



香港商船資訊

HONG KONG MERCHANT SHIPPING INFORMATION NOTE

United Nations Sanctions (Democratic People's Republic of Korea) (Amendment) Regulation 2018

To : Shipowners, Ship Managers, Ship Operators and Masters

Summary

The Government of the Hong Kong Special Administrative Region (HKSAR) gazetted the United Nations Sanctions (Democratic People's Republic of Korea) (Amendment) Regulation 2018 (L.N. 122 of 2018) (the 'Amendment Regulation') on 22 June 2018. The 'Amendment Regulation', which came into effect on the same day, amends existing sanctions against the Democratic People's Republic of Korea (DPRK) as imposed or expanded by the United Nations Security Council (UNSC) under Resolutions 2270(2016), 2321(2016), 2371(2017), 2375(2017) and 2397(2017). The 'Amendment Regulation' mainly prescribes prohibitions relating to the supply, sale, transfer, procurement and carriage of additional items as well as to certain shipping, financial and other commercial activities.

1. Further to the United Nations Sanctions (Democratic People's Republic of Korea) (Amendment) Regulation 2014 (L.N. 115 of 2014) promulgated by the Merchant Shipping Information Note No. 34/2014, the Government of the Hong Kong Special Administrative Region gazetted the United Nations Sanctions (Democratic People's Republic of Korea) (Amendment) Regulation 2018 (L.N. 122 of 2018) on 22 June 2018, and came into effect on the same date.

2. The 'Amendment Regulation', made under section 3 of the United Nations Sanctions Ordinance (Cap. 537) amends the United Nations Sanctions (Democratic People's Republic of Korea) Regulation (Cap.537 sub. leg. AE) (the 'Principal Regulation') to incorporate decisions of the UNSC under Resolutions 2270(2016), 2321(2016), 2371(2017), 2375(2017) and 2397(2017) by providing for the prohibition against:-

- (a) the supply, sale, transfer or carriage of certain items;
- (b) the procurement of certain items and services;
- (c) engaging in certain financial transactions;
- (d) certain banking activities in the HKSAR;
- (e) certain activities of financial institutions in the DPRK or in connection with banks related thereto;
- (f) opening or maintaining certain bank accounts;
- (g) the provision of financial support for trade with the persons connected with the DPRK;
- (h) the provision of certain training, services, assistance and advice;
- (i) engaging in certain scientific or technical cooperation;
- (j) certain joint ventures or cooperative entities;
- (k) procuring ship crewing services from the DPRK or persons connected with the DPRK;
- (l) leasing or chartering ships that is registered in the HKSAR to person or entity connected with DPRK;
- (m) providing ship crewing services to person or entity connected with DPRK;
- (n) registering ships in the DPRK;
- (o) obtaining authorization for ships to use the flag of the DPRK;
- (p) owning, leasing, chartering or operating ships registered in the DPRK;
- (q) providing ship classification, certification or associated services to ships registered in the DPRK;
- (r) insuring ships registered in the DPRK;
- (s) dealing with ships designated by the UNSC; and
- (t) facilitating or engaging in ship-to-ship transfers to or from a DPRK-registered ship.

3. Details of the L.N. 122 of 2018 can be found as an annex to this Note on the website of Marine Department (<https://www.mardep.gov.hk/en/msnote/msin.html>).

4. Shipowners, ship managers, ship operators and masters of Hong Kong registered ships should abide by the regulation mentioned above.