



## CENTRALE BANK VAN ARUBA

*Most frequently asked questions received from the public with regard to the CBA Public Announcements of March 17, 2020 and March 27, 2020, in which it was, respectively, announced that the CBA will not grant new foreign exchange licenses that relate to outgoing capital transactions, including dividend declarations and that the Decree Concerning Foreign Exchange Transactions 2013/K.2 (General Foreign Exchange License) has been suspended for all outgoing capital transactions until further notice.*

### **Question 1: Loans, loan repayments, and interest payments**

In the Public Announcement of the CBA of March 17, 2020, it is mentioned that the general foreign exchange license 02/K.1 is no longer applicable for outgoing capital transactions as of March 17, 2020.

Can I still repay my foreign loans and pay interest on these loans, including student loans?

#### **Answer 1:**

If you already have received a special foreign exchange license from the CBA for the foreign loan in question, the repayments and interest payments on the loan can be continued as normal.

If you have a loan with a foreign third party under the amount of Afl. 300,000 (natural person) or Afl. 750,000 (legal entities) which was granted before March 17, 2020 and, thus, fell under the general foreign exchange license 02/K.1, repayments and interest payments on this loan can also be continued as normal. The commercial banks may require relevant documents to proof the date on which the loan was granted to you.

Also the repayment of student loans granted by DUO in The Netherlands or similar bodies abroad can be continued as normal.

### **Question 2: Buying a house from a non-resident**

In the Public Announcement of the CBA of March 17, 2020, it is mentioned that the CBA will not grant any new foreign exchange licenses that relate to outgoing capital transactions.

Can I still buy a house from a non-resident?

#### **Answer 2:**

No, it is not allowed to buy a house from a non-resident for the time being, as all outgoing capital transactions have been suspended.



## CENTRALE BANK VAN ARUBA

### **Question 3: Which capital transactions are no longer allowed?**

#### **Answer 3:**

The CBA will not grant any **new** foreign exchange licenses that relate to outgoing capital transactions, as well as dividend declarations for outgoing dividend payments until further notice.

**(Outgoing) Capital transactions** for which a foreign exchange license of the CBA will not be granted for the time being, are:

1. granting of loans to non-residents
2. making investments abroad
3. participating in a foreign company
4. purchasing real estate either in Aruba or abroad from a non-resident
5. transferring to own foreign accounts by a natural person
6. transferring to own foreign accounts by a legal person or other entity
7. transferring to intercompany accounts of affiliated companies by a legal entity, and
8. other outgoing capital transactions such as gifts, donations, and inheritance

### **Question 4: Is it possible to pay out dividend or transfer profit to my non-resident shareholders?**

#### **Answer 4:**

**No**, it is prohibited. As mentioned in the Public Announcement of the CBA of March 17, 2020, outgoing dividend payments and profit transfers are not permitted until further notice. This means that a dividend payout or a profit transfer of an Aruban company to a foreign shareholder is not allowed, unless you are already in the possession of a dividend/profit declaration of the CBA for this transfer.

### **Question 5: I want to transfer € 3,000 from my bank account in Aruba to my bank account in The Netherlands, is that possible?**

#### **Answer 5:**

**No**, this is not permitted for any amount, because a transfer to your own bank account abroad is considered as an outgoing capital transaction.

### **Question 6: What if I have debts or loans to pay in The Netherlands, and these are being debited from my bank account in The Netherlands, can I transfer money to my bank account in The Netherlands to pay these loans?**

#### **Answer 6:**

**No**, you are not permitted to transfer any funds to your own bank account abroad. However, you are allowed to transfer the funds directly to the receiving non-resident party (such as DUO) through a local commercial bank to the creditor's account.



## CENTRALE BANK VAN ARUBA

### **Question 7: What kind of transactions from or to abroad are still possible?**

#### **Answer 7:**

1. All **incoming** capital transactions are permitted: Some examples hereof are:

- the receipt of proceeds from acquired foreign loans
- the receipt of proceeds (e.g., interest and dividend) from foreign investments
- the receipt of proceeds related to the participation of a foreign shareholder in an Aruban company
- the receipt of proceeds of sale of real estate to a non-resident

2. **Current account transactions** with non-residents are allowed; some examples hereof are:

- payment related to the import and receipt from the export of goods
- payment of freight and insurance costs for international transport
- payment and receipts of travel and accommodation expenses to/from non-residents
- payment and receipt of rentals to/from non-residents
- payment and receipt of work performed and services provided to/from non-residents

### **Question 8: Are all outgoing capital transactions, regardless the amount, of residents to their notified intercompany account prohibited?**

#### **Answer 8:**

**Yes, all outgoing transfers** related to intercompany accounts (FIA) are prohibited until further notice. Payments related to goods and services purchased from or delivered by non-resident group entities can be made through a local commercial bank, under submission of the supporting agreements/contracts and/or invoices.

### **Question 9: Is the general foreign exchange license of the Decree Foreign Exchange Transactions 2013/K.2 still applicable for incoming capital transfers if the foreign accounts have been notified to the CBA?**

#### **Answer 9:**

**Yes, all incoming capital** transactions are allowed. This means that if a company is included in the “Quarterly list of compliant holders of FBAs and FIAs as of February 26, 2020”, it can make use of the general foreign exchange license 2013/K.2 for incoming capital payments.

### **Question 10: Is it currently possible to make payments abroad on invoices from foreign companies for goods and services?**

#### **Answer 10:**

**Yes,** payments to non-residents for goods and services received are permitted via a local commercial bank, under submission of the agreements/contracts and/or invoices to be paid.