

L.N. 164 of 2020

United Nations Sanctions (Democratic Republic of the Congo) 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 (Democratic Republic of the Congo) Regulation 2019 amended

The United Nations Sanctions (Democratic Republic of the Congo) Regulation 2019 (Cap. 537 sub. leg. CJ) is amended as set out in sections 2 to 7.

2. Section 2 amended (limited duration of certain provisions)

Section 2—

Repeal everything after the heading

Substitute

- “(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 3, 4, 5, 6, 7, 9, 10 and 11 are in force during the period from the commencement of the United Nations Sanctions (Democratic Republic of the Congo) Regulation 2019 (Cap. 537 sub. leg. CJ) until midnight on 1 July 2020.

Section 3

- (3) Sections 3, 4, 5, 6, 7, 9, 10 and 11 are in force during the period from the commencement of the United Nations Sanctions (Democratic Republic of the Congo) Regulation 2019 (Amendment) Regulation 2020 until midnight on 1 July 2021.”.

3. Section 4 amended (carriage of goods prohibited)

Section 4(3)(b), Chinese text—

Repeal

“有關的”

Substitute

“該項”.

4. Section 9 amended (licence for supply or carriage of goods)

(1) Section 9(1), Chinese text—

Repeal

“批予特許，准許（視”

Substitute

“(視下述”.

(2) Section 9(1)(a), Chinese text, before “下述作為”—

Add

“批予特許，准許”.

(3) Section 9(1)(b), Chinese text, before “屬下述”—

Add

“批予特許，准許”.

(4) Section 9(2)—

Repeal paragraph (f)

Section 5

Substitute

“(f) 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.”.

(5) Section 9(3), Chinese text—

Repeal

“在批予有關特許之前，安排”

Substitute

“安排在批予有關特許之前，”。

5. Section 10 amended (licence for provision of assistance)

Section 10(3), Chinese text—

Repeal

“在批予有關特許之前，安排”

Substitute

“安排在批予有關特許之前，”。

6. Section 11 amended (licence for making available or dealing with economic assets)

Section 11(5), Chinese text—

Section 7

Repeal

“在批予有關特許之前，安排”

Substitute

“安排在批予有關特許之前，”。

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

Section 18(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。”。

Carrie LAM
Chief Executive

8 September 2020

Explanatory Note

This Regulation amends the United Nations Sanctions (Democratic Republic of the Congo) Regulation 2019 (Cap. 537 sub. leg. CJ) (*principal Regulation*) to give effect to certain decisions in Resolution 2528 (2020) adopted by the Security Council of the United Nations on 25 June 2020.

2. Section 2 of this Regulation amends section 2 of the principal Regulation to provide that sections 3, 4, 5, 6, 7, 9 (as amended by this Regulation), 10 and 11 of the principal Regulation (*relevant provisions*) are in force only until midnight on 1 July 2021.
3. The relevant provisions relate to the prohibition against—
 - (a) the supply, sale, transfer or carriage of arms or related materiel to certain persons;
 - (b) the provision of assistance, advice or training related to military activities in certain circumstances;
 - (c) making available to, or for the benefit of, certain persons or entities any funds or other financial assets or economic resources;
 - (d) dealing with funds or other financial assets or economic resources belonging to, or owned or controlled by, certain persons or entities; and
 - (e) entry into or transit through the HKSAR by certain persons.
4. This Regulation also makes certain minor textual amendments.