

CIB CR 121/53/1
LS/S/41/01-02

Secretary for Commerce,
Industry and Technology
Level 29, One Pacific Place,
88 Queensway,
Hong Kong.

3 December 2002

BY FAX

(Attn : Ms Anita Chan
Principal Assistant Secretary)

Dear Ms Chan,

**United Nations Sanctions (Afghanistan)
(Amendment) Regulation 2002 (L.N. 134 of 2002)**

I refer to your letter dated 26 November 2002 addressed to the Clerk to the Subcommittee on United Nations Sanctions (Afghanistan) (Amendment) Regulation 2002 and United Nations Sanctions (Angola) (Suspension of Operation) Regulation 2002.

In relation to the captioned Amendment Regulation, I shall be grateful if you could clarify :

- (a) whether the Administration has considered amending the United Nations Sanctions Ordinance (Cap. 537) to provide for regulations made under section 3 to be vetted by the Legislative Council; and
- (b) which provisions in the Amendment Regulation that the Administration is prepared to repeal.

Yours sincerely,

(Bernice Wong)
Assistant Legal Adviser

c.c. LA
SALA1

6 December 2002

Ms Bernice Wong
Assistant Legal Adviser
Legal Service Division
Legislative Council Secretariat

Dear Ms Wong,

United Nations Sanctions
(Afghanistan)(Amendment) Regulation 2002

Your letter of 3 December 2002 refers.

Our replies to your questions are as follows:

- (a) As the United Nations Sanctions Ordinance has been effective in implementing the Central People's Government's instructions with regard to the imposition of sanctions against places outside the People's Republic of China in accordance with UN Security Council Resolutions (UNSCR)s, we consider that there is no pressing need to amend the Ordinance.
- (b) As stated in my letter of 26 November 2002, we are prepared to remove provisions in connection with the prohibition on supplying funds and arms to the relevant persons and undertakings as defined under the existing UN Sanctions (Afghanistan) Regulation to address the problem of overlap with the Anti-Terrorism Ordinance. We will consult the Department of Justice regarding the details of the amendments to be introduced.

Yours sincerely,

(Anita Chan)
for Secretary for Commerce, Industry and Technology