

**Decree concerning Foreign Exchange Transactions 24/K.1
related to capital transactions**

Please note that this is an unofficial translation. The Dutch version (*Besluit inzake het deviezenverkeer 24/K.1 betrekking hebbende op kapitaal transacties met het buitenland*) prevails at all times.

The Centrale Bank van Aruba (“the CBA”)

IN VIEW OF:

articles 10 and 16 of the State Ordinance Foreign Exchange Transactions (AB 1990 no. GT 6) (“the SOFET”),

ANNOUNCES THAT:

- a. the Decree concerning Foreign Exchange Transactions 23/K.1 issued by the CBA on December 29, 2022, is hereby revoked;
- b. residents/natural persons as referred to in article 1, sub a, of the SOFET are granted a general license to execute incoming transfers from their foreign bank accounts to their local bank accounts;
- c. residents as referred to in article 1, sub b up to and including e, of the SOFET are granted a general license for incoming transfers related to capital contribution in an Aruban entity;
- d. residents are granted a general license for the purchase and sale of real estate in Aruba or abroad from and to nonresidents.
- e. residents/natural persons as referred to in article 1, sub a, of the SOFET are granted a general license to execute capital transactions with abroad up to an amount of six hundred thousand Aruban florins (Afl. 600,000) or the equivalent thereof in foreign currency per calendar year;
- f. residents as referred to in article 1, sub b up to and including e, of the SOFET are granted a general license to execute capital transactions with abroad up to an amount of one million five hundred thousand Aruban florins (Afl. 1,500,000) or the equivalent thereof in foreign currency per calendar year, with the exception of transfers as referred to in the Decree concerning transfers to and from notified foreign bank accounts and intercompany accounts 2023/K.2. All this without prejudice to the regulations that apply to institutions that fall under the so-called B-9 regulation or the 40-60 percent regulation;
- g. a general license is granted to trust service providers established in Aruba to transfer shares in enterprises as referred to in article 19 of the SOFET to nonresidents;

- h. a general license is granted to residents for the import or export of gold, precious metals, and precious stones; with due regard of the legal restrictions that apply to the import and export of gold, precious metals and precious stones.
- i. an exemption is granted to residents to give into open custody their foreign - (non-) coupon and/or (non-) dividend sheet bearing securities, as referred to in article 15, paragraph 2, of the SOFET;

UNDER THE CONDITIONS THAT:

- I. residents must at all times adhere to all other legal provisions, as well as the rules, guidelines and directives issued by the CBA;
- II. all foreign payments or foreign receipts related to the foreign capital transactions mentioned under b up to and including f above, must be effectuated through a local foreign exchange bank or a notified foreign account. In the event that the payments or receipts take place via other channels, the date and the method of settlement should be immediately reported in writing to the CBA.
- III. for balance of payment purposes, the reporters¹ must use the CBA's existing transaction codes as well as comply with the CBA's reporting requirements.

For the application of this Decree the term 'foreign capital transactions' shall among others, include transactions with respect to loans, investments, and other financial transactions.

In the event that the CBA is of the opinion that, as a result of the foreign capital transactions referred to in this Decree, Aruba's foreign exchange reserve position is affected, or that such a development is imminent, the CBA may pursuant to article 9, paragraph 3, of the SOFET take any action it deems necessary with regard to these transactions.

This Decree will become effective as of January 1, 2024.

Oranjestad, December 19, 2023
Centrale Bank van Aruba

Jeanette R. Semeleer
President

¹ A reporter is a resident who is obliged based on the SOFET and the Decree on Balance of Payments Reporting Instructions 2020 (Decree RI 2020) to compile and submit reports.