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No 4

Act No. 4 of 7 June 1968 relating to the implementation of mandatory decisions of the Security Council of the United Nations

§ 1. The King is authorized to take such decisions as are necessary in order to implement mandatory decisions of the Security Council of the United Nations.

The King determines whether a decision of the Security Council is mandatory.

§ 2. Anyone who wilfully contravenes or is wilfully accessory to the contravention of provisions issued pursuant to this Act is liable to fines or to a maximum term of three years' imprisonment or both.

Anyone who through negligence contravenes or is through negligence accessory to the contravention of such provisions as mentioned in the first paragraph is liable to fines or a maximum term of six months' imprisonment or both.

If the offence is committed by someone who has acted on behalf of a company, a foundation or an association, a fine may also be imposed on the company, foundation or association.

Section 12 a of the Penal Code is not applicable.

§ 3. Objects which are imported or in regard to which an attempt has been made to import, or exported or in regard to which an attempt has been made to export, in contravention of any provisions issued pursuant to this Act, as well as any means of payment or securities employed in contravention of such provisions, may be confiscated by court order irrespective of ownership and without criminal proceedings being instituted, or the possibility of their being instituted, against any party. If confiscation does not prove possible, the offender or the party on whose behalf he has acted may be ordered by the court to pay an amount equivalent to the partial or entire value of the objects without the necessity or possibility of instituting criminal proceedings against any party.

Confiscation in terms of this provision is not to be

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considered a penalty.

§ 4. This Act enters into force immediately.