
CB(1)120/04-05(01)
CHAPTER 537

UNITED NATIONS SANCTIONS

An Ordinance to provide for the imposition of sanctions against places outside the People's Republic of China arising from Chapter 7 of the Charter of the United Nations, and to provide for matters incidental thereto or connected therewith.

[18 July 1997]

1. Short title

This Ordinance may be cited as the United Nations Sanctions Ordinance.

2. Interpretation

(1) In this Ordinance, unless the context otherwise requires—

“*instructing authority*” (作出指示的機關) means the Ministry of Foreign Affairs of the People's Republic of China;

“*sanction*” (制裁) includes complete or partial economic and trade embargoes, arms embargoes, and other mandatory measures decided by the Security Council of the United Nations, implemented against a place outside the People's Republic of China.

(2) Where, under Chapter 7 of the Charter of the United Nations, the Security Council of the United Nations has decided on a measure to be employed to give effect to any of its decisions and has called on the People's Republic of China to apply the measure, then any instruction given by the instructing authority to the Chief Executive—

- (a) to implement the sanctions specified in the instruction against the place outside the People's Republic of China specified in the instruction for the purposes of the Hong Kong Special Administrative Region of the People's Republic of China applying that measure; or
- (b) where such sanctions have been so implemented—
 - (i) to cease implementing such sanctions;

- (ii) to modify such sanctions, or the implementation of such sanctions, as are specified in the instruction; or
- (iii) to replace such sanctions (whether in whole or in part) with other sanctions specified in the instruction,

is a relevant instruction for the purposes of this Ordinance.

3. Regulations shall give effect to relevant instructions

(1) The Chief Executive shall make regulations to give effect to a relevant instruction.

(2) Subject to subsection (3), regulations made under this section may provide that a contravention of any such regulation shall be an offence and may prescribe penalties therefor.

(3) Regulations made under this section may prescribe that a contravention or breach thereof shall be punishable—

- (a) on summary conviction by a fine not exceeding \$500,000 and imprisonment for a term not exceeding 2 years;
- (b) on conviction on indictment by an unlimited fine and imprisonment for a term not exceeding 7 years.

(4) Any regulations made under this section may exclude any person, property, goods, technical data, services, transaction, ship, train or aircraft or any class thereof from the application of the regulations.

(5) Sections 34 and 35 of the Interpretation and General Clauses Ordinance (Cap. 1) shall not apply to regulations made under this section.

(6) For the avoidance of doubt, it is hereby declared that any regulations made under this section do not revive, after they have ceased to have effect, if a relevant instruction is given in the same terms as the relevant instruction which gave rise to those regulations.