



## **United Nations Sanctions (Liberia) Amendment Regulations 2008**

Anand Satyanand, Governor-General

### **Order in Council**

At Wellington this 20th day of October 2008

Present:

The Right Hon Helen Clark presiding in Council

Pursuant to section 2 of the United Nations Act 1946, His Excellency the Governor-General, acting—

- (a) on the advice and with the consent of the Executive Council; and
- (b) for the purposes of giving effect to resolution 1753 (2007) of the Security Council of the United Nations adopted pursuant to the United Nations Charter on 27 April 2007, calling on the Government of New Zealand and all other member States of the United Nations to apply in respect of Liberia the measures set out in that resolution,—

makes the following regulations.

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## Regulations

- 1 **Title**  
These regulations are the United Nations Sanctions (Liberia) Amendment Regulations 2008.
  
- 2 **Commencement**  
These regulations come into force on the 28th day after the date of their notification in the *Gazette*.
  
- 3 **Principal regulations amended**  
These regulations amend the United Nations Sanctions (Liberia) Regulations 2001.
  
- 4 **Interpretation**  
Regulation 3(1) is amended by inserting the following definitions in their appropriate alphabetical order:  
  - “**committee** means the committee established under paragraph 21 of resolution 1521 of the Security Council of the United Nations
  - “**designated person** means,—
    - “(a) for the measures (which relate to entry to, or transit through, New Zealand) in regulation 16, a person designated under paragraph 7(a) of resolution 1343 or paragraph 4 of resolution 1521 of the Security Council of the United Nations:
    - “(b) for the measures (which relate to assets and funds, etc) in regulations 16A and 16B, a person designated under paragraph 1 of resolution 1532 of the Security Council of the United Nations

“UNMIL means the United Nations Mission in Liberia”.

## 5 **Exportation of arms to Liberia prohibited**

Regulation 4 is amended by adding the following subclause as subclause (2):

- “(2) Subclause (1) does not apply to—
- “(a) arms, related materiel, training, and assistance intended solely for the support of, or use by,—
    - “(i) UNMIL; or
    - “(ii) international training and reform programmes approved by the committee for the Liberian armed forces, the Liberian special security services, and the Liberian police; or
  - “(b) non-lethal military equipment and related technical assistance—
    - “(i) that is intended solely for self-protection or humanitarian aid; and
    - “(ii) the supply of which has been approved in advance by the committee; or
  - “(c) protective clothing (including flak jackets and military helmets) temporarily exported to Liberia by the following persons for their own personal use in that country:
    - “(i) United Nations personnel;
    - “(ii) representatives of the media, humanitarian and development workers, and associated personnel.”

## 6 **Heading and regulations 13 to 15 revoked**

- (1) The heading above regulation 13 is revoked.
- (2) Regulations 13 to 15 are revoked.

## 7 **Liberian citizens to enter New Zealand only if consistent with determinations of Security Council**

- (1) The heading to regulation 16 is amended by omitting “**Liberian citizens**” and substituting “**Designated persons**”.
- (2) Regulation 16(1) is amended by omitting “Liberian citizen” and substituting “designated person”.

- (3) Regulation 16 is amended by inserting the following subclauses after subclause (1):
- “(1A) Subclause (1) does not apply so as to prevent a person from entering or transiting through New Zealand if—
- “(a) the committee has determined that the travel is justified on the grounds of humanitarian need, including religious obligations; or
  - “(b) the committee has concluded that the travel would otherwise further the objectives of the Security Council’s resolutions.
- “(1B) Subclause (1) does not apply to a designated person who is a New Zealand citizen.”
- (4) Regulation 16(2) is amended by omitting “Liberian citizen” and substituting “designated person”.

#### **8 New regulation 16C inserted**

The following regulation is inserted after regulation 16B:

##### **“16C Exceptions to regulations 16A and 16B**

- “(1) Nothing in regulation 16A(1) or 16B(1) applies to any dealing authorised by a consent under subclause (2).
- “(2) The Minister may consent to any dealing with any asset, money, or security if the Minister is satisfied that the dealing—
- “(a) is necessary for basic expenses within the meaning of paragraph 2(a) of resolution 1532 of the Security Council of the United Nations and is authorised under that paragraph; or
  - “(b) is necessary for extraordinary expenses within the meaning of paragraph 2(b) of that resolution and is authorised under that paragraph; or
  - “(c) is authorised under paragraph 2(c) of that resolution (which relates to assets, money, or securities subject to judicial, administrative, or arbitral liens or judgments); or
  - “(d) comprises the payment into an account to which regulation 16A(1) or 16B(1) applies of interest or other earnings due in respect of that asset, money, or security, or the payment of amounts due under any contract entered into, or under any obligation that arose, before either of

those regulations applied to that account, and that those additional payments will be treated in accordance with those regulations.”

Rebecca Kitteridge,  
Clerk of the Executive Council.

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### **Explanatory note**

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations, which come into force 28 days after the date of their notification in the *Gazette*, give effect to the Security Council resolution 1753 (2007) calling upon the Government of New Zealand and all other member States of the United Nations to apply in respect of Liberia the measures set out in that resolution.

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Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 23 October 2008.

These regulations are administered by the Ministry of Foreign Affairs and Trade.

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