



中華人民共和國香港特別行政區
Hong Kong Special Administrative Region of the People's Republic of China



立法會秘書處 法律事務部
LEGISLATIVE COUNCIL SECRETARIAT
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Deputy Secretary for Commerce and Economic
Development (Commerce and Industry)
Commerce and Economic Development Bureau
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Hong Kong

27 January 2010

BY FAX
Fax No.: 2840 1621

Dear Ms LAI,

**United Nations Sanctions (Democratic People's Republic of Korea)
(Amendment) Regulation 2010**

I refer to the captioned Amendment Regulation, which will be examined by Members at the meeting of the Subcommittee to Examine the Implementation in Hong Kong of Resolutions of the United Nations Security Council in relation to Sanctions on 29 January 2010.

I note that section 26 of the Amendment Regulation adds sections 24A and 24B to the United Nations Sanctions (Democratic People's Republic of Korea) Regulation (Cap. 536 sub. leg. AE) (the Principal Regulation). Section 24B empowers a magistrate or judge to order forfeiture of any document, cargo or article seized by an authorized officer under section 24(3) of the Principal Regulation upon satisfaction of certain conditions. Section 24A provides that if an authorized officer intends to apply to a magistrate or judge for forfeiture of the document, cargo or article, the authorized officer must serve notice of that intention on the owner(s) of the document, cargo or article. Section 24A(2) provides for the service of such notice on the owner. An owner may object to the forfeiture by filing objection.

In relation to the regulations made under the United Nations Sanctions Ordinance (Cap. 537), it appears that the introduction of sections 24A and 24B is a new measure. I would be most grateful if you may explain the reasons for introducing this new measure to the Subcommittee.

Yours faithfully,



(Kelvin Ka-yun LEE)
Assistant Legal Adviser

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