

The Governor,

**For the attention of the
Managers of CEMAC
Credit Institutions**

CIRCULAR LETTER N° 010/GR/2019

*Operating accounts opened in foreign currencies in the names of non-residents
in CEMAC banks.*

Dear Madam/Mr. General Manager,

Regulation n°02/18/CEMAC/UMAC/CM of 21 December 2018 regulating foreign exchange in CEMAC, which came into force on 1 March 2019, sets, among others, the conditions for opening and operating non-resident foreign exchange accounts.

Within the meaning of the above-mentioned Regulation, is considered as non-resident "any natural or legal person having his usual residence or his predominant economic centre of interest outside CEMAC, including in particular...":

- heads of diplomatic missions, diplomats and assimilated, as well as members of their families;
- foreign patients, including long-term patients and the persons accompanying them;
- civil servants employed in extraterritorial enclaves;
- embassies, consulates, civil and military missions, international and regional organizations;
- International et regional ;
- soldiers on mission;
- seasonal workers;
- members of the ship crew, aircraft and oil platforms; companies or enterprises carrying out specific temporary tasks in CEMAC countries unless they are registered in the trade and personal property credit register of a CEMAC State, even on a temporary basis.

1. GENERAL TERMS AND CONDITIONS FOR THE OPENING AND OPERATION OF NON-RESIDENT ACCOUNTS

The opening of accounts of non-residents in foreign currencies in CEMAC is free, subject to a posteriori information of the Central Bank within 30 days. However, it shall be subject to the provision of supporting documents by the requesting party. The loss of non-resident status shall entail the automatic closure of the account.

Debits and credits to and from non-resident accounts in foreign currency may be made freely, subject to compliance with the regulations in force.

However, the following transactions are strictly prohibited from non-resident accounts in foreign currencies:

- Credit by payments in CFA francs ;
- Crediting by debiting an account in local currency;
- Withdrawals of foreign notes and coins to cover local needs (payment of salaries, settlement of supplier invoices, etc.). Only withdrawals of foreign currency for travel needs are authorized in compliance with the regulatory provisions.

In addition, non-resident account balances in foreign currency may under no circumstances show debit balances.

2. SPECIFIC MODALITIES FOR THE OPERATION OF THE FOREIGN CURRENCY ACCOUNTS OF HEADS OF DIPLOMATIC MISSIONS, DIPLOMATS AND ASSIMILATED PERSONS

The first authority of an embassy, a consulate, a civil and military mission, an international or regional organization is considered to be the head of a diplomatic mission.

The staff of an embassy, consulate, civil and military mission, international or regional organization which is subject to the diplomatic regime and enjoys the status, facilities, privileges and immunities enjoyed by diplomatic agents, shall be considered as diplomats.

For the application of the present Circular Letter, the Heads of Diplomatic Missions, Diplomats and assimilated, are excluded from the category of Heads of Diplomatic Missions, Diplomats and assimilated, the first persons in charge of the above mentioned entities emanating from CEMAC and citizens of one of the CEMAC countries.

Pursuant to the provisions of articles 49, 77 and 80 of the Regulation regulating foreign exchange in force in CEMAC, heads of diplomatic missions, diplomats and assimilated persons are authorized to withdraw cash in foreign currency notes from their foreign currency accounts up to an amount equivalent to their salary income for travel purposes. Foreign currency withdrawals made in this capacity cover the travel of the Head of Diplomatic Mission holding the account and his family, up to a maximum of FCFA 5,000,000 per person and per trip.

These withdrawals of foreign banknotes by Heads of Diplomatic Missions, diplomats and similar must be justified a priori or a posteriori within 90 days at the most from the effective date of the withdrawal, under the conditions laid down in Article 80 of the above-mentioned Regulation n°02/18/CEMAC/UMAC/CM. Heads of Diplomatic Missions, diplomats and assimilated persons may not claim new foreign exchange allowances without having cleared (i.e. produced the supporting documents) the previous withdrawals of foreign exchange.

When the Heads of Diplomatic Missions, diplomats and assimilated persons reach the end of their mission of representation in CEMAC, the credit balances of their foreign currency accounts can only be withdrawn in foreign bank notes within the limit of the authorised travel ceiling. The remaining balance must be transferred to an account abroad indicated by the Head of the Diplomatic, Diplomatic and Similar Mission concerned.

I attach great importance to the strict observance of the provisions set out in this Circular Letter and I invite you to apply them rigorously to the non-resident customers of your establishment.

Please accept, **Madam/Mr. General Manager** of my highest consideration.

ABBAS MAHAMAT TOLLI