

**Unofficial and not binding translation**

**2017 No. 10**

**OFFICIAL BULLETIN  
OF  
ARUBA**

STATE DECREE containing General Administrative Orders of February 17, 2017 for the implementation of Articles 2 and 2a of the Sanctions Ordinance 2006 (“AB” [*Official Bulletin*] 2007 No. 24) (Sanctions Decree Yemen)

Published on March 7, 2017

The Minister of Justice,

A.L. Dowers

## IN THE NAME OF THE KING!

THE GOVERNOR of Aruba,

Having considered:

- that, having regard to Regulation 1352/2014 of the Council of the European Union of December 18, 2014, it is desirable to take restrictive measures against certain persons, entities and bodies from Yemen;
- that it is also desirable to implement Decision 2014/932/CFSP of the Council of the European Union of December 18, 2014 concerning restrictive measures in connection with the situation in Yemen;

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. 1352/2014:	Regulation (UE) No. 1352/2014 of the Council of the European Union of December 18, 2014 concerning restrictive measures in connection with the situation in Yemen and Annex I thereto, including any subsequent amendments to this Annex I;
Decision 2014/932	: Decision 2014/932/CFSP of the Council of the European Union of December 18, 2014 concerning restrictive measures in connection with the situation in Yemen and Annex thereto, including any subsequent amendments to this Annex;
freezing	: a prohibition to transfer, convert, relocate or make available;
service	: an activity in connection with a fund or other 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;
Bank	: the Central Bank of Aruba;
Reporting Center	: the Reporting Center Unusual Transactions, referred to in Article 20, first paragraph, of the State Ordinance on 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 or other entity listed in Annex I to Regulation 1352/2014 Annex to Decision 2014/932, respectively shall be frozen.
2. The freezing, referred to in the first paragraph, shall equally apply to representatives of the natural persons, legal entity or other entity 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 1352/2014 Annex to Decision 2014/932, 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. 1352/2014, Annex to Decision 2014/932, respectively.

#### Article 4

1. It is prohibited for each and 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 Annexes I to Regulation No. 1352/2014, Annex I to Decision 2014/932, 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 entity or other entity listed in Annex I to Regulation No. 1352/2014, Annex I to Decision 2014/932, 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. 1352/2014, Annex I to Decision 2014/932, 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.

#### § 5. Final provision

#### Article 7

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 Yemen

Given in Oranjestad, February 17, 2017  
J.A. Boekhoudt

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