

L.N. 141 of 2012

United Nations Sanctions (Guinea-Bissau) Regulation

(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. Interpretation

In this Regulation—

Committee (委員會) means the Committee of the Security Council established under paragraph 9 of Resolution 2048;

Resolution 2048 (《第2048號決議》) means Resolution 2048 (2012) adopted by the Security Council on 18 May 2012;

Security Council (安全理事會) means the Security Council of the United Nations.

2. Prohibition against entry or transit by certain persons

(1) Subject to section 3, a specified person must not enter or transit through the HKSAR.

(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine at level 4 and to imprisonment for 2 years.

(3) This section does not apply to a person having the right of abode or the right to land in the HKSAR.

(4) In this section—

specified person (指明人士) means—

(a) a person designated by the Committee for the purposes of paragraph 4 of Resolution 2048; or

(b) a person listed in the Annex to Resolution 2048.

3. Exceptions to prohibition against entry or transit by certain persons

Section 2 does not apply to a case in respect of which—

- (a) the Committee has determined that the relevant entry into or transit through the HKSAR is justified on the ground of humanitarian need, including religious obligation;
- (b) the relevant entry or transit is necessary for the fulfilment of a judicial process; or
- (c) the Committee has determined that the relevant entry into or transit through the HKSAR would further the objectives of peace and national reconciliation in Guinea-Bissau and stability in the region.

4. Consent for proceedings

Proceedings for an offence under this Regulation may only be instituted by or with the consent of the Secretary for Justice.

C. Y. LEUNG
Chief Executive

26 September 2012

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Explanatory Note
Paragraph 1

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Explanatory Note

The purpose of this Regulation is to give effect to certain decisions in Resolution 2048 (2012), as adopted by the Security Council of the United Nations on 18 May 2012, by providing for the prohibition against entry into or transit through the HKSAR by certain persons.