

Mutual Legal Assistance: Freezing and Confiscation

Countries should ensure that:

- > They have measures in place to:
 - ✓ detect the physical cross-border transportation of currency and bearer negotiable instruments, including through a declaration system and/or disclosure system; and
 - ✓ identify currency or bearer negotiable instruments that are suspected to be related to terrorist financing (TF), money laundering (ML) or predicate offences or that are falsely declared or disclosed.
- > Competent authorities have the legal authority to stop or restrain such currency or bearer negotiable instruments and that effective, proportionate and dissuasive sanctions are available to deal

with persons who make false declaration(s) or disclosure(s).

- > Measures, including legislative ones consistent with Recommendation 4, are in place to enable the confiscation of such currency or instruments.
- > Information obtained through the declaration/disclosure process should be available to the financial intelligence unit (FIU) and, at the domestic level, adequate coordination exists among customs, immigration and other related authorities on issues related to the implementation of Recommendation 32.

This Recommendation does not cover movement of gold, precious metals and precious stones, which are covered under relevant customs laws and regulations.