

立法會
Legislative Council

LC Paper No. LS74/18-19

**Paper for the House Committee Meeting
on 14 June 2019**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 31 May 2019**

**SUBSIDIARY LEGISLATION NOT REQUIRED TO BE TABLED AND
NOT SUBJECT TO AMENDMENT**

**United Nations Sanctions (Central African Republic)
Regulation 2019** **(L.N. 81)**

L.N. 81 is 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. It came into operation when it was published in the Gazette on 31 May 2019.

2. Since 2013, the Security Council of the United Nations ("UNSC") has adopted several resolutions to impose or renew certain sanctions against the Central African Republic ("CAR"). These resolutions have been implemented by regulations made under Cap. 537, the last one being the United Nations Sanctions (Central African Republic) Regulation 2018 (Cap. 537CA) which expired at midnight on 31 January 2019.

3. L.N. 81 implements certain decisions in Resolution 2454 (2019) adopted by UNSC on 31 January 2019 to renew the sanctions against CAR. It provides for, among others, the prohibition against:

- (a) supply, sale, transfer or carriage of arms or related materiel to CAR;
- (b) provision of technical assistance, training or financial or other assistance related to military activities in certain circumstances;
- (c) making available to, or for the benefit of, certain persons or entities any funds or other financial assets or economic resources;

- (d) dealing with funds or other financial assets or economic resources belonging to, or owned or controlled by, certain persons or entities; and
 - (e) entry into or transit through the Hong Kong Special Administrative Region by certain persons.
4. L.N. 81 expires at midnight on 31 January 2020.
5. Members may refer to the Legislative Council ("LegCo") Brief (File Ref: CITB CR 75/53/8) issued by the Commerce and Economic Development Bureau in May 2019 for further information. A marked-up version showing the changes made by L.N. 81 to the expired Cap. 537CA is at Annex E to the LegCo Brief.
6. Under section 3(5) of Cap. 537, sections 34 and 35 of the Interpretation and General Clauses Ordinance (Cap. 1) shall not apply to regulations made under section 3 of Cap. 537. Therefore, L.N. 81 is not required to be tabled in LegCo and is not subject to amendment by LegCo. However, since it comes within the terms of reference of the Subcommittee to Examine the Implementation in Hong Kong of Resolutions of the United Nations Security Council in relation to Sanctions ("the Subcommittee"), Members may consider referring L.N. 81 to the Subcommittee for its consideration.
7. As advised by the Clerk to the Subcommittee, the LegCo Brief on L.N. 81 was circulated to members of the Subcommittee and all other Members vide LC Paper No. CB(1)1133/18-19 on 3 June 2019.
8. No difficulties have been identified in the legal and drafting aspects of the above item of subsidiary legislation.

Prepared by

CHENG Kiu-fung, Vanessa
Assistant Legal Adviser
Legislative Council Secretariat
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