

Reprint  
as at 18 May 2017



## United Nations Sanctions (Democratic People's Republic of Korea) Regulations 2006 (SR 2006/382)

United Nations Sanctions (Democratic People's Republic of Korea) Regulations 2006: revoked, on 18 May 2017, by regulation 57 of the United Nations Sanctions (Democratic People's Republic of Korea) Regulations 2017 (LI 2017/74).

Anand Satyanand, Governor-General

### Order in Council

At Wellington this 11th day of December 2006

Present:

His Excellency the Governor-General 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 purpose of giving effect to resolution 1718 (2006) of the Security Council of the United Nations, adopted pursuant to the United Nations Charter on 14 October 2006, calling upon the Government of New Zealand and all other member States of the United Nations to apply in respect of the Democratic People's Republic of Korea the measures set out in that resolution,—

makes the following regulations.

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#### 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.**

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## Regulations

### 1 Title

These regulations are the United Nations Sanctions (Democratic People's Republic of Korea) Regulations 2006.

### 2 Commencement

These regulations come into force on 15 December 2006.

### 3 Interpretation

(1) In these regulations, unless the context otherwise requires,—

**arms** includes—

- (a) related materiel of all types (for example, weapons and ammunition); and
- (b) spare parts for any arms, or for any goods specified in paragraph (a); and
- (c) military equipment, as defined in these regulations

**asset** includes any financial asset or economic resource

**bunkering service**, for a vessel, includes—

- (a) the provision of fuel to the vessel; and
- (b) the provision of supplies to the vessel; and
- (c) other servicing of the vessel

**Committee** means the Committee established by paragraph 12 of resolution 1718

**designated person** means,—

- (a) for the measures (which relate to funds, etc) in regulations 15 and 16, persons or entities designated by the Security Council of the United Nations or the Committee, under paragraph 8(d) of resolution 1718, as being engaged in or providing support for, including through other illicit means, DPRK's nuclear-related, ballistic missile-related, and other weapons of mass destruction-related programmes; and
- (b) for the measures (which relate to entry to, or transit through, New Zealand) in regulation 17, persons designated by the Security Council of the United Nations or the Committee, under paragraph 8(e) of resolution 1718 or paragraph 9 of resolution 2094, as being responsible for, includ-

ing through supporting or promoting, DPRK policies in relation to DPRK's nuclear-related, ballistic missile-related, and other weapons of mass destruction-related programmes

**DPRK** means the Democratic People's Republic of Korea

**DPRK vessel** means a vessel registered in the DPRK or owned or controlled by the DPRK

**luxury goods** means the goods listed in the Schedule

**military equipment** means goods that are all or any of the following:

- (a) battle tanks, armoured combat vehicles, large calibre artillery systems, combat aircraft, attack helicopters, warships, or missiles or missile systems (which have the same meanings as they have for the purposes of reports by member States to the United Nations Register of Conventional Arms (established on 1 January 1992 under United Nations General Assembly resolution A/RES/46/36 L of 6 December 1991));
- (b) related materiel (including spare parts):
- (c) items that are the subject of a determination—
  - (i) made by the Security Council of the United Nations or the Committee; and
  - (ii) made under paragraph 8(a)(i) of resolution 1718; and
  - (iii) that has not ceased to have effect

**Minister** means the Minister of Foreign Affairs

**money** includes—

- (a) the banknotes and other currency and money orders of New Zealand or any other country; and
- (b) promissory notes and bills of exchange; and
- (c) any credit in an account with any person

**New Zealand** includes Tokelau

**New Zealand aircraft** means an aircraft that is registered or required to be registered in New Zealand under the Civil Aviation Act 1990

**New Zealand ship** means a ship registered in New Zealand, or recognised by the law of New Zealand as a ship belonging to New Zealand

**resolution 1718** means resolution 1718 (2006) of the Security Council of the United Nations

**resolution 1874** means resolution 1874 (2009) of the Security Council of the United Nations

**resolution 2094** means resolution 2094 (2013) of the Security Council of the United Nations

**security**—

- (a) includes a share, stock, bond, debenture, debenture stock, mortgage, lien, treasury bill, coupon, or warrant representing dividends or interest, and a life or endowment insurance policy, in whatever currency the security is expressed; and
- (b) also includes any document or means by which the right to the ownership or provision of any money or security, or any interest in money or a security, may be exercised; but
- (c) does not include a promissory note or bill of exchange

**specified goods** means goods that are—

- (a) arms; or
- (b) WMD and ballistic missile-related goods; or
- (c) luxury goods

**WMD and ballistic missile-related goods** means goods that are items, materials, equipment, goods, or technology—

- (a) set out in the provisions of the lists in the following documents:
    - (i) S/2006/814:
    - (ii) S/2006/815:
    - (iii) S/2006/853:
    - (iv) S/2006/853/CORR.1:
    - (v) S/2009/205:
    - (va) S/2013/136:
    - (vi) INFCIRC/254/Rev.9/Part 1a:
    - (vii) INFCIRC/254/Rev.7/Part 2a; or
  - (b) that could contribute to DPRK's nuclear-related, ballistic missile-related, or other weapons of mass destruction-related programmes and are the subject of a determination—
    - (i) made by the Security Council of the United Nations or the Committee; and
    - (ii) made under paragraph 8(a)(ii) of resolution 1718; and
    - (iii) that has not ceased to have effect.
- (2) A reference in these regulations to the transfer of a security includes a reference to a transfer of a security by way of loan, mortgage, pledge, or bailment, whether in respect of a legal or an equitable interest.
- (3) The Minister may, by notice in the *Gazette*, or by publication via the Internet or in any other manner the Minister thinks fit, give public notice of all or any of the following, or of details of websites that (at the date of the public notice) provided all or any of the following:

- (a) a list of the names, descriptions, or other identifying details of all or any of the following:
  - (i) any persons or entities who are designated persons (as that term is defined in subclause (1)):
  - (ii) any persons or entities acting on behalf, or at the direction, of persons or entities of the kind specified in subparagraph (i):
- (b) a list of the names, descriptions, or other identifying details of all or any of the following:
  - (i) any entities owned or controlled by DPRK:
  - (ii) any persons or entities acting on behalf, or at the direction, of DPRK or an entity owned or controlled by DPRK:
- (c) any additions to, or deletions from, either or both of the lists referred to in paragraphs (a) and (b):
- (d) any determinations of the kind referred to in paragraph (c) of the definition (in subclause (1)) of military equipment:
- (da) a list of the names of all or any of the goods referred to in paragraph (a) of the definition (in subclause (1)) of WMD and ballistic missile-related goods:
- (db) any additions to, or deletions from, the list referred to in paragraph (da):
- (e) any determinations of the kind referred to in paragraph (b) of the definition (in subclause (1)) of WMD and ballistic missile-related goods.

Compare: SR 2005/339 r 3

Regulation 3(1) **arms**: inserted, on 10 September 2009, by regulation 4(8) of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2009 (SR 2009/216).

Regulation 3(1) **bunkering service**: inserted, on 10 September 2009, by regulation 4(8) of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2009 (SR 2009/216).

Regulation 3(1) **Committee**: amended, on 10 September 2009, by regulation 4(1) of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2009 (SR 2009/216).

Regulation 3(1) **designated person** paragraph (a): amended, on 10 September 2009, by regulation 4(2) of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2009 (SR 2009/216).

Regulation 3(1) **designated person** paragraph (b): amended, on 11 July 2013, by regulation 4(1) of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2013 (SR 2013/257).

Regulation 3(1) **designated person** paragraph (b): amended, on 10 September 2009, by regulation 4(2) of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2009 (SR 2009/216).

Regulation 3(1) **DPRK vessel**: inserted, on 10 September 2009, by regulation 4(8) of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2009 (SR 2009/216).

Regulation 3(1) **military equipment** paragraph (c)(ii): amended, on 10 September 2009, by regulation 4(3) of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2009 (SR 2009/216).

Regulation 3(1) **resolution**: revoked, on 10 September 2009, by regulation 4(4) of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2009 (SR 2009/216).

Regulation 3(1) **resolution 1718**: inserted, on 10 September 2009, by regulation 4(4) of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2009 (SR 2009/216).

Regulation 3(1) **resolution 1874**: inserted, on 10 September 2009, by regulation 4(4) of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2009 (SR 2009/216).

Regulation 3(1) **resolution 2094**: inserted, on 11 July 2013, by regulation 4(2) of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2013 (SR 2013/257).

Regulation 3(1) **specified goods** paragraph (a): substituted, on 10 September 2009, by regulation 4(5) of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2009 (SR 2009/216).

Regulation 3(1) **WMD and ballistic missile-related goods** paragraph (a): substituted, on 10 September 2009, by regulation 4(6) of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2009 (SR 2009/216).

Regulation 3(1) **WMD and ballistic missile-related goods** paragraph (a)(va): inserted, on 11 July 2013, by regulation 4(3) of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2013 (SR 2013/257).

Regulation 3(1) **WMD and ballistic missile-related goods** paragraph (b)(ii): amended, on 10 September 2009, by regulation 4(7) of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2009 (SR 2009/216).

Regulation 3(3)(da): inserted, on 10 September 2009, by regulation 4(9) of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2009 (SR 2009/216).

Regulation 3(3)(db): inserted, on 10 September 2009, by regulation 4(9) of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2009 (SR 2009/216).

### *Importation and exportation of specified goods*

#### **4 Importation of specified goods from DPRK prohibited**

- (1) No person may directly or indirectly import into New Zealand from DPRK specified goods that are—
  - (a) arms; or
  - (b) WMD and ballistic missile-related goods.

- (2) Subclause (1) does not apply to particular goods or to goods of a particular class if the Minister has consented to that importation of those goods.

Compare: SR 2005/339 r 4

Regulation 4(1)(a): substituted, on 10 September 2009, by regulation 5 of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2009 (SR 2009/216).

#### **5 Exportation of specified goods to DPRK prohibited**

- (1) No person may directly or indirectly export specified goods from New Zealand to DPRK.

- (2) Subclause (1) does not apply to particular goods or to goods of a particular class if the Minister has consented to that exportation of those goods.

Compare: SR 2005/339 r 4

## **6 Customs and Excise Act 1996 to apply to prohibited imports and prohibited exports**

- (1) All provisions of the Customs and Excise Act 1996 with respect to prohibited imports (except section 209) apply with respect to goods whose importation is prohibited by regulation 4 in all respects as if the importation of the goods were prohibited by or under section 54 of that Act.
- (2) All provisions of the Customs and Excise Act 1996 with respect to prohibited exports (except section 209) apply with respect to goods whose exportation is prohibited by regulation 5 in all respects as if the exportation of the goods were prohibited by or under section 56 of that Act.

Compare: SR 2005/339 r 5

## **7 Detention of prohibited imports or prohibited exports**

A Customs officer may detain any goods he or she suspects on reasonable grounds to be—

- (a) goods whose importation is prohibited by regulation 4; or  
(b) goods whose exportation is prohibited by regulation 5.

Compare: SR 2005/339 r 6

## **8 Prohibited exports not to be loaded onto ships or aircraft**

The master of a ship or the pilot in command of an aircraft must not permit to be laden in the ship or aircraft any goods whose exportation is prohibited by regulation 5, knowing that the goods are intended to be exported in contravention of that regulation.

Compare: SR 2005/339 r 7

## **9 Power to withhold clearance of ship or aircraft**

The Customs may withhold the clearance of any ship or aircraft so long as there are on board the ship or aircraft any goods any Customs officer has reasonable grounds to believe are goods whose exportation is prohibited by regulation 5.

Compare: SR 2005/339 r 8

Regulation 9: amended, on 11 July 2013, by regulation 5 of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2013 (SR 2013/257).

## **9A Aircraft not to take off from, land in, or fly over New Zealand**

- (1) This regulation applies to an aircraft that has on board any goods—
- (a) whose importation is prohibited by regulation 4; or  
(b) whose exportation is prohibited by regulation 5.



- (2) Except with the consent of the Minister, no person who has reasonable grounds to believe that this regulation applies to an aircraft may permit or authorise the aircraft—
- (a) to take off from New Zealand; or
  - (b) to land in New Zealand; or
  - (c) to fly over New Zealand.
- (3) Subclause (2)(b) does not apply to an emergency landing.

Regulation 9A: inserted, on 11 July 2013, by regulation 6 of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2013 (SR 2013/257).

### *Dealings with specified goods*

#### **10 Transactions with persons in DPRK in relation to specified goods prohibited**

- (1) No person in New Zealand, and no New Zealand citizen in any place outside New Zealand, may enter into, or be concerned in, any sale, transfer, carriage, or delivery of, or other dealing with, any specified goods, knowing that those goods—
- (a) are intended to be imported by a person in DPRK; or
  - (b) are to be supplied or delivered to, or to the order of, a person in DPRK.
- (2) Subclause (1) does not apply to particular goods or to goods of a particular class if the Minister has consented to that sale, transfer, carriage, or delivery of, or other dealing with, those goods.

Compare: SR 2005/339 r 9

#### **11 Procurement of specified goods from DPRK prohibited**

- (1) This regulation applies to specified goods that are—
- (a) arms; or
  - (b) WMD and ballistic missile-related goods.
- (2) No person in New Zealand, and no New Zealand citizen in any place outside New Zealand, may enter into, or be concerned in, any sale, transfer, carriage, or delivery of, or other dealing with, any goods to which this regulation applies, knowing that they (whether or not they originated in DPRK) are to be supplied or delivered from DPRK.
- (3) Subclause (2) does not apply to particular goods or to goods of a particular class if the Minister has consented to that sale, transfer, carriage, or delivery of, or other dealing with, those goods.

Compare: SR 2005/339 r 9

Regulation 11(1)(a): substituted, on 10 September 2009, by regulation 6 of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2009 (SR 2009/216).

*Carriage of specified goods***12 Carriage of specified goods to or from DPRK prohibited**

- (1) No ship or aircraft to which subclause (3) applies may be used for—
  - (a) the carriage of any specified goods if the carriage is, or forms part of, the carriage of those goods from any place to DPRK; or
  - (b) the carriage of specified goods that are arms or WMD and ballistic missile-related goods if the carriage is, or forms part of, the carriage of those goods (whether or not they originated in DPRK) to any place from DPRK.
- (2) Subclause (1) does not apply if the Minister has consented to that carriage of goods under regulation 4(2), 5(2), 10(2), or 11(3).
- (3) This subclause applies to the following ships and aircraft:
  - (a) any New Zealand ship or New Zealand aircraft (as those terms are defined in regulation 3(1)); and
  - (b) any other ship or aircraft that is, for the time being, chartered to—
    - (i) any New Zealand citizen; or
    - (ii) any body incorporated or constituted under the law of New Zealand.
- (4) Subclause (1) does not limit regulations 4, 5, 10, and 11.

Compare: SR 2005/339 r 10

Regulation 12(1)(b): amended, on 10 September 2009, by regulation 7 of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2009 (SR 2009/216).

**13 Liability of owner, charterer, master, or pilot in command**

- (1) If any ship or aircraft is used in contravention of regulation 12, each of the following persons is guilty of an offence against these regulations:
  - (a) in the case of a New Zealand ship or New Zealand aircraft (as those terms are defined in regulation 3(1)), the owner and the master of the ship or, as the case requires, the owner and the pilot in command of the aircraft;
  - (b) in the case of any other ship or aircraft, the charterer of the ship or aircraft and, if the master of the ship or pilot in command of the aircraft is a New Zealand citizen, the master or pilot in command.
- (2) However, it is a defence to any offence of that kind if the person concerned proves that he or she did not know and had no reason to suppose—
  - (a) that the goods carried on the ship or aircraft were or included goods (as the case may be)—
    - (i) to which regulation 12(1)(a) applies; or
    - (ii) to which regulation 12(1)(b) applies; or

- (b) that the carriage of the goods was, or formed part of, the carriage of goods (as the case may be)—
  - (i) from any place to DPRK; or
  - (ii) to any place from DPRK.
- (3) In this regulation, **owner** and **charterer**, in relation to a ship, include any person acting as the agent of the owner or, as the case requires, the agent of the charterer.

Compare: SR 2005/339 r 11

*Provision or transfer of advice, assistance, services, etc*

**14 Provision to or from DPRK of advice, assistance, services, etc, of specified kind prohibited**

- (1) No person in New Zealand, and no New Zealand citizen in any place outside New Zealand, may engage in conduct that assists, or results in, the provision or transfer of advice, assistance, services, or technical training of the specified kind to—
  - (a) DPRK; or
  - (b) any recipient in DPRK; or
  - (c) any entity owned or controlled by DPRK; or
  - (d) any person or entity acting on behalf, or at the direction, of DPRK or an entity owned or controlled by DPRK.
- (2) No person in New Zealand, and no New Zealand citizen in any place outside New Zealand, may receive, or be concerned in the provision or transfer of, advice, assistance, services, or technical training of the specified kind provided or transferred by, or at the request of,—
  - (a) any person in DPRK; or
  - (b) a national of DPRK outside DPRK.
- (3) Subclauses (1) and (2) do not apply if the Minister has consented to that provision or transfer of advice, assistance, services, or technical training of the specified kind.
- (4) Advice, assistance, services, or technical training are of the specified kind for the purposes of subclauses (1) to (3) if they are related to the provision, manufacture, maintenance, or use of specified goods that are—
  - (a) arms; or
  - (b) WMD and ballistic missile-related goods.

Compare: SR 2005/339 r 12

Regulation 14(4)(a): substituted, on 27 May 2010, by regulation 4 of the United Nations Sanctions (Democratic People's Republic of North Korea) Amendment Regulations 2010 (SR 2010/95).

**14A Conduct of financial transactions of specified kind prohibited**

- (1) No person in New Zealand, and no New Zealand citizen in any place outside New Zealand, may conduct a financial transaction of the specified kind with or for—
  - (a) any person in DPRK; or
  - (b) a national of DPRK outside DPRK; or
  - (c) any entity owned or controlled by DPRK; or
  - (d) any person or entity acting on behalf, or at the direction, of DPRK or an entity owned or controlled by DPRK.
- (2) For the purposes of subclause (1), a person conducts a financial transaction if he or she—
  - (a) is a party to the transaction; or
  - (b) procures the transaction; or
  - (c) supplies or provides any financial or related services that facilitate the transaction.
- (3) Subclause (1) does not apply if the Minister has consented to the conduct of that financial transaction of the specified kind.
- (4) Financial transactions are of the specified kind for the purposes of subclauses (1) and (3) if they are related to the provision, manufacture, maintenance, or use of specified goods that are—
  - (a) arms; or
  - (b) WMD and ballistic missile-related goods.

Regulation 14A: inserted, on 10 September 2009, by regulation 9 of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2009 (SR 2009/216).

**14B Provision of bunkering services to DPRK vessels prohibited**

- (1) No person in New Zealand, and no New Zealand citizen in any place outside New Zealand, may engage in conduct that assists or results in the provision of bunkering services to a DPRK vessel.
- (2) Subclause (1) does not apply if—
  - (a) that provision of bunkering services is necessary to facilitate the inspection of the vessel's cargo or the seizure or disposal of any specified goods on the vessel; or
  - (b) that provision of bunkering services is necessary for humanitarian purposes; or
  - (c) the Minister has consented to that provision of bunkering services.

Regulation 14B: inserted, on 10 September 2009, by regulation 9 of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2009 (SR 2009/216).

*Funds, etc, of or for designated persons, etc*

**15 Prohibition on dealings in assets, money, or securities of, or derived from property of, designated persons**

- (1) No person may knowingly transfer, pay for, sell, assign, dispose of, or otherwise deal with any asset, money, or security located in New Zealand that—
- (a) is owned or controlled, directly or indirectly, by a designated person or a person or entity acting on behalf, or at the direction, of a designated person; or
  - (b) could contribute to—
    - (i) DPRK's nuclear-related, ballistic missile-related, or other weapons of mass destruction-related programmes; or
    - (ii) other activities prohibited by these regulations; or
    - (iii) the evasion of a determination of the Security Council that applies to DPRK and that is made under Article 41 of the Charter of the United Nations.
- (2) *[Revoked]*
- (3) It is a defence to a prosecution under this regulation in respect of any asset, money, or security derived or generated from any asset, money, or security of the kind specified in subclause (1)(a) (a **restricted item**) if the defendant proves that he or she received the asset, money, or security in good faith, at a time when he or she did not know that it was a restricted item or derived or generated from a restricted item.

Compare: SR 2005/339 r 14

Regulation 15(1): replaced, on 11 July 2013, by regulation 7 of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2013 (SR 2013/257).

Regulation 15(2): revoked, on 20 November 2008, by regulation 4 of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2008 (SR 2008/390).

**16 Prohibition on sending funds, etc, to designated persons**

- (1) No person in New Zealand, and no New Zealand citizen in any place outside New Zealand, may knowingly send, transfer, or deliver, or knowingly cause to be sent, transferred or delivered, whether directly or indirectly, any asset, money, or security—
- (a) to a designated person or a person or entity acting on behalf, or at the direction, of a designated person; or
  - (b) for the benefit of a designated person or a person or entity acting on behalf, or at the direction, of a designated person.
- (2) *[Revoked]*

Compare: SR 2005/339 r 15

Regulation 16(2): revoked, on 20 November 2008, by regulation 5 of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2008 (SR 2008/390).

**16A Exceptions to regulations 15 and 16**

- (1) Nothing in regulation 15(1) or 16(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 9(a) of resolution 1718 and is authorised under that paragraph; or
  - (b) is necessary for extraordinary expenses within the meaning of paragraph 9(b) of resolution 1718 and is authorised under that paragraph; or
  - (c) is authorised under paragraph 9(c) of resolution 1718 (which relates to assets, money, or securities subject to judicial, administrative, or arbitral liens or judgments).

Regulation 16A: inserted, on 20 November 2008, by regulation 6 of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2008 (SR 2008/390).

Regulation 16A(2)(a): amended, on 10 September 2009, by regulation 10 of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2009 (SR 2009/216).

Regulation 16A(2)(b): amended, on 10 September 2009, by regulation 10 of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2009 (SR 2009/216).

Regulation 16A(2)(c): amended, on 10 September 2009, by regulation 10 of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2009 (SR 2009/216).

*Entry and transit of designated persons and members of their immediate families*

**17 Designated persons to enter New Zealand only if consistent with determinations of Security Council**

- (1) The following persons must not enter New Zealand or transit through New Zealand if the entry or transit would be contrary to a determination of the Security Council that applies to DPRK and that is made under Article 41 of the Charter of the United Nations:
  - (a) a designated person;
  - (b) a member of the immediate family of a designated person;
  - (c) an individual acting on behalf of, or under the direction of, a designated person;
  - (d) an individual assisting in the evasion of the determination.
- (2) Subclause (1) does not apply to a person described in that subclause who is a New Zealand citizen.
- (3) A visa may be granted under the Immigration Act 2009 to a person described in subclause (1) only on the advice of the Secretary of Foreign Affairs and Trade that the visa is consistent with subclause (1).

- (4) This regulation operates in addition to the requirements of the Immigration Act 2009 and any regulations made under that Act.

Compare: SR 2005/339 r 13

Regulation 17(1): replaced, on 11 July 2013, by regulation 8(1) of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2013 (SR 2013/257).

Regulation 17(2): amended, on 11 July 2013, by regulation 8(2) of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2013 (SR 2013/257).

Regulation 17(3): substituted, at 2 am on 29 November 2010, by section 406(2) of the Immigration Act 2009 (2009 No 51).

Regulation 17(3): amended, on 11 July 2013, by regulation 8(3) of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2013 (SR 2013/257).

Regulation 17(4): substituted, at 2 am on 29 November 2010, by section 406(2) of the Immigration Act 2009 (2009 No 51).

### *Minister's consent*

#### **18 Preconditions to consent**

Before consenting to an activity under regulation 4(2), 5(2), 10(2), 11(3), 14(3), 14A(3), 14B(2)(c), or 16A(2), the Minister must be satisfied that the activity—

- (a) is not inconsistent with the measures set out in paragraph 8 of resolution 1718 (as extended by paragraphs 9 and 10 of resolution 1874); or
- (b) is, under paragraph 9 of resolution 1718 or paragraph 9, 10, or 17 of resolution 1874, as the case may be, an activity to which those measures do not apply.

Regulation 18: substituted, on 10 September 2009, by regulation 11 of the United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2009 (SR 2009/216).

### *Miscellaneous provisions*

#### **19 Offences**

Every person commits an offence against these regulations, and is liable accordingly under section 3 of the United Nations Act 1946, who acts in contravention of or fails to comply in any respect with any of the provisions of these regulations.

Compare: SR 2005/339 r 16

#### **20 Attorney-General's consent and certificate in certain cases**

If an offence against these regulations is alleged to have been committed outside New Zealand, a prosecution for the offence may not be commenced with—

- (a) the Attorney-General's consent; and
- (b) the Attorney-General's certificate that it is expedient that the proceedings be commenced.

Compare: SR 2005/339 r 17

**21 Customs and Excise Act 1996 not affected**

These regulations do not affect the operation of the Customs and Excise Act 1996.

Compare: SR 2005/339 r 18

**Schedule  
Luxury goods**

r 3(1)

Alcoholic beverages

Bone china

Cameras and movie equipment

Carpets and tapestries

Cars, motorcycles, snowmobiles, motorboats, yachts, aircraft, and their parts and accessories

Caviar and its substitutes

Chocolate

Computers, audiovisual equipment (for example, CD players and DVD players), data or software (for example, films, music, or both, recorded or stored on CDs or DVDs), and things on which data or software is or may be recorded or stored

Cosmetics

Crustaceans, molluscs, aquatic invertebrates, and goods containing these species

Crystal glassware

Deer velvet

Designer clothing

Designer furniture

Fountain pens

Fur products and artificial fur products

Honey and its derivatives

Jewellery

Leather bags and clothes

Mobile telephones

Musical instruments

Perfumes

Portable information and media devices (for example, personal digital assistants (PDAs) and MP3 players or other digital audio players)

Precious metals, precious and semi-precious stones, and articles made from them



Sporting goods and equipment

Tobacco

Tuna, toothfish, salmon, and goods containing these species

Works of art, collector's pieces, and antiques

Wristwatches

Rebecca Kitteridge,  
for Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2012.  
Date of notification in *Gazette*: 14 December 2006.

## Reprints notes

### 1 *General*

This is a reprint of the United Nations Sanctions (Democratic People's Republic of Korea) Regulations 2006 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 (Democratic People's Republic of Korea) Regulations 2017 (LI 2017/74): regulation 57

United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2013 (SR 2013/257)

United Nations Sanctions (Democratic People's Republic of North Korea) Amendment Regulations 2010 (SR 2010/95)

Immigration Act 2009 (2009 No 51): section 406(2)

United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2009 (SR 2009/216)

United Nations Sanctions (Democratic People's Republic of Korea) Amendment Regulations 2008 (SR 2008/390)