

立法會
Legislative Council

LC Paper No. CB(1)1337/18-19
(These minutes have been seen
by the Administration)

Ref : CB1/HS/1/16

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

**Minutes of sixth meeting on
Tuesday, 7 May 2019, at 2:30 pm
in Conference Room 3 of the Legislative Council Complex**

Members present : Hon Kenneth LEUNG (Chairman)
Hon Dennis KWOK Wing-hang
Hon Martin LIAO Cheung-kong, SBS, JP
Hon Holden CHOW Ho-ding

Member attending : Hon CHU Hoi-dick

**Public officers
attending** : Agenda item II

Ms Vivian SUM
Deputy Secretary for Commerce and Economic
Development (Commerce and Industry)1

Ms Leona LAW
Principal Assistant Secretary for Commerce and
Economic Development (Commerce and
Industry)2

Miss Eileen YUE
Assistant Secretary for Commerce and Economic
Development (Commerce and Industry)2A

Ms Mandy NG
Senior Government Counsel

Mr Gary LI
Government Counsel

Miss Queenie HO
Government Counsel (Treaties & Law)

Miss Jane TANG
Government Counsel (Treaties & Law)

Clerk in attendance: Mr Desmond LAM
Chief Council Secretary (1)3

Staff in attendance: Mr Cliff IP
Assistant Legal Adviser 8

Miss Linda CHAN
Assistant Legal Adviser 11

Mr Terence LAM
Council Secretary (1)3

Miss Zoe YIP
Clerical Assistant (1)3

Action

- I. Applications for late membership**
- | | |
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| (LC Paper No. CB(1)320/18-19(01) | -- Letter dated 11 December 2018 from Hon CHU Hoi-dick |
| LC Paper No. CB(1)1006/18-19(01) | -- Further letter dated 2 May 2019 from Hon CHU Hoi-dick |
| LC Paper No. CB(1)685/18-19(01) | -- Letter dated 14 February 2019 from Dr Hon Priscilla LEUNG |
| LC Paper No. CB(1)685/18-19(02) | -- Letter dated 5 March 2019 from Hon Alvin YEUNG) |

Application for late membership from Hon CHU Hoi-dick

The Chairman invited members to consider the application for late membership from Mr CHU Hoi-dick. He then drew members' attention to rule 23(c) of the House Rules that it was for the relevant committee to decide whether to accept an application for late membership other than on the ground of absence from Hong Kong or indisposition during the time when membership was invited.

2. Mr Martin LIAO considered that Mr CHU's reason for joining the Subcommittee as stated in his letters, which was to follow up the Administration's enforcement of the regulations made under the United Nations Sanctions Ordinance (Cap. 537) ("UNSO"), did not fall within the terms of reference of the Subcommittee (i.e. to examine the implementation in Hong Kong resolutions of the United Nations Security Council in relation to sanctions by Regulations made under section 3 of UNSO and to follow up the recommendations made by the previous Subcommittee). As such, Mr LIAO said that it was unlikely for him to support Mr CHU's application and suggested that Mr CHU should follow up the matter at the relevant Panels (such as the Panel on Security) if considered necessary. Mr Holden CHOW shared a similar view.

3. The Chairman then put to vote the question that Mr CHU's application for late membership be accepted. Of the three members present, no member voted in favour of it and two members voted against it. The Chairman declared that the question was not agreed to and Mr CHU's application was not accepted. The Chairman said that Mr CHU could still join the discussion at today's meeting.

Applications for late membership from Dr Hon Priscilla LEUNG and Hon Alvin YEUNG

4. The Chairman suggested and members agreed that the two applications for late membership respectively raised by Dr Hon Priscilla LEUNG and Hon Alvin YEUNG be dealt with at the next meeting. Similar to the handling of Mr CHU Hoi-dick's application for late membership, Dr LEUNG and Mr YEUNG were requested to provide supplementary information in writing to substantiate their applications for further consideration by the Subcommittee at the next meeting.

II. Meeting with the Administration

- (File Ref: CITB CR 75/53/10 -- Legislative Council Brief on United Nations Sanctions (Mali) Regulation 2018
- File Ref: CITB CR 75/53/4 -- Legislative Council Brief on United Nations Sanctions (Democratic Republic of the Congo) Regulation 2018
- LC Paper No. LS36/18-19 -- Legal Service Division Report on subsidiary legislation gazetted on 21 December 2018 (L.N. 268 and L.N. 269 of 2018) for the House Committee meeting on 4 January 2019
- File Ref: CITB CR 95/53/1 -- Legislative Council Brief on United Nations Sanctions (Libya) Regulation 2019 and United Nations Sanctions (Libya) Regulation 2011 (Repeal) Regulation
- File Ref: CITB CR 75/53/3 and CITB CR 102/53/1 -- Legislative Council Brief on United Nations Sanctions (Somalia) Regulation 2019, United Nations Sanctions (Somalia) Regulation (Repeal) Regulation and United Nations Sanctions (Eritrea) Regulation (Repeal) Regulation
- LC Paper No. LS64/18-19 -- Legal Service Division Report on subsidiary legislation gazetted on 29 March 2019 (L.N. 53 to L.N. 57 of 2019) for the House Committee meeting on 12 April 2019)

5. The Subcommittee deliberated (Index of proceedings attached at **Annex**).

6. The Subcommittee completed the study of the United Nations Sanctions (Mali) Regulation 2018 (L.N. 268 of 2018), United Nations Sanctions (Democratic Republic of the Congo) Regulation 2018 (L.N. 269 of 2018), United Nations Sanctions (Libya) Regulation 2019 (L.N. 53 of 2019), United Nations Sanctions (Libya) Regulation 2011 (Repeal) Regulation (L.N. 54 of 2019), United Nations Sanctions (Somalia) Regulation 2019 (L.N. 55 of 2019), United Nations Sanctions (Somalia) Regulation (Repeal) Regulation (L.N. 56 of 2019) and United Nations Sanctions (Eritrea) Regulation (Repeal) Regulation (L.N. 57 of 2019).

Follow-up action by the Administration

7. In respect of the United Nations Sanctions (Democratic Republic of the Congo) Regulation 2018 (L.N. 269 of 2018), the Administration was requested to advise whether the term "身處剛果人士", used as the Chinese rendition of "person in DRC" in the English text, was used in the Chinese version of the relevant resolution of the Security Council of the United Nations.

(Post-meeting note: The information provided by the Administration was circulated to members on 24 May 2019 (LC Paper No. CB(1)1102/18-19(01)).)

III. Any other business

8. There being no other business, the meeting ended at 3:28 pm.

**Proceedings of the sixth meeting of
the Subcommittee to Examine the Implementation in Hong Kong of Resolutions of
the United Nations Security Council in relation to Sanctions
on Tuesday, 7 May 2019, at 2:30 pm
in Conference Room 3 of the Legislative Council Complex**

Time marker	Speaker	Subject(s)	Action required
000403 – 001020	Chairman Mr CHU Hoi-dick Mr Martin LIAO Mr Holden CHOW	<p>Opening remarks by the Chairman.</p> <p><u>Application for late membership from Hon CHU Hoi-dick (LC Paper Nos. CB(1)320/18-19(01) and CB(1)1006/18-19(01))</u></p> <p>The Chairman put to vote the question that Mr CHU Hoi-dick's application for late membership be accepted. Of the three members present at the meeting, no member voted in favour of it and two members voted against it. The Chairman declared that Mr CHU's application was not accepted.</p> <p><u>Applications for late membership from Dr Hon Priscilla LEUNG and Hon Alvin YEUNG (LC Paper Nos. CB(1)685/18-19(01) and CB(1)685/18-19(02))</u></p> <p>The Subcommittee agreed to deal with the two applications at the next meeting and request Dr Priscilla LEUNG and Mr Alvin YEUNG to provide supplementary information to substantiate their applications for consideration by the Subcommittee.</p>	
001021 – 001402	Chairman Administration	<p><u>Briefing by the Administration on the United Nations Sanctions (Mali) Regulation 2018 (L.N. 268 of 2018)</u></p> <p>The Administration briefed members on the background of the United Nations Sanctions (Mali) Regulation 2018 ("2018 Mali Regulation") which implemented the sanctions against Mali as renewed by United Nations Security Council Resolution ("UNSCR") 2432. The 2018 Mali Regulation was published in the Gazette on 21 December 2018 and came into operation on the same day.</p>	

Time marker	Speaker	Subject(s)	Action required
001403 – 001453	Chairman Administration	<p><u>Section-by-section examination of the English text of the marked-up version of the United Nations Sanctions (Mali) Regulation 2018 (Annex E to CITB CR 75/53/10)</u></p> <p>In response to the Chairman's enquiry, the Administration advised that a new law drafting style had been adopted so that the 2018 Mali Regulation was written in plain and simple language to facilitate understanding of the provision by readers without compromising the substance of the 2018 Mali Regulation. The United Nations Sanctions (ISIL and Al-Qaida) Regulation (L.N. 157 of 2018) and the United Nations Sanctions (South Sudan) Regulation 2018 (L.N. 216 of 2018), which were studied at the last meeting, were also drafted using this new approach.</p>	
001454 – 001847	Chairman Administration	<p><u>Part 1: Preliminary</u> <u>Section 1 – Interpretation</u></p> <p><u>Part 2: Prohibitions</u> <u>Section 2 – Making available or dealing with economic assets prohibited</u></p> <p>In response to the Chairman's enquiry, the Administration advised that instead of the term "Hong Kong", "HKSAR" being the short form of "Hong Kong Special Administrative Region" was used throughout the 2018 Mali Regulation to mean the territory of Hong Kong. The term "Hong Kong person" was defined under section 1 of the 2018 Mali Regulation.</p> <p><u>Section 3 – Entry or transit of persons prohibited</u></p> <p>Members raised no questions on the above section.</p>	
001848 – 002137	Chairman Administration	<p><u>Part 3: Licences</u> <u>Section 4 – Licence for making available or dealing with economic assets</u></p> <p>In response to the Chairman's enquiry, the Administration advised that section 5(3) of the United Nations Sanctions (Mali) Regulation had been reorganized as subsections 4(3) to (6) of the 2018 Mali Regulation to better reflect that the requirements set out in the subsections could be interpreted independent of each other.</p>	

Time marker	Speaker	Subject(s)	Action required
		<p><u>Section 5 – Provision of false or misleading information or documents for purpose of obtaining licences</u></p> <p><u>Part 4: Evidence</u> <u>Section 6 – Interpretation of Part 4</u></p> <p><u>Section 7 – Power of magistrate or judge to grant warrant</u></p> <p><u>Section 8 – Detention of seized property</u></p> <p><u>Part 5: Disclosure of Information or Documents</u> <u>Section 9 – Disclosure of information or documents</u></p> <p>Members raised no questions on the above sections.</p>	
002138 – 002255	Chairman Administration	<p><u>Part 6: Other Offences and Miscellaneous Matters</u> <u>Section 10 – Liability of persons other than principal offenders</u></p> <p><u>Section 11 – Offences in relation to obstruction of authorized persons etc.</u></p> <p><u>Section 12 – Offences in relation to evasion of this Regulation</u></p> <p><u>Section 13 – Consent and time limit for proceedings</u></p> <p><u>Section 14 – Publication of list of individuals and entities by Secretary</u></p> <p>In response to the Chairman's enquiry, the Administration advised that the arrangements for publishing a list of individuals and entities on the website of the Commerce and Economic Development Bureau by the Secretary for Commerce and Economic Development under section 14 was the same as those provided for under the United Nations Sanctions (Democratic People's Republic of Korea) (Amendment) Regulation 2018 (L.N. 122 of 2018), which was studied by the Subcommittee at its meeting on 18 July 2018.</p> <p><u>Section 15 – Exercise of powers of Chief Executive</u></p>	

Time marker	Speaker	Subject(s)	Action required
		<p><u>Section 16 – Exercise of powers of Secretary</u></p> <p>Members raised no questions on the above sections.</p> <p><u>Part 7: Duration</u> <u>Section 17 – Duration</u></p> <p>In response to the Chairman's enquiry, the Administration advised that the duration of the 2018 Mali Regulation was set in accordance with the duration of the concerned sanction measures as specified in UNSCR 2432.</p>	
002256 – 002422	Chairman Mr CHU Hoi-dick Administration	<p><u>Part 2: Prohibitions</u> <u>Section 2 – Making available or dealing with economic assets prohibited</u></p> <p>Mr CHU Hoi-dick sought clarification on whether it was the requirement of the Security Council of the United Nations ("UNSC") that, as far as persons acting outside HKSAR was concerned, only those who were both Hong Kong permanent residents and Chinese nationals would be subject to the prohibitions under the 2018 Mali Regulation.</p> <p>The Administration advised that under the Charter of the United Nations, all Member States of the United Nations, including the People's Republic of China ("PRC"), were obligated to ensure that their nationals and individuals or entities within their territories did not violate the sanctions concerned. Since the 2018 Mali Regulation was made to give effect to instructions of the Ministry of Foreign Affairs of PRC to implement in HKSAR sanctions decided by UNSC to fulfill the international obligation of PRC, the application of the Regulation was confined to persons who were both Hong Kong permanent residents and Chinese nationals, as well as any other persons acting in HKSAR.</p> <p>Members completed the study of the 2018 Mali Regulation.</p>	
002423 – 002622	Chairman Administration	<p><u>Briefing by the Administration on the United Nations Sanctions (Democratic Republic of the Congo) Regulation 2018 (L.N. 269 of 2018)</u></p> <p>The Administration briefed members on the</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>background of the United Nations Sanctions (Democratic Republic of the Congo) Regulation 2018 ("2018 Congo Regulation") which implemented the sanctions against the Democratic Republic of the Congo as renewed by UNSCR 2424. The 2018 Congo Regulation was published in the Gazette on 21 December 2018 and came into operation on the same day.</p>	
002623 – 003117	Chairman Administration	<p><u>Section-by-section examination of the English text of the marked-up version of the United Nations Sanctions (Democratic Republic of the Congo) Regulation 2018 (Annex F to CITB CR 75/53/4)</u></p> <p><u>Part 1: Preliminary</u> <u>Section 1 – Interpretation</u></p> <p>In response to the Chairman's enquiry, the Administration advised that the definition of "arms or related materiel" as provided in the 2018 Congo Regulation followed the definition used by UNSC.</p> <p>Responding to the Chairman's another enquiry, the Administration advised that the definition of the term "person in DRC" as "a person operating in the territory of the Democratic Republic of the Congo" was made based on the relevant wording of UNSCR 1807. The Chairman further requested the Administration to advise whether the term "身處剛果人士", used as the Chinese rendition of "person in DRC" in the English text, was used in the Chinese version of the relevant UNSCR.</p>	<p>The Administration to take follow-up action as required in paragraph 7 of the minutes.</p>
003118 – 003711	Chairman Administration	<p><u>Part 2: Prohibitions</u> <u>Section 2 – Supply of goods prohibited</u></p> <p><u>Section 3 – Carriage of goods prohibited</u></p> <p><u>Section 4 – Provision of assistance prohibited</u></p> <p><u>Section 5 – Making available or dealing with economic assets prohibited</u></p> <p><u>Section 6 – Entry or transit of persons prohibited</u></p> <p><u>Section 7 – Acts done outside HKSAR with permission granted outside HKSAR not</u></p>	

Time marker	Speaker	Subject(s)	Action required
		<p><u>prohibited</u></p> <p><u>Part 3: Licences</u> <u>Section 8 – Licence for supply or carriage of goods</u></p> <p><u>Section 9 – Licence for provision of assistance</u></p> <p><u>Section 10 – Licence for making available or dealing with economic assets</u></p> <p><u>Section 11 – Provision of false or misleading information or documents for purpose of obtaining licences</u></p> <p><u>Part 4: Enforcement</u> <u>Section 12 – Application of Part 4</u></p> <p><u>Section 13 – Power to board and search modes of transport</u></p> <p><u>Section 14 – Power to require information and production of cargo, article or document</u></p> <p><u>Section 15 – Power to direct movement</u></p> <p><u>Section 16 – Failure to comply with direction or requirement</u></p> <p><u>Section 17 – Provision of false or misleading information or documents</u></p> <p><u>Section 18 – Power to enter and detain modes of transport</u></p> <p><u>Section 19 – Production of proof of identity</u></p> <p><u>Part 5: Evidence</u> <u>Section 20 – Interpretation of Part 5</u></p> <p><u>Section 21 – Power of magistrate or judge to grant warrant</u></p> <p><u>Section 22 – Detention of seized property</u></p> <p><u>Part 6: Disclosure of Information or Documents</u> <u>Section 23 – Disclosure of information or documents</u></p> <p><u>Part 7: Other Offences and Miscellaneous Matters</u> <u>Section 24 – Liability of persons other than</u></p>	

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		<p><u>principal offenders</u></p> <p><u>Section 25 – Offences in relation to obstruction of authorized persons etc.</u></p> <p><u>Section 26 – Offences in relation to evasion of this Regulation</u></p> <p><u>Section 27 – Consent and time limit for proceedings</u></p> <p><u>Section 28 – Publication of list of individuals and entities by Secretary</u></p> <p><u>Section 29 – Exercise of powers of Chief Executive</u></p> <p><u>Section 30 – Exercise of powers of Secretary</u></p> <p><u>Part 8: Duration</u> <u>Section 31 – Duration</u></p> <p>Members raised no questions on the above sections.</p> <p>Members completed the study of the 2018 Congo Regulation.</p>	
003712 – 003952	Chairman Administration	<p><u>Briefing by the Administration on the United Nations Sanctions (Libya) Regulation 2019 (L.N. 53 of 2019) and United Nations Sanctions (Libya) Regulation 2011 (Repeal) Regulation (L.N. 54 of 2019)</u></p> <p>The Administration briefed members on the background of the United Nations Sanctions (Libya) Regulation 2019 ("2019 Libya Regulation") which implemented the sanction measures against Libya, including those extended by UNSCR 2441. The United Nations Sanctions (Libya) Regulation 2011 (Repeal) Regulation was made consequential to the making of the 2019 Libya Regulation. The 2019 Libya Regulation and the relevant repeal regulation were published in the Gazette on 29 March 2019 and came into operation on the same day.</p>	
003953 – 004742	Chairman Administration	<p><u>Section-by-section examination of the English text of the marked-up version of the United Nations Sanctions (Libya) Regulation 2019 (Annex E to CITB CR 95/53/1)</u></p>	

Time marker	Speaker	Subject(s)	Action required
		<p><u>Part 1: Preliminary</u> <u>Section 1 – Interpretation</u></p> <p><u>Part 2: Prohibitions</u> <u>Section 2 – Supply of goods prohibited</u></p> <p><u>Section 3 – Carriage of goods prohibited</u></p> <p><u>Section 4 – Loading, transport or discharge of petroleum prohibited</u></p> <p><u>Section 5 – Exceptions to prohibition under section 4</u></p> <p><u>Section 6 – Provision of assistance prohibited</u></p> <p><u>Section 7 – Procurement of items by persons prohibited</u></p> <p><u>Section 8 – Procurement of items using modes of transport prohibited</u></p> <p><u>Section 9 – Making available or dealing with economic assets prohibited</u></p> <p><u>Section 10 – Engaging in financial transactions prohibited</u></p> <p><u>Section 11 – Exception to prohibition under section 10</u></p> <p><u>Section 12 – Entry or transit of persons prohibited</u></p> <p><u>Section 13 – Provision of services to ships prohibited</u></p> <p><u>Section 14 – Exception to prohibition under section 13</u></p> <p><u>Section 15 – Entry of ships to HKSAR prohibited</u></p> <p><u>Section 16 – Taking off from, landing in, etc. HKSAR of aircraft prohibited</u></p> <p><u>Section 17 – Acts done outside HKSAR with permission granted outside HKSAR not prohibited</u></p> <p><u>Part 3: Licences</u> <u>Section 18 – Licence for supply or carriage of</u></p>	

Time marker	Speaker	Subject(s)	Action required
		<p><u>goods</u></p> <p><u>Section 19 – Licence for provision of assistance</u></p> <p><u>Section 20 – Licence for making available or dealing with economic assets</u></p> <p><u>Section 21 – Licence for provision of services to ships</u></p> <p><u>Section 22 – Provision of false or misleading information or documents for purpose of obtaining licences</u></p> <p><u>Part 4: Enforcement</u> <u>Section 23 – Application of Part 4</u></p> <p><u>Section 24 – Power to board and search modes of transport</u></p> <p><u>Section 25 – Power to require information and production of document, cargo or article</u></p> <p><u>Section 26 – Power to direct movement</u></p> <p><u>Section 27 – Failure to comply with direction or requirement</u></p> <p><u>Section 28 – Provision of false or misleading information or documents</u></p> <p><u>Section 29 – Power to enter and detain modes of transport</u></p> <p><u>Section 30 – Production of proof of identity</u></p> <p><u>Part 5: Evidence</u> <u>Section 31 – Interpretation of Part 5</u></p> <p><u>Section 32 – Power of magistrate or judge to grant warrant</u></p> <p><u>Section 33 – Notice of intended forfeiture</u></p> <p><u>Section 34 – Notice of objection to intended forfeiture</u></p> <p><u>Section 35 – Application for order for forfeiture</u></p> <p><u>Section 36 – Power of magistrate or judge to make order for forfeiture and disposal</u></p>	

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		<p><u>Section 37 – Detention of seized property</u></p> <p><u>Part 6: Disclosure of Information or Documents</u> <u>Section 38 – Disclosure of information or documents</u></p> <p><u>Part 7: Other Offences and Miscellaneous Matters</u> <u>Section 39 – Liability of persons other than principal offenders</u></p> <p><u>Section 40 – Offences in relation to obstruction of authorized persons etc.</u></p> <p><u>Section 41 – Offences in relation to evasion of this Regulation</u></p> <p><u>Section 42 – Consent and deadline for prosecution</u></p> <p><u>Section 43 – Publication of list of individuals and entities by Secretary</u></p> <p><u>Section 44 – Exercise of powers of Chief Executive</u></p> <p><u>Section 45 – Exercise of powers of Secretary</u></p> <p>Members raised no questions on the above sections.</p>	
004743 – 004900	Chairman Assistant Legal Adviser 11 ("ALA11") Administration	<p><u>Part 3: Licences</u> <u>Section 20 – Licence for making available or dealing with economic assets</u></p> <p>In response to ALA11's enquiry about the reason for replacing the term "determines that" by "is satisfied that" under section 20(5), the Administration advised that the amendment was a drafting improvement.</p> <p>Members completed the study of the 2019 Libya Regulation.</p> <p><u>United Nations Sanctions (Libya) Regulation 2011 (Repeal) Regulation</u></p> <p>Members raised no questions on the above repeal regulation.</p>	

Time marker	Speaker	Subject(s)	Action required
004901 – 005220	Chairman Administration	<p><u>Briefing by the Administration on the United Nations Sanctions (Somalia) Regulation 2019 (L.N. 55 of 2019), United Nations Sanctions (Somalia) Regulation (Repeal) Regulation (L.N. 56 of 2019) and United Nations Sanctions (Eritrea) Regulation (Repeal) Regulation (L.N. 57 of 2019)</u></p> <p>The Administration briefed members on the background of the United Nations Sanctions (Somalia) Regulation 2019 ("2019 Somalia Regulation") which implemented the sanction measures against Somalia including those extended by UNSCR 2444. The United Nations Sanctions (Somalia) Regulation (Repeal) Regulation was made consequential to the making of the 2019 Somalia Regulation. The United Nations Sanctions (Eritrea) Regulation (Repeal) Regulation was made to repeal the United Nations Sanctions (Eritrea) Regulation (Cap. 537AR) to implement UNSC's decision to lift the sanctions previously imposed on Eritrea.</p> <p>The above three Regulations were published in the Gazette on 29 March 2019 and came into operation on the same day.</p> <p>In response to the Chairman's enquiry, the Administration advised that taking note of the increased engagement between Eritrea and Djibouti and to strongly encourage further efforts towards normalization of relations and good neighbourhood between the two countries, UNSC decided to lift the sanctions previously imposed on Eritrea from 14 November 2018.</p>	
005221 – 005629	Chairman Administration	<p><u>Section-by-section examination of the English text of the marked-up version of the United Nations Sanctions (Somalia) Regulation 2019 (Annex F to CITB CR 75/53/3 and CITB CR 102/53/1)</u></p> <p><u>Part 1: Preliminary</u> <u>Section 1 – Interpretation</u></p> <p><u>Part 2: Prohibitions</u> <u>Section 2 – Supply of goods prohibited</u></p> <p><u>Section 3 – Carriage of goods prohibited</u></p>	

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		<p><u>Section 4 – Provision of assistance prohibited</u></p> <p><u>Section 5 – Importation of charcoal prohibited</u></p> <p><u>Section 6 – Making available or dealing with economic assets prohibited</u></p> <p><u>Section 7 – Entry or transit of persons prohibited</u></p> <p><u>Section 8 – Acts done outside HKSAR with permission granted outside HKSAR not prohibited</u></p> <p><u>Part 3: Licences</u></p> <p><u>Section 9 – Licence for supply or carriage of goods</u></p> <p><u>Section 10 – Licence for provision of assistance</u></p> <p><u>Section 11 – Licence for making available or dealing with economic assets</u></p> <p><u>Section 12 – Provision of false or misleading information or documents for purpose of obtaining licences</u></p> <p>Members raised no questions on the above sections.</p>	
005630 – 005931	Chairman Administration	<p><u>Part 4: Enforcement</u></p> <p><u>Section 13 – Application of Part 4</u></p> <p><u>Section 14 – Power to board and search modes of transport</u></p> <p><u>Section 15 – Power to require information and production of document, cargo or article</u></p> <p><u>Section 16 – Power to direct movement</u></p> <p><u>Section 17 – Failure to comply with direction or requirement</u></p> <p><u>Section 18 – Provision of false or misleading information or documents</u></p> <p><u>Section 19 – Power to enter and detain modes of transport</u></p> <p>In response to the Chairman's enquiry, the</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>Administration advised that an authorized officer as defined in section 1 might detain ships and vehicles for not more than 12 hours and aircraft for not more than 6 hours. The 2019 Somalia Regulation further empowered the Chief Secretary for Administration to detain ships and aircraft for further periods of not more than 12 hours each and not more than 6 hours each respectively. The Administration also advised that the drafting was in line with all other regulations made under section 3 of the United Nations Sanctions Ordinance (Cap. 537) ("UNSO") with provisions for detention of ships, vehicles and aircraft.</p> <p><u>Section 20 – Production of proof of identity</u></p> <p><u>Part 5: Evidence</u> <u>Section 21 – Interpretation of Part 5</u></p> <p>Members raised no questions on the above sections.</p>	
005932 – 010105	Chairman Mr Holden CHOW Administration	<p><u>Part 7: Other Offences and Miscellaneous Matters</u> <u>Section 28 – Consent and deadline for prosecution</u></p> <p>Mr Holden CHOW sought clarification on whether the prosecution deadline of 12 months set out in the section was a uniform standard for all regulations made under UNSO. The Administration advised that the prosecution for a summary offence under the 2019 Somalia Regulation that was alleged to have been committed by a person outside HKSAR might only be started before the end of 12 months beginning on the date on which the person first entered HKSAR after the alleged commission of the offence. For other offences relating to violation of sanctions, including those alleged to have been committed within HKSAR, there would be no deadline for prosecution.</p>	
010106 – 010215	Chairman Administration	<p><u>Part 5: Evidence</u> <u>Section 22 – Power of magistrate or judge to grant warrant</u></p> <p><u>Section 23 – Detention of seized property</u></p> <p><u>Part 6: Disclosure of Information or Documents</u> <u>Section 24 – Disclosure of information or</u></p>	

Time marker	Speaker	Subject(s)	Action required
		<p><u>documents</u></p> <p><u>Part 7: Other Offences and Miscellaneous Matters</u></p> <p><u>Section 25 – Liability of persons other than principal offenders</u></p> <p><u>Section 26 – Offences in relation to obstruction of authorized persons etc.</u></p> <p><u>Section 27 – Offences in relation to evasion of this Regulation</u></p> <p><u>Section 28 – Consent and deadline for prosecution</u></p> <p><u>Section 29 – Publication of list of individuals and entities by Secretary</u></p> <p><u>Section 30 – Exercise of powers of Chief Executive</u></p> <p><u>Section 31 – Exercise of powers of Secretary</u></p> <p>Members raised no questions on the above sections.</p> <p>Members completed the study of the 2019 Somalia Regulation.</p> <p><u>United Nations Sanctions (Somalia) Regulation (Repeal) Regulation and United Nations Sanctions (Eritrea) Regulation (Repeal) Regulation</u></p> <p>Members raised no questions on the above repeal regulations.</p>	
010216 – 010238	Chairman	Closing remarks.	