

Prevention of money laundering: controls of cash entering or leaving the Community

2002/0132(COD) - 19/03/2003

The committee adopted the report by Ingo SCHMITT (EPP-ED, D) amending the proposal under the 1st reading of the codecision procedure. It said that Member States should be allowed to choose between two procedures: the obligation to declare or the obligation to disclose. Under the disclosure procedure, a traveller entering or leaving the Community customs territory with sums of EUR 15 000 or more in cash would be required to provide information at the request of a customs official. In particular, he or she would be required to "disclose the nature, denominations and value of that cash and give details of its provenance, owner and purpose". Following on from Member States' right to choose between two alternative procedures, the committee said that a directive was preferable to a regulation as the legal form for this proposal and amended the text to reflect this. While agreeing with the Commission that cash may be detained for up to three working days, the committee was concerned that restrictions should be imposed on any extension of that period. It accordingly specified that the three-day period during which cash may be detained may be extended once only "up to a period of one month". Moreover, it proposed that the information obtained by means of the two procedures should be administered in a Europol database, to which each Member State would have access. It should be possible to call up the data stored on that database only in connection with measures to prevent money laundering. Lastly, the committee wanted the Member States to transpose the directive into national law no later than 31 December 2004 and called on the Commission to assess its application and report to Parliament and the Council within two years.