



REPUBLIC OF NAURU

PROCEEDS OF CRIME (BORDER DECLARATION FORM) (AMENDMENT) REGULATIONS 2024

SL No. 5 of 2024

Notified: 28 March 2024

Table of Provisions

1	Citation.....	2
2	Commencement.....	2
3	Amendment of the Proceeds of Crime (Border Declaration Form) Regulations 2023.....	2
4	Amendment of Regulation 3.....	2
5	Amendment of Regulation 4.....	2
6	Insertion of new Regulation 5.....	3

The Cabinet makes the following Regulations under Section 96, 96A and 107 (a) of the *Proceeds of Crime Act 2004*:

1 Citation

These Regulations may be cited as the *Proceeds of Crime (Border Declaration Form) (Amendment) Regulations 2024*.

2 Commencement

These Regulations commence on the date they are notified in the Gazette.

3 Amendment of the Proceeds of Crime (Border Declaration Form) Regulations 2023

The *Proceeds of Crime (Border Declaration Form) Regulations 2023* are amended by these Regulations.

4 Amendment of Regulation 3

Regulation 3 is amended by:

- (a) numbering the current provision as subregulation (1);
- (b) inserting after '\$5,000 of' the words 'or its equivalence in any other currency'; and
- (c) inserting the following new subregulation (2) as follows:

'(2) The Nauru Customs Service shall provide a copy each of the Border Declaration Form to the Financial Intelligence Unit.'

5 Amendment of Regulation 4

Regulation 4 is amended by:

- (a) numbering the current provision as subregulation (1);
- (b) deleting the fullstop at the end of the current provision and substituting with the following:

'by:

- (a) Nauru Customs Service; and
- (b) Financial Intelligence Unit, of all such forms which are submitted to it.' ; and

- (c) inserting the following new subregulation (2):

‘(2) An electronic declaration made for the purposes of this Regulation or any other written law, shall be kept and maintained in an electronic storage database or system.’.

6 Insertion of new Regulation 5

Regulation 5 is inserted as follows:

‘5 Declaration of transportation of cash and other items by mail or cargo

- (1) Where cash, bearer negotiable instruments, precious metals or stones including sapphire, gold and silver are transported from or into the Republic through mail or cargo, the manifest for such transportation shall be appropriately recorded the following in the Customs system:
 - (a) amount in Australian dollars or its equivalent in foreign currency; and
 - (b) value of any of the precious sapphire, gold and silver in Australian dollars or its equivalent in foreign currency.
- (2) The Nauru Customs Service shall report the transportation of cash, bearer negotiable instruments, precious metals or stones including sapphire, gold and silver under subregulation (1) to the Financial Intelligence Unit.
- (3) The Financial Intelligence Unit shall ensure to keep and maintain all forms received under subregulation (2), on a monthly basis.
- (4) For the purpose of this Regulation ‘**Customs system**’ has the meaning given to it under the *Customs Regulations 2023*.’.