



# Information

## on the duty to declare cash and equivalent means of payment when travelling within the European Union

### **Duty to declare when travelling within the European Union**

The circulation of c a s h and equivalent means of payment across the borders of Germany into other member states of the European Union (EU) is monitored by the inspection units of the Customs and by the Federal Police at the borders and within the country. Any person entering Germany from an EU member state, or leaving Germany for an EU member state, with cash and equivalent means of payment of a total value of 10,000 euros or more, must **verbally** declare this sum to the customs officer **when questioned**. Failure to declare the cash and the equivalent means of payment carried, or declaring them incorrectly, may lead to a heavy fine.

### **What is the purpose of the obligation to declare?**

The obligation to declare aims at the prevention of illegal movements of money across German borders so as to combat money laundering, the financing of terrorism, and criminality. However, the checks do not restrict the free movement of capital. Even in the future, cash and equivalent means of payment may still be carried in unlimited amounts without need of permission.

### **Who must declare the cash and equivalent means of payment?**

Any person who is carrying cash and equivalent means of payment of a total value of 10,000 euros or more (e.g. in a handbag, rucksack or suitcase) must verbally declare the entire amount to customs officers upon request.

It is not relevant whom the cash and equivalent means of payment belong to, nor why the person is carrying the cash and equivalent means of payment.

### Example:

A group of travellers enters Germany by train from Austria – father, mother and 3 children. The mother has 40,000 euros in her handbag. The money belongs to the father and the children. German customs officers ask the travellers about cash and equivalent means of payment.

The mother must declare the 40,000 euros since she is carrying the entire amount.

## **What is cash and equivalent means of payment?**

**Cash currency** includes e.g.

- ▶ bank notes and coins that are legal tender
- ▶ bank notes and coins that are not legal tender but which may still be converted into a currency that is legal tender (e.g. deutschmark, Austrian schilling – conversion into euros is still possible).

**Equivalent means of payment** include savings books, electronic money and precious metals and gemstones (rough or polished), e.g.

- ▶ platinum, gold and silver
- ▶ diamonds, rubies, sapphires and emeralds.

Jewellery and other goods made of precious metals or gemstones are not deemed to be equivalent means of payment and hence need not be declared.

Foreign currencies must be converted to euros at the cash exchange rate on the day of entry into/exit from Germany.

Calculation of the value of collectors' and bullion coins (e.g. "Maple Leaf", "Eagle", "Vienna Philharmonic") is based on the actual value of the coins, not their nominal value.

## **How must the declaration be made and what information must be provided?**

If you are requested to declare cash and equivalent means of payment, you must verbally declare the type and value of the cash or the equivalent means of payment and state its origin, the beneficial owner and its intended purpose.

If you are in doubt as to whether the means of payment you are carrying are subject to a duty to declare, or if anything else is unclear, in your own interest you should consult the customs officer conducting the inspection. The consequences of incorrect or incomplete statements may be severe.

## **What happens after you have provided all the necessary information?**

If you have correctly declared the cash and/or equivalent means of payment to customs officers and the information is complete and conclusive and there are no indications of money laundering or the financing of terrorism, you may proceed on your journey without hindrance, with your means of payment.

## **What happens if there is reason to suspect money laundering or the financing of terrorism?**

As a rule, doubts about the information or other indications of possible money laundering or the financing of terrorism cannot be clarified on the spot. The customs officers pass the case on to the Customs Investigation Office, which clarifies the facts through further investigations. If the matter cannot be clarified within a short time, the cash or the equivalent means of payment will be confiscated. If evidence of money laundering or the financing of terrorism is found, the Customs Investigation Office will initiate investigation proceedings.

**What consequences must people expect if they make false, incomplete or no statements on cash or equivalent means of payment they are carrying?**

Whoever fails to declare cash or equivalent means of payment on request, or fails to declare it completely, commits an offence. The offence is punishable with a fine of up to one million euros.

Additionally, persons who have no fixed abode or place of residence in Germany must also deposit a certain sum as security for the conduct of the fine proceedings.

This sum of money is not a fine; it is deposited at the customs office responsible and is intended to ensure that the fine proceedings may be conducted in an orderly fashion.

The amount of the deposit is assessed on the basis of the anticipated fine and the costs of the fine proceedings.

On conclusion of the fine proceedings, the security deposit is offset against the amount of the fine actually imposed. If the sum of money deposited exceeds the amount of the fine, the difference will be refunded.

**What other tasks do the Customs have in monitoring the circulation of cash and equivalent means of payment?**

If any indications of crimes or administrative offences (e.g. tax evasion or the abuse of social benefits) are found during the customs control of cash or equivalent means of payment being carried, these findings may be forwarded to the competent administrative and law enforcement authorities for further investigations.

**Who can I contact if I have any further questions?**

If you have any further questions regarding the duty to declare cash and equivalent means of payment, you can contact any office of the German customs administration.

You can also find further information on the homepage of the German Customs Administration at:  
[http://www.zoll.de/DE/Fachthemen/Aussenwirtschaft-Bargeldverkehr/Barmittelverkehr/Anzeigepflicht-EU-Mitgliedstaaten/anzeigepflicht-eu-mitgliedstaaten\\_node.html](http://www.zoll.de/DE/Fachthemen/Aussenwirtschaft-Bargeldverkehr/Barmittelverkehr/Anzeigepflicht-EU-Mitgliedstaaten/anzeigepflicht-eu-mitgliedstaaten_node.html)

