

**L.N. 81 of 2020**

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

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## **United Nations Sanctions (Yemen) 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 (Yemen) Regulation 2019 amended**  
The United Nations Sanctions (Yemen) Regulation 2019 (Cap. 537 sub. leg. CI) is amended as set out in sections 2 to 15.
- 2. Section 1 amended (interpretation)**  
Section 1, definition of *licence*—
  - Repeal**  
“section 8”
  - Substitute**  
“Part 3”.
- 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 5, 6 and 8 are in force during the period from the commencement of the United Nations Sanctions (Yemen) Regulation 2019 (Cap. 537 sub. leg. CI) until midnight on 26 February 2020.
- (3) Sections 5, 6 and 8 are in force during the period from the commencement of the United Nations Sanctions (Yemen) Regulation 2019 (Amendment) Regulation 2020 until midnight on 26 February 2021.”.

**4. Section 2 amended (supply of goods prohibited)**

- (1) Section 2(2)—

**Repeal**

“A person”

**Substitute**

“Except under the authority of a licence granted under section 7A(1)(a), a person”.

- (2) Section 2(2)(a) and (c)(i), English text, after “entity or”—

**Add**

“to”.

- (3) Section 2(4)(b)(i) and (iii)(A), English text, after “entity or”—

**Add**

“to”.

**5. Section 3 amended (carriage of goods prohibited)**

- (1) Section 3(1)(c)—

**Repeal**

“person who is a Hong Kong person, or”

**Substitute**

“Hong Kong person or a person who”.

- (2) Section 3(2), after “section 2,”—

**Add**

“except under the authority of a licence granted under section 7A(1)(b),”.

- (3) Section 3(2)(a) and (c)(i), English text, after “entity or”—

**Add**

“to”.

- (4) After section 3(2)—

**Add**

“(2A) Subsection (2) does not apply if—

- (a) the carriage of the prohibited goods is performed in the course of the supply of the prohibited goods; and
- (b) the supply is authorized by a licence granted under section 7A(1)(a).”.

- (5) Section 3(5)(b)(i) and (iii)(A), English text, after “entity or”—

**Add**

“to”.

**6. Section 4 amended (provision of assistance prohibited)**

Section 4(2)—

**Repeal**

“A person”

**Substitute**

“Except under the authority of a licence granted under section 7B(1), a person”.

**7. Section 5 amended (making available or dealing with economic assets prohibited)**

(1) Section 5—

**Repeal subsection (1).**

(2) Section 5(3), after “licence”—

**Add**

“granted under section 8(2)”.

**8. Section 6 amended (entry or transit of persons prohibited)**

(1) Section 6—

**Repeal subsection (1).**

(2) Section 6(3)(c)—

**Repeal**

“obligation; or”

**Substitute**

“obligation;”.

(3) Section 6(3)(d)—

**Repeal**

“Yemen.”

**Substitute**

“Yemen; or”.

(4) After section 6(3)(d)—

**Add**

“(e) the Committee has determined that the relevant entry or transit is necessary to facilitate the work of the

United Nations and other humanitarian organizations in Yemen or for any other purpose consistent with the objectives of Resolution 2140 and Resolution 2216.”.

**9. Part 3 heading amended (licence)**

Part 3, English text, heading—

**Repeal**

**“Licence”**

**Substitute**

**“Licences”.**

**10. Sections 7A and 7B added**

Part 3, before section 8—

**Add**

**“7A. Licence for supply or carriage of goods**

(1) If, on application, the Chief Executive is satisfied that the requirement in subsection (2) is met, the Chief Executive must grant, as appropriate—

(a) a licence for the supply of, or the doing of an act likely to promote the supply of, prohibited goods—

(i) to a designated person or a designated entity or to the order of a designated person or a designated entity;

(ii) for the benefit of a designated person or a designated entity; or

(iii) to a destination for the purpose of delivery or transfer, directly or indirectly—

- (A) to a designated person or a designated entity or to the order of a designated person or a designated entity; or
    - (B) for the benefit of a designated person or a designated entity; or
  - (b) a licence for the carriage of prohibited goods that is, or forms part of, a carriage—
    - (i) to a designated person or a designated entity or to the order of a designated person or a designated entity;
    - (ii) for the benefit of a designated person or a designated entity; or
    - (iii) to a destination for the purpose of delivery or transfer, directly or indirectly—
      - (A) to a designated person or a designated entity or to the order of a designated person or a designated entity; or
      - (B) for the benefit of a designated person or a designated entity.
- (2) The requirement is that—
  - (a) for a licence referred to in subsection (1)(a)—the supply of the prohibited goods is approved in advance by the Committee; or
  - (b) for a licence referred to in subsection (1)(b)—
    - (i) the carriage of the prohibited goods is performed in the course of the supply of the prohibited goods; and
    - (ii) the supply is approved in advance by the Committee.



**7B. Licence for provision of assistance**

- (1) If, on application, the Chief Executive is satisfied that the requirement in subsection (2) is met, the Chief Executive must grant a licence for the provision, to a designated person or a designated entity, of assistance (including the provision of armed mercenary personnel) related to—
  - (a) military activities; or
  - (b) the provision, maintenance or use of any prohibited goods.
- (2) The requirement is that the provision of assistance is approved in advance by the Committee.”.

**11. Section 8 amended (licence for making available or dealing with economic assets)**

- (1) Section 8—

**Repeal subsection (1).**
- (2) Section 8(3)(d)—

**Repeal**

“entity.”

**Substitute**

“entity;”.
- (3) After section 8(3)(d)—

**Add**

“(e) the making available of, or dealing with, the economic assets is approved in advance by the Committee.”.
- (4) Section 8(4)(a)—

**Repeal**

“a licence under subsection (2)”

**Substitute**

“the licence”.

- (5) Section 8(5)(a)—

**Repeal**

“a licence under subsection (2)”

**Substitute**

“the licence”.

- (6) Section 8(6)—

**Repeal**

everything after “is met,”

**Substitute**

“before granting the licence, the Chief Executive must cause the Committee to be notified of the intention to grant the licence.”.

- (7) Section 8(7)—

**Repeal**

“a licence under subsection (2)”

**Substitute**

“the licence”.

**12. Section 12 amended (power to require information and production of document, cargo or article)**

Section 12(1)(b) and (c), Chinese text, before “關於該等”—

**Add**

“該人員指明的、”.

**13. Section 15 amended (provision of false or misleading information or documents)**

Section 15(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。”。

**14. Section 21 amended (notice of objection to intended forfeiture)**

Section 21(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”。

**15. Section 32 amended (exercise of powers of Chief Executive)**

Section 32(2), English text—

**Repeal**

“sub-delegate”

**Substitute**

“subdelegate”。

Carrie LAM  
Chief Executive

12 May 2020

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## Explanatory Note

This Regulation amends the United Nations Sanctions (Yemen) Regulation 2019 (Cap. 537 sub. leg. CI) (*principal Regulation*) to give effect to certain decisions in Resolution 2511 (2020) adopted by the Security Council of the United Nations on 25 February 2020.

2. The amendments relate to—
  - (a) the prohibition on entry or transit of certain persons;
  - (b) licences for the supply or carriage of arms or related materiel;
  - (c) licences for the provision of assistance; and
  - (d) licences for making available or dealing with economic assets.
3. Sections 5, 6 and 8 of the principal Regulation as amended by this Regulation are in force only until midnight on 26 February 2021.
4. This Regulation also makes certain minor textual amendments.