
United Nations (Anti-Terrorism Measures) (Amendment) Ordinance 2012

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HONG KONG SPECIAL ADMINISTRATIVE REGION

ORDINANCE NO. 20 OF 2012

L.S.

C. Y. LEUNG
Chief Executive
12 July 2012

An Ordinance to amend the United Nations (Anti-Terrorism Measures) Ordinance to replace all references to “funds” by “property”, to expand the definition of *terrorist act*, and to revise the prohibition on assistance for terrorists and terrorist organizations to cover the making available of property or financial (or related) services and the collection of property or solicitation of financial (or related) services by any means, directly or indirectly; and to make necessary consequential amendments to enactments.

[13 July 2012]

Enacted by the Legislative Council.

Part 1

Preliminary

1. Short title

This Ordinance may be cited as the United Nations (Anti-Terrorism Measures) (Amendment) Ordinance 2012.

Part 2

Amendments to United Nations (Anti-Terrorism Measures) Ordinance

2. United Nations (Anti-Terrorism Measures) Ordinance amended

The United Nations (Anti-Terrorism Measures) Ordinance (Cap. 575) is amended as set out in sections 3 to 8.

3. Section 2 amended (interpretation)

(1) Section 2(1), definition of *terrorist act*, paragraph (a)(ii)(A), after “Government”—

Add

“or an international organization”.

(2) Section 2(1), definition of *terrorist property*, paragraph (b)—

Repeal

“consisting of funds”.

(3) Section 2(1), Chinese text, definition of 恐怖分子財產, paragraph (b)(i)—

Repeal

“資金”.

(4) Section 2(1), Chinese text, definition of 恐怖分子財產, paragraph (b)(ii)—

Repeal

“資金”.

(5) Section 2(1)—

Repeal the definition of *funds*.

4. Section 6 amended (freezing of funds)

Section 6, heading—

Repeal

“funds”

Substitute

“property”.

5. Section 7 amended (prohibition on provision or collection of funds to commit terrorist acts)

(1) Section 7, heading—

Repeal

“funds”

Substitute

“property”.

(2) Section 7—

Repeal

“, funds”

Substitute

“, any property”.

(3) Section 7(a)—

Repeal

“funds”

Substitute

“property”.

(4) Section 7(b)—

Repeal

“funds”

Substitute

“property”.

(5) Section 7, English text—

Repeal

“funds are”

Substitute

“property is”.

6. Section 8 substituted

Section 8—

Repeal the section

Substitute

“8. Prohibition on making property, etc. available to or collecting property, etc. for terrorists and terrorist associates

A person must not—

- (a) except under the authority of a licence granted by the Secretary, make any property or financial (or related) services available, by any means, directly or indirectly, to or for the benefit of a person knowing that, or being reckless as to whether, the person is a terrorist or terrorist associate; or
- (b) collect property or solicit financial (or related) services, by any means, directly or indirectly, for the benefit of a person knowing that, or being reckless as to whether, the person is a terrorist or terrorist associate.”.

7. Section 15 amended (supplementary provisions applicable to licences mentioned in section 6(1) or 8)

Section 15(1)(b)—

Repeal

“funds are”

Substitute

“property is”.

8. Schedule 1 repealed (funds)

Schedule 1—

Repeal the Schedule.

Part 3

Consequential Amendment to Rules of the High Court

9. Rules of the High Court amended

The Rules of the High Court (Cap. 4 sub. leg. A) are amended as set out in section 10.

10. Order 117A, rule 24 amended (application concerning direction mentioned in section 6(10) or licence mentioned in section 6(1) or 8)

Order 117A, rule 24(1)(a)—

Repeal

“, funds”.

Part 4

Consequential Amendments to Anti-Money Laundering and Counter-Terrorist Financing (Financial Institutions) Ordinance

**11. Anti-Money Laundering and Counter-Terrorist Financing
(Financial Institutions) Ordinance amended**

The Anti-Money Laundering and Counter-Terrorist Financing (Financial Institutions) Ordinance (Cap. 615) is amended as set out in section 12.

12. Schedule 1 amended (interpretation)

(1) Schedule 1, Part 1, section 1, definition of *terrorist financing*, paragraph (a)—

Repeal

“of funds”

Substitute

“of any property”.

(2) Schedule 1, Part 1, section 1, definition of *terrorist financing*, paragraph (a)(i)—

Repeal

“funds”

Substitute

“property”.

(3) Schedule 1, Part 1, section 1, definition of *terrorist financing*, paragraph (a)(ii)—

Repeal

“funds”

Substitute

“property”.

- (4) Schedule 1, Part 1, section 1, definition of *terrorist financing*, paragraph (a)—

Repeal

“funds are actually so used); or”

Substitute

“property is actually so used);”.

- (5) Schedule 1, Part 1, section 1, definition of *terrorist financing*, paragraph (b)—

(a) **Repeal**

everything before “directly”

Substitute

“(b) the making available of any property or financial (or related) services, by any means;”;

(b) **Repeal the full stop**

Substitute

“; or”.

- (6) Schedule 1, Part 1, section 1, definition of *terrorist financing*, after paragraph (b)—

Add

“(c) the collection of property or solicitation of financial (or related) services, by any means, directly or indirectly, for the benefit of a person knowing that, or being reckless as to whether, the person is a terrorist or terrorist associate.”.

- (7) Schedule 1, Part 1, section 2—

Repeal

“*funds* (資金),”.