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No. S 548

UNITED NATIONS ACT (CHAPTER 339)

UNITED NATIONS (SANCTIONS — YEMEN) (AMENDMENT) REGULATIONS 2019

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 — Yemen) (Amendment) Regulations 2019 and come into operation on 7 August 2019.

Amendment of regulation 2

2. Regulation 2 of the United Nations (Sanctions — Yemen) Regulations 2015 (G.N. No. S 525/2015) (called in these Regulations the principal Regulations) is amended by deleting the words “Resolution 2140 (2014) of the Security Council of the United Nations” and substituting the words “Resolutions 2140 (2014), 2216 (2015) and 2456 (2019)”.

Amendment of regulation 4

3. Regulation 4 of the principal Regulations is amended —

(a) by inserting, immediately after the definition of “2140 List” in paragraph (1), the following definitions:

““2216 List” means the list of individuals or entities identified by the Committee as individuals or entities to whom or which the measures mentioned in paragraph 14 of Resolution 2216 (2015) of the Security Council of the United Nations apply, which

list is updated from time to time by the Committee, and made available on the Internet through the official United Nations website at <http://www.un.org/>;

“arms and related matériel” includes any of the following items:

- (a) weapons;
- (b) ammunition;
- (c) military vehicles and equipment;
- (d) paramilitary equipment;
- (e) spare parts of any arms and related matériel;”;

(b) by deleting the definition of “designated person” in paragraph (1) and substituting the following definitions:

““designated 2140 List person” means any individual or entity set out in the 2140 List subject to the conditions set out in paragraph (2);

“designated 2216 List person” means any individual or entity set out in the 2216 List subject to the conditions set out in paragraph (3);”;

(c) by deleting the full-stop at the end of the definition of “property” in paragraph (1) and substituting a semi-colon, and by inserting immediately thereafter the following definitions:

““Resolution” means a Resolution of the Security Council of the United Nations;

“specified person” means —

- (a) Ali Abdullah Saleh, Abdullah Yahya Al Hakim or Abd Al-Khaliq Al-Huthi;

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- (b) a designated 2216 List person;
 - (c) an individual or entity listed in the annex of Resolution 2216 (2015); or
 - (d) an individual or entity acting on behalf of or under the direction of an individual or entity mentioned in paragraph (a), (b) or (c).”; and
- (d) by inserting, immediately after paragraph (2), the following paragraph:

“(3) The conditions referred to in the definition of “designated 2216 List person” in paragraph (1) are —

- (a) where any individual or entity is added to the 2216 List on or after 7 August 2019, the individual or entity is taken to be a designated person with effect from the date immediately following the date of addition to the 2216 List;
- (b) where any individual or entity is removed from the 2216 List, the individual or entity ceases to be a designated person with effect from the date of removal from the 2216 List; and
- (c) where the particulars of any individual or entity in the 2216 List are modified on or after 7 August 2019, the particulars of the individual or entity are taken to be modified for the purposes of these Regulations with effect from the date immediately following the date of modification of the 2216 List.”.

New regulations 6A, 6B and 6C

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

“Prohibition against supplying arms and related matériel

6A. A person in Singapore and a citizen of Singapore outside Singapore must not, directly or indirectly, supply, sell or transfer arms and related matériel to or for the benefit of a specified person.

Prohibition against using Singapore ship or aircraft to supply arms and related matériel

6B. An owner or a master of a ship registered as a Singapore ship under the Merchant Shipping Act (Cap. 179), or an owner or operator of an aircraft registered in Singapore under the Air Navigation Act (Cap. 6), must not carry, or cause or permit to be carried, on board or on or in any part of the ship or aircraft, any arms and related matériel for supply, sale or transfer to or for the benefit of any specified person.

Prohibition against provision of technical assistance, training, etc.

6C. A person in Singapore and a citizen of Singapore outside Singapore must not provide —

- (a) any technical assistance, training or financial or other assistance related to —
 - (i) military activities; or
 - (ii) the provision, maintenance or use of any arms and related matériel; or
- (b) any armed mercenary personnel, whether or not originating in Singapore,

to or for the benefit of a specified person.”.

Amendment of regulation 7

5. Regulation 7 of the principal Regulations is amended by deleting the words “or 6” and substituting the words “, 6, 6A, 6B or 6C”.

Amendment of regulation 8

6. Regulation 8(1) of the principal Regulations is amended by inserting, immediately after “6” in sub-paragraph (c), “, 6A, 6B, 6C”.

Amendment of regulation 9

7. Regulation 9(1) of the principal Regulations is amended by inserting, immediately after “6,” “6A, 6B, 6C,”.

New regulation 9A

8. The principal Regulations are amended by inserting, immediately after regulation 9, the following regulation:

“Forfeiture

9A.—(1) A court may, on the application of the Attorney-General, order that any item which has been proven to the court’s satisfaction on a balance of probabilities to be an item that is the subject of a contravention of regulation 6A or carried on board or on or in any ship or aircraft in contravention of regulation 6B —

(a) is to be forfeited to the Government; and

(b) is either destroyed or otherwise dealt with in such manner as the court may order.

(2) In particular, the court may order that the item be dealt with as the Commissioner of Police thinks fit, and in such a case, the Commissioner of Police may direct that the property be destroyed or otherwise dealt with.

(3) The court may require notice to be given to any person who, in the opinion of the court, appears to have an interest in the item to be forfeited.

(4) Where —

(a) the court proposes to order any item to be forfeited under this regulation; and

(b) a person claiming to have an interest in the item has applied to be heard by the court,

the court is not to order the item to be forfeited unless that person has been given an opportunity to show cause why the order should not be made.

(5) The court may make an order of forfeiture even though no person has been charged with or convicted of an offence of contravening regulation 6A or 6B in relation to the property to be forfeited.”.

Amendment of regulation 10

9. Regulation 10 of the principal Regulations is amended by inserting, immediately after the words “Resolution 2140 (2014)”, the words “, 2216 (2015) or 2456 (2019)”.

Miscellaneous amendment

10. The principal Regulations are amended by deleting the words “designated person” wherever they appear in the following provisions and substituting in each case the words “designated 2140 List person”:

Regulations 4(2), 5(a), (b) and (c) and the regulation heading, 6(a), (b) and (c) and the regulation heading and 8(1)(a)(i), (ii) and (iii) and (b).

Made on 6 August 2019.

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

[LAW 15/007/11.11; AG/LEGIS/SL/339/2015/8 Vol. 1]

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