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UNITED NATIONS ACT (CHAPTER 339)

UNITED NATIONS (SANCTIONS — YEMEN) REGULATIONS 2015

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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 may be cited as the United Nations (Sanctions — Yemen) Regulations 2015 and come into operation on 1 September 2015.

Object

2. The object of these Regulations is to assist in giving effect to Resolution 2140 (2014) of the Security Council of the United Nations.

Application

3. These Regulations do not apply to any financial institution or class of financial institutions to the extent that the financial institution or class of financial institutions is or may be subject to any direction of the Monetary Authority of Singapore under section 27A of the Monetary Authority of Singapore Act (Cap. 186).

Definitions

4.—(1) In these Regulations, unless the context otherwise requires —

“2140 List” means the list of individuals or entities identified by the Committee as individuals or entities to whom or which the measures referred to in paragraph 11 of Resolution 2140 (2014) 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/>;

“Committee” means the Committee of the Security Council of the United Nations established under paragraph 19 of Resolution 2140 (2014) of the Security Council of the United Nations;

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

“funds” includes cheques, bank deposits and other financial resources;

“property” means real or personal property, movable or immovable, and includes a lease of immovable property as well as a right or an interest in such property.

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

(a) where any individual or entity is added to the 2140 List on or after 1 September 2015, the individual or entity is taken to be a designated person with effect from the date immediately following the date of addition to the 2140 List;

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- (b) where any individual or entity is removed from the 2140 List, the individual or entity ceases to be a designated person with effect from the date of removal from the 2140 List; and
 - (c) where the particulars of any individual or entity in the 2140 List are modified on or after 1 September 2015, 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 2140 List.

Prohibition against dealing with property of designated person

5. No person in Singapore, and no citizen of Singapore outside Singapore, is to deal, directly or indirectly, in any property (including funds derived or generated from such property) that is owned or controlled, directly or indirectly, by or on behalf of —

- (a) a designated person;
- (b) any entity which or individual who acts on behalf of or under the direction of a designated person; or
- (c) any entity owned or controlled by a designated person.

Prohibition against provision of funds, financial assets and economic resources to or for benefit of designated person

6. No person in Singapore, and no citizen of Singapore outside Singapore, is to make available any funds or other financial assets or economic resources, directly or indirectly, to or for the benefit of —

- (a) a designated person;
- (b) any entity which or individual who acts on behalf of or under the direction of a designated person; or
- (c) any entity owned or controlled by a designated person.

General prohibition

7. No person in Singapore, and no citizen of Singapore outside Singapore, is to knowingly do any thing that —

- (a) causes, assists or promotes; or

(b) is intended to cause, assist or promote, any act or thing prohibited by regulation 5 or 6.

Duty to provide information

8.—(1) Every person in Singapore, and every citizen of Singapore outside Singapore, who —

(a) has possession, custody or control of any property belonging to —

(i) a designated person;

(ii) any entity which or individual who acts on behalf of or under the direction of a designated person; or

(iii) any entity owned or controlled by a designated person;

(b) has information about any transaction or proposed transaction in respect of any property belonging to any designated person, entity or individual referred to in sub-paragraph (a); or

(c) has information about any act or thing prohibited by regulation 5, 6 or 7,

must —

(A) immediately inform the Commissioner of Police or any authorised person of that fact or information; and

(B) provide such further information relating to the property, transaction or proposed transaction, act or thing as the Commissioner of Police or authorised person may require.

(2) No criminal or civil proceedings lie against a person for any disclosure made in good faith under paragraph (1).

(3) In this regulation —

“authorised person” means such person as the Minister may designate for the purposes of this regulation;

“Commissioner of Police” includes —

(a) any police officer; and

- (b) any person authorised by the Commissioner of Police to act for the Commissioner of Police for the purposes of this regulation.

Offences

9.—(1) Any person who contravenes regulation 5, 6, 7 or 8(1)(A) or (B) shall be guilty of an offence.

(2) It shall be a defence for a person charged with an offence in respect of a contravention of regulation 8(1)(A) or (B) to prove that the person had a reasonable excuse for such contravention.

Exemption

10. The Minister or a person designated by the Minister may, if the Minister or the person considers that it is appropriate to do so in the circumstances of the case and that it is consistent with the intention of the Security Council of the United Nations under Resolution 2140 (2014), by notice in writing exempt, subject to such conditions as the Minister or the person may specify —

- (a) any person or class of persons; or
(b) any activity or class of activities,

from all or any of the provisions of these Regulations.

Made on 26 August 2015.

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

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