

**A.L. 77 tal-2011****ATT DWAR POTERI LI JSIRU REGOLAMENTI  
FL-INTERESS NAZZJONALI  
(KAP. 365)****Regolamenti tal-2011 li jemendaw ir-Regolamenti  
dwar Sanzjonijiet tan-Nazzjonijiet Uniti fir-rigward  
tal-Jamahirija Għarbija Libjana**

BIS-SAHHA tas-setgħat mogħtija bl-artikolu 3 tal-Att dwar Poteri li jsiru Regolamenti fl-Interess Nazzjonali, il-Prim Ministru għamel dawn ir-regolamenti li ġejjin:-

1. It-titolu ta' dawn ir-regolamenti hu Regolamenti tal-2011 li jemendaw ir-Regolamenti dwar Sanzjonijiet tan-Nazzjonijiet Uniti fir-rigward tal-Jamahirija Għarbija Libjana, u dawn ir-regolamenti għandhom jinqraw u jiftiehm u haġa waħda mar-Regolamenti tal-2011 dwar Sanzjonijiet tan-Nazzjonijiet Uniti fir-rigward tal-Jamahirija Għarbija Libjana, hawn iżjed 'il quddiem imsejha "ir-regolamenti prinċipali". Titolu.  
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2. Ir-regolament 2 tar-regolamenti prinċipali għandu jiġi emendat kif ġejj: Jemenda r-regolament 2 tar-regolamenti prinċipali.
  - (a) minnufih wara t-tifsira "l-Att" għandha tidhol din it-tifsira li ġejja:
 

" "il-Bord ta' Sorveljanza" tfisser il-Bord imwaqqaf taht ir-regolament 2 tar-Regolamenti dwar Bord ta' Sorveljanza dwar is-Sanzjonijiet;" u

L.S. 365.08
  - (b) it-tifsira "armi" għandha tithassar u minnufih qabel it-tifsira "l-Att" għandha tizdied din it-tifsira ġdida li ġejja:
 

" "armamenti" tfisser armi regolari kif imfissra fl-artikolu 64(1) tal-Kodiċi Kriminali u tinkludi kull parti komponenti tagħhom u kull aċċessorju magħhom;"

Kap. 9.
3. Fis-subregolament (1) tar-regolament 4 tar-regolamenti prinċipali, minflok il-kliem "Hu projbit" għandhom jidhlu l-kliem "Ikun reat". Jemenda r-regolament 4 tar-regolamenti prinċipali.
4. Fir-regolament 5 tar-regolamenti prinċipali, minflok il-kliem "Hu projbit" għandhom jidhlu l-kliem "Ikun reat". Jemenda r-regolament 5 tar-regolamenti prinċipali.

Jemenda r-regolament 8 tar-regolamenti prinċipali.

5. Ir-regolament 8 tar-regolamenti prinċipali għandu jiġi emendat kif ġej:

(a) fis-subregolament (1) tiegħu, minnufih wara l-kliem "u riżorsi ekonomiċi oħra" għandhom jiżdiedu l-kliem ", inklużi interessi jew qligħ iehor li jkunu dovuti fuq dawk il-kontijiet jew hlasijiet bis-saħħa ta' kull kuntratt, ftehim jew obbligu,"; u

(b) fis-subregolament (2) tiegħu, minflok il-kliem "Hu projbit" għandhom jidhlu l-kliem "Ikun reat".

Jenumera mill-ġdid ir-regolament 9 tar-regolamenti prinċipali.

6. Ir-regolament 9 tar-regolamenti prinċipali għandu jiġi enumerat mill-ġdid bħala r-regolament 11 tiegħu.

Iżid regolamenti godda mar-regolamenti prinċipali.

7. Minnufih wara r-regolament 8 tar-regolamenti prinċipali għandhom jiżdiedu r-regolamenti godda li ġejjin:

"Notifikazzjoni dwar l-iffriżar tal-attiv.

9. (1) Meta xi disposizzjoni ta' xi regolament magħmul taħt l-Att, tkun tehtiegħ lil xi persuna jew lil xi entità oħra twettaq l-identifikazzjoni ta' flejjes jew attiv li jappartjenu lil jew li jkunu fil-pussess ta' persuni jew entitajiet li jistgħu jiġu identifikati jew li jkunu identifikabbli taħt dawn ir-regolamenti jew l-iffriżar jew l-ibblukkar ta' dawk il-flejjes jew attiv, dik il-persuna jew entità għandha mingħajr ebda dewmien tavża bil-miktub kull informazzjoni rilevanti li jista' jkollha dwar persuni, entitajiet, attiv jew flejjes milquta b'dawn ir-regolamenti lill-Bord ta' Sorveljanza, jew lil dik l-awtorità pubblika oħra li tista' tiġi ordnata b'kull liġi oħra.

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(2) L-iżvelar ta' kull informazzjoni fl-ambitu tal-pattijiet u tal-htigiet ta' dan ir-regolament ma għandux jikkostitwixxi ksur tal-Att dwar Segretezza Professjonali, meta dan ikun japplika, jew ta' kull obbligu iehor ta' konfidenzjalità li johroġ minn xi kuntratt jew minn xi liġi oħra.

(3) Kull min jonqos milli jhares id-dispożizzjonijiet tas-subregolament (1) ikun ħati ta' reat.

Licenzi.

10. (1) Id-disposizzjonijiet tar-regolament 8 ma japplikawx dwar kull haġa magħmula bl-awtorità ta' licenza maħruġa bil-miktub mill-Ministru tal-Finanzi.

(2) Liċenża maħruġa skont is-subregolament (1) għandha tispeċifika dawk l-azzjonijiet li jkunu awtorizzati minnha u tista' tkun -

(a) ġenerali jew mogħtija lil kategorija ta' persuni jew lil persuna partikolari;

(b) soġġetta għal termini u kondizzjonijiet;

(ċ) mogħtija għal żmien indefinit jew għal żmien speċifikat.

(3) Liċenża maħruġa skont is-subregolament (1) tkun soġġetta li tiġi mibdula jew imħassra mill-Ministru tal-Finanzi fid-diskrezzjoni unika tiegħu u f'kull żmien.

(4) Meta liċenża maħruġa taht is-subregolament (1) tinħareġ, tinbidel jew tithassar, il-Ministru tal-Finanzi għandu:

(a) fil-każ ta' liċenża maħruġa lil persuna partikolari, jagħti avviż bil-miktub dwar il-ħruġ, bdil jew tħassir lil dik il-persuna;

(b) fil-każ ta' liċenża ġenerali jew ta' liċenża mogħtija lil kategorija ta' persuni, jieħu dawk il-passi li huwa jikkunsidra xierqa biex jippubblicizza l-ħruġ, bdil jew tħassir tal-liċenża.

(5) Persuna li, bil-għan li tikseb liċenża skont is-subregolament (1), xjentement jew bi traskuraġni kbira -

(a) tipprovdi tagħrif li jkun materjalment falz, jew

(b) tipprovdi jew tipproduċi dokument li ma jkunx dak li jkun pretiż li hu,

tkun haġta ta' reat.

(6) Persuna li tippretendi li tkun qegħda taġixxi taht l-awtorità ta' liċenża skont is-subregolament (1) iżda li tonqos milli ssegwi t-termini u l-kondizzjonijiet inklużi fil-liċenża tkun haġta ta' reat."

Jemenda r-regolament 11 kif enumerat mill-ġdid tar-regolamenti prinċipali.

**8.** Fir-regolament 11, kif enumerat mill-ġdid, tar-regolamenti prinċipali, minflok il-kliem minn "għandha, meta tinstab" sal-kliem "(€116,469.00)" għandhom jidhlu l-kliem "tehel, meta tinsab hatja, priġunerija għal żmien minn tnax-il xahar sa ħames snin jew multa ta' mhux iżjed minn mija u sittax-il elf erba' mija u tmienja u sittin euro (€116,468), jew dik il-priġunerija u multa flimkien".

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**L.N. 77 of 2011**

**NATIONAL INTEREST (ENABLING POWERS) ACT  
(CAP. 365)**

**United Nations Sanctions (Libyan Arab Jamahiriya)  
(Amendment) Regulations, 2011**

IN exercise of the powers conferred by article 3 of the National Interest (Enabling Powers) Act, the Prime Minister has made the following regulations:-

**1.** The title of these regulations is the United Nations Sanctions (Libyan Arab Jamahiriya) (Amendment) Regulations, 2011 and these regulations shall be read and construed as one with the United Nations Sanctions (Libyan Arab Jamahiriya) Regulations, 2011 hereinafter referred to as "the principal regulations".

Citation.

L.N. 65 of 2011

**2.** Regulation 2 of the principal regulations shall be amended as follows:

Amends regulation 2 of the principal regulations.

(a) immediately after the definition "the Security Council" there shall be inserted the following definition:

" "Monitoring Board" means the Board established under regulation 2 of the Sanctions (Monitoring Board) Regulations;" and

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(b) for the definition "weapons" there shall be substituted the following:

" "weapons" means arms proper as defined in article 64(1) of the Criminal Code and includes every component part thereof and any accessory thereto."

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**3.** In sub-regulation (1) of regulation 4 of the principal regulations, for the words "It shall be unlawful" there shall be substituted the words "It shall be an offence".

Amends regulation 4 of the principal regulations.

**4.** In regulation 5 of the principal regulations, for the words "It shall be unlawful" there shall be substituted the words "It shall be an offence".

Amends regulation 5 of the principal regulations.

**5.** Regulation 8 of the principal regulations shall be amended as follows:

Amends regulation 8 of the principal regulations.

(a) in sub-regulation (1) thereof, immediately after the

words "and economic resources" there shall be added the words ", including interests or other earnings due on those accounts or payments due under contracts, agreements or obligations,"; and

(b) in sub-regulation (2) thereof, for the words "It shall be unlawful" there shall be substituted the words "It shall be an offence".

Renumbers regulation 9 of the principal regulations.

6. Regulation 9 of the principal regulations shall be renumbered as regulation 11 thereof.

Adds new regulations to the principal regulations.

7. Immediately after regulation 8 of the principal regulations there shall be added the following new regulation:

"Notification about freezing of assets.

9. (1) Where any provision of any regulation made under the Act, requires any person or any other entity to carry out the identification of funds or assets belonging to or in the possession of persons or entities as may be identified or identifiable under these regulations, or the freezing or blocking of such funds or assets, such person or entity shall without delay notify in writing any relevant information it may have regarding persons, entities, assets or funds affected by these regulations to the Monitoring Board, or to such other public authority as may be prescribed by any other law.

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(2) The disclosure of any information within the terms and requirements of this regulation shall not constitute a breach of the Professional Secrecy Act, where applicable, or of any other confidentiality obligation arising from a contract or any other law.

(3) Whosoever fails to abide by the provisions of sub-regulation (1) shall be guilty of an offence.

Licences.

10. (1) The provisions of regulation 8 shall not apply to anything done under the authority of a licence issued in writing by the Minister of Finance.

(2) A licence issued in terms of sub-regulation (1) shall specify the acts authorised by it and may be -

(a) general or granted to a category of persons or to a particular person;

(b) subject to terms and conditions;

(c) granted for an indefinite period or for a specified period.

(3) A licence issued in terms of sub-regulation (1) shall be subject to being varied or revoked by the Minister of Finance at his sole discretion and at any time.

(4) When a licence under sub-regulation (1) is issued, varied or revoked, the Minister of Finance shall:

(a) in the case of a licence issued to a particular person, give notice in writing of the issue, variation or revocation to that person;

(b) in the case of a general licence or a licence granted to a category of persons, take such steps as he may consider appropriate to publicise the issue, variation or revocation of the licence.

(5) Any person who, for the purpose of obtaining a licence under sub-regulation (1), knowingly or recklessly -

(a) provides information that is false in a material respect, or

(b) provides or produces a document that is not what it purports to be,

shall be guilty of an offence.

(6) Any person who purports to act under the authority of a licence issued under sub-regulation (1) but who fails to comply with any terms and conditions included in the licence shall be guilty of an offence."

**8.** In regulation 11, as renumbered, of the principal regulations, for the words from "be liable to" to the words "(€116,469)" there shall be substituted the words "be liable to imprisonment for a term from twelve months to five years or to a fine

Amends regulation 11 as renumbered of the principal regulations.

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(*multa*) not exceeding one hundred and sixteen thousand four hundred and sixty-eight euro (€116,468), or to both such imprisonment and fine".

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