

L.N. 65 of 2023

United Nations Sanctions (Democratic Republic of the Congo) Regulation 2019 (Amendment) Regulation 2023

(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)

1. United Nations Sanctions (Democratic Republic of the Congo) Regulation 2019 amended

The United Nations Sanctions (Democratic Republic of the Congo) Regulation 2019 (Cap. 537 sub. leg. CJ) is amended as set out in sections 2 to 5.

2. Section 2 amended (limited duration of certain provisions)

Section 2(5), after “2022”—

Add

“(L.N. 178 of 2022)”.

3. Section 9 amended (licence for supply or carriage of goods)

Section 9—

Repeal subsections (3) and (4).

4. Section 10 amended (licence for provision of assistance)

Section 10—

Repeal subsection (3).

5. Section 11 amended (licence for making available or dealing with economic assets)

(1) Section 11(2)(c)(ii)—

Repeal

“judgment.”

Substitute

“judgment;”.

(2) After section 11(2)(c)—

Add

“(d) the economic assets are to be provided, processed or paid by a permitted person and such provision, processing or payment is necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs;

(e) the economic assets are for the provision of goods and services by a permitted person necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs.”.

(3) After section 11(5)—

Add

“(6) In this section—

permitted person (獲准人士) means—

(a) the United Nations, including its programmes, funds and other entities and bodies, as well as its specialized agencies and related organizations;

(b) international organizations;

- (c) humanitarian organizations having observer status with the United Nations General Assembly and members of those humanitarian organizations;
- (d) bilaterally or multilaterally funded non-governmental organizations participating in—
 - (i) the United Nations Humanitarian Response Plans or Refugee Response Plans;
 - (ii) other United Nations appeals; or
 - (iii) humanitarian clusters coordinated by the United Nations Office for the Coordination of Humanitarian Affairs;
- (e) the employees, grantees, subsidiaries or implementing partners of the organizations mentioned in paragraphs (a), (b), (c) and (d) while and to the extent that they are acting in those capacities; or
- (f) appropriate others as added by any individual committees established by the Security Council within and with respect to their respective mandates.”.

John KC LEE
Chief Executive

28 March 2023

Explanatory Note

This Regulation amends the United Nations Sanctions (Democratic Republic of the Congo) Regulation 2019 (Cap. 537 sub. leg. CJ) (*principal Regulation*) to give effect to certain decisions in the following Resolutions adopted by the Security Council of the United Nations—

- (a) Resolution 2664 (2022) on 9 December 2022; and
 - (b) Resolution 2667 (2022) on 20 December 2022.
2. Sections 3 and 4 of this Regulation amend sections 9 and 10 of the principal Regulation respectively to remove the notification requirement under section 9(3) or 10(3).
3. Section 5 of this Regulation amends section 11 of the principal Regulation to reflect the latest requirements of the licences for—
 - (a) making available to, or for the benefit of, certain persons or entities any funds or other financial assets or economic resources; and
 - (b) dealing with funds or other financial assets or economic resources belonging to, or owned or controlled by, certain persons or entities.