

4 June 2018

Our Ref: INS/TEC/6/45

To: Chief Executives of all authorized insurers

Dear Sirs,

United Nations (Anti-Terrorism Measures) (Amendment) Ordinance 2018

We are writing to inform you of the following development:

United Nations (Anti-Terrorism Measures) (Amendment) Ordinance 2018 (“the Amendment Ordinance”) was enacted by the Legislative Council on 21 March 2018 and came into effect on 31 May 2018.

The Amendment Ordinance can be found on the Government’s website (<https://www.gld.gov.hk/egazette/pdf/20182213/es12018221314.pdf>).

The Amendment Ordinance aims at further implementing the United Nations Security Council Resolution 2178 and the Financial Action Task Force’s recommendation to combat the threats posed by foreign terrorist fighters and enhance the freezing mechanism on terrorist property.

The Amendment Ordinance introduces the following new provisions, among others, which are likely to be relevant to you:

- (1) New section 8A prohibits, except under the authority of a licence granted by the Secretary for Security, dealing, directly or indirectly, with any property knowing that, or being reckless as to whether, the property is –
 - (a) terrorist property specified under section 4 or 5;
 - (b) wholly or jointly owned or controlled, directly or indirectly, by a terrorist or terrorist associate specified under section 4 or 5; or
 - (c) held by a person on behalf of, or at the direction of, a terrorist or terrorist associate specified under section 4 or 5.

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New section 11L prohibits provision or collection, by any means, directly or indirectly of any property –

- (a) with the intention that the property will be used; or
- (b) knowing that the property will be used, in whole or in part, to finance the travel of any person between states for a specified purpose¹ (whether or not the property is actually so used).

Should you have any enquiries regarding the above, please contact Mr Steven Ho at 3899 9752 or Mr Penny Chiu at 3899 9756.

Yours faithfully,

Dickson Chui
Senior Manager
Market Conduct Division
Insurance Authority

c.c. Chairman, The Hong Kong Federation of Insurers

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¹ “Specified purpose” means (a) the perpetration, planning or preparation of, or participation in, one or more terrorist acts (even if no terrorist act actually occurs); or (b) the provision or receiving of training that is in connection with the perpetration, planning or preparation of, or participation in, one or more terrorist acts (even if no terrorist act actually occurs as a result of the training).