## Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Part 1</strong></td>
<td></td>
</tr>
<tr>
<td>Preliminary</td>
<td>B2595</td>
</tr>
<tr>
<td><strong>Part 2</strong></td>
<td></td>
</tr>
<tr>
<td>Prohibitions</td>
<td></td>
</tr>
<tr>
<td>1. Interpretation</td>
<td>B2595</td>
</tr>
<tr>
<td>2. Prohibition against supply, sale or transfer of certain goods</td>
<td>B2603</td>
</tr>
<tr>
<td>3. Prohibition against carriage of certain goods</td>
<td>B2605</td>
</tr>
<tr>
<td>4. Prohibition against provision of certain assistance or training</td>
<td>B2611</td>
</tr>
<tr>
<td>5. Prohibition against making available funds, etc. or dealing with funds, etc.</td>
<td>B2613</td>
</tr>
<tr>
<td>6. Prohibition against entry or transit by certain persons</td>
<td>B2615</td>
</tr>
<tr>
<td>7. Exceptions to prohibition against entry or transit by certain persons</td>
<td>B2617</td>
</tr>
</tbody>
</table>
**United Nations Sanctions (Yemen) Regulation 2015**

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Part 3</strong></td>
<td></td>
</tr>
<tr>
<td>Licence</td>
<td></td>
</tr>
<tr>
<td>8. Licence for making available funds, etc. to certain persons or entities or dealing with funds, etc. of certain persons or entities</td>
<td>B2620</td>
</tr>
<tr>
<td>9. Provision of false information or documents for purpose of obtaining licences</td>
<td>B2624</td>
</tr>
<tr>
<td><strong>Part 4</strong></td>
<td></td>
</tr>
<tr>
<td>Things Done outside HKSAR</td>
<td></td>
</tr>
<tr>
<td>10. Licence or permission granted by authorities of places outside HKSAR</td>
<td>B2626</td>
</tr>
<tr>
<td><strong>Part 5</strong></td>
<td></td>
</tr>
<tr>
<td>Enforcement of Regulation</td>
<td></td>
</tr>
<tr>
<td>Division 1—Investigation, etc. of Suspected Ships</td>
<td></td>
</tr>
<tr>
<td>11. Investigation of suspected ships</td>
<td>B2628</td>
</tr>
<tr>
<td>12. Offences by charterer, operator or master of ship</td>
<td>B2632</td>
</tr>
<tr>
<td>13. Power of authorized officers to enter and detain ships</td>
<td>B2632</td>
</tr>
<tr>
<td>Division 2—Investigation, etc. of Suspected Aircraft</td>
<td></td>
</tr>
<tr>
<td>14. Investigation of suspected aircraft</td>
<td>B2634</td>
</tr>
<tr>
<td>15. Offences by charterer, operator or pilot in command of aircraft</td>
<td>B2634</td>
</tr>
<tr>
<td>16. Power of authorized officers to enter and detain aircraft</td>
<td>B2638</td>
</tr>
</tbody>
</table>
Section

Division 3—Investigation, etc. of Suspected Vehicles

17. Investigation of suspected vehicles .................................................. B2639
18. Offences by operator or driver of vehicle ........................................ B2640
19. Power of authorized officers to enter and detain vehicles .......... B2641

Division 4—Proof of Identity

20. Production of proof of identity ....................................................... B2645

Part 6

Evidence

21. Power of magistrate or judge to grant warrant ......................... B2647
22. Seized articles, etc. liable to forfeiture ........................................ B2648
23. Power of magistrate or judge to make order for forfeiture and disposal ........................................ B2652
24. Detention of documents, cargoes or articles seized .......... B2653

Part 7

Disclosure of Information or Documents

25. Disclosure of information or documents ........................... B2657

Part 8

Other Offences and Miscellaneous Matters

26. Liability of persons other than principal offenders ................. B2661
27. Offences in relation to obstruction of authorized persons, etc. ........................................ B2660
28. Offences in relation to evasion of this Regulation ................. B2661
<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>29.</td>
<td>Consent and time limit for proceedings</td>
</tr>
<tr>
<td>30.</td>
<td>Specification of relevant person or relevant entity by Chief Executive</td>
</tr>
<tr>
<td>31.</td>
<td>Specification of designated person or designated entity by Chief Executive</td>
</tr>
<tr>
<td>32.</td>
<td>Exercise of powers of Chief Executive</td>
</tr>
<tr>
<td>33.</td>
<td>Duration</td>
</tr>
</tbody>
</table>
Part 1

Preliminary

1. Interpretation

In this Regulation—

*arms or related materiel* (軍火或相關的物資) includes—

(a) any weapon, ammunition, military vehicle, military equipment or paramilitary equipment; and

(b) any spare part for any item specified in paragraph (a);

*authorized officer* (獲授權人員) means—

(a) a police officer;

(b) a member of the Customs and Excise Service holding an office specified in Schedule 1 to the Customs and Excise Service Ordinance (Cap. 342); or

(c) a public officer employed in the Customs and Excise Department in the Trade Controls Officer Grade;

*Commissioner* (關長) means the Commissioner of Customs and Excise, any Deputy Commissioner of Customs and Excise or any Assistant Commissioner of Customs and Excise;

*Committee* (委員會) means the Committee of the Security Council established under paragraph 19 of Resolution 2140;
Part 1
Section 1

United Nations Sanctions (Yemen) Regulation 2015

designated entity (指認實體) means—
(a) an entity specified by the Chief Executive as a designated entity in accordance with section 31;
(b) an entity acting on behalf of, or at the direction of, or owned or controlled by, a person or entity specified by the Chief Executive as a designated person or designated entity in accordance with section 31; or
(c) an entity owned or controlled by a person or entity acting on behalf of, or at the direction of, a person or entity specified by the Chief Executive as a designated person or designated entity in accordance with section 31;

designated person (指認人士) means—
(a) a person named in paragraph 14 of Resolution 2216;
(b) a person listed in the Annex of Resolution 2216;
(c) a person specified by the Chief Executive as a designated person in accordance with section 31; or
(d) a person acting on behalf of, or at the direction of, a person or entity specified by the Chief Executive as a designated person or designated entity in accordance with section 31;

economic resources (經濟資源) means assets of every kind, whether tangible or intangible, movable or immovable, which are not funds but can be used to obtain funds, goods or services;

funds (資金) includes—
(a) gold coin, gold bullion, cash, cheques, claims on money, drafts, money orders and other payment instruments;
(b) deposits with financial institutions or other entities, balances on accounts, debts and debt obligations;
(c) securities and debt instruments (including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures, debenture stock and derivatives contracts);
(d) interest, dividends or other income on or value accruing from or generated by property;
(e) credit, rights of set-off, guarantees, performance bonds or other financial commitments;
(f) letters of credit, bills of lading and bills of sale; and
(g) documents evidencing an interest in funds or financial resources, and any other instrument of export financing;

**licence** (特許) means a licence granted under section 8(1);

**master** (船長), in relation to a ship, includes any person (other than a pilot) for the time being in charge of the ship;

**operator** (營運人), in relation to a ship, aircraft or vehicle, means the person for the time being having the management of the ship, aircraft or vehicle;

**pilot in command** (機長), in relation to an aircraft, means the pilot designated by the operator or the owner, as appropriate, as being in charge of the aircraft without being under the direction of any other pilot in the aircraft and charged with the safe conduct of a flight;

**prohibited goods** (禁制物品) means any arms or related materiel;

**relevant entity** (有關實體) means—

(a) an entity specified by the Chief Executive as a relevant entity in accordance with section 30;
(d) an entity acting on behalf of, or at the direction of, or owned or controlled by, a person or entity specified by the Chief Executive as a relevant person or relevant entity in accordance with section 30; or

(c) an entity owned or controlled by a person or entity acting on behalf of, or at the direction of, a person or entity specified by the Chief Executive as a relevant person or relevant entity in accordance with section 30;

relevant person (有關人士) means—

(a) a person specified by the Chief Executive as a relevant person in accordance with section 30; or

(b) a person acting on behalf of, or at the direction of, a person or entity specified by the Chief Executive as a relevant person or relevant entity in accordance with section 30;


第 2 部

禁止條文

2. 禁止供應、售賣或移轉若干物品

(1) 本條適用於——

(a) 在特區內行事的人；及

(b) 在特區境外行事的人——

(i) 兼具香港永久性居民及中國公民身分的人；或

(ii) 根據特區法律成立為法團或組成的團體。

(2) 任何人不得——

(a) 直接或間接向指認人士，指認實體或該等人士或實體指定的對象供應、售賣或移轉任何禁制物品；或為該等人士或實體的利益而直接或間接供應、售賣或移轉任何禁制物品；或同意直接或間接向該等人士、實體或對象供應、售賣或移轉任何禁制物品；或同意為該等人士或實體的利益而直接或間接供應、售賣或移轉任何禁制物品；或作出任何可能促使向該等人士、實體或對象供應、售賣或移轉任何禁制物品的作為；或作出任何可能促使為該等人士或實體的利益而供應、售賣或移轉任何禁制物品的作為；或

(b) 直接或間接向某目的地供應、售賣或移轉任何禁制物品，以直接或間接向指認人士、指認實體或該等人士或實體指定的對象（或為該等人士或實體的利益）交付或移轉該等物品；或同意直接或間接向某目的地供應、售賣或移轉任何禁制物品以將該等物品如此交付或移轉；或作出任何可能促使向某目的地供應、售賣或移轉任何禁制物品以將該等物品如此交付或移轉的作為。

(3) 任何人違反第 (2) 款，即屬犯罪——

Part 2

Prohibitions

2. Prohibition against supply, sale or transfer of certain goods

(1) This section applies to—

(a) a person acting in the HKSAR; and

(b) a person acting outside the HKSAR who is—

(i) both a Hong Kong permanent resident and a Chinese national; or

(ii) a body incorporated or constituted under the law of the HKSAR.

(2) A person must not supply, sell or transfer, or agree to supply, sell or transfer, directly or indirectly, or do any act likely to promote the supply, sale or transfer of, any prohibited goods—

(a) to, or to the order of, or for the benefit of, a designated person or a designated entity; or

(b) to a destination for the purpose of delivery or transfer, directly or indirectly, to, or to the order of, or for the benefit of, a designated person or a designated entity.

(3) A person who contravenes subsection (2) commits an offence and is liable—
(4) It is a defence for a person charged with an offence under subsection (3) to prove that the person did not know and had no reason to believe—
(a) that the goods concerned were prohibited goods; or
(b) that the goods concerned were or were to be supplied, sold or transferred—
   (i) to, or to the order of, or for the benefit of, a designated person or a designated entity; or
   (ii) to a destination for the purpose of delivery or transfer, directly or indirectly, to, or to the order of, or for the benefit of, a designated person or a designated entity.

3. Prohibition against carriage of certain goods
(1) This section applies to—
(a) a ship that is registered in the HKSAR;
(b) a ship that is not registered in the HKSAR and is within the waters of Hong Kong;
(c) an aircraft that is registered in the HKSAR;
(d) an aircraft that is not registered in the HKSAR and is within Hong Kong air space;
(e) any other ship or aircraft that is for the time being chartered to a person who is—
   (i) in the HKSAR;
   (ii) both a Hong Kong permanent resident and a Chinese national; or
(iii) 根據特區法律成立為法團或組成的團體；及
(f) 在特區境內的車輛。

(2) 在不局限第 2 條的原則下，船舶、飛機或車輛不得用於下述載運途徑或其任何組成部分——
(a) 載運任何禁制物品予指認人士、指認實體或該等人士或實體指定的對象，或為該等人士或實體的利益而載運任何禁制物品；或
(b) 載運任何禁制物品至某目的地，以直接或間接向指認人士、指認實體或該等人士或實體指定的對象（或為該等人士或實體的利益）交付或移轉該等物品。

(3) 如船舶、飛機或車輛在違反第 (2) 款的情況下使用，每一下述的人均屬犯罪——
(a) 就在特區註冊的船舶而言，該船舶的租用人、營運人及船長；
(b) 就任何其他船舶而言——
   (i) 在該船舶的租用人身在特區境內，或是兼具香港永久性居民及中國公民身分的人，或是根據特區法律成立為法團或組成的團體的情況下）該租用人；
   (ii) 在該船舶的營運人身在特區境內，或是兼具香港永久性居民及中國公民身分的人，或是根據特區法律成立為法團或組成的團體的情況下）該營運人；及
   (iii) 在該船舶的船長身在特區境內，或是兼具香港永久性居民及中國公民身分的人的情況下）該船長；

(iii) a body incorporated or constituted under the law of the HKSAR; and
(f) a vehicle in the HKSAR.

(2) Without limiting section 2, a ship, aircraft or vehicle must not be used for the carriage of any prohibited goods if the carriage is, or forms part of, a carriage—
(a) to, or to the order of, or for the benefit of, a designated person or a designated entity; or
(b) to a destination for the purpose of delivery or transfer, directly or indirectly, to, or to the order of, or for the benefit of, a designated person or a designated entity.

(3) If a ship, aircraft or vehicle is used in contravention of subsection (2), each of the following persons commits an offence—
(a) for a ship registered in the HKSAR, the charterer, the operator and the master of the ship;
(b) for any other ship—
   (i) the charterer of the ship, if the charterer is in the HKSAR, or is both a Hong Kong permanent resident and a Chinese national, or is a body incorporated or constituted under the law of the HKSAR;
   (ii) the operator of the ship, if the operator is in the HKSAR, or is both a Hong Kong permanent resident and a Chinese national, or is a body incorporated or constituted under the law of the HKSAR; and
   (iii) the master of the ship, if the master is in the HKSAR or is both a Hong Kong permanent resident and a Chinese national;
(c) 就在特区注册的飞机而言，该飞机的租用人、营运人及机长；

(d) 就任何其他飞机而言——

(i) (在该飞机的租用人身在特区境内，或是兼具香港永久性居民及中国公民身份的人，或是根据特区法律成立为法人或组成的团体的情况下) 该租用人；

(ii) (在该飞机的营运人身在特区境内，或是兼具香港永久性居民及中国公民身份的人，或是根据特区法律成立为法人或组成的团体的情况下) 该营运人；及

(iii) (在该飞机的机长身在特区境内，或是兼具香港永久性居民及中国公民身份的人的情况下) 该机长；

(e) 就车辆而言，该车辆的营运人及驾驶人。

(4) 任何人犯第 (3) 款所订罪行——

(a) 一经循公诉程序定罪，可处罚款及监禁 7 年；或

(b) 一经循简易程序定罪，可处第 6 级罚款及监禁 6 个月。

(5) 被控犯第 (3) 款所订罪行的人如证明本身既不知道亦无理由相信——

(a) 有关的物品属禁制物品；或

(c) for an aircraft registered in the HKSAR, the charterer, the operator and the pilot in command of the aircraft;

(d) for any other aircraft—

(i) the charterer of the aircraft, if the charterer is in the HKSAR, or is both a Hong Kong permanent resident and a Chinese national, or is a body incorporated or constituted under the law of the HKSAR;

(ii) the operator of the aircraft, if the operator is in the HKSAR, or is both a Hong Kong permanent resident and a Chinese national, or is a body incorporated or constituted under the law of the HKSAR; and

(iii) the pilot in command of the aircraft, if the pilot in command is in the HKSAR or is both a Hong Kong permanent resident and a Chinese national;

(e) for a vehicle, the operator and the driver of the vehicle.

(4) A person who commits an offence under subsection (3) is liable—

(a) on conviction on indictment to a fine and to imprisonment for 7 years; or

(b) on summary conviction to a fine at level 6 and to imprisonment for 6 months.

(5) It is a defence for a person charged with an offence under subsection (3) to prove that the person did not know and had no reason to believe—

(a) that the goods concerned were prohibited goods; or
4. Prohibition against provision of certain assistance or training

(1) This section applies to—

(a) a person acting in the HKSAR; and

(b) a person acting outside the HKSAR who is—

(i) both a Hong Kong permanent resident and a Chinese national; or

(ii) a body incorporated or constituted under the law of the HKSAR.

(2) A person must not provide, directly or indirectly, to a designated person or a designated entity any technical assistance, training, financial or other assistance, related to military activities or to the provision, maintenance or use of any prohibited goods, including the provision of armed mercenary personnel.

(3) A person who contravenes subsection (2) commits an offence and is liable—

(a) on conviction on indictment to a fine and to imprisonment for 7 years; or

(b) on summary conviction to a fine at level 6 and to imprisonment for 6 months.
Part 2
Section 5

United Nations Sanctions (Yemen) Regulation 2015

4. It is a defence for a person charged with an offence under subsection (3) to prove that the person did not know and had no reason to believe—
   (a) that the assistance or training concerned was or was to be provided to a designated person or a designated entity; or
   (b) that the assistance or training concerned related to military activities or to the provision, maintenance or use of any prohibited goods.

5. Prohibition against making available funds, etc. or dealing with funds, etc.

1. This section applies to—
   (a) a person acting in the HKSAR; and
   (b) a person acting outside the HKSAR who is—
       (i) both a Hong Kong permanent resident and a Chinese national; or
       (ii) a body incorporated or constituted under the law of the HKSAR.

2. Except under the authority of a licence granted under section 8(1)—
   (a) a person must not make available, directly or indirectly, any funds or other financial assets or economic resources to, or for the benefit of, a relevant person or a relevant entity; and
   (b) a person (first-mentioned person) must not deal with, directly or indirectly, any funds or other financial assets or economic resources belonging to, or owned or controlled by, a relevant person or a relevant entity, and if the first-mentioned person is a relevant person or a relevant entity, including any funds and
other financial assets or economic resources belonging to, or owned or controlled by, the first-mentioned person.

(3) A person who contravenes subsection (2) commits an offence and is liable—

(a) on conviction on indictment to a fine and to imprisonment for 7 years; or

(b) on summary conviction to a fine at level 6 and to imprisonment for 6 months.

(4) It is a defence for a person charged with an offence under subsection (3) to prove that the person did not know and had no reason to believe—

(a) that the funds or other financial assets or economic resources concerned were or were to be made available to, or for the benefit of, a relevant person or a relevant entity; or

(b) that the person was dealing with funds or other financial assets or economic resources belonging to, or owned or controlled by, a relevant person or a relevant entity.

(5) A person is not to be regarded as having contravened subsection (2) by reason only of having credited an account belonging to, or owned or controlled by, a relevant person or a relevant entity with—

(a) interest or other earnings due on that account; or

(b) payment due under contracts, agreements or obligations that arose before the date on which the person or entity became a relevant person or a relevant entity.

(6) In this section—

deal with (處理) means—
6. **Prohibition against entry or transit by certain persons**

(1) Subject to section 7, a specified person must not enter or transit through the HKSAR.

(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine at level 4 and to imprisonment for 2 years.

(3) This section does not apply to a person having the right of abode or the right to land in the HKSAR.

(4) In this section—

**specified person** (指明人士) means a person designated by the Committee for the purposes of paragraph 15 of Resolution 2140.

7. **Exceptions to prohibition against entry or transit by certain persons**

Section 6 does not apply to a case in respect of which—
(a) the Committee has determined that the relevant entry into or transit through the HKSAR is justified on the ground of humanitarian need, including religious obligation;

(b) the relevant entry or transit is necessary for the fulfilment of a judicial process;

(c) the Committee has determined that the relevant entry or transit would further the objectives of peace and national reconciliation in Yemen; or

(d) the relevant entry or transit is required to advance peace and stability in Yemen.
Part 3

Licence

8. Licence for making available funds, etc. to certain persons or entities or dealing with funds, etc. of certain persons or entities

(1) If on application the Chief Executive determines that any of the requirements in subsection (2) is met, the Chief Executive must, subject to subsection (3), grant, as appropriate, a licence for—

(a) making available funds or other financial assets or economic resources to, or for the benefit of, a relevant person or a relevant entity; or

(b) dealing with funds or other financial assets or economic resources belonging to, or owned or controlled by, a relevant person or a relevant entity.

(2) The requirements are as follows—

(a) the funds or other financial assets or economic resources are—

(i) necessary for basic expenses, including payment for foodstuffs, rents, mortgages, medicines, medical treatments, taxes, insurance premiums and public utility charges;

(ii) exclusively for the payment of reasonable professional fees or reimbursement of incurred expenses associated with the provision of legal services under the law of the HKSAR; or

(iii) fees or service charges, under the law of the HKSAR, for the routine holding or maintenance of funds or other financial assets or economic resources belonging to, or owned

(2) The requirements are as follows—

(a) the funds or other financial assets or economic resources are—

(i) necessary for basic expenses, including payment for foodstuffs, rents, mortgages, medicines, medical treatments, taxes, insurance premiums and public utility charges;

(ii) exclusively for the payment of reasonable professional fees or reimbursement of incurred expenses associated with the provision of legal services under the law of the HKSAR; or

(iii) fees or service charges, under the law of the HKSAR, for the routine holding or maintenance of funds or other financial assets or economic resources belonging to, or owned
or controlled by, a relevant person or a relevant entity;
(b) the funds or other financial assets or economic resources are necessary for extraordinary expenses;
(c) the funds or other financial assets or economic resources—
(i) are the subject of a judicial, administrative or arbitral lien or judgment that was entered before 26 February 2014 and is not for the benefit of a relevant person or a relevant entity; and
(ii) are to be used to satisfy the lien or judgment;
(d) the funds or other financial assets or economic resources are to be used for making payment due under a contract entered into by a person or entity before the date on which the person or entity became a relevant person or a relevant entity, and the payment is not received, directly or indirectly, by a relevant person or a relevant entity.

(3) If the Chief Executive determines that—

(a) the requirement in subsection (2)(a) is met, the Chief Executive—
(i) must cause the Committee to be notified of the intention to grant a licence under subsection (1); and
(ii) must grant the licence in the absence of a negative decision by the Committee within 5 working days of the notification;
(b) the requirement in subsection (2)(b) is met, the Chief Executive—
(i) must cause the Committee to be notified of the determination; and
9. Provision of false information or documents for purpose of obtaining licences

(1) A person who, for the purpose of obtaining a licence, makes any statement or provides or produces any information or document that the person knows to be false in a material particular commits an offence and is liable—

(a) on conviction on indictment to a fine and to imprisonment for 2 years; or

(b) on summary conviction to a fine at level 6 and to imprisonment for 6 months.

(2) A person who, for the purpose of obtaining a licence, recklessly makes any statement or provides or produces any information or document that is false in a material particular commits an offence and is liable—

(a) on conviction on indictment to a fine and to imprisonment for 2 years; or

(b) on summary conviction to a fine at level 6 and to imprisonment for 6 months.
Part 4

Things Done outside HKSAR

10. Licence or permission granted by authorities of places outside HKSAR

(1) If the circumstances described in subsection (2) apply, a provision of this Regulation that prohibits the doing of a thing by a person except under the authority of a licence does not have effect in relation to any such thing done in a place outside the HKSAR by the person.

(2) For the purposes of subsection (1), the circumstances are that the thing is done by the person under the authority of a licence or with permission granted, in accordance with any law in force in that place outside the HKSAR (being a law substantially corresponding to the relevant provision of this Regulation), by the authority competent in that behalf under that law.
Part 5

Division 1—Investigation, etc. of Suspected Ships

11. Investigation of suspected ships

(1) If an authorized officer has reason to suspect that a ship to which section 3 applies has been, is being or is about to be used in contravention of section 3(2), the officer may—

(a) either alone or accompanied and assisted by any person acting under the officer's authority, board the ship and search it and, for that purpose, use or authorize the use of reasonable force; and

(b) request the charterer, operator or master of the ship to provide any information relating to the ship or its cargo, or produce for inspection any of its cargo or any document relating to the ship or its cargo, that the officer may specify.

(2) If an authorized officer has reason to suspect that a ship to which section 3 applies is being or is about to be used in contravention of section 3(2), the officer may, for the purpose of stopping or preventing the use of the ship in contravention of section 3(2) or to pursue enquiries, either there and then or on consideration of any information provided or cargo or document produced in response to a request made under subsection (1)(b), do one or more of the following—

(a) direct the charterer, operator or master of the ship to refrain, except with the consent of an authorized officer, from landing, at any port specified by the authorized officer, any part of the ship's cargo that is so specified;
(b) 要求該船舶的租用人、營運人或船長採取以下任何步驟——

(i) 安排該船舶連同其所載的任何貨物停止進行當時正進行的航程或不進行即將進行的航程，直至租用人、營運人或船長獲得獲授權人員通知該船舶連同其所載貨物可進行該航程為止；

(ii) (如該船舶在特區境內) 安排該船舶連同其所載的任何貨物留在特區境內，直至租用人、營運人或船長獲得獲授權人員通知該船舶連同其所載貨物可離開為止；

(iii) (如該船舶在任何其他地方) 將該船舶連同其所載的任何貨物開往獲授權人員指明的港口和安排該船舶連同其所載貨物留在該處，直至租用人、營運人或船長獲得獲授權人員通知該船舶連同其所載貨物可離開為止；

(iv) 將該船舶連同其所載的任何貨物開往獲授權人員在與租用人、營運人或船長議定後指明的另一目的地。

(3) 本條所賦予的要求某人提供任何資料或要求某人交出任何貨物或文件以供檢查的權力，包括指明以下事項的權力——

(a) 該資料應以口頭或以書面提供，及應以何種方式提供；及

(b) 應在何時之前及在何地提供該資料或交出該貨物或文件，以供檢查。

(b) request the charterer, operator or master of the ship to take any of the following steps—

(i) to cause the ship and any of its cargo not to proceed with the voyage on which the ship is then engaged or about to be engaged until the charterer, operator or master is notified by an authorized officer that the ship and its cargo may so proceed;

(ii) if the ship is in the HKSAR, to cause the ship and any of its cargo to remain in the HKSAR until the charterer, operator or master is notified by an authorized officer that the ship and its cargo may depart;

(iii) if the ship is in any other place, to take the ship and any of its cargo to a port specified by an authorized officer, and to cause the ship and its cargo to remain in that place until the charterer, operator or master is notified by an authorized officer that the ship and its cargo may depart;

(iv) to take the ship and any of its cargo to another destination specified by an authorized officer in agreement with the charterer, operator or master.

(3) A power conferred by this section to request a person to provide any information or produce any cargo or document for inspection includes a power to—

(a) specify whether the information should be provided orally or in writing and in what form; and

(b) specify the time by which, and the place in which, the information should be provided or the cargo or document should be produced for inspection.
12. **Offences by charterer, operator or master of ship**

(1) A charterer, operator or master of a ship who disobeys any direction given under section 11(2)(a), or, without reasonable excuse, refuses or fails to comply with a request made under section 11(1)(b) or (2)(b) within the time specified by an authorized officer or, if no time is specified, within a reasonable time, commits an offence and is liable on conviction to a fine at level 6 and to imprisonment for 6 months.

(2) A charterer, operator or master of a ship who, in response to a request made under section 11(1)(b) or (2)(b), provides or produces to an authorized officer any information or document that the charterer, operator or master knows to be false in a material particular, or recklessly provides or produces to an authorized officer any information or document that is false in a material particular, commits an offence and is liable on conviction to a fine at level 6 and to imprisonment for 6 months.

13. **Power of authorized officers to enter and detain ships**

(1) Without limiting section 12, if an authorized officer has reason to suspect that a request that has been made under section 11(2)(b) may not be complied with, the officer may take any steps that appear to the officer to be necessary to secure compliance with that request including, in particular, any of the following steps—

(a) enter or authorize the entry on any land or the ship concerned;

(b) detain or authorize the detention of that ship or any of its cargo;

(c) use or authorize the use of reasonable force.
第 2 分部——對可疑飛機進行調查等

14. 對可疑飛機進行調查

(1) 獲授權人員如有理由懷疑第 3 條所適用的飛機曾經，正在或即將在違反第 3(2) 條的情況下使用，即可——

(a) 單獨或在獲該人員授權行事的人陪同及協助下，登上及搜查該飛機，並可為該目的而使用或授權他人使用合理武力；及

(b) 要求該飛機的租用人、營運人或機長提供任何該人員指明的關於該飛機或其所載貨物的資料，或交出任何該人員指明的該等貨物，或交出任何該人員指明的關於該飛機或該等貨物的文件，以供該人員檢查。

(2) 如第 (1) 款所述的飛機在特區境內，獲授權人員可當場或在考慮為回應根據第 (1)(b) 款作出的要求而提供的資料或交出的貨物或文件後，進一步要求該飛機的租用人、營運人或機長安排該飛機連同其所載的任何貨物留在特

Division 2—Investigation, etc. of Suspected Aircraft

14. Investigation of suspected aircraft

(1) If an authorized officer has reason to suspect that an aircraft to which section 3 applies has been, is being or is about to be used in contravention of section 3(2), the officer may—

(a) either alone or accompanied and assisted by any person acting under the officer’s authority, board the aircraft and search it and, for that purpose, use or authorize the use of reasonable force; and

(b) request the charterer, operator or pilot in command of the aircraft to provide any information relating to the aircraft or its cargo, or produce for inspection any of its cargo or any document relating to the aircraft or its cargo, that the officer may specify.

(2) If the aircraft referred to in subsection (1) is in the HKSAR, an authorized officer may, either there and then or on consideration of any information provided or cargo or document produced in response to a request made under subsection (1)(b), further request the charterer, operator or pilot in command of the aircraft to cause the aircraft and any of its cargo to remain in the HKSAR until the charterer, operator or pilot in command is
15. Offences by charterer, operator or pilot in command of aircraft

(1) A charterer, operator or pilot in command of an aircraft who, without reasonable excuse, refuses or fails to comply with a request made under section 14(1)(b) or (2) within the time specified by an authorized officer or, if no time is specified, within a reasonable time, commits an offence and is liable on conviction to a fine at level 6 and to imprisonment for 6 months.

(2) A charterer, operator or pilot in command of an aircraft who, in response to a request made under section 14(1)(b) or (2), provides or produces to an authorized officer any information or document that the charterer, operator or pilot in command knows to be false in a material particular, or recklessly provides or produces to an authorized officer any information or document that is false in a material particular, commits an offence and is liable on conviction to a fine at level 6 and to imprisonment for 6 months.
16. Power of authorized officers to enter and detain aircraft

(1) Without limiting section 15, if an authorized officer has reason to suspect that a request that has been made under section 14(2) may not be complied with, the officer may take any steps that appear to the officer to be necessary to secure compliance with that request including, in particular, any of the following steps—

(a) enter or authorize the entry on any land or the aircraft concerned;
(b) detain or authorize the detention of that aircraft or any of its cargo;
(c) use or authorize the use of reasonable force.

(2) Subject to subsection (3), subsection (1) does not authorize the detention of an aircraft for more than 6 hours.

(3) The Chief Secretary for Administration may, by order in writing, authorize the detention of an aircraft for further periods of not more than 6 hours each, and the order must state the time from which, and period for which, the order is effective.

17. Investigation of suspected vehicles

(1) If an authorized officer has reason to suspect that a vehicle in the HKSAR has been, is being or is about to be used in contravention of section 3(2), the officer may—

(a) either alone or accompanied and assisted by any person acting under the officer's authority, board the vehicle and search it and, for that purpose, use or authorize the use of reasonable force;
(b) request the operator or driver of the vehicle to provide any information relating to the vehicle or any article carried on it, or produce for inspection any article carried on it or any document relating to the vehicle or any article carried on it, that the officer may specify; and

(c) further request, either there and then or on consideration of any information provided or article or document produced in response to a request made under paragraph (b), the operator or driver to take the vehicle and any article carried on it to a place specified by an authorized officer, and to cause the vehicle and the article to remain in that place until the operator or driver is notified by an authorized officer that the vehicle and the article may depart.

(2) A power conferred by this section to request a person to provide any information or produce any article or document for inspection includes a power to—

(a) specify whether the information should be provided orally or in writing and in what form; and

(b) specify the time by which, and the place in which, the information should be provided or the article or document should be produced for inspection.

18. Offences by operator or driver of vehicle

(1) An operator or driver of a vehicle who, without reasonable excuse, refuses or fails to comply with a request made under section 17(1)(b) or (c) within the time specified by an authorized officer or, if no time is specified, within a reasonable time, commits an offence and is liable on conviction to a fine at level 6 and to imprisonment for 6 months.
19. Power of authorized officers to enter and detain vehicles

(1) Without limiting section 18, if an authorized officer has reason to suspect that a request that has been made under section 17(1)(c) may not be complied with, the officer may take any steps that appear to the officer to be necessary to secure compliance with that request including, in particular, any of the following steps—

(a) enter or authorize the entry on any land or enter or authorize the entry into the vehicle concerned;
(b) detain or authorize the detention of that vehicle or any article carried on it;
(c) use or authorize the use of reasonable force.

(2) Subject to subsection (3), subsection (1) does not authorize the detention of a vehicle for more than 12 hours.

(3) The Commissioner may, by order in writing, authorize the detention of a vehicle for further periods of not more than 12 hours each, and the order must state the time from which, and period for which, the order is effective.
Division 4—Proof of Identity

20. Production of proof of identity

Before or on exercising a power conferred by section 11, 13, 14, 16, 17 or 19, an authorized officer must, if requested by any person so to do, produce proof of the officer’s identity to the person for inspection.
21. **Power of magistrate or judge to grant warrant**

(1) A magistrate or judge may grant a warrant if satisfied by information on oath given by an authorized officer that there are reasonable grounds for suspecting that—

(a) an offence under this Regulation has been committed or is being committed; and

(b) there is on any premises specified in the information, or on any ship, aircraft or vehicle so specified, evidence in relation to the commission of the offence.

(2) A warrant granted under subsection (1) may authorize any authorized officer, together with any other person named in the warrant, to enter the premises, ship, aircraft or vehicle.

(3) A person authorized by a warrant to search any premises, ship, aircraft or vehicle may exercise any or all of the following powers—

(a) search any person who is found on, or whom the authorized person has reasonable grounds to believe have recently left or to be about to enter, the premises, ship, aircraft or vehicle;

(b) seize and detain any document, cargo or article found on the premises, ship, aircraft or vehicle.
22. Seized articles, etc. liable to forfeiture

(1) If an authorized officer intends to apply to a magistrate or judge under section 23 for an order for forfeiture of any document, cargo or article seized under section 21(3), the officer must, within 30 days from the date of the seizure, serve notice of that intention on every person who was, to the knowledge of the officer at the time of, or immediately after, the seizure, an owner of the document, cargo or article.

(2) A notice under subsection (1) is to be regarded as having been duly served on a person if—

(a) it is delivered personally to the person;
(b) it is sent by registered post addressed to the person at any place of residence or business of the person known to the authorized officer; or
(c) where the notice cannot be served in accordance with paragraph (a) or (b), the notice is exhibited at the offices of the Customs and Excise Department, in a place to which the public have access, for a period of not less than 7 days commencing within 30 days from

(4) A person may only be searched under this section by a person who is of the same sex.

(5) If a person is empowered under this section to enter any premises, ship, aircraft or vehicle, the person may use any force that is reasonably necessary for that purpose.
的 30 天內，於香港海關的辦事處內一處公眾人士可到達的地方展示，為期不少於 7 天。

(3) 根據第 (1) 款送達的通知書所提述的有關文件、貨物或物件的擁有或該擁有人的代理人，或在作出檢取時管有該文件、貨物或物件的人，或對該文件、貨物或物件享有法律或衡平法上的權益的人，可藉向關長送達書面通知，反對建議作出的沒收。

(4) 第 (3) 款所指的反對通知書——
(a) 須在自以下日期起計的 30 天內，由第 (3) 款提述的人 (申請人) 送達關長——
(i) (如第 (1) 款所指的通知書是已面交送達通知書中所指名的人) 交付當日；
(ii) (如第 (1) 款所指的通知書是以掛號郵遞方式寄送的) 在郵寄當日後第 2 天；或
(iii) (如第 (1) 款所指的通知書是以第 (2)(c) 款描述的方式展示的) 在該通知書被如此展示的首日；
(b) 須印明有關申索人的全名及在香港用作接收送達文件的地址；及
(c) 如有關申索人在香港並無永久地址，則須印明一名律師的姓名及地址，該律師須是根據《法律執業者條例》(第 159 章) 具有資格執業並獲授權代表該申索人接收就任何與沒收法律程序有關而送達的文件的。

the date of the seizure of the document, cargo or article.

(3) An owner, or the authorized agent of an owner, of the document, cargo or article referred to in a notice served under subsection (1), or a person who was in possession of the document, cargo or article at the time of seizure, or a person who has a legal or equitable interest in the document, cargo or article, may object to the proposed forfeiture by serving a notice in writing on the Commissioner.

(4) A notice of objection under subsection (3)—
(a) must be served on the Commissioner by a person referred to in subsection (3) (claimant) within 30 days from—
(i) if the notice under subsection (1) is delivered personally to the person named in the notice, the date of delivery;
(ii) if the notice under subsection (1) is sent by registered post, 2 days after the date of posting; or
(iii) if the notice under subsection (1) is exhibited as described in subsection (2)(c), the first day it is so exhibited;
(b) must state the claimant’s full name and address for service in Hong Kong; and
(c) if the claimant does not have a permanent address in Hong Kong, must state the name and address of a solicitor who is qualified to practise under the Legal Practitioners Ordinance (Cap. 159) and is authorized to accept service on behalf of the claimant in relation to any forfeiture proceedings.
23. 裁判官或法官作出没收及處置命令的權力

(1) 如有沒收任何被檢取的文件、貨物或物件的命令的申請向裁判官或法官作出，而裁判官或法官如信納被檢取的文件是關乎提供、維修或使用任何禁制物品的文件，或被檢取的貨物或物件屬禁制物品，則可作出該裁判官或法官認為合適的命令，沒收該文件、貨物或物件，並繼而將其毀滅或處置。

(2) 第 (1) 款所指的命令，可就任何被檢取的文件、貨物或物件作出，不論是否有人已就該文件、貨物或物件而被定罪。

(3) 裁判官或法官在作出没收任何被檢取的文件、貨物或物件的命令之前，須向任何按照第 22(3) 及 (4) 條送達反對通知書的人發出傳票，傳召該人於傳票上指明的日期出庭，提出不應沒收該文件、貨物或物件的因由。

(5) 有關人員可在以下時間，向裁判官或法官申請命令，沒收根據第 (1) 款送達的通知書所關乎的任何被檢取的文件、貨物或物件——

(a) 在第 (4)(a) 款就送達反對通知書而指明的適當限期屆滿之後；或
(b) (如按照第 (3) 及 (4) 款送達反對通知書) 在接獲該通知書之後。

23. Power of magistrate or judge to make order for forfeiture and disposal

(1) If an application is made to a magistrate or judge for an order for forfeiture of any seized document, cargo or article, the magistrate or judge may, if satisfied that the seized document is a document relating to the provision, maintenance or use of any prohibited goods, or that the seized cargo or article is prohibited goods, make such order as the magistrate or judge thinks fit for the forfeiture of the document, cargo or article and its subsequent destruction or disposal.

(2) An order under subsection (1) may be made in respect of any seized document, cargo or article whether or not any person has been convicted of any offence in connection with the document, cargo or article.

(3) Before making an order for forfeiture of any seized document, cargo or article, a magistrate or judge must issue a summons to any person who serves a notice of objection in accordance with section 22(3) and (4) to appear on a day specified in the summons to show cause why the document, cargo or article should not be forfeited.
(4) If any summons issued under subsection (3) has not for any reason been served and the magistrate or judge is satisfied that all reasonable efforts have been made to serve the summons on the person named in the summons, the magistrate or judge may make an order for forfeiture under this section despite the fact that the summons has not been served on that person.

24. Detention of documents, cargoes or articles seized

(1) Subject to subsection (2), any document, cargo or article seized under section 21(3) may not be detained for more than 3 months.

(2) If the document, cargo or article is relevant to an offence under this Regulation, and proceedings for the offence have begun, the document, cargo or article may be detained until the completion of those proceedings.
Part 7

Disclosure of Information or Documents

25. Disclosure of information or documents

(1) Any information or document provided, produced or seized under this Regulation may be disclosed only if—

(a) the person who provided or produced the information or document or from whom the document was seized has given consent to the disclosure;

(b) the information or document is disclosed to a person who would have been empowered under this Regulation to request that it be provided or produced;

(c) the information or document is disclosed on the authority of the Chief Executive, subject to the information or document being transmitted through and with the approval of the instructing authority, to—

(i) any organ of the United Nations;

(ii) any person in the service of the United Nations;

or

(iii) the Government of any place outside the People’s Republic of China,

for the purpose of assisting the United Nations or that Government in securing compliance with, or detecting evasion of, measures in relation to Yemen decided on by the Security Council; or

(d) the information or document is disclosed with a view to the institution of, or otherwise for the purposes of, any proceedings for an offence under this Regulation.
(2) For the purposes of subsection (1)(a)—

(a) a person may not give consent to the disclosure if the person has obtained the information or possessed the document only in the person’s capacity as servant or agent of another person; and

(b) a person may give consent to the disclosure if the person is entitled to the information or to the possession of the document in the person’s own right.
第 8 部

其他罪行及雜項事宜

26. 主犯以外的人的法律責任

(1) 被裁定犯本規例所訂的罪行的人如屬法人團體，而該罪行經證明是在該法人團體的任何董事、經理、秘書或其他同類高級人員的同意或縱容下犯的，或可歸因於任何該等人士的疏忽的，則該董事、經理、秘書或其他同類高級人員，即屬犯相同罪行。

(2) 被裁定犯本規例所訂的罪行的人如屬商號，而該罪行經證明是在該商號的任何合夥人或任何關涉該商號的管理人的同意或縱容下犯的，或可歸因於任何該等人士的疏忽的，則該合夥人或關涉該商號的管理的人，即屬犯相同罪行。

27. 有關妨礙獲授權的人等的罪行

任何人妨礙另一人（包括在獲授權人員的授權下行事的人）行使本規例所賦予該另一人的權力，即屬犯罪，一經定罪，可處第 6 級罰款及監禁 6 個月。

28. 有關規避本規例的罪行

任何人意圖規避本規例的任何條文而銷毀、破損、毀損、隱藏或移去任何文件、貨物或物件，即屬犯罪——

Part 8

Other Offences and Miscellaneous Matters

26. Liability of persons other than principal offenders

(1) If the person convicted of an offence under this Regulation is a body corporate and it is proved that the offence was committed with the consent or connivance of, or was attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, the director, manager, secretary or other similar officer is guilty of the like offence.

(2) If the person convicted of an offence under this Regulation is a firm and it is proved that the offence was committed with the consent or connivance of, or was attributable to any neglect on the part of, any partner in the firm or any person concerned in the management of the firm, the partner or the person concerned in the management of the firm is guilty of the like offence.

27. Offences in relation to obstruction of authorized persons, etc.

A person who obstructs another person (including a person acting under the authority of an authorized officer) in the exercise of the powers of that other person under this Regulation commits an offence and is liable on conviction to a fine at level 6 and to imprisonment for 6 months.

28. Offences in relation to evasion of this Regulation

A person who destroys, mutilates, defaces, secretes or removes any document, cargo or article with intent to evade any of the provisions of this Regulation commits an offence and is liable—
(a) on conviction on indictment to a fine and to imprisonment for 2 years; or
(b) on summary conviction to a fine at level 6 and to imprisonment for 6 months.

29. Consent and time limit for proceedings

(1) Proceedings for an offence under this Regulation may only be instituted by or with the consent of the Secretary for Justice.

(2) Summary proceedings for an offence under this Regulation that is alleged to have been committed outside the HKSAR may be commenced at any time not later than 12 months from the date on which the person charged first enters the HKSAR after the alleged commission of the offence.

30. Specification of relevant person or relevant entity by Chief Executive

The Chief Executive may, by notice published in the Gazette, specify as a relevant person or a relevant entity a person or an entity designated by the Committee for the purposes of paragraph 11 of Resolution 2140.

31. Specification of designated person or designated entity by Chief Executive

The Chief Executive may, by notice published in the Gazette, specify as a designated person or a designated entity a person or an entity designated by the Committee for the purposes of paragraph 20(d) of Resolution 2216.
32. Exercise of powers of Chief Executive

(1) The Chief Executive may delegate any of the Chief Executive's powers or functions under this Regulation to any person or class or description of person.

(2) The Chief Executive may authorize a person to whom a power or function is delegated to sub-delegate it to any other person or class or description of person.

(3) A delegation or authorization under subsection (1) or (2) may be subject to any restrictions or conditions that the Chief Executive thinks fit.
Part 9

Duration

33.  Duration

The following provisions expire at midnight on 26 February 2016—

(a) the definitions of economic resources, funds, licence, relevant entity and relevant person in section 1;
(b) sections 5, 6 and 7;
(c) Part 3;
(d) section 30.

C. Y. LEUNG
Chief Executive

14 July 2015
Explanatory Note

The purpose of this Regulation is to give effect to certain decisions in Resolution 2204 (2015) and Resolution 2216 (2015) as adopted by the Security Council of the United Nations on 24 February 2015 and 14 April 2015 respectively by providing for the prohibition against—

(a) the supply, sale, transfer or carriage of arms or related materiel to certain persons or entities;
(b) the provision of assistance or training related to military activities, etc. 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.