

# 立法會

## *Legislative Council*

LC Paper No. CB(1)846/19-20

Ref : CB1/HS/1/16

### **Paper for the House Committee meeting on 10 July 2020**

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

#### **Purpose**

This paper reports on the deliberations of the Subcommittee to Examine the Implementation in Hong Kong of Resolutions of the United Nations Security Council in relation to Sanctions ("the Subcommittee") during the Sixth Legislative Council ("LegCo").

#### **Background**

2. Prior to 1 July 1997, resolutions of the Security Council of the United Nations ("UNSC") in relation to sanctions were implemented in Hong Kong by way of Orders in Council which were made by the United Kingdom Government and extended to Hong Kong. All such Orders in Council as applicable to Hong Kong lapsed at midnight on 30 June 1997. To put in place a mechanism to ensure the continued application and enforcement of UNSC sanctions in the Hong Kong Special Administrative Region ("HKSAR"), the Provisional Legislative Council passed the United Nations Sanctions Ordinance (Cap. 537) ("UNSO") on 16 July 1997. UNSO came into effect on 18 July 1997.

3. Under section 3(1) of UNSO, when UNSC adopts a resolution regarding sanctions and calls on Member States including the People's Republic of China ("PRC") to apply those sanctions; and the Ministry of Foreign Affairs of PRC ("MFA") issues instructions to the Chief Executive ("CE") to implement the sanctions specified in the UNSC resolution ("UNSCR"), CE shall make regulations to give effect to the relevant instructions from MFA to implement the sanctions. These regulations may, under section 3(2) of UNSO, provide

that a contravention of any such regulations shall be an offence and may prescribe penalties therefor.<sup>1</sup>

4. While regulations made under UNSO are subsidiary legislation intended to have legislative effect, section 3(5) of UNSO provides that sections 34 and 35 of the Interpretation and General Clauses Ordinance (Cap. 1) shall not apply to such regulations. These regulations are therefore not required to be laid before LegCo and are not subject to approval or amendment by LegCo.

5. A subcommittee was formed under the House Committee ("HC") in the Third, Fourth and Fifth LegCo respectively dedicated to consider regulations made under UNSO for implementing in HKSAR UNSCRs in relation to sanctions. Regulations made under UNSO would, after gazettal, be considered by HC for the whole LegCo term, and where necessary, referred to the dedicated subcommittee for study.

### **The Subcommittee**

6. On 14 October 2016, HC agreed to form the Subcommittee to study the regulations made under UNSO. The membership list of the Subcommittee is in **Appendix I**. Under the chairmanship of Hon Kenneth LEUNG, the Subcommittee has held seven meetings with the Administration to examine a total of 36 regulations made under section 3(1) of UNSO as referred by HC after gazettal.<sup>2</sup> A list of the regulations studied by the Subcommittee is in **Appendix II**.

### **Deliberations of the Subcommittee**

7. In the course of study of the regulations, the Subcommittee notes that most of such regulations have been drafted in similar terms. Common prohibitions as stipulated in the regulations include:

- (a) the supply, sale, transfer or carriage of arms or related materiel;

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<sup>1</sup> Pursuant to section 3(3) of UNSO, regulations made under section 3 of UNSO may prescribe that a contravention or breach thereof shall be punishable:

- (a) on summary conviction by a fine not exceeding HK\$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.

<sup>2</sup> As shown in Appendix II, a total of eight regulations (i.e. numbers 29 to 36) have been examined by the Subcommittee by circulation of papers vide LC Paper No. CB(1)816/19-20 dated 26 June 2020.

- (b) the provision of advice, assistance or training related to military activities under 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.

Major deliberations of the Subcommittee are summarized in the ensuing paragraphs.

#### Modernized law drafting styles

8. The Subcommittee notes that the Administration has adopted modernized law drafting styles in the making of 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) published in the Gazette on 21 September and 9 November 2018 respectively in order to improve tidiness and readability of the contents of the said Regulations. In response to members' concern on whether the newly adopted modernized law drafting styles would change the substance of the relevant regulations, the Administration has advised that the amendments are mostly textual in nature and will not affect the substance of the regulations. The Subcommittee also notes that it is the Administration's intention to use these modernized law drafting styles in the drafting of all future regulations made under UNSO to ensure consistency.

#### New arrangement for the publication of the list of individuals/entities subject to targeted sanctions

9. The Subcommittee notes that the Administration has, starting from the United Nations Sanctions (Democratic People's Republic of Korea) (Amendment) Regulation 2018 (L.N. 122 of 2018) published in the Gazette on 22 June 2018, adopted a new arrangement for the publication of the lists of individuals/entities subject to targeted arms-related and/or financial sanctions.<sup>3</sup> Instead of specifying such individuals, entities or other relevant items by notices

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<sup>3</sup> In the case of the United Nations Sanctions (Democratic People's Republic of Korea) (Amendment) Regulation 2018 (L.N. 122 of 2018) published in the Gazette on 22 June 2018, a list of relevant ships may also be published on the relevant website.

to be published in the Gazette, the Administration has amended the relevant regulations to the effect that the Secretary for Commerce and Economic Development ("SCED"), or persons with delegated authority, may publish the relevant lists on the website of the Commerce and Economic Development Bureau ("CEDB").

10. Members are concerned whether the abovementioned new arrangement will affect the function of the Gazette as a periodical publication to publish public or legal notices. The Administration has explained that the publication of other notices by way of Gazette will not be affected. The Administration has further advised that this new arrangement will expedite the process for publicizing the updated sanctions lists as referred to in paragraph 9 above because SCED could publish the updated lists on the website of CEDB anytime when necessary, without the need to wait until the next Gazette date (usually on Friday).

11. During the study of the United Nations Sanctions (Yemen) Regulation 2019 (L.N. 94 of 2019) published in the Gazette on 12 July 2019, the Administration has advised that SCED has delegated to the relevant staff in CEDB the power to publish the sanctions list on the website of CEDB. The Subcommittee notes that the power to publish sanctions list on CEDB's website is the only power or function of SCED under the said Regulation. It is also the only power or function that may be delegated by SCED under the said Regulation.

12. On the channel of appeal against UNSC's listing, in response to the Subcommittee's enquiry, the Administration has advised that the individuals or entities concerned could file appeals against the UNSC's decisions. Where necessary, the HKSAR Government would, upon request by the individuals or entities concerned, provide assistance in submitting the requests to UNSC via MFA.

#### Dissemination of information in relation to sanctions

13. Members of the Subcommittee are concerned whether the Administration has disseminated information in relation to UNSC sanctions to the general public in a timely manner. During the study of the United Nations Sanctions (Democratic People's Republic of Korea) (Amendment) Regulation 2018 (L.N. 122 of 2018) published in the Gazette on 22 June 2018, the Subcommittee notes that while trade with the Democratic People's Republic of Korea ("DPRK") is permissible except for items specified in the said Regulation, the provision of financial support (e.g. export credit, guarantee, and insurance) to any person for trade with a person connected with DPRK is prohibited under the United Nations Sanctions (Democratic People's Republic of Korea) Regulation (Cap. 537AE) as amended by the United Nations

Sanctions (Democratic People's Republic of Korea) (Amendment) Regulation 2018 (L.N. 122 of 2018). Members have raised concern about the possible inadvertent breaches of the Regulation and asked how the Administration will disseminate the relevant information on such prohibitions to the general public. In this regard, the Subcommittee notes that the Administration has informed the import and export industry of the prohibition through the Trade and Industry Department, and the financial industry through financial regulators such as the Hong Kong Monetary Authority ("HKMA"), the Securities and Futures Commission and the Insurance Authority. As regards the prohibition against engaging in certain financial transactions, the Administration has advised that no financial institutions from DPRK have been authorized by HKMA.

14. As for the prohibition against the carriage and supply of luxury goods to DPRK, the Subcommittee has also urged the Administration to conduct more publicity to raise the awareness of Hong Kong residents who will travel to DPRK about the sanction measures to prevent inadvertent contraventions.

#### Timeliness of the regulations made under the United Nations Sanctions Ordinance

15. The Subcommittee notes that the Administration has endeavoured to enact the relevant regulations to implement UNSCRs in Hong Kong as soon as possible, normally within two to three months from the receipt of MFA's instructions. Yet, for the United Nations Sanctions (ISIL and Al-Qaida) Regulation (L.N. 157 of 2018), it came into operation about one year after the relevant UNSCR was adopted by UNSC on 20 July 2017. Some members have raised concern about the lead time required and have urged the Administration to take every possible step to expedite the legislative process to shorten the lead time.

16. The Administration has advised that the United Nations Sanctions (ISIL and Al-Qaida) Regulation took much longer time to enact due to the need for the Administration to first make legislative amendments to UNSO to enable the making of regulations to implement sanctions against persons (including groups, undertakings and entities), in addition to places, as decided by UNSC.<sup>4</sup>

#### Expiry of various sections under the regulations

17. The Subcommittee notes that the duration of regulations is set in accordance with the duration of the relevant sanction measures as specified in the relevant UNSCRs. In the course of study of the United Nations Sanctions

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<sup>4</sup> Following the passage of the United Nations Sanctions (Amendment) Bill 2018 at the Council meeting of 27 June 2018, the United Nations Sanctions (ISIL and Al-Qaida) Regulation was gazetted on 21 September 2018 and came into operation on the same day.

(Yemen) Regulation 2015 (Amendment) Regulation 2017 (L.N. 80 of 2017) published in the Gazette on 12 May 2017, the Subcommittee has enquired about the reason for not specifying an expiry date for the two sections on "provision of false information or documents for purpose of obtaining licences" and "specification of relevant person or relevant entity by [CE]" under the said Regulation. The Administration has advised that the two sections are standard provisions necessary for the effective implementation of the relevant financial sanctions, which have been reinstated annually to complement the implementation of the financial sanctions against Yemen renewed by UNSC on an annual basis. Given that the financial sanctions imposed by the Regulation are time-limited and will not be affected by the continuation of the two sections after the expiry of the sanction measures, there is no need to specify the duration for such sections.

18. In the course of study of three regulations that implemented certain time-limited sanction measures imposed by UNSC,<sup>5</sup> the Subcommittee also notes that the Administration has adopted a new drafting approach under which only provisions on prohibitions and licences will expire at the time when the sanction period ends in accordance with the relevant UNSCRs, while the remaining provisions on enforcement, evidence, disclosure of information or documents, and other offences and miscellaneous matters are to remain in force. The Subcommittee is aware that this new drafting approach is different from the previous one which implemented the sanction measures by making entirely new regulations under UNSO and such regulations expired in their entirety after the respective periods specified in the relevant UNSCRs ended.

19. The Administration has explained that since there might still be a need after the expiry of a regulation made under UNSO for enforcement agencies to take enforcement actions, gather evidence or disclose information on suspected offences committed before the regulation's expiry, it would be desirable from the perspective of legal certainty for the enforcement and other provisions to remain in force even after the expiry of the prohibition and licence provisions. The Administration has further advised that the new drafting approach will simplify the drafting process and facilitate the timely implementation of UNSC sanctions in Hong Kong in that when UNSC resolves to renew time-limited sanction measures against a country for another period of time, only the section providing for the limited duration of certain provisions under the regulation concerned will have to be amended to specify the new effective period of the prohibition and licence provisions, instead of replacing the entire regulation by a new one. The Administration plans to adopt the new drafting approach in

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<sup>5</sup> The three regulations are the United Nations Sanctions (Democratic Republic of the Congo) Regulation 2019 (L.N. 157 of 2019) and the United Nations Sanctions (South Sudan) Regulation 2019 (L.N. 158 of 2019) published in the Gazette on 25 October 2019; and the United Nations Sanctions (Mali) Regulation 2019 (L.N. 176 of 2019) published in the Gazette on 29 November 2019.

making regulations under UNSO that implement time-limited sanction measures imposed by UNSC.<sup>6</sup>

20. During the study of the United Nations Sanctions (Yemen) Regulation 2019 (L.N. 94 of 2019) published in the Gazette on 12 July 2019, members note that section 8 (i.e. licence for making available or dealing with economic assets) will expire on a specified date whereas section 9 (i.e. provision of false or misleading information or documents for purpose of obtaining licences) will not expire together with section 8. As to whether section 9 can still apply upon the expiry of the time-limited sanction measures under section 8, the Administration has advised that as the said Regulation was made to reflect UNSC's decisions as set out in the relevant UNSCRs, only provisions implementing the time-limited financial sanctions and travel ban will expire on a specified date. Other provisions of the said Regulation, including those implementing arms-related sanctions, will remain in force as no time limit has been prescribed by UNSC on those measures.

#### Applicability of prohibitions and deadline for prosecution under the regulations

21. In the course of the study of the United Nations Sanctions (Mali) Regulation 2018 (L.N. 268 of 2018) published in the Gazette on 21 December 2018, members have sought clarification on whether it is the requirement of UNSC that, as far as persons acting outside HKSAR are concerned, only those who are both Hong Kong permanent residents and Chinese nationals (instead of all Hong Kong permanent residents regardless of their nationalities) will be subject to the prohibitions under the said Regulation.

22. The Administration has advised that under the Charter of the United Nations ("UN"), all Member States of UN, including PRC, are obligated to ensure that their nationals and individuals or entities within their territories do not violate the sanctions concerned. As the said Regulation is made to give effect to instructions of MFA to implement in HKSAR sanctions decided by UNSC to fulfil the international obligation of PRC, the application of the Regulation is confined to persons who are both Hong Kong permanent residents and Chinese nationals, as well as any other persons acting in HKSAR.

23. The Subcommittee notes that the term "Hong Kong person", as defined in the regulations, is a label to cover both natural and legal persons while the acronym "HKSAR", as defined in Cap. 1, refers to the territory of Hong Kong.

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<sup>6</sup> See, for example, the United Nations Sanctions (Central African Republic) Regulation 2020 (L.N. 79 of 2020) published in the Gazette on 15 May 2020.

24. During the study of the United Nations Sanctions (Somalia) Regulation 2019 (L.N. 55 of 2019) published in the Gazette on 29 March 2019, members have asked whether the prosecution deadline of 12 months set out in section 28 "Consent and deadline for prosecution" is a uniform standard for all regulations made under UNSO. The Administration has clarified that the prosecution for a summary offence under the said Regulation that is alleged to have been committed by a person outside HKSAR may 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 will be no deadline for prosecution.

#### Investigation on suspected contravention of regulations made under the United Nations Sanctions Ordinance

25. Noting that no prosecutions have been instituted under the regulations made to implement UNSC sanctions since the enactment of UNSO, members have enquired about the intelligence system of the enforcement agencies and sought information on the number of investigations undertaken by the law enforcement agencies. Members have also expressed concern on whether the law enforcement agencies have sufficient manpower to enforce the regulations made under UNSO and whether the personnel involved have been trained for the purpose.

26. The Administration has advised that CEDB is responsible for coordinating matters associated with the implementation of UNSCRs in Hong Kong and has been working closely with the enforcement agencies to monitor the implementation of UNSCRs. The Hong Kong Police Force ("HKPF") and the Customs and Excise Department ("C&ED") are the law enforcement agencies under UNSO. HKPF is mainly responsible for enforcement work related to the financial sanctions and sanctions on financial transactions or transfer of funds, while C&ED is mainly responsible for enforcement against the supply, sale or transfer of arms or other items under sanction.

27. Through the concerted efforts of relevant Government departments including HKPF, C&ED and the Companies Registry, the Administration has been closely looking into suspected sanction violations. The Subcommittee notes that HKPF and C&ED have respectively investigated a total of 201 and 99 suspected cases of sanction violations in the five-year period ending 2018.<sup>7</sup>

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<sup>7</sup> According to the Administration, a suspected case involving different sanction measures at the same time are to be followed up and investigated by both departments. Therefore, some cases may have overlapped.



28. As regards staffing establishment, the Administration has advised that the Financial Investigation Division of the Narcotics Bureau of HKPF, with 69 staff members, is mainly responsible for investigating money laundering cases, including suspected violations of UNSO. As for C&ED, apart from the staff responsible for physical examination of cargoes at boundary control points, the Trade Controls Branch, with 47 staff members, is dedicated to the enforcement of strategic trade controls, the control of the provision of services to assist in the development of weapons of mass destruction, and the enforcement of UNSO. The Administration has advised that the two agencies have provided their officers with in-house/overseas training and have engaged in exchanges with their overseas counterparts.

29. The Administration has advised that the law enforcement agencies will continue to closely monitor reports published by relevant UNSC committees or panels of experts and other organizations, and actively investigate suspected cases allegedly involving Hong Kong. The law enforcement agencies will institute prosecution when there is sufficient evidence.

30. Noting the media reports about suspected contravention of the UNSC sanctions against certain countries such as Iran and DPRK by certain Hong Kong registered companies, including the transfer of military and civilian dual-use technology to Iran by a Hong Kong registered company and the alleged activities of certain Hong Kong registered companies covertly assisting companies of DPRK to carry out business activities which are prohibited under the sanctions regime against DPRK, the Subcommittee has taken the opportunity to clarify with the Administration on matters relating to the enforcement of UNSO during its meetings.

#### United Nations Sanctions (Joint Comprehensive Plan of Action—Iran) Regulation

##### *Prohibition against supply, sale or transfer of "nuclear-related item" to Iran*

31. Noting that the supply, sale, transfer and carriage of "nuclear-related items"<sup>8</sup> to Iran is prohibited by the United Nations Sanctions (Joint Comprehensive Plan of Action—Iran) Regulation (L.N. 178 of 2016) (Cap. 537BV) published in the Gazette on 25 November 2016, the Subcommittee has sought clarification on whether the prohibitions are confined to items solely for military-related uses (such as development of nuclear weapons), or are extended to cover dual-use items which can be used for both

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<sup>8</sup> Under section 1 of Cap. 537BV, nuclear-related item means any item, material, equipment, goods or technology set out in the International Atomic Energy Agency document INFCIRC/254/Rev. 12/Part 1 or the International Atomic Energy Agency document INFCIRC/254/Rev. 9/Part 2.

military and peaceful purposes or even items which can only be used for peaceful purposes (such as electricity generation) with no potential military applications.

32. The Administration has advised that "nuclear-related items" are clearly defined in the relevant International Atomic Energy Agency documents and all such items are dual-use items which can be used for both military and peaceful purposes. On the other hand, legitimate trade of products and services other than the prohibited items between Hong Kong and Iran is not prohibited.<sup>9</sup>

33. While the carriage of prohibited items (e.g. arms or related materiel or ballistic missile-related items) from Iran has been banned under the said Regulation, the Subcommittee has expressed concern on whether the Regulation is effective in prohibiting transfers from Iran to Hong Kong as the prohibited items may be transferred via a third country en route to Hong Kong. The Administration has advised that such a transfer is also prohibited under the Regulation, which applies to carriages which form "part of" a carriage from Iran.

#### *Forfeiture and disposal of articles seized*

34. When comparing the newly made Cap. 537BV with the repealed United Nations Sanctions (Iran) Regulation (Cap. 537AF), some members have pointed out that the provisions in relation to forfeiture and disposal of seized articles as found in the repealed regulation no longer exist in Cap. 537BV. The Administration has advised that in the absence of specific provisions in relation to forfeiture and disposal of seized articles under the Regulation, the disposal of any document, cargo or articles seized will be governed by the Criminal Procedure Ordinance (Cap. 221).

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<sup>9</sup> During the examination of the United Nations Sanctions (ISIL and Al-Qaida) Regulation (L.N. 157 of 2018) and the United Nations Sanctions (Democratic Republic of the Congo) Regulation 2018 (L.N. 269 of 2018) published in the Gazette on 21 September and 21 December 2018 respectively, the Subcommittee has similarly enquired about the meaning of "arms or related materiel", in particular the scope of "related materiel", under the Regulations. The Administration has advised that the definition of "arms or related materiel" as provided in the Regulations have mirrored the wording of the relevant UNSCRs.

In the course of the study of the United Nations Sanctions (Yemen) Regulation 2019 (L.N. 94 of 2019) published in the Gazette on 12 July 2019, the Administration has further advised that according to section 1 of the Regulation, "arms or related materiel" includes any weapon, ammunition, military vehicle, military equipment or paramilitary equipment; and any spare part for any of such items. Whether a satellite will nevertheless be considered as "arms or related materiel" will depend on the facts and circumstances of the case concerned.

United Nations Sanctions (Democratic People's Republic of Korea) (Amendment) Regulation 2018

35. Noting the media reports about alleged activities of certain Hong Kong registered companies covertly assisting companies of DPRK to carry out business activities which are prohibited under the sanctions regime against DPRK, the Subcommittee has urged the Administration: (a) to ensure the Companies Registry will stay vigilant to the business activities of shell companies without active business operations in Hong Kong, which are suspected to be associated with companies of DPRK, and check the flow of funds to and from these companies; (b) to conduct due diligence on compliance with the requirements in relation to the opening or maintaining of bank accounts by DPRK consular officers; and (c) to conduct due diligence on compliance with the requirements in relation to the prohibition against certain activities in connection with immovable property as stated in section 10G of Cap. 537AE, as added by the United Nations Sanctions (Democratic People's Republic of Korea) (Amendment) Regulation 2018 (L.N. 122 of 2018) published in the Gazette on 22 June 2018.

36. The Administration has advised that when handling suspected cases, it will consider the appropriate investigation and enforcement actions to be taken in respect of the various prohibitions, having regard to a host of factors, including the nature of the prohibitions and their relevance to the local context, the risks involved, and any information indicating possible violation, etc.

37. The Subcommittee notes that the United Nations Sanctions (Democratic People's Republic of Korea) (Amendment) Regulation 2018 (L.N. 122 of 2018) published in the Gazette on 22 June 2018 contains provisions which confer certain powers to authorized officers to enforce the Regulation, including the powers to stop and search, and the power to arrest or detain certain persons,<sup>10</sup> which are not provided under other regulations made under UNSO. The Administration has advised that such provisions are added to allow effective enforcement of the wide range of sanction measures imposed by UNSC against DPRK.

## **Recommendation**

38. Given that regulations made under UNSO will be submitted by the Administration to LegCo from time to time, the Subcommittee has recommended that a dedicated subcommittee under HC in the Seventh LegCo

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<sup>10</sup> Sections 22A and 22B of Cap. 537AE, as added by the United Nations Sanctions (Democratic People's Republic of Korea) (Amendment) Regulation 2018 (L.N. 122 of 2018) published in the Gazette on 22 June 2018.

be set up to study such regulations. Under this arrangement, future regulations made and gazetted will be considered by Members at HC meetings for the whole LegCo term, and where necessary, these regulations will be referred to the subcommittee for study. The Subcommittee has also agreed that for regulations which involve minor amendments such as changing the dates of commencement and UNSCR numbers, the dedicated subcommittee may continue to adopt a streamlined approach to study such regulations by first circulating relevant information papers provided by the Administration together with the comments of the Legal Service Division of the LegCo Secretariat. Unless considered otherwise by the Chairman or members of the subcommittee, there should be no need to conduct section-by-section examination of such regulations at meetings.

### **Advice sought**

39. Members are invited to note the deliberations of the Subcommittee and endorse the Subcommittee's recommendation in paragraph 38 above.

Council Business Division 1  
Legislative Council Secretariat  
9 July 2020

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

**Membership list for 2016 - 2020 session\***

<b>Chairman</b>	Hon Kenneth LEUNG
<b>Members</b>	Hon Dennis KWOK Wing-hang Hon Martin LIAO Cheung-kong, GBS, JP Hon Holden CHOW Ho-ding  (Total : 4 members)
<b>Clerk</b>	Mr Desmond LAM
<b>Legal Advisers</b>	Miss Rachel DAI (in relation to L.N. 111 of 2016; L.N. 175 and L.N. 176 of 2019) Ms Clara TAM (in relation to L.N. 157 and L.N. 158 of 2016; L.N. 117 and L.N. 118 of 2018) Mr Bonny LOO (in relation to L.N. 177 and L.N. 178 of 2016) Miss Joyce CHAN (in relation to L.N. 15, L.N. 79, L.N. 80, L.N. 149 and L.N. 150 of 2017) Ms Wendy KAN (in relation to L.N. 151 of 2017; L.N. 122 of 2018; L.N. 79 to L.N. 81 of 2020) Mr Alvin CHUI (in relation to L.N. 12 of 2018) Mr Cliff IP (in relation to L.N. 66, L.N. 268 and L.N. 269 of 2018; L.N. 94 and L.N. 95 of 2019) Miss Linda CHAN (in relation to L.N. 157 and L.N. 216 of 2018; L.N. 53 to L.N. 57 of 2019) Ms Vanessa CHENG (in relation to L.N. 81 of 2019) Miss Evelyn LEE (in relation to L.N. 157 and L.N. 158 of 2019; L.N. 27 of 2020)

\* Change in membership is shown in **Annex**.

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

**Change in membership<sup>1</sup>**

<b>Member</b>	<b>Relevant date</b>
Hon Tanya CHAN	Up to 9 May 2017

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<sup>1</sup> The Subcommittee declined Hon CHU Hoi-dick's application for late membership at the meeting on 7 May 2019.

## Appendix II

### Regulations referred to the Subcommittee for examination

<b>Regulation</b>	<b>Resolution of the Security Council of the United Nations</b>	<b>Instruction from the Ministry of Foreign Affairs to the Chief Executive received in</b>	<b>Date of gazettal <i>[Date of expiry of the Regulation or part of the Regulation]</i></b>	<b>Date of referral by the House Committee</b>	<b>Date of examination by the Subcommittee <i>[meeting/by circulation of papers]</i></b>
1. United Nations Sanctions (Libya) Regulation 2011 (Amendment) Regulation 2016	Resolution 2278 of 31 March 2016	April 2016	30 June 2016 (L.N. 111 of 2016) <i>[midnight on 31 July 2017]</i>	14 October 2016	8 November 2016 <i>[meeting]</i>
2. United Nations Sanctions (Democratic Republic of the Congo) Regulation 2016	Resolution 2293 of 23 June 2016	August 2016	14 October 2016 (L.N. 157 of 2016) <i>[midnight on 1 July 2017]</i>	28 October 2016	8 November 2016 <i>[meeting]</i>
3. United Nations Sanctions (South Sudan) Regulation 2016	Resolution 2290 of 31 May 2016	July 2016	14 October 2016 (L.N. 158 of 2016) <i>[midnight on 31 May 2017]</i>	28 October 2016	8 November 2016 <i>[meeting]</i>

<b>Regulation</b>	<b>Resolution of the Security Council of the United Nations</b>	<b>Instruction from the Ministry of Foreign Affairs to the Chief Executive received in</b>	<b>Date of gazettal [Date of expiry of the Regulation or part of the Regulation]</b>	<b>Date of referral by the House Committee</b>	<b>Date of examination by the Subcommittee [meeting/by circulation of papers]</b>
4. United Nations Sanctions (Iran) Regulation (Repeal) Regulation	Resolution 2231 of 20 July 2015	August 2015	25 November 2016 (L.N. 177 of 2016)	2 December 2016	23 February 2017 [meeting]
5. United Nations Sanctions (Joint Comprehensive Plan of Action — Iran) Regulation	Resolution 2231 of 20 July 2015	August 2015	25 November 2016 (L.N. 178 of 2016) [See Note]	2 December 2016	23 February 2017 [meeting]
6. United Nations Sanctions (Somalia) (Amendment) Regulation 2017	Resolution 2317 of 10 November 2016	November 2016	27 January 2017 (L.N. 15 of 2017) [midnight on 15 November 2017]	3 February 2017	23 February 2017 [meeting]

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Note: Annex B to Resolution 2231 of the Security Council of the United Nations ("UNSC") provides that the relevant provisions shall apply until the date on which the International Atomic Energy Agency submits a report to UNSC confirming that all nuclear material in Iran remains in peaceful activities (referred to in UNSC Resolution ("UNSCR") 2231 as the "Broader Conclusion") or the date specified in relation to each measure, whichever is earlier. It also provides that the durations specified in Annex B to UNSCR 2231 are subject to review.



<b>Regulation</b>	<b>Resolution of the Security Council of the United Nations</b>	<b>Instruction from the Ministry of Foreign Affairs to the Chief Executive received in</b>	<b>Date of gazettal [Date of expiry of the Regulation or part of the Regulation]</b>	<b>Date of referral by the House Committee</b>	<b>Date of examination by the Subcommittee [meeting/by circulation of papers]</b>
7. United Nations Sanctions (Central African Republic) Regulation 2017	Resolution 2339 of 27 January 2017	February 2017	12 May 2017 (L.N. 79 of 2017) <i>[midnight on 31 January 2018]</i>	19 May 2017	31 October 2017 <i>[meeting]</i>
8. United Nations Sanctions (Yemen) Regulation 2015 (Amendment) Regulation 2017	Resolution 2342 of 23 February 2017	March 2017	12 May 2017 (L.N. 80 of 2017) <i>[midnight on 26 February 2018]</i>	19 May 2017	31 October 2017 <i>[meeting]</i>
9. United Nations Sanctions (Democratic Republic of the Congo) Regulation 2017	Resolution 2360 of 21 June 2017	July 2017	15 September 2017 (L.N. 149 of 2017) <i>[midnight on 1 July 2018]</i>	6 October 2017	31 October 2017 <i>[meeting]</i>

<b>Regulation</b>	<b>Resolution of the Security Council of the United Nations</b>	<b>Instruction from the Ministry of Foreign Affairs to the Chief Executive received in</b>	<b>Date of gazettal [Date of expiry of the Regulation or part of the Regulation]</b>	<b>Date of referral by the House Committee</b>	<b>Date of examination by the Subcommittee [meeting/by circulation of papers]</b>
10. United Nations Sanctions (South Sudan) Regulation 2017	Resolution 2353 of 24 May 2017	June 2017	15 September 2017 (L.N. 150 of 2017) <i>[midnight on 31 May 2018]</i>	6 October 2017	31 October 2017 <i>[meeting]</i>
11. United Nations Sanctions (Libya) Regulation 2011 (Amendment) Regulation 2017	Resolution 2362 of 29 June 2017	August 2017	29 September 2017 (L.N. 151 of 2017) <i>[midnight on 15 November 2018]</i>	6 October 2017	31 October 2017 <i>[meeting]</i>
12. United Nations Sanctions (Mali) Regulation	Resolution 2374 of 5 September 2017	September 2017	26 January 2018 (L.N. 12 of 2018) <i>[midnight on 4 September 2018]</i>	2 February 2018	18 July 2018 <i>[meeting]</i>
13. United Nations Sanctions (Somalia) (Amendment) Regulation 2018	Resolution 2385 of 14 November 2017	December 2017	20 April 2018 (L.N. 66 of 2018) <i>[midnight on 15 November 2018]</i>	27 April 2018	18 July 2018 <i>[meeting]</i>

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14. United Nations Sanctions (Democratic People's Republic of Korea) (Amendment) Regulation 2018	Resolution 2270 of 2 March 2016 Resolution 2321 of 30 November 2016 Resolution 2371 of 5 August 2017 Resolution 2375 of 11 September 2017 Resolution 2397 of 22 December 2017	March & December 2016, August & September 2017 and January 2018	22 June 2018 (L.N. 122 of 2018)	29 June 2018	18 July 2018 <i>[meeting]</i>
15. United Nations Sanctions (Central African Republic) Regulation 2018	Resolution 2399 of 30 January 2018	March 2018	8 June 2018 (L.N. 117 of 2018) <i>[midnight on 31 January 2019]</i>	15 June 2018	12 December 2018 <i>[meeting]</i>

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16. United Nations Sanctions (Yemen) Regulation 2015 (Amendment) Regulation 2018	Resolution 2402 of 26 February 2018	April 2018	8 June 2018 (L.N. 118 of 2018) <i>[midnight on 26 February 2019]</i>	15 June 2018	12 December 2018 <i>[meeting]</i>
17. United Nations Sanctions (ISIL and Al-Qaida) Regulation	Resolution 2368 of 20 July 2017	November 2017	21 September 2018 (L.N. 157 of 2018)	5 October 2018	12 December 2018 <i>[meeting]</i>
18. United Nations Sanctions (South Sudan) Regulation 2018	Resolution 2428 of 13 July 2018	July 2018	9 November 2018 (L.N. 216 of 2018) <i>[midnight on 31 May 2019]</i>	16 November 2018	12 December 2018 <i>[meeting]</i>
19. United Nations Sanctions (Mali) Regulation 2018	Resolution 2432 of 30 August 2018	November 2018	21 December 2018 (L.N. 268 of 2018) <i>[midnight on 31 August 2019]</i>	4 January 2019	7 May 2019 <i>[meeting]</i>

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20. United Nations Sanctions (Democratic Republic of the Congo) Regulation 2018	Resolution 2424 of 29 June 2018	October 2018	21 December 2018 (L.N. 269 of 2018) <i>[midnight on 1 July 2019]</i>	4 January 2019	7 May 2019 <i>[meeting]</i>
21. United Nations Sanctions (Libya) Regulation 2019	Resolution 2441 of 5 November 2018	December 2018	29 March 2019 (L.N. 53 of 2019) <i>[midnight on 15 February 2020]</i>	12 April 2019	7 May 2019 <i>[meeting]</i>
22. United Nations Sanctions (Libya) Regulation 2011 (Repeal) Regulation	N/A	N/A	29 March 2019 (L.N. 54 of 2019)	12 April 2019	7 May 2019 <i>[meeting]</i>
23. United Nations Sanctions (Somalia) Regulation 2019	Resolution 2444 of 14 November 2018	December 2018	29 March 2019 (L.N. 55 of 2019) <i>[midnight on 15 November 2019]</i>	12 April 2019	7 May 2019 <i>[meeting]</i>

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24. United Nations Sanctions (Somalia) Regulation (Repeal) Regulation	N/A	N/A	29 March 2019 (L.N. 56 of 2019)	12 April 2019	7 May 2019 [meeting]
25. United Nations Sanctions (Eritrea) Regulation (Repeal) Regulation	Resolution 2444 of 14 November 2018	December 2018	29 March 2019 (L.N. 57 of 2019)	12 April 2019	7 May 2019 [meeting]
26. United Nations Sanctions (Central African Republic) Regulation 2019	Resolution 2454 of 31 January 2019	February 2019	31 May 2019 (L.N. 81 of 2019) [midnight on 31 January 2020]	28 June 2019	10 December 2019 [meeting]
27. United Nations Sanctions (Yemen) Regulation 2019	Resolution 2456 of 26 February 2019	May 2019	12 July 2019 (L.N. 94 of 2019) [midnight on 26 February 2020]	11 October 2019	10 December 2019 [meeting]

<b>Regulation</b>	<b>Resolution of the Security Council of the United Nations</b>	<b>Instruction from the Ministry of Foreign Affairs to the Chief Executive received in</b>	<b>Date of gazettal <i>[Date of expiry of the Regulation or part of the Regulation]</i></b>	<b>Date of referral by the House Committee</b>	<b>Date of examination by the Subcommittee <i>[meeting/by circulation of papers]</i></b>
28. United Nations Sanctions (Yemen) Regulation 2015 (Repeal) Regulation	N/A	N/A	12 July 2019 (L.N. 95 of 2019)	11 October 2019	10 December 2019 <i>[meeting]</i>
29. United Nations Sanctions (Democratic Republic of the Congo) Regulation 2019	Resolution 2478 of 26 June 2019	September 2019	25 October 2019 (L.N. 157 of 2019) <i>[midnight on 1 July 2020]</i>	29 May 2020	26 June 2020 <i>[by circulation of papers]</i>
30. United Nations Sanctions (South Sudan) Regulation 2019	Resolution 2471 of 30 May 2019	September 2019	25 October 2019 (L.N. 158 of 2019) <i>[midnight on 31 May 2020]</i>	29 May 2020	26 June 2020 <i>[by circulation of papers]</i>

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31. United Nations Sanctions (Central African Republic) Regulation 2019 (Amendment) Regulation 2019	Resolution 2488 of 12 September 2019	September 2019	29 November 2019 (L.N. 175 of 2019) <i>[midnight on 31 January 2020]</i>	29 May 2020	26 June 2020 <i>[by circulation of papers]</i>
32. United Nations Sanctions (Mali) Regulation 2019	Resolution 2484 of 29 August 2019	September 2019	29 November 2019 (L.N. 176 of 2019) <i>[midnight on 31 August 2020]</i>	29 May 2020	26 June 2020 <i>[by circulation of papers]</i>
33. United Nations Sanctions (Somalia) Regulation 2019 (Amendment) Regulation 2020	Resolution 2498 of 15 November 2019	November 2019	20 March 2020 (L.N. 27 of 2020) <i>[midnight on 15 November 2020]</i>	29 May 2020	26 June 2020 <i>[by circulation of papers]</i>



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34. United Nations Sanctions (Central African Republic) Regulation 2020	Resolution 2507 of 31 January 2020	February 2020	15 May 2020 (L.N. 79 of 2020) <i>[midnight on 31 July 2020]</i>	29 May 2020	26 June 2020 <i>[by circulation of papers]</i>
35. United Nations Sanctions (Libya) Regulation 2019 (Amendment) Regulation 2020	Resolution 2509 of 11 February 2020	February 2020	15 May 2020 (L.N. 80 of 2020) <i>[midnight on 30 April 2021]</i>	29 May 2020	26 June 2020 <i>[by circulation of papers]</i>
36. United Nations Sanctions (Yemen) Regulation 2019 (Amendment) Regulation 2020	Resolution 2511 of 25 February 2020	February 2020	15 May 2020 (L.N. 81 of 2020) <i>[midnight on 26 February 2021]</i>	29 May 2020	26 June 2020 <i>[by circulation of papers]</i>