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**OFFICIAL BULLETIN
OF
ARUBA**

STATE DECREE containing General Administrative Orders of October 11, 2016 for the implementation of Articles 2 and 2a of the Sanctions Ordinance 2006 (“AB” [*Official Bulletin*] 2007 No. 24) (Sanctions Decree Central African Republic)

Published on October 25, 2016

The Minister of Justice,

A.L. Dowers

IN THE NAME OF THE KING!

THE GOVERNOR of Aruba,

Having considered:

- that, having regard to Regulation 224/2014 of the Council of the European Union of March 10, 2014, it is desirable to take restrictive measures against certain persons, entities and bodies from the Central African Republic;
- that it is also desirable to implement Implementing Decision 2013/798/CFSP of the Council of the European Union of December 23, 2013 concerning restrictive measures against the Central African Republic;

Having regard to:

Articles 2 and 2a of the Sanctions Ordinance 2006 (AB 2007 No. 24);

Has decided:

§ 1. General

Article 1

In this State Decree, the following terms shall mean:

- Regulation No. 224/2014 : Regulation (EU) No. 224/2014 of the Council of the European Union of March 10, 2014 concerning restrictive measures against the Central African Republic and the corresponding Annexes, including any subsequent amendments to those Annexes;
- Decision 2013/798 : Implementing Decision 2013/798/CFSP of the Council of the European Union of December 23, 2013 concerning restrictive measures against the Central African Republic and the corresponding Annex, including any subsequent amendments to that Annex;
- EU Common List of Military Equipment : the list of goods governed by Common Position 2008/944/CFSP of the Council of December 8, 2008 adopting common rules for the control of exports of military equipment and technology, including any subsequent amendments to that List;

freezing	:	a prohibition to transfer, convert, relocate or make available;
Bank	:	the Central Bank of Aruba;
service	:	an activity in connection with a fund or another asset;
service provider	:	anyone providing a service in a professional or commercial capacity;
funds or other assets	:	property, acquired in any way, as referred to in Article 1 of Book 3 of the Civil Code of Aruba, all documents and data carriers in any form or capacity whatsoever, showing full or shared ownership or title to any property, and products or increases in value of a property;
Minister	:	the Minister charged with financial matters;
Reporting Center	:	the Reporting Center Unusual Transactions, referred to in Article 20, first paragraph, of the State Ordinance for the Prevention and Combating of Money Laundering and Terrorist Financing (AB 2011 No. 28).

§ 2. The freezing of funds and other assets

Article 2

1. All funds or other assets in Aruba, which directly or indirectly belong to, are owned by, are in possession of or are controlled by a natural person, legal person, entities or bodies listed in Annex I to Regulation No. 224/2014 and the Annex to Decision 2013/798, respectively, shall be frozen.
2. The freezing, referred to in the first paragraph, shall equally apply to representatives of the natural persons, legal persons, entities or bodies referred to in that paragraph.
3. Notwithstanding the first paragraph, a designated person may be granted access to his frozen funds or assets for credit balances, financial assets or economic resources that:
 - a. are necessary to cover expenses for the basic needs of the natural persons or legal persons, entities or bodies listed in Annex I to Regulation No. 224/2014 and the Annex to Decision 2013/798, respectively, and the family members dependent on these natural persons, such as payments for food, rent or mortgage charges, medicines or medical treatments, taxes, insurance premiums and public utility services;
 - b. are exclusively intended for the payment of reasonable fees or the payment of costs incurred in connection with the provision of legal services;

- c. are exclusively intended for the payment of fees or costs for only maintaining or managing frozen credit balances or economic resources, or
 - d. are necessary for the payment of extraordinary charges, provided the Minister has been given notice at least two weeks in advance of the reasons why he feels that specific permission should be granted.
4. Access to frozen funds or assets shall only be granted with the approval of the Minister.

Article 3

The Bank and the Reporting Center are charged with the digital publication of the prevailing texts of Annex I to Regulation No. 224/2014 and the Annex to Decision 2013/798, respectively.

Article 4

1. It is prohibited for anyone to provide services or to perform acts that lead to it or can reasonably lead to it that a natural person, legal person or other entity listed in Annex I to Regulation No. 224/2014 and the Annex to Decision 2013/798, respectively, gains access in any way to funds or other assets.
2. It is prohibited to participate intentionally or deliberately in activities of which the purpose or consequence is that the measures referred to in the first paragraph are directly or indirectly circumvented.

Article 5

1. Anyone having funds or other assets in his custody of a natural person, legal person or other entity listed in Annex I to Regulation No. 224/2014 and the Annex to Decision 2013/798, respectively, shall take such measures that these funds and assets cannot be used, or that these funds and other assets cannot be transferred, converted, relocated or be made available.
2. If it concerns a service provider supervised by the Bank pursuant to a state ordinance, it shall immediately inform the Bank of the funds or other assets it has in its custody.
3. Service providers shall immediately inform the Reporting Center of all transactions intended or carried out by or on behalf of persons, entities and bodies listed in Annex I to Regulation No. 224/2014 and the Annex to Decision 2013/798, respectively.

Article 6

If the freezing concerns property subject to registration as referred to in Article 10 of Book 3 of the Civil Code of Aruba, the keeper of the public register in question shall ensure that same be recorded in this public register.

§ 3. Prohibition on the financing of military equipment

Article 7

1. It is prohibited for everyone to provide services or perform acts to finance the weapons, ammunition and equipment as stated on the EU Common List of Military Equipment, for the benefit of natural persons, legal persons, entities or bodies located in the Central African Republic, or for use in the Central African Republic.
2. It is also prohibited to provide services or to perform acts for the financing in connection with the provision of armed mercenaries in the Central African Republic, or for their deployment in the Central African Republic.
3. It is prohibited to participate intentionally or deliberately in activities of which the purpose or consequence is that the measures referred to in the first and second paragraph are directly or indirectly circumvented.

§ 4. Final provision

Article 8

1. This State Decree shall enter into force as of the day following the day of its publication in the Official Bulletin of Aruba.
2. It may be cited as Sanctions Decree Central African Republic.

Given in Oranjestad, October 11, 2016
F.J. Refunjol

The Minister of Finance and Government Organization,
A.R. Bermudez

The Minister of Justice,
A.L. Dowers

The Minister of General Affairs, Science, Innovation and Sustainable
Development,
M.G. Eman