

**Legislative Council**  
**Subcommittee to Examine the Implementation**  
**in Hong Kong of Resolutions of**  
**the United Nations Security Council in relation to Sanctions**

**UNITED NATIONS SANCTIONS (LIBERIA) REGULATION 2005**  
**(AMENDMENT) (NO. 2) REGULATION 2007**

## **INTRODUCTION**

A At the meeting of the Executive Council on 12 June 2007, the Council advised and the Chief Executive ordered that the United Nations Sanctions (Liberia) Regulation 2005 (Amendment) (No. 2) Regulation 2007 (“the Amendment Regulation”), at Annex A, should be made under section 3 of the United Nations Sanctions Ordinance (Cap. 537) (“the Ordinance”). The Amendment Regulation was gazetted on 15 June 2007 and came into effect on the same day.

## **BACKGROUND**

### **Obligation and Authority**

B 2. Under section 3(1) of the Ordinance, the Chief Executive (“CE”) is required to make regulations to give effect to an instruction from the Ministry of Foreign Affairs (“MFA”) of the People’s Republic of China to implement or to cease to implement sanctions decided by the Security Council of the United Nations (“UNSC”). In May 2007, the CE received instruction from MFA which requested the Government of the Hong Kong Special Administrative Region (“HKSAR”) to implement United Nations Security Council Resolution (“UNSCR”) 1753. The Amendment Regulation was made in pursuance of that instruction. A document issued by the Chief Secretary for Administration confirming MFA’s instruction is at Annex B.

### **UNSCR 1753**

C 3. UNSCR 1753 (copy at Annex C) was adopted on 27 April 2007 by UNSC which decided to terminate the measures on diamonds imposed by paragraph 6 of UNSCR 1521 and renewed by paragraph 1 of UNSCR 1731 (ref. paragraph 1 of UNSCR 1753).

## Sanctions against Liberia

4. Since March 2001, UNSC has adopted a number of resolutions which imposed sanctions against Liberia in view of its active support to armed rebel groups in neighbouring countries and its provision of assistance to the trading of illicit diamonds which in turn constituted a threat to international peace and security in the region. The relevant resolutions include the following:

- D
- (a) UNSCR 1521 (adopted on 22 December 2003, copy at Annex D) which imposed, subject to certain exceptions, sanctions against the sale or supply of arms and related material to Liberia, the provision of technical training or assistance to Liberia, the entry into or transit through the territories of all States of certain persons connected with Liberia, the import of round logs and timber products originated in Liberia, and the import of all rough diamonds from Liberia. This was implemented in the HKSAR by the United Nations Sanctions (Liberia) Regulation 2004. The Regulation expired on 21 December 2004, in line with UNSCR 1521;
  - (b) UNSCR 1579 (adopted on 21 December 2004) which extended the sanctions imposed under UNSCR 1521. The sanction against import of rough diamonds was extended for six months while the other sanctions were extended for a period of 12 months. This was implemented in the HKSAR by the United Nations Sanctions (Liberia) Regulation 2005<sup>1</sup>. The provision relating to the import of rough diamonds expired on 20 June 2005 and the provisions relating to the other sanctions in UNSCR 1579 expired on 20 December 2005;
  - (c) UNSCR 1607 (adopted on 21 June 2005) which extended the sanction on import of rough diamonds for a further period of six months. This was implemented in the HKSAR by the United Nations Sanctions (Liberia) Regulation 2005 (Amendment)

---

<sup>1</sup> The United Nations Sanctions (Liberia) Regulation 2005 also implements UNSCR 1532 and provides for prohibition against making funds, other financial assets and economic resources available to or for the benefit of the former Liberian President Charles Taylor and those individuals and entities designated by the Committee established under UNSCR 1521. Provisions which implement UNSCR 1532 have no expiry date.

Regulation 2005. The provisions added by this amendment regulation expired on 20 December 2005;

- (d) UNSCR 1647 (adopted on 20 December 2005) which extended the measures on arms and travel imposed by UNSCR 1521 for a further period of 12 months and the measures on rough diamonds and timber for a further period of six months. This was implemented in the HKSAR by the United Nations Sanctions (Liberia) Regulation 2005 (Amendment) Regulation 2006. The provisions relating to the import of rough diamonds and timber expired on 19 June 2006 and the provisions relating to arms and travel expired on 19 December 2006;
- (e) UNSCR 1683 (adopted on 13 June 2006) which provided for further exceptions to the measures on arms and technical training imposed under UNSCR 1521, and UNSCR 1689 (adopted on 20 June 2006) which extended the measures on import of rough diamonds for a further period of six months. These were implemented in the HKSAR by the United Nations Sanctions (Liberia) Regulation 2005 (Amendment) (No. 2) Regulation 2006. The provisions added by the above mentioned amendment regulation expired on 19 December 2006; and

E

- (f) UNSCR 1731 (adopted on 20 December 2006, copy at Annex E) which renewed the measures on arms imposed by UNSCR 1521 and modified by UNSCR 1683 (with the introduction of some exceptions) and the measures on travel imposed by UNSCR 1521 for a further period of 12 months from 20 December 2006; and the measures on rough diamonds imposed by UNSCR 1521 and renewed by UNSCR 1689 for an additional six months. This was implemented in the HKSAR by the United Nations Sanctions (Liberia) Regulation 2005 (Amendment) Regulation 2007. A copy of the United Nations Sanctions (Liberia) Regulation 2005, incorporating all changes hitherto made, is at Annex F.

F

## **THE AMENDMENT REGULATION**

5. The Amendment Regulation, at Annex A, implements the decision in UNSCR 1753 by repealing sections 1(5) and 10D of the United Nations Sanctions (Liberia) Regulation 2005 (Cap. 537 sub. leg. X) to lift the prohibition against importation of rough diamonds from Liberia into the HKSAR, ahead of the original expiry of the provision at midnight on 19 June 2007.

## **IMPLICATIONS OF THE AMENDMENT REGULATION**

6. The Amendment Regulation is in conformity with the Basic Law, including the provisions concerning human rights. It will not affect the binding effect of the United Nations Sanctions (Liberia) Regulation 2005 or the Ordinance. It has no financial, civil service, economic, productivity, environmental or sustainability implications.

## **PUBLICITY**

7. A press release was issued on 15 June 2007 when the Amendment Regulation was published in the Gazette.

## **RELATED MATTER**

8. Between receipt of MFA's instruction and gazettal of the Amendment Regulation, we have not received any enquiries regarding importation of rough diamonds from Liberia.

**Commerce, Industry and Technology Bureau**  
**June 2007**

**L.N. 121 of 2007****UNITED NATIONS SANCTIONS (LIBERIA)  
REGULATION 2005 (AMENDMENT)  
(NO. 2) REGULATION 2007**

(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. Duration**

Section 1(5) of the United Nations Sanctions (Liberia) Regulation 2005 (Cap. 537 sub. leg. X) is repealed.

**2. Prohibition against importation of rough diamonds into HKSAR**

Section 10D is repealed.

Donald TSANG  
Chief Executive

13 June 2007

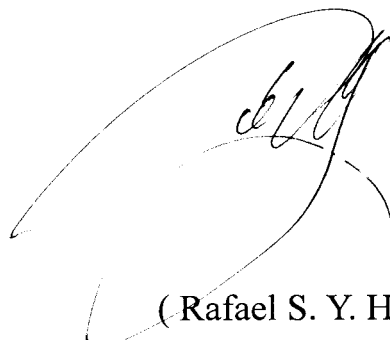
**Explanatory Note**

This Regulation amends the United Nations Sanctions (Liberia) Regulation 2005 (Cap. 537 sub. leg. X) (“principal Regulation”) to give effect to a decision of the Security Council of the United Nations in Resolution 1753 (2007) by repealing section 10D of the principal Regulation (which provides for the prohibition against the direct or indirect import of rough diamonds from Liberia). The Regulation also consequentially repeals section 1(5) of the principal Regulation (which provides for the expiry of that section 10D).

**United Nations Sanctions Ordinance (Cap. 537)****United Nations Sanctions (Liberia) Regulation 2005  
(Amendment) (No. 2) Regulation 2007**

This is to confirm that the Chief Executive received specific instruction from the Ministry of Foreign Affairs of the People's Republic of China in May 2007 which requested the Government of the Hong Kong Special Administrative Region to fully implement Resolution No. 1753 of the Security Council of the United Nations, and that the United Nations Sanctions (Liberia) Regulation 2005 (Amendment) (No. 2) Regulation 2007 was made in pursuance of that instruction.

Dated this 15<sup>th</sup> day of June 2007



( Rafael S. Y. HUI )  
Chief Secretary for Administration

**Security Council**

Distr.: General  
27 April 2007

---

**Resolution 1753 (2007)**

**Adopted by the Security Council at its 5668th meeting, on  
27 April 2007**

*The Security Council,*

*Recalling* its previous resolutions and statements by its President on the situation in Liberia and West Africa,

*Applauding* the Government of Liberia's continuing cooperation with the Kimberley Process Certification Scheme and noting Liberia's progress towards putting in place the necessary internal controls and other requirements in order to satisfy the minimum requirements of the Kimberley Process,

*Taking note* of the letter of the Government of Liberia to the Sanctions Committee, with a detailed description of the proposed Certificate of Origin regime, dated 4 April 2007,

*Welcoming* the interim report of the United Nations Panel of Experts dated 4 April 2007 and *looking forward* to the submission by 6 June 2007 of the United Nations Panel of Experts final report as requested in paragraph 4 (d) of resolution 1731 (2006),

*Having reviewed* the measures imposed and conditions set out by paragraphs 6 through 9 of resolution 1521 (2003) and concluding that sufficient progress has been made towards meeting those conditions,

*Determining* that the situation in Liberia continues to constitute a threat to international peace and security in the region,

*Acting* under Chapter VII of the Charter of the United Nations,

1. *Decides* to terminate the measures on diamonds imposed by paragraph 6 of resolution 1521 (2003) and renewed by paragraph 1 of resolution 1731 (2006);

2. *Encourages* the Kimberley Process to report in ninety (90) days to the Council, through the Committee established pursuant to resolution 1521 (2003), on Liberia's application to the Kimberley Process and calls on the Government of Liberia to carry out the recommendations of the expert mission identified for the period following admission to the Kimberley Process Certification Scheme;



3. *Decides* to review the termination of the measures in paragraph 6 of resolution 1521 (2003) after consideration of the report of the United Nations Panel of Experts as requested in paragraph 4 (d) of resolution 1731 (2006) and of the report of the Kimberley Process encouraged in paragraph two (2), with a particular focus on the compliance of Liberia with the Kimberley Process Certification Scheme;

4. *Decides* to remain actively seized of the matter.

---





---

**Resolution 1521 (2003)****Adopted by the Security Council at its 4890th meeting, on  
22 December 2003**

*The Security Council,*

*Recalling* its previous resolutions and statements by its President on the situation in Liberia and West Africa,

*Taking note* of the reports of the United Nations Panel of Experts on Liberia dated 7 August 2003 (S/2003/779) and 28 October 2003 (S/2003/937 and S/2003/937/Add.1) submitted pursuant to resolution 1478 (2003),

*Expressing serious concern* at the findings of the Panel of Experts that the measures imposed by resolution 1343 (2001) continue to be breached, particularly through the acquisition of arms,

*Welcoming* the Comprehensive Peace Agreement signed by the former Government of Liberia, Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL) on 18 August 2003 in Accra, and that the National Transitional Government of Liberia under Chairman Gyude Bryant took office on 14 October 2003,

*Calling upon* all States in the region, particularly the National Transitional Government of Liberia, to work together to build lasting regional peace, including through the Economic Community of West African States (ECOWAS), the International Contact Group on Liberia, the Mano River Union and the Rabat Process,

*Noting with concern*, however, that the ceasefire and the Comprehensive Peace Agreement are not yet being universally implemented throughout Liberia, and that much of the country remains outside the authority of the National Transitional Government of Liberia, particularly those areas to which the United Nations Mission in Liberia (UNMIL) has not yet deployed,

*Recognizing* the linkage between the illegal exploitation of natural resources such as diamonds and timber, illicit trade in such resources, and the proliferation and trafficking of illegal arms as a major source of fuelling and exacerbating conflicts in West Africa, particularly in Liberia,

*Determining* that the situation in Liberia and the proliferation of arms and armed non-State actors, including mercenaries, in the subregion continue to

constitute a threat to international peace and security in West Africa, in particular to the peace process in Liberia,

*Acting* under Chapter VII of the Charter of the United Nations,

**A**

*Recalling* its resolutions 1343 (2001) of 7 March 2001, 1408 (2002) of 6 May 2002, 1478 (2003) of 6 May 2003, 1497 (2003) of 1 August 2003, and 1509 (2003) of 19 September 2003,

*Noting* that the changed circumstances in Liberia, in particular the departure of former President Charles Taylor and the formation of the National Transitional Government of Liberia, and progress with the peace process in Sierra Leone, require the Council's determination for action under Chapter VII to be revised to reflect these altered circumstances,

1. *Decides* to terminate the prohibitions imposed by paragraphs 5, 6, and 7 of resolution 1343 (2001) and paragraphs 17 and 28 of resolution 1478 (2003) and to dissolve the committee established under resolution 1343 (2001);

**B**

2. (a) *Decides* that all States shall take the necessary measures to prevent the sale or supply to Liberia, by their nationals or from their territories or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, whether or not originating in their territories;

(b) *Decides* that all States shall take the necessary measures to prevent any provision to Liberia by their nationals or from their territories of technical training or assistance related to the provision, manufacture, maintenance or use of the items in subparagraph (a) above;

(c) *Reaffirms* that the measures in subparagraphs (a) and (b) above apply to all sales or supply of arms and related materiel destined for any recipient in Liberia, including all non-State actors, such as LURD and MODEL, and to all former and current militias and armed groups;

(d) *Decides* that the measures imposed by subparagraphs (a) and (b) above shall not apply to supplies of arms and related materiel and technical training and assistance intended solely for support of or use by UNMIL;

(e) *Decides* that the measures imposed by subparagraphs (a) and (b) above shall not apply to supplies of arms and related materiel and technical training and assistance intended solely for support of or use in an international training and reform programme for the Liberian armed forces and police, as approved in advance by the Committee established by paragraph 21 below ("the Committee");

(f) *Decides* that the measures imposed by subparagraphs (a) and (b) above shall not apply to supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training, as approved in advance by the Committee;

(g) *Affirms* that the measures imposed by subparagraph (a) above do not apply to protective clothing, including flak jackets and military helmets, temporarily

exported to Liberia by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only;

3. *Demands* that all States in West Africa take action to prevent armed individuals and groups from using their territory to prepare and commit attacks on neighbouring countries and refrain from any action that might contribute to further destabilization of the situation in the subregion;

4. (a) *Decides also* that all States shall take the necessary measures to prevent the entry into or transit through their territories of all such individuals, as designated by the Committee, who constitute a threat to the peace process in Liberia, or who are engaged in activities aimed at undermining peace and stability in Liberia and the subregion, including those senior members of former President Charles Taylor's Government and their spouses and members of Liberia's former armed forces who retain links to former President Charles Taylor, those individuals determined by the Committee to be in violation of paragraph 2 above, and any other individuals, or individuals associated with entities, providing financial or military support to armed rebel groups in Liberia or in countries in the region, provided that nothing in this paragraph shall oblige a State to refuse entry into its territory to its own nationals;

(b) *Decides* that the measures in paragraph 4 (a) above shall continue to apply to the individuals already designated pursuant to paragraph 7 (a) of resolution 1343 (2001), pending the designation of individuals by the Committee as required by and in accordance with paragraph 4 (a) above;

(c) *Decides* that the measures imposed by subparagraph 4 (a) above shall not apply where the Committee determines that such travel is justified on the grounds of humanitarian need, including religious obligation, or where the Committee concludes that an exemption would otherwise further the objectives of the Council's resolutions, for the creation of peace, stability and democracy in Liberia and lasting peace in the subregion;

5. *Expresses* its readiness to terminate the measures imposed by paragraphs 2 (a) and (b) and 4 (a) above when the Council determines that the ceasefire in Liberia is being fully respected and maintained, disarmament, demobilization, reintegration, repatriation and restructuring of the security sector have been completed, the provisions of the Comprehensive Peace Agreement are being fully implemented, and significant progress has been made in establishing and maintaining stability in Liberia and the subregion;

6. *Decides* that all States shall take the necessary measures to prevent the direct or indirect import of all rough diamonds from Liberia to their territory, whether or not such diamonds originated in Liberia;

7. *Calls upon* the National Transitional Government of Liberia to take urgent steps to establish an effective Certificate of Origin regime for trade in Liberian rough diamonds that is transparent and internationally verifiable with a view to joining the Kimberley Process, and to provide the Committee with a detailed description of the proposed regime;

8. *Expresses* its readiness to terminate the measures referred to in paragraph 6 above when the Committee, taking into account expert advice, decides that Liberia

has established a transparent, effective and internationally verifiable Certificate of Origin regime for Liberian rough diamonds;

9. *Encourages* the National Transitional Government of Liberia to take steps to join the Kimberley Process as soon as possible;

10. *Decides* that all States shall take the necessary measures to prevent the import into their territories of all round logs and timber products originating in Liberia;

11. *Urges* the National Transitional Government of Liberia to establish its full authority and control over the timber producing areas, and to take all necessary steps to ensure that government revenues from the Liberian timber industry are not used to fuel conflict or otherwise in violation of the Council's resolutions but are used for legitimate purposes for the benefit of the Liberian people, including development;

12. *Expresses* its readiness to terminate the measures imposed by paragraph 10 above once the Council determines that the goals in paragraph 11 above have been achieved;

13. *Encourages* the National Transitional Government of Liberia to establish oversight mechanisms for the timber industry that will promote responsible business practices, and to establish transparent accounting and auditing mechanisms to ensure that all government revenues, including those from the Liberian International Ship and Corporate Registry, are not used to fuel conflict or otherwise in violation of the Council's resolutions but are used for legitimate purposes for the benefit of the Liberian people, including development;

14. *Urges* all parties to the Comprehensive Peace Agreement of 18 August 2003 to implement fully their commitments and fulfil their responsibilities in the National Transitional Government of Liberia, and not to hinder the restoration of the Government's authority throughout the country, particularly over natural resources;

15. *Calls upon* States, relevant international organizations and others in a position to do so to offer assistance to the National Transitional Government of Liberia in achieving the objectives in paragraphs 7, 11 and 13 above, including the promotion of responsible and environmentally sustainable business practices in the timber industry, and to offer assistance with the implementation of the ECOWAS Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa adopted in Abuja on 31 October 1998 (S/1998/1194, annex);

16. *Encourages* the United Nations and other donors to assist the Liberian civil aviation authorities, including through technical assistance, in improving the professionalism of their staff and their training capabilities and in complying with the standards and practices of the International Civil Aviation Organization;

17. *Takes note* of the establishment by the National Transitional Government of Liberia of a review committee with the task of establishing procedures to fulfil the demands of the Security Council for the lifting of the measures imposed under this resolution;

18. *Decides* that the measures in paragraphs 2, 4, 6 and 10 above are established for 12 months from the date of adoption of this resolution, unless

otherwise decided, and that, at the end of this period, the Council will review the position, assess progress towards the goals in paragraphs 5, 7, and 11 and decide accordingly whether to continue these measures;

19. *Decides* to review the measures in paragraphs 2, 4, 6 and 10 above by 17 June 2004, to assess progress towards the goals in paragraphs 5, 7, and 11 and decide accordingly whether to terminate these measures;

20. *Decides* to keep under regular review the measures imposed by paragraphs 6 and 10 above, so as to terminate them as soon as possible once the conditions in paragraphs 7 and 11 have been met, in order to create revenue for the reconstruction and development of Liberia;

21. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council, consisting of all the members of the Council, to undertake the following tasks:

(a) to monitor the implementation of the measures in paragraphs 2, 4, 6 and 10 above, taking into consideration the reports of the expert panel established by paragraph 22 below;

(b) to seek from all States, particularly those in the subregion, information about the actions taken by them to implement effectively those measures;

(c) to consider and decide upon requests for the exemptions set out in paragraphs 2 (e), 2 (f) and 4 (c) above;

(d) to designate the individuals subject to the measures imposed by paragraph 4 above and to update this list regularly;

(e) to make relevant information publicly available through appropriate media, including the list referred to in subparagraph (d) above;

(f) to consider and take appropriate action, within the framework of this resolution, on pending issues or concerns brought to its attention concerning the measures imposed by resolutions 1343 (2001), 1408 (2002) and 1478 (2003) while those resolutions were in force;

(g) to report to the Council with its observations and recommendations;

22. *Requests* the Secretary-General to establish, within one month from the date of adoption of this resolution, in consultation with the Committee, for a period of five months, a Panel of Experts consisting of up to five members, with the range of expertise necessary to fulfil the Panel's mandate described in this paragraph, drawing as much as possible on the expertise of the members of the Panel of Experts established pursuant to resolution 1478 (2003), to undertake the following tasks:

(a) to conduct a follow-up assessment mission to Liberia and neighbouring States, in order to investigate and compile a report on the implementation, and any violations, of the measures referred to in paragraphs 2, 4, 6 and 10 above, including any violations involving rebel movements and neighbouring countries, and including any information relevant to the Committee's designation of the individuals described in paragraph 4 (a) above, and including the various sources of financing, such as from natural resources, for the illicit trade of arms;

(b) to assess the progress made towards the goals described in paragraphs 5, 7 and 11 above;

(c) to report to the Council through the Committee no later than 30 May 2004 with observations and recommendations, including, inter alia, how to minimize any humanitarian and socio-economic impact of the measures imposed by paragraph 10 above;

23. *Welcomes* UNMIL's readiness, within its capabilities, its areas of deployment and without prejudice to its mandate, once it is fully deployed and carrying out its core functions, to assist the Committee established by paragraph 21 above and the Panel of Experts established by paragraph 22 above in monitoring the measures in paragraphs 2, 4, 6 and 10 above, and requests the United Nations Mission in Sierra Leone and the United Nations Mission in Côte d'Ivoire, likewise without prejudicing their capacities to carry out their respective mandates, to assist the Committee and the Panel of Experts by passing to the Committee and the Panel any information relevant to the implementation of the measures in paragraphs 2, 4, 6 and 10, in the context of enhanced coordination among United Nations missions and offices in West Africa;

24. *Reiterates* its call on the international donor community to provide assistance for the implementation of a programme of disarmament, demobilization, reintegration and repatriation, and sustained international assistance to the peace process, and to contribute generously to consolidated humanitarian appeals, and further requests the donor community to respond to the immediate financial, administrative and technical needs of the National Transitional Government of Liberia;

25. *Encourages* the National Transitional Government of Liberia to undertake, with the assistance of UNMIL, appropriate actions to sensitize the Liberian population to the rationale of the measures in this resolution, including the criteria for their termination;

26. *Requests* the Secretary-General to submit a report to the Council by 30 May 2004, drawing on information from all relevant sources, including the National Transitional Government of Liberia, UNMIL and ECOWAS, on progress made towards the goals described in paragraphs 5, 7 and 11 above;

27. *Decides* to remain seized of the matter.

---

**Security Council**

Distr.: General  
20 December 2006

---

**Resolution 1731 (2006)**

**Adopted by the Security Council at its 5602nd meeting, on  
20 December 2006**

*The Security Council,*

*Recalling* its previous resolutions and statements by its President on the situation in Liberia and West Africa,

*Welcoming* the sustained progress made by the Government of Liberia since January 2006, in rebuilding Liberia for the benefit of all Liberians, with the support of the international community,

*Recalling* its decision not to renew the measures in paragraph 10 of resolution 1521 (2003) regarding round log and timber products originating in Liberia, and stressing that Liberia's progress in the timber sector must continue with the effective implementation and enforcement of the National Forestry Reform Law signed into law on 5 October 2006, including the resolution of land and tenure rights,

*Welcoming* the Government of Liberia's continuing cooperation with the Kimberley Process Certification Scheme and noting Liberia's progress towards putting in place the necessary internal controls and other requirements in order to satisfy the minimum requirements of the Kimberley Process,

*Stressing* the continuing importance of the United Nations Mission in Liberia (UNMIL) in improving security through Liberia and helping the new Government establish its authority throughout the country, particularly in the diamond and timber-producing regions, and border areas,

*Recognizing* the need for newly vetted and trained Liberian security forces to assume greater responsibility for national security, and taking note of the need for Liberian armed forces to procure humanitarian, medical and/or training equipment,

*Taking note* of the report of the United Nations Panel of Experts on Liberia dated 20 December 2006 (S/2006/976), including on the issues of diamonds, timber, rubber, and arms,

*Having reviewed* the measures imposed by paragraphs 2, 4, and 6 of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004) and the progress towards meeting the conditions set out by paragraphs 5 and 7 of resolution 1521 (2003), and concluding that insufficient progress has been made towards that end,



*Underlining* its determination to support the Government of Liberia in its efforts to meet those conditions, and encouraging donors to do likewise,

*Determining* that, despite significant progress having been made in Liberia, the situation there continues to constitute a threat to international peace and security in the region,

*Acting* under Chapter VII of the Charter of the United Nations,

1. *Decides*, on the basis of its assessment of progress made to date towards meeting the conditions for lifting the measures imposed by resolution 1521 (2003):

(a) To renew the measures on arms imposed by paragraph 2 of resolution 1521 (2003) and modified by paragraphs 1 and 2 of resolution 1683 (2006) and to renew the measures on travel imposed by paragraph 4 of resolution 1521 (2003) for a further period of 12 months from the date of adoption of this resolution;

(b) That the measures on arms imposed by paragraph 2 (a) and (b) of resolution 1521 (2003) shall not apply to supplies of non-lethal military equipment, excluding non-lethal weapons and ammunition, as notified in advance to the Committee established by paragraph 21 of resolution 1521 (2003), intended solely for use by members of the Government of Liberia police and security forces who have been vetted and trained since the inception of the United Nations Mission in Liberia (UNMIL) in October 2003;

(c) To renew the measures on diamonds imposed by paragraph 6 of resolution 1521 (2003) and renewed by paragraph 4 of resolution 1689 (2006) for an additional six (6) months with a review by the Council after four (4) months, to allow the Government of Liberia sufficient time to establish an effective Certificate of Origin regime for trade in Liberian rough diamonds that is transparent and internationally verifiable, with a view to joining the Kimberley Process, and calls upon the Government of Liberia to provide the Sanctions Committee, established according to paragraph 21 of resolution 1521 (2003) with a detailed description of the proposed regime;

(d) To review any of the above measures at the request of the Government of Liberia, once the Government reports to the Council that the conditions set out in resolution 1521 (2003) for terminating the measures have been met, and provides the Council with information to justify its assessment;

2. *Notes* that the measures imposed by paragraph 1 of resolution 1532 (2004) remain in force and reconfirms its intention to review these measures at least once a year;

3. *Encourages* the Government of Liberia to benefit from UNMIL's offer to provide joint patrols with the Forestry Development Authority with a view to strengthening Government control in forestry areas;

4. *Decides* to extend the mandate of the current Panel of Experts appointed pursuant to paragraph 5 of resolution 1689 (2006) for a further period until 20 June 2007 to undertake the following tasks:

(a) To conduct a follow-up assessment mission to Liberia and neighbouring States, in order to investigate and compile a report on the implementation, and any violations, of the measures imposed by resolution 1521 (2003) and renewed in paragraphs 1 and 2 above, including any information relevant to the designation by



the Committee of the individuals described in paragraph 4 (a) of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004), and including the various sources of financing, such as from natural resources, for the illicit trade of arms;

(b) To assess the impact of and effectiveness of the measures imposed by paragraph 1 of resolution 1532 (2004), including particularly with respect to the assets of former President Charles Taylor;

(c) To assess the implementation of forestry legislation passed by the Liberian Congress on 19 September 2006 and signed into law by President Johnson-Sirleaf on 5 October 2006 and the progress and humanitarian and socio-economic impact of the measures imposed by paragraphs 2, 4 and 6 of resolution 1521 (2003) and renewed in paragraph 1 of resolution 1647 (2005);

(d) To report to the Council through the Committee by 6 June 2007 on all the issues listed in this paragraph, and to provide informal updates to the Committee as appropriate before that date, especially on progress towards meeting the conditions for lifting the measures imposed by paragraph 6 of resolution 1521 (2003) and on progress in the timber sector since the lifting of paragraph 10 of resolution 1521 (2003) in June 2006;

(e) To cooperate with other relevant groups of experts, in particular that established on Côte d'Ivoire by resolution 1708 (2006) of 14 September 2006, and with the Kimberley Process Certification Scheme;

(f) To identify and make recommendations regarding areas where the capacity of States in the region can be strengthened to facilitate the implementation of the measures imposed by paragraph 4 of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004);

5. *Requests* the Secretary-General to take the necessary measures, in this exceptional instance, to re-appoint the current members of the Panel of Experts as referred to in his letter to the President of the Security Council dated 27 June 2006 (S/2006/438) and to make the necessary financial and security arrangements to support the work of the Panel;

6. *Calls upon* all States and the Government of Liberia to cooperate fully with the Panel of Experts in all the aspects of its mandate;

7. *Encourages* the Kimberley Process to inform, as appropriate, the Security Council through its Committee about any possible follow-up visit to Liberia and its assessment of progress made by the Liberian Government towards joining the Kimberley Process Certification Scheme;

8. *Decides* to remain actively seized of the matter.

## Contents of Section

---

Chapter:	537X	Title:	UNITED NATIONS SANCTIONS (LIBERIA) REGULATION 2005	Gazette Number:	L.N. 94 of 2005
		Heading:	<b>Empowering section</b>	Version Date:	10/06/2005

(Cap 537, section 3)

[10 June 2005]

(L.N. 94 of 2005)

Section:	<b>1</b>	Heading:	<b>Duration</b>	Version Date:	27/04/2007
----------	----------	----------	-----------------	---------------	------------

(1) Section 10 expires at midnight on 20 June 2005.

(2) Sections 3, 4, 5, 6, 7, 10A, 11, 12, 13, 14 and 15 and Part 5 expire at midnight on 20 December 2005.

(L.N. 193 of 2005)

(3) Sections 10B and 11A expire at midnight on 19 June 2006. (L.N. 58 of 2006)

(4) The following provisions expire at midnight on 19 December 2006—

- (a) the definitions of “commander”, “Commissioner”, “master”, “operator”, “owner”, “person connected with Liberia” and “prohibited goods” in section 2;
- (b) paragraphs (a) and (b) of the definition of “licence” in section 2;
- (c) sections 3A, 4A, 5A, 6A, 7A, 10C, 12A, 13A, 14A and 15A; (L.N. 188 of 2006)
- (d) Part 5A;
- (e) the Schedule. (L.N. 58 of 2006)

(5) Section 10D expires at midnight on 19 June 2007. (L.N. 66 of 2007)

(6) The following provisions expire at midnight on 19 December 2007—

- (a) the definitions of “arms and related material”, “commander”, “Commissioner”, “master”, “operator”, “person connected with Liberia”, “prohibited goods” and “Resolution 1731” in section 2;
- (b) paragraphs (a) and (b) of the definition of “licence” in section 2;
- (c) sections 3B, 5B, 7B, 12B, 13B, 14B and 15B;
- (d) Part 5B. (L.N. 66 of 2007)

Section:	<b>2</b>	Heading:	<b>Interpretation</b>	Version Date:	27/04/2007
----------	----------	----------	-----------------------	---------------	------------

Remarks:

\* This definition has expired at midnight on 19 December 2006.

## PART 1

### PRELIMINARY

In this Regulation, unless the context otherwise requires-

"arms and related material" (軍火及相關的物資) includes-

- (a) any weapon, ammunition, military vehicle, military equipment or paramilitary equipment; and
- (b) any spare part of any item specified in paragraph (a); (L.N. 66 of 2007)

"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;

"commander" (機長), in relation to an aircraft, means the member of the flight crew designated as the commander of the aircraft by the operator of the aircraft, or, failing such a person, the person who is for the time being the pilot in command of the aircraft; (L.N. 66 of 2007)

"Commissioner" (關長) means the Commissioner of Customs and Excise, the Deputy Commissioner of Customs and Excise or any Assistant Commissioner of Customs and Excise; (L.N. 66 of 2007)

"Committee" (委員會) means the Committee of the Security Council of the United Nations established pursuant to paragraph 21 of Resolution 1521;

"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-

- (a) section 14B(1)(a) or (b);
- (b) section 15B(1); or
- (c) section 16(1); (L.N. 66 of 2007)

"master" (船長), in relation to a ship, includes any person (other than a pilot) for the time being in charge of the ship; (L.N. 66 of 2007)

"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; (L.N. 66 of 2007)

\*"owner" (擁有人), in relation to a ship, where the owner of the ship is not the operator, means the operator and any person to whom it is chartered;

"person connected with Liberia" (有關連人士) means-

- (a) the Government of Liberia;
- (b) the former President Charles Taylor or any member of the former President Charles Taylor's Government of Liberia;
- (c) any other person in, or resident in, Liberia;
- (d) any body incorporated or constituted under the law of Liberia;
- (e) any former or current militia or armed group in Liberia;
- (f) any body, wherever incorporated or constituted, which is controlled by the Government mentioned in paragraph (a), any of the persons mentioned in paragraphs (b) and (c) or any of the bodies or groups mentioned in paragraphs (d) and (e) (including the Liberians United for Reconciliation and Democracy and the Movement for Democracy in Liberia); or
- (g) any person acting on behalf of the Government mentioned in paragraph (a), any of the persons mentioned in paragraphs (b) and (c) or any of the bodies or groups mentioned in paragraphs (d), (e) and (f); (L.N. 66 of 2007)

"prohibited goods" (禁制物品) means any arms and related material; (L.N. 66 of 2007)

"relevant entity" (有關實體) means an entity owned or controlled, directly or indirectly, by a relevant person or by a person acting on behalf of or at the direction of a relevant person, being an entity specified by the Chief Executive as a relevant entity in accordance with section 39;

"relevant person" (有關人士) means-

- (a) the former President Charles Taylor;
- (b) any immediate family member of the former President Charles Taylor, including Jewell Howard Taylor and Charles Taylor, Jr.;
- (c) any senior official of the former President Charles Taylor's Government of Liberia; or
- (d) any close ally or associate of the former President Charles Taylor's Government of Liberia,

being a person specified by the Chief Executive as a relevant person in accordance with section 39;

"Resolution 1521" 《第 1521 號決議》 means Resolution 1521 (2003) adopted by the Security Council of the United Nations on 22 December 2003;

"Resolution 1532" 《第 1532 號決議》 means Resolution 1532 (2004) adopted by the Security Council of the United Nations on 12 March 2004;

"Resolution 1731" 《第 1731 號決議》 means Resolution 1731 (2006) adopted by the Security Council of the United Nations on 20 December 2006; (L.N. 66 of 2007)

"ship" (船舶) includes every description of vessel used in navigation not propelled by oars.

Section:	<b>3</b>	Heading:	<b>(Omitted as expired)</b>	Version Date:	21/12/2005
----------	----------	----------	-----------------------------	---------------	------------

## PART 2

### PROHIBITIONS

#### Supply and delivery of goods

(Omitted as expired)

Section:	<b>3A</b>	Heading:	<b>(Omitted as expired)</b>	Version Date:	20/12/2006
----------	-----------	----------	-----------------------------	---------------	------------

(Omitted as expired)

Section:	<b>3B</b>	Heading:	<b>Prohibition against supply and delivery of certain goods to Liberia</b>	Version Date:	27/04/2007
----------	-----------	----------	----------------------------------------------------------------------------	---------------	------------

(1) Except under the authority of a licence granted under section 14B(1)(a), a person shall not supply or deliver, agree to supply or deliver, or do any act likely to promote the supply or delivery of, any prohibited goods—

(a) to Liberia;

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

(c) to a destination for the purpose of delivery, directly or indirectly, to Liberia or to, or to the order of, a person connected with Liberia.

(2) A person who contravenes subsection (1) 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.

(3) In any proceedings for an offence under subsection (2), it is a defence for a person charged to prove that he did not know and had no reason to believe—

- (a) that the goods concerned were prohibited goods; or
- (b) that the goods concerned were to be supplied or delivered—
  - (i) to Liberia;
  - (ii) to, or to the order of, a person connected with Liberia; or
  - (iii) to a destination for the purpose of delivery, directly or indirectly, to Liberia or to, or to the order of, a person connected with Liberia.

(4) This section applies to—

- (a) a person in the HKSAR; and
- (b) a person acting elsewhere 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.

Section:	<b>4</b>	Heading:	<b>(Omitted as expired)</b>	Version Date:	21/12/2005
----------	----------	----------	-----------------------------	---------------	------------

#### **Carriage of goods**

(Omitted as expired)

Section:	<b>4A</b>	Heading:	<b>(Omitted as expired)</b>	Version Date:	20/12/2006
----------	-----------	----------	-----------------------------	---------------	------------

(Omitted as expired)

Section:	<b>5</b>	Heading:	<b>(Omitted as expired)</b>	Version Date:	21/12/2005
----------	----------	----------	-----------------------------	---------------	------------

(Omitted as expired)

Section:	<b>5A</b>	Heading:	<b>(Omitted as expired)</b>	Version Date:	20/12/2006
----------	-----------	----------	-----------------------------	---------------	------------

(Omitted as expired)

Section:	<b>5B</b>	Heading:	<b>Prohibition against carriage of certain goods destined for</b>	Version Date:	27/04/2007
----------	-----------	----------	-------------------------------------------------------------------	---------------	------------

## Liberia

(1) This section applies to—

- (a) a ship that is registered in the HKSAR;
- (b) an aircraft that is registered in the HKSAR;
- (c) 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) a body incorporated or constituted under the law of the HKSAR; and
- (d) a vehicle in the HKSAR.

(2) Except under the authority of a licence granted under section 14B(1)(b), and without prejudice to the generality of section 3B, a ship, aircraft or vehicle shall not be used for the carriage of any prohibited goods if the carriage is, or forms part of, carriage—

- (a) from a place outside Liberia to a place in Liberia;
- (b) to, or to the order of, a person connected with Liberia; or
- (c) to a destination for the purpose of delivery, directly or indirectly, to Liberia or to, or to the order of, a person connected with Liberia.

(3) Subsection (2) does not apply if—

- (a) the carriage of the prohibited goods is performed in the course of the supply or delivery of the prohibited goods; and
- (b) the supply or delivery was authorized by a licence granted under section 14B(1)(a).

(4) If a ship, aircraft or vehicle is used in contravention of subsection (2), each specified person 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.

(5) In any proceedings for an offence under subsection (4), it is a defence for a person charged to prove that he did not know and had no reason to believe—

- (a) that the goods concerned were prohibited goods; or
- (b) that the carriage of the goods concerned was, or formed part of, carriage—
  - (i) from a place outside Liberia to a place in Liberia;
  - (ii) to, or to the order of, a person connected with Liberia; or
  - (iii) to a destination for the purpose of delivery, directly or indirectly, to Liberia or to, or to the order of, a person connected with Liberia.

(6) In this section, “specified person” (指明人士) means—

- (a) in relation to a ship registered in the HKSAR, the charterer, operator or master of the ship;
- (b) in relation to any other ship—

- (i) the charterer of the ship;
  - (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; or
  - (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) in relation to an aircraft registered in the HKSAR, the charterer, operator or commander of the aircraft;
- (d) in relation to any other aircraft—
- (i) the charterer of the aircraft;
  - (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; or
  - (iii) the commander of the aircraft, if the commander is in the HKSAR or is both a Hong Kong permanent resident and a Chinese national; or
- (e) in relation to a vehicle, the operator or driver of the vehicle.

Section: **6**      Heading: **(Omitted as expired)**      Version Date: 21/12/2005

(Omitted as expired)

Section: **6A**      Heading: **(Omitted as expired)**      Version Date: 20/12/2006

(Omitted as expired)

Section: **7**      Heading: **(Omitted as expired)**      Version Date: 27/04/2007

### **Provision of technical training or assistance**

(Omitted as expired)

Section: **7A**      Heading: **(Omitted as expired)**      Version Date: 20/12/2006



(Omitted as expired)

Section:	<b>7B</b>	Heading:	<b>Prohibition against provision of certain technical training or assistance to person connected with Liberia</b>	Version Date:	27/04/2007
----------	-----------	----------	-------------------------------------------------------------------------------------------------------------------	---------------	------------

(1) Except under the authority of a licence granted under section 15B(1), a person shall not provide to a person connected with Liberia any technical training or assistance related to the supply, delivery, manufacture, maintenance or use of any prohibited goods.

(2) A person who contravenes subsection (1) 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.

(3) In any proceedings for an offence under subsection (2), it is a defence for a person charged to prove that he did not know and had no reason to believe—

(a) that the training or assistance concerned was to be provided to a person connected with Liberia; or

(b) that the training or assistance concerned related to the supply, delivery, manufacture, maintenance or use of any prohibited goods.

(4) This section applies to—

(a) a person in the HKSAR; and

(b) a person acting elsewhere 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.

Section:	<b>8</b>	Heading:	<b>Prohibition against making available funds, etc. to certain persons or entities</b>	Version Date:	10/06/2005
----------	----------	----------	----------------------------------------------------------------------------------------	---------------	------------

### **Making available funds, etc. to certain persons or entities**

(1) Subject to the exception in section 9 and except under the authority of a licence granted under section 16(1), a person shall 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.

(2) A person who contravenes subsection (1) 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.

(3) In any proceedings for an offence under subsection (2), it is a defence for a person charged to prove that he did not know and had no reason to believe that the funds or other financial assets or economic resources concerned were to be made available to or for the benefit of a relevant person or a relevant entity.

(4) This section applies to-

- (a) a person within the HKSAR; and
- (b) a person acting elsewhere 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.

Section:	<b>9</b>	Heading:	<b>Exception to prohibition against making available funds, etc. to certain persons or entities</b>	Version Date:	10/06/2005
----------	----------	----------	-----------------------------------------------------------------------------------------------------	---------------	------------

Section 8 shall not prevent the addition to an account owned or controlled, directly or indirectly, by a relevant person or a relevant entity of-

- (a) interest or other earnings due on that account; and
- (b) payments due under contracts, agreements or obligations that arose prior to 12 March 2004,

but any such interest, other earnings and payments shall be subject to section 8(1).

Section:	<b>10</b>	Heading:	<b>(Omitted as expired)</b>	Version Date:	21/06/2005
----------	-----------	----------	-----------------------------	---------------	------------

#### **Importation of rough diamonds**

(Omitted as expired)

Section:	<b>10A</b>	Heading:	<b>(Omitted as expired)</b>	Version Date:	21/12/2005
----------	------------	----------	-----------------------------	---------------	------------

(Omitted as expired)

Section:	<b>10B</b>	Heading:	<b>(Omitted as expired)</b>	Version Date:	20/06/2006
----------	------------	----------	-----------------------------	---------------	------------

(Omitted as expired)

Section: **10C** Heading: **(Omitted as expired)** Version Date: 20/12/2006

(Omitted as expired)

Section: **10D** Heading: **Prohibition against importation of rough diamonds into HKSAR** Version Date: 27/04/2007

(1) A person shall not import any rough diamond directly or indirectly from Liberia into the HKSAR.

(2) A person who contravenes subsection (1) 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.

(3) In any proceedings for an offence under subsection (2), it is a defence for a person charged to prove that he did not know and had no reason to believe that the rough diamond concerned was imported directly or indirectly from Liberia into the HKSAR.

Section: **11** Heading: **(Omitted as expired)** Version Date: 21/12/2005

### **Importation of round logs and timber products**

(Omitted as expired)

Section: **11A** Heading: **(Omitted as expired)** Version Date: 20/06/2006

(Omitted as expired)

Section: **12** Heading: **(Omitted as expired)** Version Date: 21/12/2005

**Entry into or transit through HKSAR**

(Omitted as expired)

Section:	<b>12A</b>	Heading:	<b>(Omitted as expired)</b>	Version Date:	20/12/2006
----------	------------	----------	-----------------------------	---------------	------------

(Omitted as expired)

Section:	<b>12B</b>	Heading:	<b>Prohibition against entry or transit by certain persons</b>	Version Date:	27/04/2007
----------	------------	----------	----------------------------------------------------------------	---------------	------------

(1) Subject to the exception in section 13B, a specified person shall 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 shall not prohibit a person having the right of abode or the right to land in the HKSAR from entry into the HKSAR.

(4) In this section—

“paragraph 2 of Resolution 1521” (《第 1521 號決議》第 2 段) means paragraph 2 of Resolution 1521 as renewed by the Security Council of the United Nations in paragraph 1 of Resolution 1731;

“paragraph 4 of Resolution 1521” (《第 1521 號決議》第 4 段) means paragraph 4 of Resolution 1521 as renewed by the Security Council of the United Nations in paragraph 1 of Resolution 1731;

“specified person” (指明人士) means a person designated by the Committee, for the purposes of paragraph 4 of Resolution 1521, as—

- (a) a person who constitutes a threat to the peace process in Liberia or is engaged in activities aimed at undermining peace and stability in Liberia and the subregion;
- (b) a senior member of the former President Charles Taylor’s Government who retains link with the former President or a spouse of such a senior member;
- (c) a member of Liberia’s former armed forces who retains links to the former President Charles Taylor;
- (d) a person determined by the Committee to be in violation of paragraph 2 of Resolution 1521; or
- (e) an individual or an individual associated with an entity providing financial or military support to armed rebel groups in Liberia or in countries in the region.

Section: **13**      Heading: **(Omitted as expired)**      Version Date: 21/12/2005

(Omitted as expired)

Section: **13A**      Heading: **(Omitted as expired)**      Version Date: 20/12/2006

(Omitted as expired)

Section: **13B**      Heading: **Exception to prohibition  
against entry or transit by  
certain persons**      Version Date: 27/04/2007

Section 12B shall not apply if—

- (a) the Committee determines that the relevant entry into or transit through the HKSAR is justified on the ground of humanitarian need, including religious obligation; or
- (b) the Committee concludes that the relevant entry into or transit through the HKSAR would otherwise further the objectives of the resolutions of the Security Council of the United Nations, for the creation of peace, stability and democracy in Liberia and lasting peace in the subregion.

Section: **14**      Heading: **(Omitted as expired)**      Version Date: 21/12/2005

### PART 3

### LICENCE

(Omitted as expired)

Section: **14A** Heading: **(Omitted as expired)** Version Date: 20/12/2006

(Omitted as expired)

Section: **14B** Heading: **Licence for supply, delivery or carriage of certain goods** Version Date: 27/04/2007

(1) If it is proved to the satisfaction of the Chief Executive that any one of the requirements in subsection (2) is met, the Chief Executive shall, on application, grant, as appropriate—

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

(i) to Liberia;

(ii) to, or to the order of, a person connected with Liberia; or

(iii) to a destination for the purpose of delivery, directly or indirectly, to Liberia or to, or to the order of, a person connected with Liberia; or

(b) a licence for the carriage of prohibited goods which is, or forms part of, carriage—

(i) from a place outside Liberia to a place in Liberia;

(ii) to, or to the order of, a person connected with Liberia; or

(iii) to a destination for the purpose of delivery, directly or indirectly, to Liberia or to, or to the order of, a person connected with Liberia.

(2) The requirements referred to in subsection (1) are as follows—

(a) the prohibited goods are—

(i) intended solely for support of or use by the United Nations Mission in Liberia; or

(ii) intended solely for support of or use in an international training and reform programme for the Liberian armed forces and police, as approved in advance by the Committee;

(b) the prohibited goods are non-lethal military equipment intended solely for humanitarian or protective use, as approved in advance by the Committee;

(c) the prohibited goods are protective clothing, including flak jackets and military helmets, to be temporarily exported to Liberia by the personnel of the United Nations, representatives of the media, humanitarian and development workers and associated personnel, for their personal use only;

(d) the prohibited goods are weapons or ammunition, as approved in advance on a case-by-case basis by the Committee, intended for use by members of the Government of Liberia police and security forces who have been vetted and trained since the inception of the United Nations Mission in Liberia in October 2003;

(e) the prohibited goods are non-lethal military equipment, excluding non-lethal weapons and ammunition, as notified in advance to the Committee, intended solely for use by members of the Government of Liberia police and security forces who have been vetted and trained since the inception of the United Nations Mission in Liberia in October 2003.

Section: **15**      Heading: **(Omitted as expired)**      Version Date: 21/12/2005

(Omitted as expired)

Section: **15A**      Heading: **(Omitted as expired)**      Version Date: 20/12/2006

(Omitted as expired)

Section: **15B**      Heading: **Licence for provision of certain technical training or assistance**      Version Date: 27/04/2007

(1) If it is proved to the satisfaction of the Chief Executive that any one of the requirements in subsection (2) is met, the Chief Executive shall, on application, grant a licence for the provision to a person connected with Liberia of technical training or assistance related to the supply, delivery, manufacture, maintenance or use of prohibited goods.

(2) The requirements referred to in subsection (1) are as follows—

- (a) the technical training or assistance is related to the supply, delivery, manufacture, maintenance or use of prohibited goods which are—
  - (i) intended solely for support of or use by the United Nations Mission in Liberia; or
  - (ii) intended solely for support of or use in an international training and reform programme for the Liberian armed forces and police, as approved in advance by the Committee;
- (b) the technical training or assistance is related to the supply, delivery, manufacture, maintenance or use of non-lethal military equipment intended solely for humanitarian or protective use, as approved in advance by the Committee;
- (c) the technical training or assistance is related to the supply, delivery,

manufacture, maintenance or use of weapons or ammunition, as approved in advance on a case-by-case basis by the Committee, intended for use by members of the Government of Liberia police and security forces who have been vetted and trained since the inception of the United Nations Mission in Liberia in October 2003;

(d) the technical training or assistance is related to the supply, delivery, manufacture, maintenance or use of non-lethal military equipment, excluding non-lethal weapons and ammunition, as notified in advance to the Committee, intended solely for use by members of the Government of Liberia police and security forces who have been vetted and trained since the inception of the United Nations Mission in Liberia in October 2003.

Section:	<b>16</b>	Heading:	<b>Licence for making available funds, etc. to certain persons or entities</b>	Version Date:	10/06/2005
----------	-----------	----------	--------------------------------------------------------------------------------	---------------	------------

(1) If it is proved to the satisfaction of the Chief Executive that any one of the requirements in subsection (2) is met, the Chief Executive shall, on application, grant a licence for making available funds or other financial assets or economic resources to or for the benefit of a relevant person or a relevant entity.

(2) The requirements referred to in subsection (1) are as follows-

(a) the funds or other financial assets or economic resources have been determined by the Chief Executive to be-

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

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

and the Committee has been notified by the Chief Executive of the intention to authorize, where appropriate, access to such funds or other financial assets or economic resources, and the Committee has not made a negative decision within 2 working days of such notification;

(b) the funds or other financial assets or economic resources have been determined by the Chief Executive to be necessary for extraordinary expenses, and the Committee has been notified by the Chief Executive of the determination, and the Committee has approved the determination;

(c) the funds or other financial assets or economic resources have been determined by the Chief Executive to be the subject of a judicial, administrative or arbitral lien or judgment, and the lien or judgment-



- (i) was entered prior to 12 March 2004;
- (ii) is not for the benefit of a relevant person or a relevant entity; and
- (iii) has been notified by the Chief Executive to the Committee.

(3) A licence granted by the Chief Executive under subsection (1), on his being satisfied that the requirements in subsection (2)(c) are met, shall only authorize that the funds or other financial assets or economic resources be used to satisfy the relevant lien or judgment.

Section:	<b>17</b>	Heading:	<b>Provision of false information or documents for purpose of obtaining licences</b>	Version Date:	10/06/2005
----------	-----------	----------	--------------------------------------------------------------------------------------	---------------	------------

(1) If, for the purpose of obtaining a licence, a person makes any statement or provides or produces any information or document that he knows to be false in a material particular, that person 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) If, for the purpose of obtaining a licence, a person recklessly makes any statement or provides or produces any information or document that is false in a material particular, that person 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.

Section:	<b>18</b>	Heading:	<b>Licence or permission granted by authorities of places outside HKSAR</b>	Version Date:	10/06/2005
----------	-----------	----------	-----------------------------------------------------------------------------	---------------	------------

#### PART 4

#### THINGS DONE OUTSIDE HKSAR

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

- (a) a person who is ordinarily resident in that place; or
- (b) a body corporate incorporated or constituted under the law of that place.

(2) For the purposes of subsection (1), the circumstances are that the thing is done 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.

Section: **19**      Heading: **(Omitted as expired)**      Version Date: 21/12/2005

PART 5  
(Omitted as expired)

(Omitted as expired)

Section: **20**      Heading: **(Omitted as expired)**      Version Date: 21/12/2005

(Omitted as expired)

Section: **21**      Heading: **(Omitted as expired)**      Version Date: 21/12/2005

(Omitted as expired)

Section: **22**      Heading: **(Omitted as expired)**      Version Date: 21/12/2005

(Omitted as expired)

Section: **23**      Heading: **(Omitted as expired)**      Version Date: 21/12/2005

(Omitted as expired)

Section: **24** Heading: **(Omitted as expired)** Version Date: 21/12/2005

(Omitted as expired)

Section: **25** Heading: **(Omitted as expired)** Version Date: 21/12/2005

(Omitted as expired)

Section: **26** Heading: **(Omitted as expired)** Version Date: 21/12/2005

(Omitted as expired)

Section: **27** Heading: **(Omitted as expired)** Version Date: 21/12/2005

(Omitted as expired)

Section: **28** Heading: **(Omitted as expired)** Version Date: 21/12/2005

(Omitted as expired)

Section: **29** Heading: **(Omitted as expired)** Version Date: 21/12/2005

(Omitted as expired)

Section: **30** Heading: **(Omitted as expired)** Version Date: 21/12/2005

(Omitted as expired)

Section: **31** Heading: **(Omitted as expired)** Version Date: 21/12/2005

(Omitted as expired)

Section: **31A** Heading: **(Omitted as expired)** Version Date: 20/12/2006

#### PART 5A

(Omitted as expired)

(Omitted as expired)

Section: **31B** Heading: **(Omitted as expired)** Version Date: 20/12/2006

(Omitted as expired)

Section: **31C** Heading: **(Omitted as expired)** Version Date: 20/12/2006

(Omitted as expired)

Section: **31D** Heading: **(Omitted as expired)** Version Date: 20/12/2006

(Omitted as expired)

Section: **31E** Heading: **(Omitted as expired)** Version Date: 20/12/2006

(Omitted as expired)

Section: **31F** Heading: **(Omitted as expired)** Version Date: 20/12/2006

(Omitted as expired)

Section: **31G** Heading: **(Omitted as expired)** Version Date: 20/12/2006

(Omitted as expired)

Section: **31H** Heading: **(Omitted as expired)** Version Date: 20/12/2006

(Omitted as expired)

Section: **31I** Heading: **(Omitted as expired)** Version Date: 20/12/2006

(Omitted as expired)

Section: **31J** Heading: **(Omitted as expired)** Version Date: 20/12/2006

(Omitted as expired)

Section: **31K** Heading: **(Omitted as expired)** Version Date: 20/12/2006

(Omitted as expired)

Section: **31L** Heading: **(Omitted as expired)** Version Date: 20/12/2006

(Omitted as expired)

Section: **31M** Heading: **(Omitted as expired)** Version Date: 20/12/2006

(Omitted as expired)

Section: **31N** Heading: **Investigation of suspected ships** Version Date: 27/04/2007

## PART 5B

### ENFORCEMENT OF REGULATION

#### **Investigation, etc. of suspected ships**

(1) If an authorized officer has reason to suspect that a ship to which section 5B applies has been, is being or is about to be used in contravention of section 5B(2), he may—

- (a) either alone or accompanied and assisted by any person acting under his 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 such information relating to the ship and its cargo, and produce for his inspection such documents so relating and such cargo carried on it, as he may specify.

(2) If an authorized officer has reason to suspect that a ship is being or is about to be used in contravention of section 5B(2), he may (either there and then or on consideration of any information provided or document or cargo produced in response to a request made under subsection (1)(b)), with a view to preventing the commission, or the continued commission, of such a contravention or in order that enquiries may be pursued, 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) request the charterer, operator or master of the ship to take one or more of the following steps—
  - (i) to cause the ship, including 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 such port as is 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 such other destination as may be specified by an authorized officer in agreement with the charterer, operator or master.

(3) A power conferred by this section to request the provision of any information or the production of any document or cargo 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 document or cargo should be produced for inspection.

Section:	<b>31O</b>	Heading:	<b>Offences by charterer, operator or master of ship</b>	Version Date:	27/04/2007
----------	------------	----------	--------------------------------------------------------------	---------------	------------

(1) If a charterer, operator or master of a ship disobeys any direction given under section 31N(2)(a), or, without reasonable excuse, refuses or fails to comply with a request made under section 31N(1)(b) or (2)(b) within the time specified by an authorized officer or, if no time is specified, within a reasonable time, the charterer, operator or master commits an offence and is liable on conviction to a fine at level 6 and to imprisonment for 6 months.

(2) If a charterer, operator or master of a ship, in response to a request made under section 31N(1)(b) or (2)(b), provides or produces to an authorized officer any information, explanation or document that he knows to be false in a material particular, or recklessly provides or produces to an authorized officer any information, explanation or document that is false in a material particular, the charterer, operator or master commits an offence and is liable on conviction to a fine at level 6 and to imprisonment for 6 months.

Section: **31P** Heading: **Power of authorized officers to enter and detain ships** Version Date: 27/04/2007

(1) Without prejudice to section 31O, if an authorized officer has reason to suspect that a request that has been made under section 31N(2)(b) may not be complied with, he may take such steps as appear to him to be necessary to secure compliance with that request and, without prejudice to the generality of the foregoing, may for that purpose—

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

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

(3) The Chief Secretary for Administration may, by order in writing signed by him, authorize the detention of a ship referred to in subsection (1) for further periods of not more than 12 hours each, and any such order shall state the times from which and for which the order shall be effective.

Section: **31Q** Heading: **Investigation of suspected aircraft** Version Date: 27/04/2007

### **Investigation, etc. of suspected aircraft**

(1) If an authorized officer has reason to suspect that an aircraft to which section 5B applies has been, is being or is about to be used in contravention of section 5B(2), he may—

- (a) either alone or accompanied and assisted by any person acting under his 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 commander of the aircraft, or all of them, to provide such information relating to the aircraft and its cargo, and produce for his inspection such documents so relating and such cargo carried on it, as he 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 document or cargo produced in response to a request made under subsection (1)(b)) further request the charterer, operator or commander, or all of them, to cause the aircraft and any of its cargo to remain in the HKSAR until the charterer, operator or commander is, or (if the further request is made to all of them) all of them are, notified by an authorized officer that the aircraft and its cargo may depart.

(3) A power conferred by this section to request the provision of any information or the production of any document or cargo 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 document or cargo should be produced for inspection.

Section:	<b>31R</b>	Heading:	<b>Offences by charterer, operator or commander of aircraft</b>	Version Date:	27/04/2007
----------	------------	----------	-------------------------------------------------------------------------	---------------	------------

(1) If a charterer, operator or commander of an aircraft, without reasonable excuse, refuses or fails to comply with a request made under section 31Q(1)(b) or (2) within the time specified by an authorized officer or, if no time is specified, within a reasonable time, the charterer, operator or commander commits an offence and is liable on conviction to a fine at level 6 and to imprisonment for 6 months.

(2) If a charterer, operator or commander of an aircraft, in response to a request made under section 31Q(1)(b) or (2), provides or produces to an authorized officer any information, explanation or document that he knows to be false in a material particular, or recklessly provides or produces to an authorized officer any information, explanation or document that is false in a material particular, the charterer, operator or commander commits an offence and is liable on conviction to a fine at level 6 and to imprisonment for 6 months.

Section:	<b>31S</b>	Heading:	<b>Power of authorized officers to enter and detain aircraft</b>	Version Date:	27/04/2007
----------	------------	----------	----------------------------------------------------------------------	---------------	------------

(1) Without prejudice to section 31R, if an authorized officer has reason to suspect that a request that has been made under section 31Q(2) may not be complied with, he may take such steps as appear to him to be necessary to secure compliance with that request and, without prejudice to the generality of the foregoing, may for that purpose—

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

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

(3) The Chief Secretary for Administration may, by order in writing signed by him, authorize the detention of an aircraft referred to in subsection (1) for further periods of not more than 6 hours each, and any such order shall state the times from which and for which the order shall be effective.

Section: **31T**      Heading: **Investigation of suspected vehicles**      Version Date: 27/04/2007

### **Investigation, etc. 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 5B(2), he may—

- (a) either alone or accompanied and assisted by any person acting under his 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 such information relating to the vehicle and any article carried on it, and produce for his inspection such documents so relating and such articles carried on it, as he may specify; and
- (c) (either there and then or on consideration of any information provided or document or article produced in response to a request made under paragraph (b)) further request the operator or driver to take the vehicle and any article carried on it to such place as is 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 the provision of any information or the production of any document or article 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 document or article should be produced for inspection.

Section: **31U**      Heading: **Offences by operator or driver of vehicle**      Version Date: 27/04/2007

(1) If an operator or driver of a vehicle, without reasonable excuse, refuses or fails to comply with a request made under section 31T(1)(b) or (c) within the time specified by an authorized officer or, if no time is specified, within a reasonable time, the operator or driver commits an offence and is liable on conviction to a fine at level 6 and to imprisonment for 6 months.

(2) If an operator or driver of a vehicle, in response to a request made under section 31T(1)(b) or (c), provides or produces to an authorized officer any information, explanation or document that he knows to be false in a material particular, or recklessly provides or produces to an authorized officer any information, explanation or document that is false in a material particular, the operator or driver commits an offence and is liable on conviction to a fine at level 6 and to imprisonment for 6 months.

Section: **31V** Heading: **Power of authorized officers to enter and detain vehicles** Version Date: 27/04/2007

(1) Without prejudice to section 31U, if an authorized officer has reason to suspect that a request that has been made under section 31T(1)(c) may not be complied with, he may take such steps as appear to him to be necessary to secure compliance with that request and, without prejudice to the generality of the foregoing, may for that purpose—

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

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

(3) The Commissioner may, by order in writing signed by him, authorize the detention of a vehicle referred to in subsection (1) for further periods of not more than 12 hours each, and any such order shall state the times from which and for which the order shall be effective.

Section: **31W** Heading: **Production of proof of identity** Version Date: 27/04/2007

### **Proof of identity**

Before or on exercising a power conferred by section 31N, 31P, 31Q, 31S, 31T or 31V, an authorized officer shall, if requested so to do, produce evidence of his identity.

Section: **32** Heading: **Power of magistrate or judge to grant warrant** Version Date: 10/06/2005

## PART 6

### EVIDENCE

(1) A magistrate or judge may grant a warrant if he is 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 specified in the information or any premises on which the ship, aircraft or vehicle so specified may be, at any time within one month from the date of the warrant, and to search 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) to search any person who is found on, or whom he has reasonable grounds to believe to have recently left or to be about to enter, the premises, ship, aircraft or vehicle;
  - (b) to seize and detain any document or article found on the premises, ship, aircraft or vehicle or on such person that he has reasonable grounds to believe to be evidence in relation to the commission of an offence under this Regulation;
  - (c) to take in relation to any such document or article any other steps that may appear necessary for preserving the document or article seized and preventing interference with it.
- (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, he may use such force as is reasonably necessary for that purpose.

Section:	<b>33</b>	Heading:	<b>Detention of documents or articles seized</b>	Version Date:	10/06/2005
----------	-----------	----------	--------------------------------------------------	---------------	------------

- (1) Subject to subsection (2), any document or article seized under section 32(3) may not be detained for a period of more than 3 months.
- (2) If the document or article is relevant to an offence under this Regulation, and proceedings for the offence have begun, the document or article may be detained until the completion of those proceedings.

Section: **34**      Heading: **Disclosure of information or documents**      Version Date: 10/06/2005

## PART 7

### DISCLOSURE OF INFORMATION OR DOCUMENTS

(1) Any information or document provided, produced or seized in pursuance of this Regulation may be disclosed only if-

- (a) the person who provided or produced the information or document or the person 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 any organ of the United Nations or to any person in the service of the United Nations or to 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 Liberia decided on by the Security Council of the United Nations; 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 he has obtained the information or possessed the document only in his capacity as servant or agent of another person; and
- (b) a person may give consent to the disclosure if he is entitled to the information or to the possession of the document in his own right.

Section: **35**      Heading: **Liability of person other than principal offender**      Version Date: 10/06/2005

## PART 8

### OTHER OFFENCES AND MISCELLANEOUS MATTERS

(1) Where 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 shall be guilty of the like offence.

(2) Where 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 shall be guilty of the like offence.

Section:	<b>36</b>	Heading:	<b>Offences in relation to obstruction of authorized persons, etc.</b>	Version Date:	10/06/2005
----------	-----------	----------	------------------------------------------------------------------------	---------------	------------

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

Section:	<b>37</b>	Heading:	<b>Offences in relation to evasion of this Regulation</b>	Version Date:	10/06/2005
----------	-----------	----------	-----------------------------------------------------------	---------------	------------

A person who destroys, mutilates, defaces, secretes or removes any document 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.

Section:	<b>38</b>	Heading:	<b>Proceedings to be instituted</b>	Version Date:	10/06/2005
----------	-----------	----------	-------------------------------------	---------------	------------

(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, being an offence 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 committing the offence.

Section:	<b>39</b>	Heading:	<b>Specification of relevant person or relevant entity by Chief Executive</b>	Version Date:	10/06/2005
----------	-----------	----------	-------------------------------------------------------------------------------	---------------	------------

The Chief Executive may by notice published in the Gazette specify a person or an entity referred to in the list maintained by the Committee for the purposes of paragraph 1 of Resolution 1532 as a relevant person or a relevant entity.

Section:	<b>40</b>	Heading:	<b>Exercise of powers of Chief Executive</b>	Version Date:	10/06/2005
----------	-----------	----------	----------------------------------------------	---------------	------------

The Chief Executive may, to such extent and subject to such restrictions and conditions as he may think proper, delegate or authorize the delegation of any of his powers or functions under this Regulation to any person, or class or description of persons, approved by him, and references in this Regulation to the Chief Executive shall be construed accordingly.

Schedule:		Heading:	<b>Schedule (Omitted as expired)</b>	Version Date:	20/12/2006
-----------	--	----------	--------------------------------------	---------------	------------

(Omitted as expired)