

**OFFICIAL GAZETTE**

**GOVERNMENT DECREE of July 5, 2010, no. 10/2386, stipulating the incorporation of the applicable text of the Financial Services Identification Act.<sup>1</sup> in the Official Gazette.**

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The Governor of the Netherlands Antilles,

On the recommendation of the Minister of Finance;

In view of:

Article III of the Act of October 26, 2009 for the amendment of the Financial Services Identification Act, incorporated in P.B. 2009, no. 66;

HAS APPROVED:

Article 1

The text of the Financial Services Identification Act, as this will read after the amendments, laid down by:

1\* the Act of September 11, 1997<sup>2</sup>,

2\* the Act of November 27, 1997<sup>3</sup>,

3\* the Act of October 26, 2009<sup>4</sup>,

Have been made therein, is incorporated as an annex belonging to this Act in the Official Gazette<sup>6</sup>.

Article 2

This Government Decree takes effect as of the day after that of the issue of the Official Gazette, in which it is placed.

Curaçao, July 5, 2010  
F.M.D.L.S. GOEDGEDRAG

The Minister of Finance,  
E.T.M. DE LANNOOY

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<sup>1</sup> P.B. 1996, no. 23

<sup>2</sup> P.B. 1997, no. 237

<sup>3</sup> P.B. 1997, no. 294

<sup>4</sup> P.B. 2009, no. 66

Issued on July 30, 2010  
The Minister of General Affairs and  
Foreign Relations,  
E.S. DE JONGH-ELHAGE

Text of the Financial Services Identification Act<sup>5</sup>, as amended by  
1\* the Act of September 11, 1997<sup>6</sup>  
2\* the Act of November 27, 1997<sup>7</sup>  
3\* the Act of October 26, 2009<sup>8</sup>

## Article 1

1. In this Act and the provisions based on it, the following words shall have the following meanings:
  - a. service provider: anyone who renders services as a profession or as a trade;
  - b. service: the following services to be rendered by a Service Provider in and from the Netherlands Antilles:
    - 1° the taking into custody of securities, banknotes, coins, government notes, precious metals and other values;
    - 2° opening an account on which a balance in cash, securities, precious metals or other values can be held;
    - 3° renting a safe-deposit box;
    - 4° making a payment with respect to cashing coupons or comparable documents of bonds or comparable negotiable instruments;
    - 5° concluding or acting as an intermediary when concluding a contract of insurance, as referred to in article 1, first paragraph, subparagraph a., of the Insurance Industry Supervision Act at a premium, as referred to in article 1, first paragraph, subparagraph c., of the Insurance Industry Supervision Act over an amount to be determined by the Minister;
    - 6° making a payment, pursuant to a contract of insurance, as referred to under 5° which is more than an amount to be determined by the Minister;
    - 7° providing a service with respect to a transaction or apparently related transactions, with an equivalent or joint equivalent which is equal to or more than an amount to be determined by the Minister, which can be different for various types of transactions;
    - 8° crediting or debiting an account, or having an account credited or debited on which a balance in cash, securities, precious metals or other currencies can be held;
    - 9° entering into an obligation for payment, for the holder of a credit card, to the person who has accepted showing that credit card by way of payment, insofar as it is not a credit card that can only be used at the enterprise or institution that has issued this credit card or at an enterprise or institution that belongs to the same economic unit in which the legal persons and companies are related organizationally;
    - 10° taking receipt of funds or monetary instruments in the framework of monetary transfers in order to make these funds or monetary instruments payable elsewhere whether or not in the same form, or to have them made

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<sup>5</sup> P.B. 1996, no. 23

<sup>6</sup> P.B. 1997, no. 237

<sup>7</sup> P.B. 1997, no. 294

<sup>8</sup> P.B. 2009, no. 66

payable, or, in the framework of a monetary transfer, paying funds or monetary instruments or making such payable, after these funds or monetary instruments have been made available in the same form;

11° offering prices and premiums, which can be competed for against payment of a value that is more than an amount to be determined by the Minister, in the framework of:

- a. the operation of games of hazard, casinos and lotteries;
- b. the operation of offshore games of hazard.

12° acting as an intermediary with respect to purchasing and selling real estate and rights to which real estate is subjected;

13° dealing in vehicles, precious stones, precious metals, ornaments, jewels or other matters of great value to be designated by Government Decree, providing for general measures, or acting thereby as an intermediary over an amount to be determined by the Minister that can be different for the various types of matters;

14° granting fiduciary services, including: providing management services whether or not against payment in or from the Netherlands Antilles for offshore companies, including at any rate:

- a. making natural or legal persons available as a manager, representative, administrator or other official for offshore companies;
- b. providing domicile and office facilities for offshore companies;
- c. establishing offshore companies or having such established, or liquidating such or having such liquidated by order of, but at the expense of third parties;

15° giving advice or giving assistance as a profession or trade by the natural person, legal person or company performing activities that, as a lawyer, civil-law notary or junior civil-law notary, accountant, tax adviser or as an expert in the juristic, tax or administrative field, or in practicing a similar legal profession or trade, when:

- a. purchasing or selling real estate;
- b. managing funds, securities, coins, government notes, precious metals, precious stones or other values;
- c. establishing and managing corporations, legal persons or similar bodies;
- d. buying or selling or taking over enterprises;

16° providing other services to be designated by Government Decree, providing for general measures;

- c. client: anyone to whom services are rendered, including in the case of a service, as referred to in the first paragraph, subparagraph b., under 5° and 6°, the one who pays the premium and also the one to whom the payment is made;
- d. the Minister: the Minister of Finance;
- e. credit institution: a credit institution, as referred to in article 1, first paragraph, subparagraph a., of the Banking and Credit System Supervision Act 1994;

- f. insurance company: an insurance company, as referred to in article 1, first paragraph, subparagraph f., of the Insurance Industry Supervision Act;
  - g. Bank: the Bank of the Netherlands Antilles;
  - h. Reporting Office: the Unusual Transactions Reporting Office, as referred to in article 2 of the Unusual Transactions Act;
  - i. Supervisor: the Bank, the supervisory organs or agencies in charge, instituted for that purpose by the Executive Councils of the Island Territories in question, the Council for the Electronic Games of Hazard, and also the Reporting Office, each with regard to the Service Providers subjected to its supervision, according to the distinction made in article 11, first paragraph;
  - j. ultimate interested party: the natural person who has or holds a qualified participation or qualified interest in a legal person or corporation or the natural person who is entitled to the assets or the proceeds of a trust or private fund foundation;
  - k. qualified participation or qualified interest: a direct or indirect interest of 25% or more of the nominal capital, or a comparable interest, or being able to exercise 25% or more of the voting rights directly or indirectly, or being able to exercise directly or indirectly a comparable control.
2. In connection with the operations, as referred to in the first paragraph, subparagraph b., under 10<sup>o</sup>, service is not understood to mean:
- a. receiving funds or monetary instruments in the framework of a premium payment, pursuant to a contract of insurance, in order to make these funds or monetary instruments available whether or not in the same form elsewhere or to have them made available to an institution which is permitted to conduct insurance operations on the basis of the Insurance Industry Supervision Act;
  - b. paying funds or making funds or monetary instruments available in the framework of a payment, pursuant to a contract of insurance, after these funds or monetary instruments have been made available elsewhere, whether or not in the same form by an institution where it is permitted to conduct insurance operations in the Netherlands Antilles, pursuant to the Insurance Industry Supervision Act.
3. Not considered as services are activities, as referred to in the first paragraph, subparagraph b., under 15<sup>o</sup>, which are related to the provision of the legal position of a client, its representation at law, giving advice before, during and after a legal action, or giving advice on instituting or avoiding a legal action, insofar as performed by a lawyer, civil-law notary or junior civil-law notary or an accountant, acting as an independent legal adviser.
4. In connection with rendering services, as referred to in the first paragraph, subparagraph b., under 14<sup>o</sup>, the provisions regarding offshore companies are fully applicable to enterprises that are not established under Netherlands Antilles law.

## Article 2

1. The Service Provider is obliged to establish the identity of a client and the ultimate interested party, if such exists, before rendering such a client a service. If the client is a natural person who is incapable of performing the juristic act, related to the service, it will be sufficient for the Service Provider to establish the identity of the person who acts as the legal representative.
2. The first paragraph is moreover applicable, if:
  - a. when rendering the service, as referred to in article 1, first paragraph, subparagraph b., under 7<sup>o</sup>, it is not known what amount will be involved;
  - b. the premium, as referred to in article 1, first paragraph, subparagraph b., under 5<sup>o</sup>, the payment, referred to in article 1, first paragraph, subparagraph b., under 6<sup>o</sup>, or the amount of the transaction, referred to in article 1, first paragraph, subparagraph b., under 7<sup>o</sup>, is smaller than the amount established, pursuant to those provisions, but the service is related to a transaction that has to be considered, on the basis of the indicators established, pursuant to article 10 of the Unusual Transactions Act, an unusual transaction, as referred to in that Act; or
  - c. the premium, referred to in article 1, first paragraph, subparagraph b., under 5<sup>o</sup>, the payment referred to in article 1, first paragraph, subparagraph b., under 6<sup>o</sup>, or the amount of the transaction, referred to in article 1, first paragraph, subparagraph b., under 7<sup>o</sup>, is smaller than the amount established, pursuant to those provisions, but the Service Provider knows or should reasonably suspect that the transaction to which the service is related is part of a unit of connected transactions, in which various institutions are involved.
3. The first paragraph is not applicable in connection with the service, referred to in article 1, first paragraph, subparagraph b., under 5<sup>o</sup> and 6<sup>o</sup>, insofar as it concerns a pension insurance offered by an insurance company, unless it is commuted or serves as a provision of security.
4. The Minister can grant an exemption from the provision in the first paragraph, if the following act as a client:
  - a. an enterprise or institution that possesses a license, as referred to in article 2 of the Banking and Credit System Supervision Act 1994, or an insurance company that possesses a license, as referred to in article 9 of the Insurance Supervision Act, or an investment institution or an administrator that possesses a license, as referred to in article 3, respectively 14 of the Investment Institutions and Administrators Supervision Act or a trust office that possesses a license, as referred to in article 2, second paragraph, of the Trust System Supervision Act or an insurance broker that is listed in the register, as referred to in article 4 of the Insurance Brokerage Business Act;
  - b. an enterprise or institution that belongs to a category to be designated by the Minister.
5. The Supervisor can give instructions to the Service Providers in the framework of the application of the first paragraph.

6. The Minister can grant an exemption from the first paragraph on request.
7. Restrictions can be imposed on and regulations can be attached to an exemption, as referred to in the fourth paragraph and to a dispensation, as referred to in the fifth paragraph.

### Article 3

1. If a client is a natural person, the identity shall be established with the help of one of the following valid documents in the country of issue:
  - a. a driver's license
  - b. an ID card;
  - c. a travel document or passport;
  - d. another document to be designated by the Minister.

If the natural person lives or is staying abroad, the following will suffice:

- a. a photocopy of one of the documents mentioned above, provided it is accompanied by a certified copy or extract from the Civil Registration Office of the domicile or residence of the client; or
  - b. forwarding one of the above-mentioned documents electronically, provided the Service Provider receives a certified copy of the document sent within two weeks after receiving it.
2. If the client is a legal person or a corporation, the identity shall be established with the help of a certified extract from the register of the Chamber of Commerce and Industry, or a similar institution, in the country of establishment, or with the help of an identification document to be drawn up by the Service Provider. The extract or the identification document must contain at least the data to be determined by the Minister.
  3. If the client is a Netherlands Antilles legal person under public law, the identity can also be established, without prejudice to the second paragraph, by means of a declaration of the Management. If it concerns a foreign legal person under public law, a declaration of the competent authority, without prejudice to the second paragraph, will suffice. These declarations must contain at least the data to be determined by the Minister.
  4. If there is an ultimate interested party, he must be identified in the same manner as indicated in the first, second or third paragraph.
  5. The Service Provider is obliged to verify the identity of the client and the ultimate interested party, using reliable and independent sources.
  6. The Service Provider shall see to it that the identity data are correct. When it turns out that these data are no longer in accordance with reality, the Service Provider is obliged to adjust these modified identity data.

### Article 4

1. In derogation of article 3, the obligations, referred to in article 2, have been complied with, if, for establishing the identity of a client, the Service Provider makes use of the data that he established on an earlier occasion for a client in accordance with the provisions of this Act.

2. The obligation, referred to in article 2, first paragraph, in connection with the service, referred to in article 1, first paragraph, subparagraph b., under 5<sup>o</sup> and 6<sup>o</sup> has been complied with, if the first premium payment is made chargeable to, or the payment, pursuant to the contract of insurance, is made in favor of an account of the client at a credit institution that is registered, pursuant to article 11 of the Banking and Credit System Supervision Act 1994 or an insurance company, as referred to in article 1, first paragraph, subparagraph b., of the Insurance Industry Supervision Act or a credit institution or insurance company with its seat in a state to be designated by the Minister.
3. The obligation, referred to in article 2, first paragraph, in connection with the service, referred to in article 1, first paragraph, subparagraph b., under 1<sup>o</sup>, 2<sup>o</sup>, 4<sup>o</sup> and 7<sup>o</sup>, insofar as related to trading in securities, has been complied with, if the first payment that is related to the service is made by the client or if a payment to the client is made chargeable to or in favor of an account of that client at a credit institution that is registered, pursuant to article 11 of the Banking and Credit System Supervision Act 1994 or a credit institution with its seat in a state that has been designated by the Minister.
4. The third paragraph is applicable by analogy in cases to be designated by the Minister.
5. Paragraphs two through four are not applicable, if the service is related to a transaction that is considered an unusual transaction in the meaning of the Unusual Transactions Act or if article 5, fourth paragraph, is applicable.

#### Article 5

1. The Service Provider is obliged to establish the identity of the natural person who appears before him on behalf of a client or on behalf of a representative of a client in accordance with articles 3 and 4, before he renders the service.
2. The Service Provider is obliged to verify whether the natural person appearing before him is acting for himself or for a third party.
3. If the natural person acts for a third party, the Service Provider is obliged to establish the identity of that third party with the help of the documents to be submitted by the natural person, as referred to in article 3, unless article 2, first paragraph, second sentence, is applicable. If the third party acts for another third party, the Service Provider will be obliged to establish the identity of that other third party in the same manner, unless article 2, first paragraph, second sentence, is applicable.
4. If the Service Provider knows or should reasonably suspect that the natural person appearing before him is not acting for himself, he must take reasonable measures in order to trace the identity of the client for whom he is acting and in the event of representing a client by a third party of that representative.
5. The third and fourth paragraphs are not applicable, if the natural person is a Service Provider or acts on behalf of a Service Provider to whom an exemption, as referred to in article 2, fourth paragraph, or a dispensation, as referred to in article 2, sixth paragraph, is applicable, provided that Service Provider establishes

- the identity of the third party for whom it acts in accordance with this Act or in accordance with the legislation of a state that has been designated by the Minister.
6. The Minister can grant an exemption and, on request, dispensation from the third and fourth paragraphs. Restrictions can be instituted on an exemption or a dispensation and regulations can be attached to it.

## Article 6

The Service Provider is obliged to record the following data in such a manner that they are accessible:

- a. the name, the address and the residence or place of establishment of the client and the ultimate interested party, if there is any, and of the person in whose name the deposit or the account is made, of the person who will have access to the safe-deposit box or the person in whose name a payment or transaction is made, and also of their representatives;
- b. the nature, the number and the date and place of issue of the document with the help of which the identification has taken place, except if article 4 is applicable;
- c. the nature of the service; and
- d.
  1. in the event of taking the values mentioned in article 1, first paragraph, subparagraph b., under 1<sup>o</sup> into safe custody: the deposit number in question and the market value that these values represent at the point in time of the taking into custody, or, in the absence of a market value, the amount that these values represent, calculated in accordance with other customary accepted bases of the valuations in social and economic life, or if the amount that these values represent cannot be established in reasonableness, an accurate description of those values;
  2. in the event of opening an account: a clear description of the type of account and the number allotted to that account;
  3. in the event of renting a safe-deposit box: the number or another distinctive indication of the safe-deposit box in question;
  4. in the event of making payments with respect to cashing coupons or comparable documents of bonds or comparable negotiable instruments: the amount that is involved in the transaction and the account number in question;
  5. in the event of concluding a contract of insurance: the number of the account to which the premium payment that is made is chargeable;
  6. in the event of making a payment, pursuant to a contract of insurance: the number of the account in favor of which the payment is made;
  7. in the event of a service, as referred to in article 1, first paragraph, subparagraph b., under 7<sup>o</sup>: the amount that is involved with the transaction and the account number in question;
  8. in the event of a service, as referred to in article 1, first paragraph, subparagraph b., under 9<sup>o</sup> and 10<sup>o</sup>: the credit card or debit card number with expiration date, or the check number together with the corresponding bank account number;
  9. in the event of a service, as referred to in article 1, first paragraph, subparagraph b., under 12<sup>o</sup> and 15<sup>o</sup>, under a.: the nature and other unique features of the real estate involved and also the amount involved with the transaction;

10. in the event of a service, as referred to in article 1, first paragraph, subparagraph b., under 11<sup>o</sup>, 13<sup>o</sup> and 15<sup>o</sup> under b.: the nature, origin, destination, volume and other unique features of the values and matters involved;

11. in the event of a service, as referred to in article 1, first paragraph, subparagraph b., under 14<sup>o</sup>, 15<sup>o</sup>, under c. and d.: the identity of the corporations and legal persons involved or similar bodies;

12. in the event of a service, as referred to in article 1, first paragraph, subparagraph b., under 16: the data related to that service that have been designated by an Act, providing for general measures.

#### Article 7

The Service Provider is obliged to save the data, referred to in article 6, in an accessible manner till five years after terminating the agreement on the basis of which the service was rendered or till five years after executing a service, as referred to in article 1, first paragraph, subparagraph b., under 2<sup>o</sup> through 7<sup>o</sup> and 9<sup>o</sup> through 16<sup>o</sup>.

#### Article 8

It is prohibited for the Service Provider to render a service, if the identity of the client has not been established in the manner prescribed in this Act.

#### Article 9

1. The Supervisor can impose an order for periodic penalty payments on the Service Provider who does not comply or does not comply in due time with the obligations imposed by or pursuant articles 2, first, second and fifth paragraphs, 3, first through sixth paragraphs, 5, first through fourth paragraphs, 6, 7, 8 and 11, third paragraph, of this Act.
2. The amount of the penalty for the various violations is determined by a Government Decree, providing for general measures.
3. In the Decree for imposing an order for periodic penalty payments, a term is set during which the Violator can execute a mandate without a penalty being forfeited.
4. The Supervisor can collect the amount due by means of a writ of execution, increased by the costs falling on the collection.
5. The writ of execution is served at the expense of the violator by means of a bailiff's notification and is enforceable.
6. The authority to collect forfeited sums will become void by prescription by the lapse of a year after the day on which they were forfeited.

#### Article 9a

1. The Supervisor can impose an order for an administrative fine on the Service Provider who does not comply or does not comply in due time with the obligations imposed by or pursuant to articles 2, first, second and fifth paragraphs,

- 3, first through sixth paragraphs, 5, first through fourth paragraphs, 6, 7, 8 and 11, third paragraph, of this Act for each day that he has defaulted.
2. The amount of the administrative fine for the various violations and also to whom this administrative fine is due, is determined by Government Decree, providing for general measures.
  3. Before proceeding to imposing a administrative fine, the Supervisor shall inform the Service Provider in question in writing of the intention of imposing an administrative fine, while stating the grounds on which the intention rests and offers him the opportunity to remedy the default within a reasonable term.

#### Article 9b

1. The administrative fine shall be paid within four weeks after the date of the decision on which it was imposed.
2. The administrative fine shall be increased by the statutory interest, counting from the day on which the term, referred to in the first paragraph, has lapsed.
3. If the administrative fine has not been paid within the term set, the Supervisor shall send a written warning to pay the administrative fine within ten days of the warning, increased by the costs of the warning. The warning shall contain the notification that the administrative fine, insofar as it has not been paid within the term set, will be collected in accordance with the fourth paragraph.
4. By default of due payment, the Supervisor can collect the administrative fine by way of a writ of execution, increased with the costs of the warning and the collection.
5. The writ of execution is served at the expense of the violator by means of a bailiff's notification and is enforceable.

#### Article 9c

1. The authority to impose an administrative fine expires, if, with respect to the violation, pursuant to which the administrative fine can be imposed, criminal proceedings have been instituted against the violator and the investigation in Court has initiated, or the right to commence criminal proceedings has expired, pursuant to article 76 of the Penal Code of the Netherlands Antilles.
2. The right to prosecution in connection with a violation of the articles, referred to in article 9a, first paragraph, expires, if, with respect to that violation, the Supervisor has already imposed an administrative fine.
3. The authority to impose an administrative fine lapses a year after the day on which the violation was committed.
4. The term, referred to in the third paragraph, is stayed by the announcement of the decision in which an administrative fine is imposed.

#### Article 9d

1. In order to promote the observance of this Act, the Supervisor can publish the fact with respect to which an order for periodic penalty payments or an administrative

- fine has been imposed, the violated regulations, and also the name, the address and the domicile of the person on whom the order for periodic penalty payments or the administrative fine was imposed.
2. The authority to publish a fact expires, if, with regard to the fact, criminal proceedings have been instituted and the investigation in Court has been initiated, or the right to commence criminal proceedings has lapsed, pursuant to article 76 of the Penal Code of the Netherlands Antilles.
  3. The right to commence criminal proceedings in connection with a fact, as referred to in the first paragraph, expires, if the Supervisor has already published the fact.
  4. The authority to publish a fact expires a year after the day on which the fact took place;
  5. The term, referred to in the fourth paragraph, is stayed by the announcement of the decision in which the fact is published.

#### Article 9e

1. The activities in connection with imposing a penalty or an administrative fine shall be performed by persons who were not involved in establishing the violation or the preceding investigation.
2. The activities in connection with publishing a fact shall be performed by persons who were not involved in establishing the fact or the preceding investigation.

#### Article 9f

The Minister can set rules with respect to exercising the authority, referred to in articles 9, first paragraph, 9a, first paragraph, and 9d, first paragraph.

#### Article 10

1. Violation of regulations set by or pursuant to articles 2, first, second, fifth and seventh paragraphs, 3, fifth and sixth paragraphs, 5, 6, 7, 8 and 11, third and eighth paragraphs of this Act is, insofar as such takes place intentionally, a criminal offense and will be punished with either a prison sentence of at most four years, or with an administrative fine of at most five hundred thousand guilders, or with both.
2. Violation of regulations set by or pursuant to articles 2, first, second, fifth and seventh paragraphs, 3, fifth and sixth paragraphs, 5, 6, 7, 8 and 11, third and eighth paragraphs, of this Act is, insofar as such does not take place intentionally, a criminal offense and will be punished with either imprisonment of at most one year, or with an administrative fine of at most two hundred and fifty thousand guilders, or with both punishments.

#### Article 11

1. Being in charge of the supervision of compliance with the provisions by or pursuant to this Act are:

- a. the officials of the Bank appointed by the President of the Bank to that end, insofar as it concerns Service Providers, as referred to in article 1, first paragraph, subparagraph b., under 1° through 10° and 14°;
- b. the officials of supervisory organs appointed for that purpose, or entrusted agencies appointed by the Executive Councils of the various Island Territories, insofar as it concerns Service Providers, as referred to in article 1, first paragraph, subparagraph b., under 11°, under a.;
- c. the Council for Electronic Games of Hazard, insofar as it concerns Service Providers, as referred to in article 1, first paragraph, subparagraph b., under 11°, under a.;
- d. the Head of the Reporting Office, and also the officials of the Reporting Office appointed by him for that purpose, insofar as it concerns Service Providers, as referred to in article 1, first paragraph, subparagraph b., under 12°, 13° and 15°.

Such announcements shall be made in the Curaçaosche Courant.

- 2. If, with the application of article 1, first paragraph, subparagraph b., under 16°, other services are designated by Government Decree, providing for general measures, the supervision shall also be provided for in the Government Decree.
- 3. The Supervisor is authorized, in view of promoting the compliance with this Act, to give guidelines to the Service Providers subjected to his supervision, as referred to in the first paragraph.
- 4. The officials, referred to in the first paragraph, are authorized, exclusively insofar as such is reasonably necessary for performing their task:
  - a. to request any information;
  - b. to request inspection of all the books, documents and other information carriers, such as electronic files, and to take a copy of such or to take it along temporarily;
  - c. to subject goods to inspection and investigation, to take them along temporarily and to take samples of them;
  - d. to enter any place, with the exception of homes, without the explicit permission of the occupant, accompanied by persons appointed by them;
  - e. to inspect vessels, stationary vehicles and the cargo thereof;
  - f. to enter homes or parts of vessels destined for a home without the explicit permission of the occupant.
- 5. If necessary, the access to a place, as referred to in the fourth paragraph, subparagraph d., will be provided with the help of the police.
- 6. Entering homes or parts of vessels destined as a home, as referred to in the fourth paragraph, subparagraph f., Title X of the Third Volume of the Code of Criminal Procedure, is applicable by analogy, with the exception of articles 155, fourth paragraph, 156, second paragraph, 158, first paragraph, last passage, and 160, first paragraph, and on the understanding that the authorization is granted by the Procurator General.
- 7. By Government Decree, providing for measures<sup>9</sup>, rules can be set in connection with the manner of performance of the persons appointed, pursuant to the first paragraph.

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<sup>9</sup> Read: Government Decree providing for general measures.

8. Everyone is obliged to give all cooperation that is demanded, pursuant to the fourth paragraph, to the persons appointed, pursuant to the first and second paragraphs.

#### Article 12

1. In addition to the Government Officials, referred to in article 184 of the Code of Criminal Procedure, the persons appointed to that end by Government Decree are in charge of the investigation of the facts made punishable by article 10. Such an appointment shall be announced in the Curaçaosche Courant.
2. Rules can be set by Government Decree, providing for general measures, regarding the requirements which the persons appointed, pursuant to the first paragraph, must comply with.

#### Article 13

This Act takes effect at a point in time to be established by a Government Decree.

#### Article 14

This Act can be quoted as: Service Providers Identification Act (*“Landsverordening identificatie bij dienstverlening”*).