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STATE DECREE, laying down general measures, of August 31, 2021, for the implementation of Article 2 of the Sanctions State Ordinance 2006 (AB 2007 no. 24) Sanctions State Decree Iran)

Issued, September 2, 2021

The Minister of Justice,  
Security and Integration,

A.C.G. Bikker

IN NAME OF THE KING!

THE GOVERNOR of Aruba,

Having taken into consideration:

that in the interest of international law it is necessary to implement Resolution number 2231 (2015) of the United Nations Security Council with regard to targeted financial sanctions against certain persons, entities and bodies of the Islamic Republic of Iran;

Having regard to:

Article 2, first paragraph of the Sanctions State Ordinance 2006 (AB 2007 no. 24);

HAS DECIDED:

§1. General

Article 1

In this State Decree, the following is understood under:

freezing	: a prohibition on transferring, converting, relocating or making available;
Bank	: the Central Bank of Aruba;
service	: an activity with regard to a fund or another asset;

service provider	: anyone who provides a business or professional service;
funds or other assets	: goods, however acquired, 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, from which is evident the full or shared ownership or title to a good, and products respectively increases in value of a good;
consolidated 2231 list	: the consolidated list of all persons, legal persons, entities and bodies that are designated by the UN Security Council pursuant to Resolution 2231 (2015), including the changes made to the list afterwards;
Minister	: the Minister charged with financial affairs;
Reporting Center	: the Unusual Transactions Reporting Center , 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);
Iran	: the Islamic Republic of Iran;
Resolution 2231 (2015)	: the resolution nr. 2231 (2015) adopted on July 20, 2015, by the Security Council of the United Nations in connection with the situation in Iran;
UN Security Council	: the United Nations Security Council.

## §2. The freezing of funds and other assets

### Article 2

1. All possible funds or other assets present in Aruba that directly or indirectly belong to, are the property of, are owned by or controlled by a natural person, legal person, entities or bodies, mentioned in the consolidated 2231 list;

2. The freezing, referred to in the first paragraph, shall apply *mutatis mutandis* to representatives of the natural persons, legal persons, entities and bodies mentioned in said paragraph;
3. By derogation from the first paragraph, a designated person can be granted access to his frozen funds or assets for credits, financial assets or economic means, that:
  - a. are necessary for covering expenses for basic necessities of the natural persons or legal persons, entities or bodies included in the consolidated 2231 list, and the family members who are dependent on these natural persons, such as payment of food, rent or mortgage, medicine or medical treatments, taxes, insurance premiums and utilities.
  - b. are exclusively intended for the payment of reasonable fees or payment of costs incurred in connection with the provision of legal services;
  - c. are exclusively intended for the payment of fees or costs for merely the retention or management of frozen funds or economic resources,
  - d. are necessary for the payment of extraordinary expenses, provided that the Minister has been notified at least two weeks in advance of the reasons why this person deems specific permission must be granted.
4. The access to frozen or assets shall only be granted with the approval of the Minister, if necessary after having obtained consent of the UN Security Council.

### Article 3

1. The Bank is charged with the digital publication of the current text of the consolidated 2231 list.

2. Service providers shall take such measures that they are at all times aware of the content of the consolidated 2231 list.

#### Article 4

1. It is prohibited for everyone to provide services or to perform acts that lead to or reasonably could lead to a natural person, legal person, entity or body included in a consolidated 2231 list gaining access in any way to funds or other assets.
2. It is prohibited to consciously or intentionally participate in activities that have the objective or the effect that the measures referred to in the first paragraph are directly or indirectly circumvented.

#### Article 5

1. Anyone who has custody of funds or other assets of a natural person, legal person, entity or body listed in the consolidated 2231 list shall take such measures that these funds and assets cannot be used or in any case that these funds and other assets cannot be transferred, converted, relocated or made available.
2. If it concerns a service provider who under or pursuant to a State Ordinance is under supervision of the Bank, it shall immediately inform the Bank of funds or other assets it has in its custody. The preceding sentence shall apply *mutatis mutandis* to service providers that have not been placed under supervision under or pursuant to a State Ordinance.
3. Service providers shall immediately inform the Reporting Center of all intended or conducted transactions by or on behalf of persons, legal persons, entities or bodies that are listed in the consolidated 2231 list.

Article 6

If the freezing concerns a registered property as referred to in Article 10 of Book 3 of the Civil Code of Aruba, the keeper of the public register in question shall arrange for making an entry thereof in that public register.

Article 7

1. This State Decree shall enter into force on the day after it is published in the Official Bulletin of Aruba.
2. It may be cited as Sanctions State Decree Iran.

Given in Oranjestad, August 31, 2021 J.A.  
Boekhoudt

The Minister of Public Affairs, Integrity  
Public Services, Innovation and Energy, E.C.  
Wever-Croes

The Minister of Finance, Economic Affairs and  
Culture,  
X.J. Maduro

The Minister of Justice, Security and  
Integration,  
A.C.G. Bikker