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(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 Resolutions 2140 (2014), 2216 (2015), 2564 (2021) and 2624 (2022).

[S 548/2019 wef 07/08/2019]

[S 745/2021 wef 04/10/2021]

[S 203/2022 wef 22/03/2022]

Application

3.—(1) These Regulations do not apply to —

(a) 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 the directions issued or regulations made by the Monetary Authority of Singapore under section 27A of the Monetary Authority of Singapore Act 1970; and

[S 248/2023 wef 31/12/2021]

(b) any VCC or class of VCCs to the extent that the VCC or class of VCCs is or may be subject to the directions issued or regulations made by the Monetary Authority of Singapore under section 83 of the Variable Capital Companies Act 2018.

[S 248/2023 wef 31/12/2021]

(2) In paragraph (1)(b), “VCC” has the meaning given by section 2(1) of the Variable Capital Companies Act 2018.

[S 41/2020 wef 14/01/2020]

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/>;

“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/>;

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“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;

[S 548/2019 wef 07/08/2019]

“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;

[Deleted by S 548/2019 wef 07/08/2019]

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

[S 548/2019 wef 07/08/2019]

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

[S 548/2019 wef 07/08/2019]

“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;

[S 548/2019 wef 07/08/2019]

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

[S 548/2019 wef 07/08/2019]

“specified person” means —

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

(b) a designated 2216 List person;

(c) an individual or entity listed in the annex of Resolution 2216 (2015), 2564 (2021) or 2624 (2022); or

[S 745/2021 wef 04/10/2021]

[S 203/2022 wef 22/03/2022]

(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).

[S 548/2019 wef 07/08/2019]

(2) The conditions referred to in the definition of “designated 2140 List 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 2140 List person with effect from the date immediately following the date of addition to the 2140 List;

[S 548/2019 wef 07/08/2019]

(b) where any individual or entity is removed from the 2140 List, the individual or entity ceases to be a designated 2140 List person with effect from the date of removal from the 2140 List; and

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- (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.

[S 548/2019 wef 07/08/2019]

(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.

[S 548/2019 wef 07/08/2019]

Prohibition against dealing with property of designated 2140 List 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 2140 List person;

[S 548/2019 wef 07/08/2019]

- (b) any entity which or individual who acts on behalf of or under the direction of a designated 2140 List person; or

[S 548/2019 wef 07/08/2019]

- (c) any entity owned or controlled by a designated 2140 List person.

[S 548/2019 wef 07/08/2019]

[S 548/2019 wef 07/08/2019]

Prohibition against provision of funds, financial assets and economic resources to or for benefit of designated 2140 List 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 2140 List person;

[S 548/2019 wef 07/08/2019]

- (b) any entity which or individual who acts on behalf of or under the direction of a designated 2140 List person; or

[S 548/2019 wef 07/08/2019]

- (c) any entity owned or controlled by a designated 2140 List person.

[S 548/2019 wef 07/08/2019]

[S 548/2019 wef 07/08/2019]

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.

[S 548/2019 wef 07/08/2019]

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 1995, or an owner or operator of an aircraft registered in Singapore under the Air Navigation Act 1966, 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.

[S 548/2019 wef 07/08/2019]

[S 248/2023 wef 31/12/2021]

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.

[S 548/2019 wef 07/08/2019]

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, 6, 6A, 6B or 6C.

[S 548/2019 wef 07/08/2019]

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 2140 List person;
- (ii) any entity which or individual who acts on behalf of or under the direction of a designated 2140 List person; or

[S 548/2019 wef 07/08/2019]

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(iii) any entity owned or controlled by a designated 2140 List person;

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(b) has information about any transaction or proposed transaction in respect of any property belonging to any designated 2140 List person, entity or individual referred to in sub-paragraph (a); or

[S 548/2019 wef 07/08/2019]

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

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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.

Power to inspect and seize certain items

8A.—(1) A specified person may inspect any cargo that is bound for Yemen and within Singapore if the specified person has reasonable grounds to believe the cargo contains any item the supply, sale or transfer of which is prohibited by regulation 6A or 6B.

(2) A specified person —

- (a) may seize any item for which the specified person has reasonable grounds to believe the supply, sale or transfer of which is prohibited by regulation 6A or 6B; and
- (b) must, as soon as reasonably practicable after any such seizure, hand over the item to a police officer.

(3) Sections 370, 371 and 372 of the Criminal Procedure Code 2010 relating to the handling of property seized by a police officer apply, with the necessary modifications, to any item handed over to a police officer by a specified person under paragraph (2)(b) as if the item were seized by the police officer instead of the specified person.

[S 248/2023 wef 31/12/2021]

(4) In this regulation —

“police officer” includes a Commercial Affairs Officer appointed under section 64 of the Police Force Act 2004;

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“specified person” means any of the following persons:

(a) the Director-General of Customs appointed under section 4(1) of the Customs Act 1960;

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(b) a Deputy Director-General of Customs or an Assistant Director-General of Customs appointed under section 4(2) of the Customs Act 1960;

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(c) a senior officer of customs appointed under section 4(4) of the Customs Act 1960;

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(d) an officer of customs appointed under section 5(2) of the Customs Act 1960.

[S 745/2021 wef 04/10/2021]

[S 248/2023 wef 31/12/2021]

Offences

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

[S 548/2019 wef 07/08/2019]

(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.

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.

[S 548/2019 wef 07/08/2019]

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), 2216 (2015) or 2456 (2019), 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.

[S 548/2019 wef 07/08/2019]

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).