

**立法會**  
**Legislative Council**

LC Paper No. LS83/18-19

**Paper for the House Committee Meeting  
on 11 October 2019**

**Legal Service Division Report on  
Subsidiary Legislation Gazetted on 12 July 2019**

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

**United Nations Sanctions (Yemen) Regulation 2019** **(L.N. 94)**

**United Nations Sanctions (Yemen) Regulation 2015 (Repeal)  
Regulation** **(L.N. 95)**

L.N. 94 and L.N. 95 are 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. They came into operation when published in the Gazette on 12 July 2019.

2. Since 2014, the Security Council of the United Nations ("UNSC") has adopted several resolutions to impose certain sanctions against Yemen. These resolutions have been implemented by regulations made under Cap. 537, the last one being the United Nations Sanctions (Yemen) Regulation 2015 (Cap. 537BP). Cap. 537BP was last amended by the United Nations Sanctions (Yemen) Regulation 2015 (Amendment) Regulation 2018 (L.N. 118 of 2018). The provisions of L.N. 118 of 2018 relating to prohibitions against making available or dealing with funds and entry or transit through the Hong Kong Special Administrative Region ("HKSAR") by certain persons etc. expired at midnight on 26 February 2019.

L.N. 94

3. L.N. 94 implements certain decisions in Resolution 2216 (2015) and Resolution 2456 (2019) adopted by UNSC on 14 April 2015 and 26 February 2019 respectively in respect of Yemen by providing for, among other things, the prohibition against:

- (a) the supply, sale, transfer or carriage of arms and related materiel to certain persons or entities;
- (b) the 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 HKSAR by certain persons.

4. Sections 5, 6 and 8 of L.N. 94 relating to the prohibitions mentioned in paragraph 3(c), (d) and (e) above apply until midnight on 26 February 2020.

#### L.N. 95

5. L.N. 95 repeals Cap. 537BP consequentially on the making of L.N. 94.

6. Members may refer to the Legislative Council ("LegCo") Brief (File Ref: CITB CR 75/53/9) issued by the Commerce and Economic Development Bureau in July 2019 for further information on L.N. 94 and L.N. 95. A marked-up version showing the changes made by L.N. 94 to the repealed Cap. 537BP is at Annex G to the LegCo Brief.

#### Other information and remarks

7. 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. 94 and L.N. 95 are not required to be tabled in LegCo and are not subject to amendment by LegCo. However, since they come 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 ("Subcommittee"), Members may consider referring L.N. 94 and L.N. 95 to the Subcommittee for its consideration.

8. As advised by the Clerk to the Subcommittee, the LegCo Brief on L.N. 94 and L.N. 95 was circulated to members of the Subcommittee and all other Members vide LC Paper No. CB(1)1263/18-19 on 15 July 2019.

#### **Concluding observations**

9. No difficulties have been identified in the legal and drafting aspects of L.N. 94 and L.N. 95.

Prepared by  
Cliff IP  
Assistant Legal Adviser  
Legislative Council Secretariat  
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