

L.N. 80 of 2020

**United Nations Sanctions (Libya) Regulation 2019
(Amendment) Regulation 2020**

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United Nations Sanctions (Libya) Regulation 2019 (Amendment) Regulation 2020

(Made by the Chief Executive under section 3 of the United Nations Sanctions Ordinance (Cap. 537) on the instruction of the Ministry of Foreign Affairs of the People’s Republic of China and after consultation with the Executive Council)

1. United Nations Sanctions (Libya) Regulation 2019 amended

The United Nations Sanctions (Libya) Regulation 2019 (Cap. 537 sub. leg. CF) is amended as set out in sections 2 to 21.

2. Section 1 amended (interpretation)

Section 1, definition of *Resolution 2146*—

Repeal

“2441 (2018) adopted by the Security Council on 5 November 2018”

Substitute

“2509 (2020) adopted by the Security Council on 11 February 2020”.

3. Section 1A added

Part 1, after section 1—

Add

“1A. Limited duration of certain provisions

- (1) A reference to a provision in a subsection of this section is a reference to the provision as in force from time to time during the period mentioned in the subsection.

- (2) Sections 4, 5, 10, 11, 13, 14, 15 and 21 are in force during the period from the commencement of the United Nations Sanctions (Libya) Regulation 2019 (Cap. 537 sub. leg. CF) until midnight on 15 February 2020.
- (3) Sections 4, 5, 10, 11, 13, 14, 15 and 21 are in force during the period from the commencement of the United Nations Sanctions (Libya) Regulation 2019 (Amendment) Regulation 2020 until midnight on 30 April 2021.”.

4. Section 2 amended (supply of goods prohibited)

- (1) Section 2(2)(b) and (c)(ii), English text, after “person or”—

Add

“to”.

- (2) Section 2(4)(b)(ii) and (iii)(B), English text, after “person or”—

Add

“to”.

5. Section 3 amended (carriage of goods prohibited)

- (1) Section 3(1)(c)—

Repeal

everything after “chartered to a”

Substitute

“Hong Kong person, or a person who is in the HKSAR; and”.

- (2) Section 3(2)(b) and (c)(ii), English text, after “person or”—

Add

“to”.

- (3) Section 3(6)(b)(ii) and (iii)(B), English text, after “person or”—

Add

“to”.

6. Section 4 amended (loading, transport or discharge of petroleum prohibited)

- (1) Section 4—

Repeal subsection (1).

- (2) Section 4(2), Chinese text, after “用於”—

Add

“符合以下說明的船舶”.

- (3) Section 4(2)(a) and (b), Chinese text—

Repeal

“的船舶”.

7. Section 5 amended (exceptions to prohibition under section 4)

Section 5—

Repeal subsection (1).

8. Section 8 amended (procurement of items using modes of transport prohibited)

Section 8(1)(c)—

Repeal

everything after “chartered to a”

Substitute

“Hong Kong person, or a person who is in the HKSAR; and”.

9. Section 10 amended (engaging in financial transactions prohibited)

Section 10—

Repeal subsection (1).

10. Section 11 amended (exception to prohibition under section 10)

Section 11—

Repeal subsection (1).

11. Section 13 amended (provision of services to ships prohibited)

Section 13—

Repeal subsection (1).

12. Section 14 amended (exception to prohibition under section 13)

Section 14—

Repeal subsection (1).

13. Section 15 amended (entry of ships to HKSAR prohibited)

(1) Section 15—

Repeal subsection (1).

(2) Section 15(2), Chinese text, after “用於”—

Add

“符合以下說明的船舶”.

(3) Section 15(2)(a) and (b), Chinese text—

Repeal

“的船舶”.

14. Section 18 amended (licence for supply or carriage of goods)

- (1) Section 18(1)(a)(ii) and (iii)(B) and (b)(ii) and (iii)(B), English text, after “person or”—

Add

“to”.

- (2) Section 18(1), Chinese text—

Repeal

“批予特許，准許（視）”

Substitute

“（視下述）”。

- (3) Section 18(1)(a), Chinese text, before “下述作為”—

Add

“批予特許，准許”。

- (4) Section 18(1)(b), Chinese text, before “屬下述”—

Add

“批予特許，准許”。

- (5) Section 18(2)—

Repeal paragraph (c)

Substitute

“(c) either of the following—

- (i) for a licence referred to in subsection (1)(a)—
the supply of the prohibited goods is approved in advance by the Committee;
- (ii) for a licence referred to in subsection (1)(b)—
 - (A) the carriage of the prohibited goods is performed in the course of the supply of the prohibited goods; and

(B) the supply is approved in advance by the Committee;”.

(6) Section 18(3)(a)—

Repeal

“a licence under subsection (1)”

Substitute

“the licence”.

15. Section 20 amended (licence for making available or dealing with economic assets)

(1) Section 20(5)(a), after “or (2)”—

Add

“(as appropriate)”.

(2) Section 20(6)(a), after “or (2)”—

Add

“(as appropriate)”.

(3) Section 20(7), after “or (2)”—

Add

“(as appropriate)”.

(4) Section 20(8), after “or (2)”—

Add

“(as appropriate) not less than”.

16. Section 21 amended (licence for provision of services to ships)

Section 21—

Repeal subsection (1).

17. Section 25 amended (power to require information and production of document, cargo or article)

Section 25(1)(b), (c)(i) and (d), Chinese text, before “關於該等”—

Add

“該人員指明的、”。

18. Section 28 amended (provision of false or misleading information or documents)

Section 28(1), Chinese text—

Repeal

everything after “要求時”

Substitute

“_____”

- (a) 向獲授權人員提供或交出該負責人知道在要項上屬虛假或具誤導性的任何資料或文件；或
- (b) 罔顧實情地向獲授權人員提供或交出在要項上屬虛假或具誤導性的任何資料或文件，
即屬犯罪。”。

19. Section 33 amended (notice of intended forfeiture)

Section 33(3)(c), English text—

Repeal

“if the notice”

Substitute

“for a notice that”.

20. Section 34 amended (notice of objection to intended forfeiture)

(1) Section 34(1), Chinese text, after “反對建議”—

Add

“的”.

(2) Section 34(2)(a)(ii), Chinese text—

Repeal

“在郵寄當日後第 2 日”

Substitute

“自郵寄當日起計的第 3 日”.

21. Section 44 amended (exercise of powers of Chief Executive)

Section 44(2), English text—

Repeal

“sub-delegate”

Substitute

“subdelegate”.

Carrie LAM
Chief Executive

12 May 2020

Explanatory Note

This Regulation amends the United Nations Sanctions (Libya) Regulation 2019 (Cap. 537 sub. leg. CF) (*principal Regulation*) to give effect to certain decisions in Resolution 2509 (2020) adopted by the Security Council of the United Nations on 11 February 2020.

2. The amendments relate to the prohibition against—
 - (a) the loading, transport or discharge of petroleum from Libya aboard certain ships;
 - (b) engaging in any financial transaction related to any petroleum from Libya aboard certain ships;
 - (c) the provision of certain services to ships under certain circumstances; and
 - (d) certain ships entering the HKSAR.
3. Sections 4, 5, 10, 11, 13, 14, 15 and 21 of the principal Regulation as amended by this Regulation are in force only until midnight on 30 April 2021.
4. This Regulation also makes certain minor textual amendments.