

**立法會**  
*Legislative Council*

LC Paper No. LS131/20-21

**Legal Service Division Report on  
Subsidiary Legislation Gazetted on 29 October 2021**

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

**United Nations Sanctions (Central African Republic)  
Regulation 2020 (Amendment) Regulation 2021** (L.N. 235)

**United Nations Sanctions (South Sudan) Regulation 2019  
(Amendment) Regulation 2021** (L.N. 236)

L.N. 235 and L.N. 236 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 they were published in the Gazette on 29 October 2021.

L.N. 235

2. Since 2013, the Security Council of the United Nations ("UNSC") has adopted several resolutions to impose or renew sanctions against the Central African Republic ("CAR"). These resolutions have been implemented by regulations made under Cap. 537, the last one being the United Nations Sanctions (Central African Republic) Regulation 2020 (Cap. 537CM) (as amended by the United Nations Sanctions (Central African Republic) Regulation 2020 (Amendment) Regulation 2020 (L.N. 216 of 2020)). Under section 2(3) of Cap. 537CM, provisions relating to sanction measures and related exemptions (i.e. sections 3 to 7 and 9 to 11) were in force until midnight on 31 July 2021.

3. L.N. 235 amends Cap. 537CM mainly to implement certain decisions in Resolution 2588(2021) adopted by UNSC on 29 July 2021 to renew the sanctions against (or amend the relevant conditions applicable in respect of) CAR, including the prohibitions against:

- (a) the supply, sale, transfer or carriage of arms or related materiel to CAR;
- (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 the Hong Kong Special Administrative Region by certain persons.

4. The sanctions mentioned in paragraph 3 above are in force until midnight on 31 July 2022.

5. L.N. 235 also repeals certain obsolete definitions, provides for new definitions, and makes certain textual amendments to Cap. 537CM.

6. Members may refer to the Legislative Council ("LegCo") Brief (File Ref: CITB CR 75/53/8) issued by the Commerce and Economic Development Bureau ("CEDB") in October 2021 for further information. A marked-up version showing the changes made by L.N. 235 to Cap. 537CM is at Annex C to the LegCo Brief.

#### L.N. 236

7. Since March 2015, UNSC has adopted several resolutions to impose sanctions against South Sudan. These resolutions have been implemented by regulations made under Cap. 537, the last one being the United Nations Sanctions (South Sudan) Regulation 2019 (Cap. 537CK) (as amended by the United Nations Sanctions (South Sudan) Regulation 2019 (Amendment) Regulation 2020 (L.N. 165 of 2020)). Under section 2(3) of Cap. 537CK, provisions relating to sanction measures and related exemptions (i.e. sections 3 to 7 and 9 to 11) were in force until midnight on 31 May 2021.

8. L.N. 236 amends Cap. 537CK to implement certain decisions in Resolution 2577(2021) adopted by UNSC on 28 May 2021 to renew the expired sanctions against South Sudan. These sanctions, which are similar to those

imposed in respect of CAR as mentioned in paragraph 3 above, are in force until midnight on 31 May 2022.

9. Members may refer to the LegCo Brief (File Ref: CITB CR 75/53/5/1) issued by CEDB in October 2021 for further information. A marked-up version showing the changes made by L.N. 236 to Cap. 537CK is at Annex C to the LegCo Brief.

#### Other matters

10. 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. Accordingly, L.N. 235 and L.N. 236 are not required to be tabled in LegCo and are not subject to amendment by LegCo.

11. As advised by the Clerk to the Panel on Commerce and Industry, the Panel has not been consulted on L.N. 235 and L.N. 236.

#### Concluding observations

12. No difficulties have been identified in relation to the legal and drafting aspects of L.N. 235 and L.N. 236.

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4 November 2021