

Reprint
as at 14 June 2018



United Nations Sanctions (Somalia) Amendment Regulations 2008 (SR 2008/397)

United Nations Sanctions (Somalia) Amendment Regulations 2008: revoked, on 14 June 2018, by regulation 23(b) of the United Nations Sanctions (Somalia) Regulations 2018 (LI 2018/68).

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 on the advice and with the consent of the Executive Council, makes the following regulations.

Contents

		Page
1	Title	2
2	Commencement	2
3	Principal regulations amended	2
4	Interpretation	2
5	New regulation 3 substituted	2

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

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

3	Exportation of weapons and military equipment to Somalia prohibited	2
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Regulations

1 Title

These regulations are the United Nations Sanctions (Somalia) 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 (Somalia) Regulations 1992.

4 Interpretation

Regulation 2 is amended by inserting the following definitions in their appropriate alphabetical order:

AMISOM means the mission established by member States of the African Union and authorised by paragraph 4 of resolution 1744 (2007) of the Security Council of the United Nations

Committee means the Committee established by paragraph 11 of resolution 751 (1992) of the Security Council of the United Nations

5 New regulation 3 substituted

Regulation 3 is revoked and the following regulation substituted:

3 Exportation of weapons and military equipment to Somalia prohibited

- (1) Except with the consent of the Minister of Foreign Affairs and Trade, the exportation of weapons and military equipment from New Zealand to Somalia, whether directly or indirectly, is prohibited.
- (2) Subclause (1) does not apply to—
 - (a) weapons, military equipment, technical training, or assistance intended solely for the support of or use by AMISOM; or
 - (b) non-lethal military equipment if—
 - (i) that equipment is intended solely for humanitarian or protective use; and
 - (ii) the supply of that equipment is approved in advance by the Committee; or

- (c) technical assistance if—
 - (i) that assistance is intended solely for the purpose of helping develop security sector institutions, consistent with the political process set out in paragraphs 1 to 3 of resolution 1744 (2007); and
 - (ii) the provision of that assistance is not disallowed by the Committee; or
- (d) protective clothing (including flak jackets and military helmets) temporarily exported to Somalia 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.

Rebecca Kitteridge,
Clerk of the Executive Council.

Explanatory note

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

These regulations, which come into force on the 28th day after the date of their notification in the *Gazette*, amend the United Nations Sanctions (Somalia) Regulations 1992. The amendments clarify the exceptions to the arms embargo that are contained in paragraphs 2 and 3 of resolution 1356 (2001) of the Security Council of the United Nations, paragraph 6 of resolution 1744 (2007) of the Security Council of the United Nations, and paragraph 11 of resolution 1772 (2007) of the Security Council of the United Nations.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 23 October 2008.

Reprints notes

1 *General*

This is a reprint of the United Nations Sanctions (Somalia) Amendment Regulations 2008 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

United Nations Sanctions (Somalia) Regulations 2018 (LI 2018/68): regulation 23(b)