

GOVERNMENT NOTICE No. 268 Published on 09/09/2016

THE ANTI-MONEY LAUNDERING ACT,
(CAP.423)

REGULATIONS

(Made under section 29)

THE ANTI-MONEY LAUNDERING (CROSS-BORDER DECLARATION OF
CURRENCY AND BEARER NEGOTIABLE INSTRUMENTS)
REGULATIONS, 2016

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THE ANTI-MONEY LAUNDERING ACT,
(CAP.423)

REGULATIONS

(Made under section 29)

THE ANTI-MONEY LAUNDERING (CROSS-BORDER DECLARATION OF CURRENCY
AND BEARER NEGOTIABLE INSTRUMENTS) REGULATIONS, 2016

PART I
PRELIMINARY PROVISIONS

- Citation 1. These Regulations may be cited as the Anti-Money Laundering (Cross-Border Declaration of Currency and Bearer Negotiable Instruments) Regulations, 2016.
- Application 2. These Regulations shall apply to Mainland Tanzania.
- Interpretation 3. In these Regulations unless the context requires otherwise-
- Cap.423 “Act” means the Anti-Money Laundering Act;
“bearer negotiable instrument” means the instruments in bearer form the delivery of which, with or without endorsement and includes, passes title, bank drafts, promissory notes, cheques, money orders, and travelers’ cheques, bearer bonds, postal orders and prepaid cards;
“court” means any subordinate court except primary court;
“cross border transportation” means any physical transportation of currency or bearer negotiable instrument from mainland Tanzania to another country or vice versa and includes-
- (a) physical transportation by natural person, or in that person’s accompanying luggage or vehicle;
 - (b) shipment of currency or bearer negotiable instrument through containerized cargo; or

(c) the mailing of currency or bearer negotiable instrument by natural or legal person;

“currency” means a coin and printed money, local or foreign, that is designated as legal tender and circulates as, and is customarily used and accepted as, a medium of exchange in the country of issue;

“customs officer” means any officer employed by the Customs authority or any other Government official appointed by customs to perform duties in relation to customs at a particular exit and entry point;

“false declaration” means a misrepresentation of the value of currency or bearer negotiable instrument being transported, or misrepresentation of other relevant data which is required for submission in the declaration or otherwise requested by the relevant authorities;

“Financial Intelligence Unit also described as FIU” means the Unit established under section 4 of the Act;

Cap.256

“seizure” has the meaning ascribed to it under the Proceeds of Crimes Act.

PART II

DECLARATION OF CURRENCY AND BEARER NEGOTIABLE INSTRUMENTS

Prescribed amount for declaration

4.-(1) For purposes of declaration of currency or bearer negotiable instruments under section 23(1) of the Act, the prescribed amount shall be United States Dollars 10,000 or its equivalent in Tanzanian shillings or any foreign currency based on the official conversion rate of the Bank of Tanzania which is in effect at the time of transportation of the currency or bearer negotiable instrument across the border.

(2) For purposes of declaration, where a person has currency and bearer negotiable instruments, the prescribed amount for declaration shall be the aggregate of such currency and instrument.

Anti-Money Laundering (Cross-Border Declaration Of Currency And Bearer Negotiable Instruments)

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(3) Where there is no official conversion rate of the Bank of Tanzania in respect of a particular currency, the exchange rate of the Central Bank or Monetary Authority that issued the currency shall be used.

Declaration of
currency or
bearer
negotiable
instrument

5.-(1) A person shall not enter or leave the territory of the United Republic while in possession of currency or bearer negotiable instrument of an amount referred to in regulation 4(1) without declaring to the customs authority.

(2) Any person who enters or leaves the United Republic while in possession of currency or bearer negotiable instruments in any amount equal to or above the prescribed amount for declaration, shall:

- (a) fill in the currency or bearer negotiable instrument declaration form prescribed in the First Schedule and declare to customs authority such amount of money or bearer negotiable instruments; and
- (b) present the filled in form to the Customs authority for inspection.

(3) The customs officer who receives the declaration under sub-regulation (1) form shall retain the original declaration form and handover a duplicate copy of the declaration form to the person who made the declaration.

(4) The customs officer shall within twenty four hours from the time, submit the relevant declaration forms to the Customs Officer in-charge of the station.

(5) Any person who contravenes the provisions of this regulation commits an offence and shall, on conviction, be liable to a penalty provided for under section 28B of the Act.

Compound of
offences

6.-(1) Where a person commits an offence under regulation 5, the customs officer in charge may at any time compound the offence by ordering the person to pay a sum of money specified but not exceeding the amount of fine prescribed for the offence.

(2) A customs officer may exercise powers under sub-regulation (1) if-

- (a) the undeclared or falsely declared currency or bearer negotiable instruments are not related to financing of terrorism, money laundering, or any predicate offence;
- (b) the undeclared or falsely declared currency or bearer negotiable instruments does not exceed Tanzanian Shillings or any foreign currency equivalent to 30,000 USD; or
- (c) the person concerned admits in writing that he has committed the said offence and agrees to pay the penalty imposed.

(3) Where the Customs Officer in charge compounds an offence under sub-regulation (1) he shall-

- (a) satisfy himself that the offence meets the conditions specified in sub regulation (2);
- (b) record in writing, specifying the offence committed, the sum of money to be paid and the date for payment; and
- (c) order the person to pay a penalty of ten percent of the undeclared or falsely declared currency or bearer negotiable instrument, in Tanzanian Shillings, United States Dollars, or Euros.

(4) Where an offence is compounded under these Regulations-

- (a) the person concerned shall not be liable for any other penalty or charges in respect of that offence; and
- (b) the compounding decision shall be final and not subject to any appeal.

PART III CUSTOMS OFFICERS OBLIGATIONS

Submission of
declaration
forms to FIU

7.-(1) The Customs Officer in-charge shall report to the FIU on every declaration made under regulation 5.

- (2) The report made under sub-regulation (1) shall:
- (a) be in approved and dully filled form;
 - (b) contain relevant information to the matter being

Anti-Money Laundering (Cross-Border Declaration Of Currency And Bearer Negotiable Instruments)

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- reported;
(c) be submitted to FIU within seven working days from the date of receipt of the declaration form.

Power of
Customs officer
to conduct
search

8. Where a Customs officer suspects, on reasonable grounds, that a person has contravened the provisions of these Regulations, he may search the person or belongings of such person.

Seizure of
undeclared or
falsely declared
currency or
bearer
negotiable
instruments

10.-(1) Where a person has contravened the provisions of regulation 5, the Customs Officer shall-

- (a) seize the whole amount of the undeclared or falsely declared currency or bearer negotiable instruments; and
(b) issue a seizure notice to the person whose undeclared currency or bearer negotiable instrument is seized as provided in the Second Schedule and retain a copy of such notice.

(2) Where a Customs Officer seizes the undeclared or falsely declared currency or bearer negotiable instruments, he shall, within twenty four hours, deposit the currency seized to the special account provided to the customs authority by the FIU.

(3) Where the undeclared or falsely declared currency or bearer negotiable instrument is seized in accordance with these Regulations, the Customs Officer shall investigate the matter and submit the case file to the Director of Public Prosecutions for institution of criminal proceedings.

(4) Where a person is convicted for an offence committed under these Regulations, the court may issue an order for forfeiture or confiscation of the currency or bearer negotiable instrument which was seized in connection with the offence.

(5) Where a court makes an order for forfeiture or confiscation in respect of currency which was seized and deposited in the FIU account, the Commissioner of FIU shall arrange for the payment to the Treasury Registrar of an amount specified in the forfeiture order.

(6) Where an order of forfeiture is in respect of a bearer negotiable instrument, the court may order for the payment of the value of money equal to the amount prescribed in the relevant bearer negotiable instrument, or for further endorsement in favour of the Treasury.

Prohibition of information disclosure

10.-(1) A person shall not disclose to any unauthorized third party any information provided in a declaration form submitted to him or which came to his knowledge by virtue of his employment except where the information is required by any law enforcement agency or court of law.

(2) Any person who contravenes the provisions of this regulation commits an offence and shall, on conviction, be liable to a penalty provided for under section 28B of the Act.

PART IV GENERAL PROVISIONS

Return of seized currency or bearer negotiable instruments

11. Where a currency or bearer negotiable instruments is seized in accordance with these Regulations, the Commissioner of FIU may return the currency or bearer negotiable instruments to the person from whom the currency or bearer negotiable instruments were seized if-

- (a) it is decided, after investigation, that there is no need to prosecute the matter; or
- (b) there is an order of the court to that effect.

Anti-Money Laundering (Cross-Border Declaration Of Currency And Bearer Negotiable Instruments)

G.N. No. 268 (contd.)

FIRST SCHEDULE

Form I

(Made under regulation 5(2)(a))

United Republic of Tanzania



**Tanzania Revenue Authority
CROSS BORDER DECLARATION OF CURRENCY AND BEARER NEGOTIABLE
INSTRUMENTS**

Form for Declaration of Currency and Bearer Negotiable Instruments by Travellers Crossing Borders

Made under the Anti-Money Laundering (Cross-Border Declaration of Currency and Bearer Negotiable Instruments) Regulations, 2016

All cash or BNI amounting to at least USD 10,000 or its equivalent in any other currency must be declared

PART I – PERSONAL DETAILS

1. Last Name (Surname):
2. Middle Name:
3. First Name:
4. Gender:
5. Date of Birth:
6. Nationality:
7. Passport No:
8. Occupation:
9. Country of Residence:

PART II – TRAVEL DETAILS

10. Date of Travel:
11. Direction of Travel (Entering Tanzania or Leaving Tanzania)?:
.....

Anti-Money Laundering (Cross-Border Declaration Of Currency And Bearer Negotiable Instruments)

G.N. No. 268 (contd.)

- 12. Arrival From/Going to (Final Destination):
- 13. Port of Entry/Exit:
- 14. Flight/Vehicle/Vessel No:

PART III – CURRENCIES AND BEARER NEGOTIABLE INSTRUMENTS TO DECLARE

15. Currencies to Declare

No	Currency Name	Currency Code	Total Amount	Amount in USD
1				
2				
3				
4				
5				
TOTAL				

16. Bearer Negotiable Instruments to Declare

N o	Bearer Negotiable Instrument	Currenc y Name	Currenc y Code	Total Amount	Amoun t in USD
1	Cheque				
2	Travelers Cheque				
3	Money Order				
4	Bill of Exchange				
5	Promissory Note				
6	Prepaid Card				
7	Other (please specify):				
TOTAL					

17. Owner of Currency and/or Bearer Negotiable Instruments:

18. Intended Recipient of Currency and/or Bearer Negotiable Instruments:.....

19. Intended Use of Currencies and/or Bearer Negotiable Instruments (Tick where appropriate)

- Business
- Conference
- Visit

*Anti-Money Laundering (Cross-Border Declaration Of Currency And Bearer
Negotiable Instruments)*

G.N. No. 268 (contd.)

- | | |
|------------|--------------------------|
| Holiday | <input type="checkbox"/> |
| Transit | <input type="checkbox"/> |
| Investment | <input type="checkbox"/> |
| Education | <input type="checkbox"/> |
| Medical | <input type="checkbox"/> |

Other (Please specify):

.....

20. I declare that all the information given on this form is correct and accurate.

Signature

PART IV - FOR OFFICIAL USE ONLY

21. Receiving Officer's Name:

.....

22. Date:

23. Signature:

United Republic of Tanzania

Form II



Tanzania Revenue Authority
CROSS BORDER DECLARATION OF CURRENCY AND BEARER NEGOTIABLE INSTRUMENTS

Form for Declaration of Currency and Bearer Negotiable Instruments in Shipped Parcels and Cargo

Made under the Anti-Money Laundering (Cross-Border Declaration of Currency and Bearer Negotiable Instruments) Regulations, 2016

All cash or BNI amounting to at least USD 10,000 or its equivalent in any other currency must be declared

PART I – DETAILS OF PARCEL OR CARGO OWNER/SENDER

If the sender is an individual:

1. Last Name (Surname):
2. Middle Name:
3. First Name:
4. Gender:
5. Date of Birth:
6. Nationality:
7. ID Name/Type:
8. ID No:
9. Occupation:
10. Full Address:
11. Country:

If the sender is a legal person:

12. Company/Organisation Name:
13. Physical Address:
14. Postal Address:

*Anti-Money Laundering (Cross-Border Declaration Of Currency And Bearer
Negotiable Instruments)*

G.N. No. 268 (contd.)

- 15. Country:
- 16. Name of Officer Responsible for the Parcel/Cargo:
.....
- 17. Telephone Numbers (Landline and Mobile):

PART II – DETAILS OF PARCEL OR CARGO RECIPIENT

If the recipient is an individual:

- 18. Last Name (Surname):
- 19. Middle Name:
- 20. First Name:
- 21. Gender:
- 22. Date of Birth:
- 23. Nationality:
- 24. ID Name/Type:
- 25. ID No:
- 26. Occupation:
- 27. Full Address:
- 28. Country:

If the recipient is a legal person:

- 29. Company/Organisation Name:
- 30. Physical Address:
- 31. Postal Office Address:
- 32. Country:
- 33. Name of Officer Responsible for the Parcel/Cargo:
.....
- 34. Telephone Numbers (Landline and Mobile):

PART III – DETAILS OF PARCEL OR CARGO COURIER

- 35. Company/Organisation Name:
- 36. Full Address:
- 37. Telephone Numbers (Landline and Mobile):
- 38. Name of Officer Handling the Parcel/Cargo:
- 39. Duty Station:
- 40. Flight/Vehicle/Vessel No:
- 41. Parcel/Cargo Identification Details:

Anti-Money Laundering (Cross-Border Declaration Of Currency And Bearer Negotiable Instruments)

G.N. No. 268 (contd.)

PART IV – CURRENCIES AND BEARER NEGOTIABLE INSTRUMENTS TO DECLARE

42. Currencies to Declare

No	Currency Name	Currency Code	Total Amount	Amount in USD
1				
2				
3				
4				
5				
TOTAL				

43. Bearer Negotiable Instruments to Declare

No	Bearer Negotiable Instrument	Currency Name	Currency Code	Total Amount	Amount in USD
1	Cheque				
2	Travelers Cheque				
3	Money Order				
4	Bill of Exchange				
5	Promissory Note				
6	Prepaid Card				
7	Other (please specify):				
TOTAL					

44. Intended Use of Currencies and/or Bearer Negotiable Instruments:

45. I declare that all the information given on this form is correct and accurate.
Sender/Recipient's Signature:

PART V - FOR OFFICIAL USE ONLY

46. Receiving Officer's Name:

47. Date:

48. Signature:

*Anti-Money Laundering (Cross-Border Declaration Of Currency And Bearer
Negotiable Instruments)*

G.N. No. 268 (contd.)

SECOND SCHEDULE

Form III

(Made under regulation 10(1)(b))

United Republic of Tanzania



Tanzania Revenue Authority

**CROSS BORDER DECLARATION OF CURRENCY AND BEARER NEGOTIABLE
INSTRUMENTS**

Form for Seizing Undeclared or Falsely Declared Currency and Bearer
Negotiable Instruments by Travellers

Made under the Anti-Money Laundering (Cross-Border Declaration of Currency and
Bearer Negotiable Instruments) Regulations, 2016

All cash or BNI amounting to at least USD 10,000 or its equivalent in any other
currency must be declared

PART I – PERSONAL DETAILS

24. Last Name (Surname):
25. Middle Name:
26. First Name:
27. Gender:
28. Date of Birth:
29. Nationality:
30. Passport No:
31. Country of Residence:
32. Physical Address in Tanzania:
33. Physical Address Abroad:
34. Email Address(es):
35. Telephone Numbers (Landline and Mobile):
36. Occupation:
37. Work/Employment Physical Address:
38. Work Telephone Number(s):

*Anti-Money Laundering (Cross-Border Declaration Of Currency And Bearer
Negotiable Instruments)*

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- 39. Postal Address:
- 40. Marital Status:
- 41. Name of Spouse:
- 42. Occupation of Spouse:

Anti-Money Laundering (Cross-Border Declaration Of Currency And Bearer Negotiable Instruments)

G.N. No. 268 (contd.)

OTHER DETAILS IF APPLICABLE

43. Other Nationalities:

44. Other Identity Documents in Possession:

No	Name/Type of ID	ID No.	First Name	Middle Name	Last Name (Surname)	Issuer	Date of Issue	Expiry Date
1								
2								
3								
4								
5								

PART II – TRAVEL DETAILS

45. Date of Travel:

46. Direction of Travel (Entering Tanzania or Leaving Tanzania):

.....

47. Arrival From/Going to (Final Destination):

48. Port of Entry/Exit:

49. Flight/Vehicle/Vessel No:

50. Transit Point(s):

51. Purpose of Travel:

52. Other Persons Traveling with you

No	First Name	Middle Name	Last Name (Surname)	Passport No.	Nationality
1					
2					
3					
4					
5					
6					
7					

*Anti-Money Laundering (Cross-Border Declaration Of Currency And Bearer
Negotiable Instruments)*

G.N. No. 268 (contd.)

**PART III – CURRENCIES AND BEARER NEGOTIABLE INSTRUMENTS UNDECLARED
OR FALSELY DECLARED**

53. Currencies

No	Currency Name	Currency Code	Total Amount	Amount in USD
1				
2				
3				
4				
5				
			TOTAL	

Anti-Money Laundering (Cross-Border Declaration Of Currency And Bearer Negotiable Instruments)

G.N. No. 268 (contd.)

54. Bearer Negotiable Instruments

No	Bearer Negotiable Instrument	Currency Name	Currency Code	Issuer of BNI	Total Amount	Amount in USD
1	Cheque					
2	Travelers Cheque					
3	Money Order					
4	Bill of Exchange					
5	Promissory Note					
6	Prepaid Card					
7	Other (please specify):					
TOTAL						

55. Owner of Currency and/or Bearer Negotiable Instruments:

56. Source of Currency and/or Bearer Negotiable Instruments:

57. Intended Recipient of Currency and/or Bearer Negotiable Instruments:.....

58. Intended Use of Currency and/or Bearer Negotiable Instruments:

59. I declare that all the information given on this form is correct and accurate.

Traveler's Signature:

PART IV - FOR OFFICIAL USE ONLY

60. Offence Committed (Currency and/or BNI undeclared or Falsely Declared?):.....

61. Receiving Officer's Name:

62. Date and Time of Seizure:

63. Officer's Signature:

United Republic of Tanzania



Tanzania Revenue Authority

CROSS BORDER DECLARATION OF CURRENCY AND BEARER NEGOTIABLE INSTRUMENTS

Form for Seizing Undeclared or Falsely Declared Currency and Bearer Negotiable Instruments in Shipped Parcels and Cargo

Made under the Anti-Money Laundering (Cross-Border Declaration of Currency and Bearer Negotiable Instruments) Regulations, 2016

All cash or BNI amounting to at least USD 10,000 or its equivalent in any other currency must be declared

PART I – DETAILS OF PARCEL OR CARGO OWNER/SENDER

If the sender is an individual:

1. Last Name (Surname):
2. Middle Name:
3. First Name:
4. Gender:
5. Date of Birth:
6. Nationality:
7. Country of Residence:
8. Country Where Parcel/Cargo is Sent From:
9. ID Name/Type:
10. ID No:
11. Physical Address:
12. Postal Address:
13. Telephone Numbers (Landline and Mobile):
14. Email Address(es):
15. Occupation:
16. Work/Employment Physical Address:
17. Work Telephone Number(s):

*Anti-Money Laundering (Cross-Border Declaration Of Currency And Bearer
Negotiable Instruments)*

G.N. No. 268 (contd.)

18. Marital Status:
19. Name of Spouse:
20. Occupation of Spouse:

If the sender is a legal person:

21. Company/Organisation Name:
22. Name of Company/Organisation CEO:
23. Company/Organisation CEO Telephone Numbers (Landline and Mobile):
.....
24. Company/Organisation CEO Email Address(es):
25. Physical Address:
26. Postal Address:
27. Country:
28. Name of Officer Responsible for the Parcel/Cargo:
.....
29. Telephone Numbers of Officer Responsible for the Parcel/Cargo (Landline
and Mobile):

PART II – DETAILS OF PARCEL OR CARGO RECIPIENT

If the recipient is an individual:

30. Last Name (Surname):
31. Middle Name:
32. First Name:
33. Gender:
34. Date of Birth:
35. Nationality:
36. Country of Residence:
37. Country Where Parcel/Cargo is Sent From:
38. ID Name/Type:
39. ID No:
40. Physical Address:
41. Postal Address:
42. Telephone Numbers (Landline and Mobile):
43. Email Address(es):
44. Occupation:
45. Work/Employment Physical Address:
46. Work Telephone Number(s):
47. Marital Status:

*Anti-Money Laundering (Cross-Border Declaration Of Currency And Bearer
Negotiable Instruments)*

G.N. No. 268 (contd.)

- 48. Name of Spouse:
- 49. Occupation of Spouse:

If the recipient is a legal person:

- 50. Company/Organisation Name:
- 51. Name of Company/Organisation Head/CEO:
- 52. Company/Organisation Head/CEO Telephone Numbers (Landline and
Mobile):
- 53. Company/Organisation Head/CEO Email Address(es):
.....
- 54. Physical Address:
- 55. Postal Address:
- 56. Country:
- 57. Name of Officer Responsible for the Parcel/Cargo:
- 58. Telephone Numbers of Officer Responsible for the Parcel/Cargo (Landline
and Mobile):

*Anti-Money Laundering (Cross-Border Declaration Of Currency And Bearer
Negotiable Instruments)*

G.N. No. 268 (contd.)

PART III – DETAILS OF PARCEL OR CARGO COURIER

- 59. Company/Organisation Name:
- 60. Full Address:
- 61. Telephone Numbers (Landline and Mobile):
- 62. Name of Officer Handling the Parcel/Cargo:
- 63. Duty Station:
- 64. Flight/Vehicle/Vessel No:
- 65. Parcel/Cargo Identification Details:

**PART IV – CURRENCIES AND BEARER NEGOTIABLE INSTRUMENTS UNDECLARED
OR FALSELY DECLARED**

66. Currencies

No	Currency Name	Currency Code	Total Amount	Amount in USD
1				
2				
3				
4				
5				
			TOTAL	

67. Bearer Negotiable Instruments (BNI)

No	Bearer Negotiable Instrument	Currency Name	Currency Code	Issuer of BNI	Total Amount	Amount in USD
1	Cheque					
2	Travelers Cheque					
3	Money Order					
4	Bill of Exchange					
5	Promissory Note					
6	Prepaid Card					
7	Other (please specify):					
					TOTAL	

*Anti-Money Laundering (Cross-Border Declaration Of Currency And Bearer
Negotiable Instruments)*

G.N. No. 268 (contd.)

68. Intended Use of Currency and/or Bearer Negotiable Instruments:
69. I declare that all the information given on this form is correct and accurate.
Sender/Recipient's Signature:

PART V - FOR OFFICIAL USE ONLY

70. Offence Committed (Currency and/or BNI undeclared or Falsely
Declared?):.....
71. Receiving Officer's Name:
.....
72. Date and Time of Seizure:
73. Officer's Signature:

Dar es Salaam,
26th August, 2016

PHILLIP I. MPANGO
Minister for Finance and Planning