

**Instructions for Declaring Cash and Cross-Border Bearer Negotiable
Instruments for The Year 2021**

The Cross-border Moveable Money Declaration Instructions

Issued by the National Anti Money Laundering and Counter Terrorist Financing

Committee Pursuant to the Provisions of Paragraph (b) of Article (37) of the

Anti Money Laundering and Counter Terrorist Financing Law in force

Article (1):

These instructions are called (Declaration Instructions for Cross-Border Cash and Bearer Negotiable Instruments for the year 2021) and shall come into force as of 10/5/2021.

Article (2):

The following words and phrases shall have the meanings assigned to them below unless otherwise indicated by context:

Department: The Customs Department.

Department Director: The Director General of the Department.

Director: The director of the customs intelligence directorate in the department.

Section: Anti-Money Laundering and Terrorist Financing Section in the Department.

The Law: Anti-Money Laundering and Terrorist Financing Law in force.

The Committee: The National Committee for Combating Money Laundering and Terrorism Financing established in accordance with the provisions of the law.

Unit: The Anti-Money Laundering and Counter Financing of Terrorism Unit established under the provisions of the law.

Bearer negotiable instruments: any monetary instrument in the form of a document to the bearer, the right of use of which is transferred upon delivery, including the signed and omitted from the name of the beneficiary. Presented to him without restrictions or issued to a fictitious beneficiary, or in a form that enables the right to be transferred

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upon delivery, and incomplete instruments, including checks, bills of exchange, and signed payment orders, but with the omission of the name of the person to whom payment is to be made.

Passenger: Every person entering or exiting from and to the Kingdom with the intention of temporary or permanent residence through the border ports, including transit passengers if they leave the airport building.

Transportation: Transportation includes the following: -

A- Physical carriage by a natural person, or in the luggage accompanying that person or in his vehicle.

B- The shipment of cash or bearer negotiable instruments by consignments packed in parcels, containers or any other means of shipping;

C- Sending cash or negotiable instruments to the bearer through mail by a natural or legal person.

Article (3):

A- In implementation of the provisions of Paragraph (a) of Article (23) of the law, every person, upon his arrival to or departure from the Kingdom, must submit to the Department a declaration of cash or bearer negotiable instruments in his possession if their total value exceeds the amount specified by the Committee, which is ten Thousands (10,000) Jordanian dinars or its equivalent in foreign currencies on the form prepared for this purpose and attached to this instructions.

B- For the purposes of implementing paragraph (a) of Article (3), the foreign currency rate is calculated according to the bulletins issued by the Central Bank of Jordan.

C- The department may request any information about the source of the cash or bearer negotiable instruments and their purpose, including any information related to the validity of the submitted declaration.

Article (4):

The department undertakes the following:-

A- Putting directional signs in visible places at the border customs centers in coordination with the competent authorities, provided that these signs indicate the amount specified for submitting the declaration in accordance of what is mentioned in Paragraph (a) of Article (3) of this instructions.

B- Submitting declaration forms for arrivals, departures, shipments and mail to and from the Kingdom.

C- Receipt of the completed declaration forms from the arrivals and departures from and to the Kingdom.

Article (5):

A- The provisions of these instructions shall apply to persons authorized by the competent authorities in the Kingdom to ship cash or negotiable instruments for their bearer to and from the Kingdom, provided that the declaration submitted by them shall be accompanied by the necessary approvals from the competent authorities in the Kingdom on the shipping process, including their filling in a form Acknowledgment for this purpose.

B- The declaration includes every person arriving or departing, even if he is not fully qualified, provided that the guardian, trustee, or person responsible for travelling is responsible for the reality of the declaration.

Article (6):

A- The Customs Department keeps the declarations and all data, information and documents related to it that submitted in accordance with the provisions of these instructions and is committed to making them available directly to the Unit and the competent authorities.

B- The Customs Department prepares a database that includes all the data on the submitted declaration forms, provided that the Unit is electronically linked with the mentioned database.

Article (7):

A- The competent customs center shall verify that all the information contained in the declaration form attached to these instructions has been filled out, and ensure that the personal data is correct and documented in a way that ensures easy retrieval and obtaining upon request.

B- The submitted declaration forms shall be on one copy that shall be kept by the department, and it is forbidden to take any copy of them except for official purposes only and with the approval of the director of the department or his authorized representative.

Article (8):

A- Customs control is regulated in the following cases:

- 1- If the person does not submit the declaration in accordance with the provisions of Article (3) of these instructions.
- 2- Submitting a false declaration, giving false information about the cash and bearer negotiable instruments.
- 3- A suspicion that cash and bearer negotiable instruments are linked to money laundering, predicate crime or terrorism financing.

B- The seizure report shall include - as far as possible - the reason for seizure and reservation of the money and bearer's negotiable instruments, their quantities in detail, the names of the holders and possessors, the mode of transport seized or transported within it, and its descriptions and type in detail, provided that the seizure is sent to the department immediately and without delay.

C- The department shall inform the competent public prosecutor about the seizure and the cases of recurrence, if any, within a period not exceeding (7) working days from the date of organizing the seizure report to verify whether there is any evidence of the money laundering crime, the predicate crime associated with it, or the financing of terrorism.

D- The seizures are sent to the department, in preparation for the necessary action regarding them and kept in safe custody / the Central Bank of Jordan until a decision is issued in this regard by the competent reference.

E- For the purposes of implementing the provisions of Clause (2) of Paragraph (A) of this Article, false information is intended to provide incorrect information about the value of cash or negotiable instruments for its bearer that is being transferred, entered or removed from and to the Kingdom, including changing the name of the beneficiary or The owner of the funds or the person to whom it is to be delivered or provide any other incorrect information requested on the acknowledgment form.

F- The competent public prosecutor shall issue a decision regarding cash and bearer negotiable instruments that were seized in accordance with the provisions of Paragraph (A) of this Article, either to seize them or return them.

G- In the event that the Public Prosecutor issued a decision to seize the contents of the seizure, it shall continue to be seized in safe custody with the Central Bank of Jordan until a judicial decision is issued determining its fate.

H- In the event that the competent public prosecutor does not issue his decision regarding the cash or negotiable instruments for the bearer of the seizure, within (10) working days from the receipt of the seizure, either by seizing it or returning it, it will be released and returned to its owner.

I- The provisions of this article shall apply if cash or bearer negotiable instruments passing across the border have been seized after passing the customs post.

Article (9):

The competent customs center may coordinate with the competent authorities to ensure that the cash is safe from counterfeiting.

Article (10):

In the event of a court decision ordering the return of cash and negotiable instruments to the bearer, the department shall:

1. Verifying the decision and the requirements for responding that it has acquired the final degree from the court that it has acquired the final degree.
2. Verify that the decision has been implemented, whether by paying the prescribed fine or any other provision included in the decision, and proving that in the necessary ways.
3. The seized cash or negotiable instruments shall be delivered to the person seized with him, according to a delivery record signed by at least two employees and the receiving person.
4. Notify the Unit of the content of the decision and the measures taken in implementing it.

Article (11):

A- The Customs Department appoints a contact officer to represent them with the Unit for the purposes of combating money laundering and terrorist financing, and a replacement for him in his absence.

B- The Department follows up on the subject of the seizure referred to the public prosecutor and follows up on decisions issued regarding cash and bearer negotiable instruments.

C- The department may conclude memorandum of understanding with the competent authorities for the purposes of implementing the provisions of these instructions.

Article (12):

A- Department Director shall issue the necessary decisions to implement the provisions of these instructions, including those related to deciding on cases not stipulated therein.

b- The declaration forms attached to these instructions are considered an integral part of them.

C- The directors of customs centers shall take the necessary measures to implement the contents of these instructions.

Article (13):

Instructions No. 2 of the year 2017 "Instructions for Declaring Cross-Border Money Transfers and Their Amendments" shall be repealed, provided that all procedures taken in accordance with the provisions of the previous instructions and the forms issued pursuant thereto remain in effect until they are modified, canceled or replaced by others.

Customs Brigade / Jalal Salem Al-Qudah

Director General of the Jordanian Customs Department