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UNITED NATIONS ACT
(CHAPTER 339)

UNITED NATIONS
(SANCTIONS — DEMOCRATIC PEOPLE’S REPUBLIC OF
KOREA) (AMENDMENT) REGULATIONS 2018

In exercise of the powers conferred by section 2(1) of the United Nations Act, the Minister for Law makes the following Regulations:

Citation and commencement

1. These Regulations are the United Nations (Sanctions — Democratic People’s Republic of Korea) (Amendment) Regulations 2018 and come into operation on 11 June 2018.

Amendment of regulation 2

2. Regulation 2 of the United Nations (Sanctions — Democratic People’s Republic of Korea) Regulations 2010 (G.N. No. S 570/2010) (called in these Regulations the principal Regulations) is amended by deleting the words “and 2371 (2017)” and substituting the words “, 2356 (2017), 2371 (2017), 2375 (2017) and 2397 (2017)”.

New regulation 6A

3. The principal Regulations are amended by inserting, immediately after regulation 6, the following regulation:

“Prohibition against ship-to-ship transfer

6A. A person in Singapore, a citizen of Singapore outside Singapore, or an owner or master of a ship registered as a Singapore ship under the Merchant Shipping Act (Cap. 179), must not facilitate or engage in any ship-to-ship transfer, to or from a vessel flagged by the Democratic People’s Republic of Korea, of anything that is —

- (a) supplied to or by a person in the Democratic People's Republic of Korea;
- (b) sold to or by a person in the Democratic People's Republic of Korea; or
- (c) transferred to or by a person in the Democratic People's Republic of Korea.”.

Amendment of regulation 8D

4. Regulation 8D of the principal Regulations is amended by deleting paragraph (e) and substituting the following paragraph:

- “(e) provide any insurance or re-insurance services for —
- (i) a vessel flagged by the Democratic People's Republic of Korea, or owned, controlled, or operated, including through illicit means, by a person in the Democratic People's Republic of Korea; or
 - (ii) a vessel that the person or citizen (as the case may be) has reasonable grounds to believe was or is involved in any activity, or the transport of anything, prohibited by this regulation or regulation 5, 5A, 6, 6A, 7, 8, 8A, 8B(1), 8C, 8E(1), 9, 9A, 10, 11, 12(1), 12A or 13.”.

New regulation 14B

5. The principal Regulations are amended by inserting, immediately after regulation 14A, the following regulation:

“Power to seize, inspect, etc., vessels in certain cases

14B.—(1) Any person designated by the Minister for the purposes of this regulation —

- (a) must detain and take control and possession, and inspect any vessel within a port within the meaning of section 2 of the Maritime and Port Authority of Singapore Act (Cap. 170A); and

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- (b) may detain and take control and possession, and inspect any vessel that is otherwise within the territorial waters of Singapore (but not a vessel belonging to the naval, military or air forces of any country),

if the person has reasonable grounds to believe that the vessel was or is involved in any activity, or the transport of anything, prohibited by regulation 5, 5A, 6, 6A, 7, 8, 8A, 8B(1), 8C, 8D, 8E(1), 9, 9A, 10, 11, 12(1), 12A or 13.

(2) In addition, any person designated by the Minister for the purposes of this regulation must, in the case of a vessel liable to be detained under paragraph (1)(a) and may, in the case of a vessel liable to be detained under paragraph (1)(b), by order prohibit the owner of any such vessel from doing, or allowing to be done, all or any of the following:

- (a) using, selling, mortgaging, transferring or leasing the vessel;
- (b) exchanging for funds, goods or services, the vessel;
- (c) otherwise dealing with the vessel in any other way that would result in any change in the location, ownership or possession of the vessel;
- (d) in relation to securities in or funds of that owner which is a corporation, the sole or a substantial asset of which is that vessel —
- (i) using, altering, moving, allowing access to or transferring any of the securities or funds;
- (ii) dealing with the securities or funds in any other way that would result in any change in volume, amount, location, ownership, possession, character or destination of any of the securities or funds; or
- (iii) make any other change that would enable use (including portfolio management) of the securities or funds.

(3) Sections 370, 371 and 372 of the Criminal Procedure Code (Cap. 68) relating to the handling of property seized by a police officer apply, with the necessary modifications, to any vessel detained by a person designated under paragraph (1) as if any reference in those sections to a police officer were a reference to the person designated under paragraph (1).”.

Amendment of regulation 16

6. Regulation 16 of the principal Regulations is amended —

(a) by inserting, immediately after the words “5A, 6,” in paragraph (1), “6A,”; and

(b) by inserting, immediately after paragraph (1), the following paragraph:

“(1A) An owner of any vessel who contravenes an order of a person designated under regulation 14B(1) shall be guilty of an offence.”.

[G.N. No. S 590/2017]

Made on 11 June 2018.

NG HOW YUE
*Permanent Secretary,
Ministry of Law,
Singapore.*

[LAW 15/007/11.2; AG/LEGIS/SL/339/2015/5 Vol. 2]

(To be presented to Parliament under section 2(4) of the United Nations Act).