

立法會
Legislative Council

LC Paper No. LS132/20-21

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 26 November 2021**

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

**United Nations Sanctions (Mali) Regulation 2019
(Amendment) Regulation 2021**

(L.N. 238)

L.N. 238 is 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. It came into operation when it was published in the Gazette on 26 November 2021.

2. Since 2017, the Security Council of the United Nations ("UNSC") has adopted several resolutions to impose or renew sanctions against Mali. These resolutions have been implemented by regulations made under Cap. 537, the last one being the United Nations Sanctions (Mali) Regulation 2019 (Cap. 537CL) (as amended by the United Nations Sanctions (Mali) Regulation 2019 (Amendment) Regulation 2020 (L.N. 217 of 2020)). Under section 2(2) of Cap. 537CL, provisions related to sanction measures and related exemptions (i.e. sections 3, 4, and 5) were in force until midnight on 31 August 2021.

3. L.N. 238 amends Cap. 537CL to implement certain decisions in Resolution 2590 (2021) adopted by UNSC on 30 August 2021 to renew the sanctions against Mali. It provides for, among others, prohibitions against:

- (a) making available to, or for the benefit of, certain persons or entities any funds or other financial assets or economic resources;
- (b) dealing with funds or other financial assets or economic resources belonging to, or owned or controlled by, certain persons or entities; and

- (c) entry into or transit through the Hong Kong Special Administrative Region by certain persons.

4. The prohibitions mentioned in paragraph 3 above are in force until midnight on 31 August 2022.

5. As at the date of this report, no Legislative Council ("LegCo") Brief has been issued in respect of L.N. 238. Upon enquiry by the Legal Service Division, the Administration has advised that the LegCo Brief will be issued after the prorogation period.

Other matters

6. 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. 238 is not required to be tabled in LegCo and is not subject to amendment by LegCo.

7. As advised by the Clerk to the Panel on Commerce and Industry, the Panel has not been consulted on L.N. 238.

Concluding observations

8. No difficulties have been identified in relation to the legal and drafting aspects of L.N. 238.

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