



SCREENING CHAPTER 29 CUSTOMS UNION

AGENDA ITEM 5: CASH CONTROLS AT BORDERS

**Country Session: The Republic of TURKEY
13-14 March 2006**



COMPETENT AUTHORITIES IN TURKEY

- Undersecretariat for Treasury
- The Financial Crimes Investigation Board
- Undersecretariat for Customs



Legal Framework

- Law No. 1567 on The Protection of the Value of Turkish Currency (Official Gazette (OG) No. 1433, dated 25.02.1930)
- Decree No. 32 regarding The Protection of the Value of Turkish Currency (OG No. 20249, dated 11.08.1989)
- Law No. 4208 on the Prevention of Money Laundering (OG No. 22822, dated 19.11.1996)
- Implementing Regulation on the Prevention of Money Laundering (OG No. 23037, dated 02.07.1997)
- Law No. 4059 on the Structures and Duties of the Undersecretariat for Treasury and the Undersecretariat of Foreign Trade (OG No. 22147, dated 20.12.1994)
- Circular No. 2004/15 of the Directorate General of Customs (dated 11.06.2004)

Main Elements of Control (1/2)

Cash Entering or Leaving

In accordance with the Decree No. 32

- Entering: no restriction
- Leaving : no restriction, if;
 - the amount is up to USD 5.000 or equivalent
 - currency exceeding USD 5.000 or equivalent;
 - ✓ if declared while entering Turkey
 - ✓ if proved that it is obtained in the framework of invisible transactions



Main Elements of Control (2/2)

In accordance with Circular No. 2004/15 of General Directorate of Customs

Regardless of the amount, if the cash will be used under the responsibilities stemming from Foreign Currency Legislation that obliges exporters to bring back the foreign currency obtained from the exportation, it has to be declared to the customs authorities.



DETAILS OF CURRENCY DECLARATION FORM

Passenger's

- surname
- name
- father's name
- mother's name
- place and date of birth
- place of registration
- serial number of ID
- address
- telephone number
- place of issue, date and number of passport
- date of entrance
- type and amount of foreign currency declared
- reason for declaration: commercial/non-commercial



THE MAIN TASKS OF CUSTOMS

- information shall be recorded by the customs authorities on the currency declaration form
- the customs authorities have to inform The Financial Crimes Investigation Board until the fifteenth day of the following month
- verification of the declaration form shall be made by the customs authorities upon the request of banks or other financial institutions



CONSEQUENCES IF CASH IS NOT DECLARED

- in accordance with Law No. 1567, persons avoiding their responsibilities regarding declaration of cash will be subjected to penal procedures and cash will be detained
- in accordance with Law No. 4208, upon obtaining serious evidence, The Financial Crimes Investigation Board, collaborating with police and other law enforcement authorities, requests competent authorities to control persons and detain any illicit cash



THANK YOU FOR YOUR ATTENTION