

~~Amie~~ 117
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TRAVELLERS CURRENCY DECLARATION BILL, 2014

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TRAVELLERS CURRENCY DECLARATION BILL, 2014

A BILL FOR AN ACT TO PROVIDE FOR THE DECLARATION OF CURRENCY BY TRAVELLERS ENTERING OR LEAVING THE BAHAMAS

Enacted by the Parliament of The Bahamas

1. Short title and commencement.

- (1) This Act may be cited as the Travellers Currency Declaration Act, 2014.
- (2) This Act shall come into force on such date as the Minister may appoint by Notice in the *Gazette*.

2. Interpretation.

In this Act —

“**cash**” means coins and bank-notes in any currency;

“**Minister**” means the Minister of Finance;

“**negotiable instruments**” means monetary instruments including, cheques, travellers cheques, promissory notes and money orders whether the instrument be in bearer form, with the payee's name omitted, endorsed without restriction, made out to a fictitious payee or otherwise, in such form that title thereto passes upon delivery;

“**proper officer**” means the relevant authority responsible for matters relating to customs or such other persons as may be designated to carry out the functions of that authority.

3. Required declaration for travellers entering or leaving The Bahamas.

- (1) Every person entering or leaving The Bahamas (except for a person leaving on a precleared flight by United States Customs), who has in his possession, whether —
- (a) upon his person or other family member; or
 - (b) in his baggage,
- cash or negotiable instruments of a value equivalent to BS\$10,000 or more shall —
- (i) make a declaration to the proper officer as specified in subsection (2);
 - (ii) answer such questions as the proper officer may put to him with respect to his baggage and anything contained therein or carried on or with him; and
 - (iii) if required by such officer, produce that baggage and any such thing for examination.
- (2) The declaration form required to be made —
- (a) by a person entering The Bahamas, shall be made in Form No. C. 17 in the First Schedule of the Customs Management Regulations, 2014;
 - (b) by a person leaving The Bahamas on a precleared flight, shall be made in the form prescribed by United States Customs and Border Protection;
 - (c) by a person leaving The Bahamas on any other flight, shall be made in the form prescribed in the Schedule.

4. Detention, search and seizure.

Where a proper officer has reasonable grounds to suspect that any person entering or leaving The Bahamas has in his possession any cash or negotiable instruments of a value equivalent to BS \$10,000 or more for which he has failed to declare, that officer may exercise the discretion and powers conferred by the Customs Management Act, 2011.

5. Offences and penalties.

Any person who—

- (a) makes any declaration which is false or incorrect in any material particular;
- (b) fails to declare anything as required by this Act;
- (c) where required by this Act, refuses to answer any question lawfully put to him by the proper officer, refuses to answer such question or

makes any statement which is false or incorrect in any material particular in reply thereto;

- (d) fails to produce any baggage or thing for examination as required by this Act,

commits an offence and is liable upon summary conviction to a fine not exceeding two thousand dollars or to imprisonment of a term not exceeding two years or to both such fine and imprisonment, and —

- (i) any baggage or thing, in relation to which the offence is committed, shall be liable to forfeiture;
- (ii) all currency which is the subject matter of the false or incorrect statement or declaration to which the offence relates shall be forfeited.

SCHEDULE

(section 3)

TRAVELLERS CURRENCY DECLARATION FORM

Each person or responsible family member travelling with cash or negotiable instruments of a value equivalent to BS \$10,000.00 or more is required to read the notes on the reverse before completing all items in this form.

1. _____

Family Name First Middle

2. Nationality _____ Passport No. _____

3. I am/We are ordinarily resident in The Bahamas Yes [] No []

4. Airline/Flight No. or Vessel _____

5. Address in The Bahamas:

Hotel/ House/Apt. No. Street Address Island

6. Household members for whom you are declaring:

Family Name First Middle

Family Name First Middle

Family Name First Middle

7. I/We have cash and/or negotiable instruments to declare in the value of \$ _____

I have read the information on the reverse of this form and have made a true, accurate and complete declaration.

Signature: _____ Date: _____
Day Month Year

Customs Use Only

**CURRENCY DECLARATION (CUSTOMS FORM)
REVERSE
IMPORTANT INFORMATION**

You are required to declare imports and exports of cash and negotiable instruments of a value equivalent to BS \$10,000 or more. "Cash" includes coins and bank notes in any currency. "Negotiable instruments" includes monetary instruments such as cheques, travellers cheques, promissory notes and money orders.

OBJECTS AND REASONS

Clause 3 of the Bill seeks to provide for the declaration of cash or negotiable instruments in the amount equivalent to BS \$10,000 or more by persons travelling to or leaving The Bahamas. The declaration shall be in the forms specified.

Clause 4 of the Bill provides for detention, search and seizure where an officer has reasonable grounds to believe that a person has failed to declare.

Clause 5 of the Bill provides for offences and penalties.