

United Nations (Sanctions — Somalia) Regulations 2021

Table of Contents

Enacting Formula

1 Citation and commencement

2 Object

3 Application

4 Definitions

5 Prohibition against dealing with funds, etc., of designated person, etc.

6 Prohibition against making available funds, etc., to or for benefit of designated person, etc.

7 Prohibition against supply of technical advice, etc., related to military activities

8 Prohibition against supplying designated export items

9 Prohibition against procuring designated import items

10 Prohibition against using Singapore ship or aircraft to supply designated export item

11 General prohibition

12 Duty to provide information

13 Power to investigate

14 Offences

15 Forfeiture

16 Exemption

No. S 744

UNITED NATIONS ACT (CHAPTER 339)

UNITED NATIONS (SANCTIONS — SOMALIA) REGULATIONS 2021

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 — Somalia) Regulations 2021 and come into operation on 4 October 2021.

Object

2. The object of these Regulations is to assist in giving effect to Resolutions 733 (1992), 751 (1992), 1425 (2002), 1844 (2008), 2002 (2011), 2036 (2012), 2093 (2013) and 2551 (2020).

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 (Cap. 186); and
- (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 (Act 44 of 2018).

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

Definitions

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

“Committee” means the Committee of the Security Council of the United Nations established under paragraph 11 of Resolution 751 (1992);

“designated export item” means any item, material, equipment, goods or technology —

(a) falling within the class or description specified in the third column of the Seventh Schedule to the Regulation of Imports and Exports Regulations (Cap. 272A, Rg 1), as in force on 4 October 2021, in relation to Somalia (specified in the first column of that Schedule); and

(b) the exporting from, transshipment in, or transit through, Singapore of which is prohibited under regulation 6(2)(c)(ii) of the Regulation of Imports and Exports Regulations in relation to Somalia;

“designated import item” means any item, material, equipment, goods or technology —

(a) falling within the class or description specified in the second column of the Seventh Schedule to the Regulation of Imports and Exports Regulations, as in force on 4 October 2021, in relation to Somalia (specified in the first column of that Schedule); and

(b) the importing into, transshipment in, or transit through, Singapore of which is prohibited under regulation 6(2)(c)(i) of the Regulation of Imports and Exports Regulations in relation to Somalia;

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

“Director-General” means the Director-General of Customs appointed under section 4(1) of the Customs Act (Cap. 70);

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

“officer of customs” has the meaning given by the Customs Act;

“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 that property;

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

“UN List” means collectively the lists of individuals or entities identified by the Security Council of the United Nations or the Committee as individuals or entities to whom or to which the measures specified in paragraphs 1, 3 and 7 of Resolution 1844 (2008), paragraph 1 of Resolution 2002 (2011) or paragraph 43 of Resolution 2093 (2013) apply, and includes any such list as updated from time to time by the Security Council of the United Nations or the Committee, and made available on the Internet through the official United Nations website at <http://www.un.org/>.

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

- (a) where any individual or entity is added to the UN List on or after 4 October 2021, the individual or entity is taken to be a designated person with effect from the date immediately following the date of addition to the UN List;
- (b) where any individual or entity is removed from the UN List, the individual or entity ceases to be a designated person with effect from the date of removal from the UN List; and
- (c) where the particulars of any individual or entity in the UN List are modified on or after 4 October 2021, 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 UN List.

Prohibition against dealing with funds, etc., of designated person, etc.

5. A person in Singapore or a citizen of Singapore outside Singapore must not deal, directly or indirectly, with any funds or other financial assets or economic resources that are owned or controlled, directly or indirectly, by or on behalf of —

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

Prohibition against making available funds, etc., to or for benefit of designated