

**立法會**  
**Legislative Council**

LC Paper No. CB(1)734/13-14  
(These minutes have been seen  
by the Administration)

Ref : CB1/HS/1/12

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

**Minutes of the fifth meeting on  
Friday, 29 November 2013, at 9:30 am  
in Conference Room 2A of the Legislative Council Complex**

**Members present** : Hon Cyd HO Sau-lan (Chairman)  
Hon IP Kwok-him, GBS, JP  
Hon NG Leung-sing, SBS, JP  
Dr Hon Kenneth CHAN Ka-lok  
Hon Dennis KWOK

**Members absent** : Hon James TO Kun-sun  
Hon Kenneth LEUNG  
Hon Martin LIAO Cheung-kong, JP

**Public officers attending** : Agenda item II  
  
Ms Carol YUEN, JP  
Deputy Secretary for Commerce and Economic  
Development (Commerce and Industry) 1  
  
Mr Raymond WU  
Principal Assistant Secretary for Commerce and  
Economic Development (Commerce and Industry) 2

Ms Alice CHOY  
Senior Government Counsel (Treaties & Law) 1  
Department of Justice

**Clerk in attendance:** Ms Annette LAM  
Chief Council Secretary (1)3

**Staff in attendance:** Mr Bonny LOO  
Assistant Legal Adviser 3

Ms Connie HO  
Senior Council Secretary (1)3

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Action

- I. Confirmation of minutes of meeting**  
(LC Paper No. CB(1)358/13-14 -- Minutes of meeting held  
on 11 October 2013)

The minutes of the meeting held on 11 October 2013 were confirmed.

- II. Meeting with the Administration**  
(LC Paper No. CB(1)166/13-14(01) -- United Nations Sanctions  
(Somalia) (Amendment)  
(No. 2) Regulation 2013

LC Paper No. LS8/13-14 -- Legal Service Division  
Report on subsidiary  
legislation gazetted on 25  
October 2013 (L.N. 165)  
for the House Committee  
meeting on 1 November  
2013)

2. The Subcommittee deliberated (Index of proceedings attached at **Appendix**).

3. The Subcommittee completed the study of the United Nations Sanctions (Somalia) (Amendment) (No. 2) Regulation 2013.

**III. Any other business**

4. There being no other business, the meeting ended at 9:46 am.

Council Business Division 1  
Legislative Council Secretariat  
15 January 2014

**Proceedings of the fifth meeting of  
the Subcommittee to Examine the Implementation in Hong Kong of Resolutions of  
the United Nations Security Council in relation to Sanctions  
on Friday, 29 November 2013, at 9:30 am  
in Conference Room 2A of the Legislative Council Complex**

Time marker	Speaker	Subject(s)	Action required
<b>Agenda Item I - Confirmation of minutes of meeting</b>			
000000 – 000252	Chairman	Confirmation of minutes of the meeting on 11 October 2013	
<b>Agenda Item II - Meeting with the Administration</b>			
000253 – 000315	Chairman	Opening remarks	
000316 – 000616	Chairman Administration	<p><u>Briefing by the Administration on the United Nations Sanctions (Somalia) (Amendment) (No. 2) Regulation 2013 ("the Amendment Regulation")</u></p> <p>In response to the Chairman's enquiry on the timeframe of the legislative process of the Amendment Regulation, the Administration advised that following the receipt of the relevant instruction from the Ministry of Foreign Affairs of the People's Republic of China on 16 August 2013, the Amendment Regulation was gazetted on 25 October 2013 and came into effect on the same day.</p>	
000617 – 001720	Chairman Administration Mr IP Kwok-him	<p><u>Study of the mark-up versions of the Amendment Regulation (Annex E to LC Paper No. CB(1) 166/13-14(01))</u></p> <p><u>Part 1 : Section 1 – Interpretation</u></p> <p>Members noted the deletion of the definitions of "(Resolution 1744)"/"《第1744號決議》" and "(Resolution 1772)"/"《第1772號決議》", and the addition of the definition of "(Resolution 2111)"/"《第2111號決議》" of the Security Council of the United Nations (UNSC) in the English and Chinese texts respectively.</p> <p><u>Part 3: Section 8 – Licence for supply, sale, transfer or carriage of certain goods</u></p> <p>In response to the Chairman's enquiry, the Administration advised that the substitution of "the United Nations Political Office for Somalia or its</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>successor mission" by "United Nations Assistance Mission in Somalia", and "聯合國索馬里政治事務處或接替它的特派團" by "聯合國索馬里援助團" respectively in the English and Chinese texts of section 8(2)(g) was made in accordance with paragraph 10(a) of UNSC Resolution 2111.</p> <p><u>Part 3: Section 9 – Licence for provision of certain advice, assistance or training</u></p> <p>In reply to the Chairman's enquiry, the Administration responded that the amendments to section 9(2)(b) were made in line with paragraph 11(a) of UNSC Resolution 2111.</p> <p><u>Part 3: Section 10 – Licence for making available funds, etc. to certain persons or entities or dealing with funds, etc. of certain persons or entities</u></p> <p>In response to the Chairman's enquiry, the Administration advised that:</p> <p>(i) a new section 10(2)(d) was added to the United Nations Sanctions (Somalia) Regulation (Cap. 537AN) to reflect new exceptions to the financial sanctions against Somalia as per paragraph 22 of UNSC Resolution 2111; and</p> <p>(ii) a new section 32(2) was added to Cap. 537AN to specify that the exceptions to the financial sanctions against Somalia under section 10(2)(d) would expire at midnight on 24 October 2014.</p> <p>Mr IP Kwok-him enquired about the reasons for specifying a time limit for the aforementioned new exceptions to the financial sanctions against Somalia. The Administration responded that it was not uncommon for the UNSC to specify an expiry date for the sanctions imposed or exceptions. The reasons for setting the prescribed time limit were usually not stated in the relevant resolutions. Normally, the UNSC would review the relevant sanctions or exceptions prior to their expiry and decide on whether they should be further extended in light of the prevailing circumstances.</p>	

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
		Members raised no objections to the Amendment Regulation.	
001721 – 001739	Chairman	Meeting arrangements	

Council Business Division 1  
Legislative Council Secretariat  
15 January 2014