Text consolidated by Valsts valodas centrs (State Language Centre) with amending laws of:

19 September 2013 [shall come into force from 1 January 2014];

14 February 2019 [shall come into force from 13 March 2019];

13 June 2019 [shall come into force from 1 July 2019];

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*1 has adopted and

the President has proclaimed the following law:

**On Declaration of Cash at the State Border**

**Section 1. Purpose of this Law**

The purpose of this Law is to prevent undeclared cash or cash that is proceeds from crime from entering or leaving the Republic of Latvia, thus preventing money laundering or terrorism and proliferation financing.

[*13 June 2019*]

**Section 2. Scope of Application of this Law**

The Law prescribes the the competence of the Republic of Latvia in relation to the control of the cash entering or leaving the European Union at the State border, and also the competence of the Republic of Latvia in relation to the control of cash at the internal State border.

[*13 June 2019*]

**Section 3. Competent Authority**

(1) The competent authority is the State Revenue Service.

(2) At the border crossing points of the Republic of Latvia where customs control points have not been established, the State Border Guard shall fulfil the functions of the competent authority.

**Section 4. The Exchange Rate Applicable to Recalculation of Foreign Currency**

(1) The cash to be declared shall be recalculated in euros by applying the euro foreign exchange reference rate published by the European Central Bank on the penultimate Wednesday of each month. The State Revenue Service shall publish the euro foreign exchange reference rate published by the European Central Bank on the penultimate Wednesday of each month on its website. If the foreign exchange rate has not been published on the aforementioned day, the newest published foreign exchange rate shall be applied.

(2) If the European Central Bank has not published a euro foreign exchange rate for the specific foreign currency, then the newest foreign currency market rate in relation to euro published in a periodic issue or website of a provider of financial information recognised by the global financial market shall be used.

(3) The foreign currency exchange rate specified in Paragraph one of this Section shall be applied during the whole following month, starting from its first day.

[*14 February 2019*]

**Section 5. Declaration of Cash**

(1) Within the meaning of this Law, cash means the cash referred to Article 2(2) of Regulation (EC) No 1889/2005 of the European Parliament and of the Council of 26 October 2005 on controls of cash entering or leaving the Community (hereinafter – Regulation No 1889/2005).

(2) A natural person who in accordance with Article 3(1) of Regulation No 1889/2005 has the obligation to declare cash shall complete in writing the cash declaration form in accordance with Article 3(2) of Regulation No 1889/2005, shall certify the veracity of the information provided therein with a signature and, upon crossing the external State border, shall submit the declaration to the respective official of the competent authority.

(3) The competent authority is entitled to request a person who is not subject to the cash declaration obligation laid down in Paragraph two of this Section to complete the cash declaration form upon crossing the external State border, if there are indications of possible illegal activities of the person.

(4) A natural person who, by crossing the internal State border, is bringing in or out of the Republic of Latvia cash in the amount of EUR 10 000 or more, before leaving the Republic of Latvia or after entry therein with the cash shall, upon a request of an official of the competent authority, complete in writing the cash declaration form, certify the veracity of the information provided therein with a signature and submit the declaration to the respective official of the competent authority.

(5) The natural person referred to in Paragraph four of this Section, upon crossing the internal State border, shall indicate the following information in the cash declaration form:

1) the name, surname, date and place of birth, an nationality of the cash declarant;

2) the owner of the cash;

3) the intended recipient of the cash, if known;

4) the amount and nature of the cash;

5) the provenance and intended use of the cash;

6) information regarding the transport (type and route of the transport).

(6) If the information provided in the cash declaration form is incorrect or incomplete, it shall be deemed that the cash declaration obligation has not been fulfilled and the cash brought into or out of the Republic of Latvia by the person has not been declared.

(7) The Cabinet shall approve the the cash declaration form, determine the procedures for the completion and submission of the declaration, and also the procedures for verification of the provided information.

[*13 June 2019*]

**Section 6. Procedures for the Use and Exchange of the Obtained Information**

(1) An official authorised by the State Border Guard to whom a cash declaration is submitted shall immediately send this declaration to the State Revenue Service.

(2) The State Revenue Service shall ensure the availability of the information included in the cash declaration to the Office for Prevention of Laundering of Proceeds Derived from Criminal Activity.

(21) The State Revenue Service shall provide the information included in the cash declaration to the subject of operational activities or the person directing the proceedings upon a separate request therefrom.

(3) The Office for Prevention of Laundering of Proceeds Derived from Criminal Activity is entitled to send the obtained information to the competent authorities of other countries or to the European Commission.

[*13 June 2019*]

**Section 7. Administrative Liability for the Failure to Fulfil the Cash Declaration Obligation at the State Border and Competence in the Administrative Offence Proceedings**

(1) For the failure to fulfil the declaration obligation laid down in laws and regulations in respect of cash that, upon crossing the State border, is brought in or out of the Republic of Latvia, a fine in the amount of 20 per cent of the amount to be declared shall be imposed.

(2) Administrative offence proceedings for the offence referred to in Paragraph one of this Section shall be conducted by the State Revenue Service.

(3) In cases where, in accordance with Section 3, Paragraph two of this Law, the functions of the competent authority are fulfilled by the State Border Guard, the administrative offence proceedings for the offence referred to in Paragraph one of this Section shall, until examination of the case, be conducted by the State Border Guard.

[*13 June 2019 /* *Section shall come into force on 1 July 2020.* *See Paragraph 2 of Transitional Provisions*]

**Transitional Provisions**

[*13 June 2019*]

1. With the coming into force of this Law, the law On Declaration of Cash at the State Border (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 2005, No. 22), is repealed.

[*13 June 2019*]

2. Section 7 of this Law laying down administrative liability for the failure to fulfil the cash declaration obligation at the State border of the Republic of Latvia, and the competence within the administrative violations proceedings shall come into force concurrently with the Administrative Liability Law.

[*13 June 2019*]

3. The Cabinet shall issue the regulations referred to in Section 5, Paragraph seven of this Law by 1 July 2019.

[*13 June 2019*]

This Law shall come into force on 15 June 2007.

This Law has been adopted by the *Saeima* on 29 March 2007.

President V. Vīķe-Freiberga

Rīga, 17 April 2007