure of that case.

7- The declaration procedure should be also made regarding a cash, negotiable financial instruments, precious stones and metals, which are being sent or received through mail, shipping service or any other means, cited according to the provisions (1) and (2) mentioned above.

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