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# **United Nations Sanctions (Haiti) (Amendment) Regulation 2024**

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## United Nations Sanctions (Haiti) (Amendment) Regulation 2024

(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 (Haiti) Regulation amended

The United Nations Sanctions (Haiti) Regulation (Cap. 537 sub. leg. CO) is amended as set out in sections 2 to 11.

### 2. Section 1 amended (interpretation)

(1) Section 1, definition of *licence*—

#### Repeal

“section 8(1)”

#### Substitute

“Part 3”.

(2) Section 1, definition of *prohibited goods*—

#### Repeal

everything after “any”

#### Substitute

“small arms, light weapons or ammunition;”.

(3) Section 1—

(a) definition of *arms or related materiel*;

(b) definition of *assistance*;

(c) definition of *designated entity*;

(d) definition of *designated person*—

**Repeal the definitions.**

(4) Section 1—

**Add in alphabetical order**

“*connected person* (有關連人士) means—

- (a) the Government of Haiti;
- (b) any person in, or resident in, Haiti;
- (c) any body incorporated or constituted under the law of Haiti;
- (d) any body, wherever incorporated or constituted, which is controlled by—
  - (i) the Government mentioned in paragraph (a);
  - (ii) a person mentioned in paragraph (b); or
  - (iii) a body mentioned in paragraph (c); or
- (e) any person acting on behalf of—
  - (i) the Government mentioned in paragraph (a);
  - (ii) a person mentioned in paragraph (b); or
  - (iii) a body mentioned in paragraph (c) or (d);

*small arms* (小型軍火) means any arms specified in items ML1 and ML2 of the Munitions List in Schedule 1 to the Import and Export (Strategic Commodities) Regulations (Cap. 60 sub. leg. G);”.

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

After section 2(2)—

**Add**

“(3) Sections 3, 4, 6, 7, 8AA and 8 are in force during the period from the commencement of the United Nations Sanctions (Haiti) (Amendment) Regulation 2024 until midnight on 18 October 2024.”.

**4. Section 3 amended (supply of goods prohibited)**

(1) Section 3(2)—

**Repeal**

“A person”

**Substitute**

“Except under the authority of a licence granted under section 8AA(1)(a), a person”.

(2) Section 3(2)—

**Repeal paragraphs (a), (b) and (c)**

**Substitute**

“(a) to Haiti;

(b) to a connected person or to the order of a connected person; or

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

(i) to Haiti; or

(ii) to a connected person or to the order of a connected person.”.

(3) Section 3(4)(b)—

**Repeal subparagraphs (i), (ii) and (iii)**

**Substitute**

- “(i) to Haiti;
- (ii) to a connected person or to the order of a connected person; or
- (iii) to a destination for the purpose of delivery or transfer, directly or indirectly—
  - (A) to Haiti; or
  - (B) to a connected person or to the order of a connected person.”.

**5. Section 4 amended (carriage of goods prohibited)**

- (1) Section 4(2), after “section 3,”—

**Add**

“except under the authority of a licence granted under section 8AA(1)(b),”.

- (2) Section 4(2)—

**Repeal paragraphs (a), (b) and (c)**

**Substitute**

- “(a) from a place outside Haiti to a place in Haiti;
- (b) to a connected person or to the order of a connected person; or
- (c) to a destination for the purpose of delivery or transfer, directly or indirectly—
  - (i) to Haiti; or
  - (ii) to a connected person or to the order of a connected person.”.

- (3) After section 4(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 8AA(1)(a).”.

(4) Section 4(5)(b)—

**Repeal subparagraphs (i), (ii) and (iii)**

**Substitute**

- “(i) from a place outside Haiti to a place in Haiti;
- (ii) to a connected person or to the order of a connected person; or
- (iii) to a destination for the purpose of delivery or transfer, directly or indirectly—
- (A) to Haiti; or
  - (B) to a connected person or to the order of a connected person.”.

**6. Section 5 repealed (provision of assistance prohibited)**

Section 5—

**Repeal the section.**

**7. Section 6 amended (making available or dealing with economic assets prohibited)**

Section 6—

**Repeal subsection (3).**

**8. Section 7A added**

Part 2, after section 7—

**Add**

**“7A. Acts done outside HKSAR with permission granted outside HKSAR not prohibited**

This Part does not apply if—

- (a) it otherwise prohibits a person from doing an act in a place outside the HKSAR except under the authority of a licence; and
- (b) the person does the act in the place with permission granted in accordance with a law in force in the place (being a law substantially corresponding to the relevant provisions of this Regulation).”.

**9. Section 8AA added**

Part 3, before section 8—

**Add**

**“8AA. Licence for supply or carriage of goods**

- (1) If, on application, the Chief Executive is satisfied that one or more of the requirements in subsection (2) are 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 Haiti;
    - (ii) to a connected person or to the order of a connected person; or
    - (iii) to a destination for the purpose of delivery or transfer, directly or indirectly—



- (A) to Haiti; or
    - (B) to a connected person or to the order of a connected person; or
  - (b) a licence for the carriage of prohibited goods that is, or forms part of, a carriage—
    - (i) from a place outside Haiti to a place in Haiti;
    - (ii) to a connected person or to the order of a connected person; or
    - (iii) to a destination for the purpose of delivery or transfer, directly or indirectly—
      - (A) to Haiti; or
      - (B) to a connected person or to the order of a connected person.
- (2) The requirements are as follows—
  - (a) the prohibited goods are—
    - (i) to be supplied to—
      - (A) the United Nations or a United Nations-authorized mission; or
      - (B) a security unit that operates under the command of the Government of Haiti;
    - (ii) intended to be used by or in coordination with those entities; and
    - (iii) intended solely to further the objectives of peace and stability in Haiti;
  - (b) 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 to further the objectives of peace and stability in Haiti;
- (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 to further the objectives of peace and stability in Haiti.”.

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

Section 8(2)(e), Chinese text—

**Repeal**

“該經濟”

**Substitute**

“該等”.

**11. Section 26 repealed (Secretary’s publication of list for purposes of *designated person and designated entity*)**

Section 26—

**Repeal the section.**

United Nations Sanctions (Haiti) (Amendment) Regulation 2024

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John KC LEE  
Chief Executive

20 February 2024

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## Explanatory Note

This Regulation amends the United Nations Sanctions (Haiti) Regulation (Cap. 537 sub. leg. CO) (*principal Regulation*) to give effect to certain decisions in the following Resolutions adopted by the Security Council of the United Nations—

- (a) Resolution 2699 (2023) on 2 October 2023; and
- (b) Resolution 2700 (2023) on 19 October 2023.

- 2. Section 3 of this Regulation amends section 2 of the principal Regulation to provide that sections 3 (as amended by this Regulation), 4 (as amended by this Regulation), 6 (as amended by this Regulation), 7, 8AA (as added by this Regulation) and 8 (as amended by this Regulation) of the principal Regulation (*relevant provisions*) are in force until midnight on 18 October 2024.
- 3. The relevant provisions relate to the prohibition against—
  - (a) the supply, sale, transfer or carriage of small arms, light weapons or ammunition to Haiti;
  - (b) making available to, or for the benefit of, certain persons or entities any funds or other financial assets or economic resources (*economic assets*);
  - (c) dealing with economic assets belonging to, or owned or controlled by, certain persons or entities; and
  - (d) entry into or transit through the HKSAR by certain persons.