

BELGIAN FEDERAL PUBLIC FINANCE SERVICE

N. 2007 — 1661 [C – 2007/03169]

20 MARCH 2007. — The Belgian Act on the prohibition of the financing of production, use and possession of anti-personnel mines and sub-munitions (1)

ALBERT II, King of the Belgians,

To all those present now and in the future, greetings.

The Chambers have approved and We sanction what follows:

Article 1. This law governs a matter provided in Article 78 of the Constitution.

Art. 2. Article 8 of the act of 8 June 2006 on the governing of economic and individual activities involving arms is hereby supplemented as follows:

« Also prohibited is the financing of a company under Belgian law or under the law of another country, which is involved in the manufacture, use, repair, marketing, sale, distribution, import, export, stockpiling or transportation of anti-personnel mines and or sub-munitions within the sense of this act, and with a view to distribution thereof.

To this end The King shall, no later than the first day of the thirteenth month following the publication of this act, prepare a public list

- i) of companies that have been shown to carry out an activity as under the previous paragraph;
- ii) of companies holding more than half the shares of a company as under i) and;
- iii) of collective investment institutions holding financial instruments of companies as designated in i) and ii).

He shall also determine the further regulations for the publication of this list.

Financing of a company on the list includes all forms of financial support, namely credits, bank guarantees and the acquisition for own account of financial instruments issued by the company.

In the event that a company which has already been granted financing is included in the list, this financing should, insofar as contractually possible, be fully terminated.

This prohibition does not apply to investment institutions where the investment policy under the articles of association or management regulations is to follow the composition of a specific share or bond index.

Similarly, the prohibition on financing does not apply to the well defined projects of a company on the list, insofar as the financing does not envisage activities as stated in this article.

The company is required to confirm this in a written statement. »

Art. 3. Paragraph 6 of article 67 of the act of 20 July 2004 governing certain forms of collective investment portfolio management is withdrawn.

Art. 4. The fourth indent of Article 3, § 2, 1, of the act for the prevention of money laundering and the financing of terrorism, dated 11 January 1993 as amended by the act of 12 January 2004, is supplemented as follows:

« including anti-personnel mines and/or sub-munitions ».

Art. 5. This act comes into force on the day it is published in the Belgian Monitor.

Promulgate the present act, order that it be sealed with the seal of the state and published in the Belgian Monitor.

Issued at Brussels, 20th March 2007.

ALBERT

For the King :

The Minister of Finance,
D. REYNDERS

Sealed with the seal of the State :

The Minister of Justice
Mrs L. ONKELINX