

LEGAL NOTICE NO. 168

REPUBLIC OF TRINIDAD AND TOBAGO

THE ECONOMIC SANCTIONS ACT, CHAP. 81:05

ORDER

MADE BY THE PRESIDENT UNDER SECTION 4(1) OF THE
ECONOMIC SANCTIONS ACT

THE ECONOMIC SANCTIONS (IMPLEMENTATION OF UNITED
NATIONS SECURITY COUNCIL RESOLUTION 2653 (2022) ON
THE REPUBLIC OF HAITI) ORDER, 2023

WHEREAS there is grave concern about the extremely high levels of gang ^{Preamble} violence and other criminal activities, including kidnappings, trafficking in persons and the smuggling of migrants, and homicides, and sexual and gender-based violence including rape and sexual slavery, as well as ongoing impunity for perpetrators, corruption and recruitment of children by gangs and the implications of the Republic of Haiti's situation for the region:

And whereas the illicit trafficking and diversion of arms and related materiel of all types contributes to undermining the rule of law and respect for human rights, and can impede the provision of humanitarian assistance and have wide ranging negative humanitarian and socioeconomic consequences:

And whereas the need to prohibit the transfer of small arms, light weapons, and ammunition to non-state actors engaged in or supporting gang violence, criminal activities, or human rights abuses in the Republic of Haiti, as well as to prevent their illicit trafficking and diversion:

And whereas the situation in the Republic of Haiti continues to constitute a threat to international peace and security in the region:

And whereas the Republic of Trinidad and Tobago is required, by virtue of its international obligations, to prevent and prohibit illicit financial flows, trafficking and diversion of arms and related materials of all types, illicit transfer, destabilising accumulation and misuse of small arms and light weapons in all its aspects which pose threats to international peace and security, cause significant loss of life and contribute to instability and insecurity in the region:

And whereas the Republic of Trinidad and Tobago is a member of the United Nations:

And whereas the United Nations Security Council has issued Resolution 2653 (2022) requiring members of the United Nations to impose economic sanctions against entities and individuals listed pursuant to United Nations Security Council Resolution (UNSCR) 2653 (2022) concerning the Republic of Haiti:

And whereas, by virtue of its membership to the United Nations, the Republic of Trinidad and Tobago is required to implement UNSCR 2653 (2022), issued by the United Nations Security Council concerning the Republic of Haiti:

And whereas it has become necessary to take measures to ensure compliance with our international obligations:

Citation

1. This Order may be cited as the Economic Sanctions (Implementation of United Nations Security Council Resolution 2653 (2022) on the Republic of Haiti) Order, 2023.

Interpretation

2. In this Order—

“2653 Sanctions List” means the List established and maintained pursuant to United Nations Security Council Resolution 2653 (2022);

“aircraft” means any vessel designed for flying, including a seaplane or any ship or vessel able to alight or hover over water, balloons, kites, gliders, airships, and flying machines, whether propelled by mechanical means or not;

“arms and ammunition” means—

(a) a weapon;

(b) artillery;

(c) a military vehicle;

(d) military equipment;

(e) paramilitary equipment, including—

(i) batons, clubs, riot sticks and similar devices of a kind used for law enforcement purposes;

(ii) body armour, including—

(A) bullet-resistant apparel;

(B) bullet-resistant pads; and

(C) protective helmets;

(iii) handcuffs, leg-irons and other devices used for restraining persons for the purposes of law enforcement;

(iv) riot protection shields; and

(v) whips; or

(f) parts and accessories designed or adapted for use in, or with, equipment mentioned in subparagraphs (a) to (e);

“brokering” means—

(a) the negotiation or arrangement of transactions for the purchase, sale or supply of goods and technology or of financial and technical services, including from a third country to any other third country; or

(b) the selling, buying or supply of goods and technology or of financial and technical services, including where they are located in third countries for their transfer to another third country;

“cash” includes coins and notes in any currency, postal orders, cheques of any kind, including travellers’ cheques, bankers’ drafts, bearer bonds, bearer shares and bearer negotiable instruments and other bearer negotiable instruments in any currency;

“Committee” means the Committee of the United Nations Security Council established under paragraph 19 of the United Nations Security Council Resolution 2653(2022);

“control” means the power of a person, either acting alone or with or through another person, to—

(a) exercise more than fifty per cent of the voting rights at any general meeting of an entity;

(b) elect a majority of the directors of an entity; or

(c) exercise influence that, if exercised, would result in control of the entity;

“Court” means the High Court;

“economic resources” includes assets of every kind, whether tangible or intangible, movable or immovable, actual or potential, which potentially may be used to obtain property, goods, or services, such as vessels, including maritime vessels;

- Chap. 11:27 “financial institution” has the meaning assigned to it under section 2 of the Proceeds of Crime Act and includes a listed business listed in the First Schedule of the Proceeds of Crime Act;
- “financial transactions” means the provision of financial services or the transfer of financial services—
- (a) to, through or from Trinidad and Tobago; or
 - (b) to or by—
 - (i) a citizen of Trinidad and Tobago;
 - (ii) an entity in Trinidad and Tobago, including branches abroad; or
 - (iii) a financial institution in Trinidad and Tobago,
- of any financial or other assets, property or resources, including bulk cash and gold;
- Chap. 72:01 “FIUTT” means the Financial Intelligence Unit of Trinidad and Tobago established under section 3 of the Financial Intelligence Unit of Trinidad and Tobago Act;
- “funds” means assets of every kind, whether corporeal or incorporeal, tangible or intangible, movable or immovable, however acquired, and legal documents or instruments in any form, including electronic or digital, evidencing title to, or interest in, such assets;
- “funds or other assets” means any assets, including, but not limited to, financial assets, economic resources (including oil and other natural resources), property of every kind, whether tangible or intangible, movable or immovable, however acquired, and legal documents or instruments in any form, including electronic or digital, evidencing title to, or interest in, such funds or other assets, including, but not limited to, bank credits, travellers cheques, bank cheques, money orders, shares, securities, bonds, drafts, or letters of credit, and any interest, dividends or other income on or value accruing from or generated by such funds or other assets, and any other assets which potentially may be used to obtain funds, goods or services;
- Chap. 50:06 “Harbour Master” means a person appointed under section 4 of the Harbours Act;

“Haiti” means the Republic of Haiti and includes—

- (a) any of its political subdivisions;
- (b) its government and any of its departments or a government or department of its political subdivisions; and
- (c) any of its agencies or any agency of its political subdivisions;

“listed entity” means any individual or entity designated by the United Nations Security Council Committee established pursuant to United Nations Security Council Resolution 2653 (2022) concerning Haiti;

“master” means every person taking or having command, charge or control of a ship;

“Minister” means the Minister to whom responsibility for national security is assigned;

“owner”, in relation to a ship, includes a demise or bareboat charterer and a managing owner and the agent of the owner of a vessel or the charterer or consignee of a vessel;

“property” means assets of every kind, whether corporeal or incorporeal, moveable or immovable, tangible or intangible, and legal documents or instruments evidencing title to, or interest in such assets;

“technical assistance” means the provision of instruction, training, consulting services, technical advice, transferring know-how or technical data; and

“vessel” has the meaning assigned to it under section 2 of the Shipping Act.

Chap. 50:10

Freezing of Assets

3. (1) The Attorney General shall apply to a judge of the Court for an Order to freeze the property of—
- (a) a listed entity;
 - (b) an individual or entity acting on behalf of, at the direction of, or in association with a listed entity; or
 - (c) an individual or entity that is owned or controlled directly or indirectly by a listed entity,
- that is situated in Trinidad and Tobago.

Attorney
General to
make
application for
Freezing
Order

(2) Notwithstanding subsection (1), where after the commencement of this Order, the 2653 Sanctions List is amended, the Attorney General may apply to the Court for an order to freeze the property of—

- (a) any new individual or entity on the amended 2653 Sanctions List;
- (b) an individual or entity acting on behalf of, at the direction of, or in association with a new individual or entity on the 2653 Sanctions List; or
- (c) an individual or entity that is owned or controlled directly or indirectly by a new individual or entity on the 2653 Sanctions List,

that is situated in Trinidad and Tobago.

(3) An application under subclauses (1) or (2) shall be—

- (a) made *ex parte*; and
- (b) accompanied by an affidavit deposing to the matters referred to in subclause (1) or (2).

(4) An application made under this clause shall be heard within eighteen hours of filing.

Freezing
Order

4. (1) A judge shall, upon an application under clause 3, by order—

- (a) freeze, without delay, the property—
 - (i) that is owned or controlled wholly or jointly, directly or indirectly by the listed entity;
 - (ii) that is derived or generated from property or other assets owned or controlled directly or indirectly by the listed entity;
 - (iii) of any entity owned or controlled directly or indirectly by a listed entity; and
 - (iv) of any person or entity acting on behalf of, or at the direction of, or in association with a listed entity; and
- (b) prohibit the listed entity from possessing, controlling or having access to all funds, other financial assets or economic resources.

(2) Subject to clause 5, an order under subclause (1) may—

- (a) be made subject to any other condition that the Court considers reasonable;

- (b) prohibit the individual or entity from possessing or controlling cash or property in excess of an amount to be prescribed by the judge;
 - (c) indicate the account held in a financial institution, into which any excess cash shall be placed; and
 - (d) make such provision as is just in the circumstances to preserve the rights of any *bona fide* third party acting in good faith.
- (3) Where an order is made under subclause (1), the Court—
 - (a) may serve the order upon the individual or entity; and
 - (b) shall immediately serve the order on the FIUTT, in accordance with the Civil Proceedings Rules, 1998.
- (4) Where an order is served on an individual under subclause (3), action shall immediately be taken to restrict the availability of the property, subject to the order, in accordance with the terms of the order.
- (5) Nothing in this clause shall prohibit the addition of interest or earnings due on an account frozen under subclause (1) or payments under contracts, agreements or obligations that arose prior to the making of an order under subclause (1) and any such payment shall be deposited into an account specified by the Court under subclause (2)(c).
- (6) Where an order is made under subclause (1), the Attorney General shall, within seven days after the date of the order, cause to be published in the *Gazette* and in at least two daily newspapers of general circulation in Trinidad and Tobago—
 - (a) a copy of the order; and
 - (b) a statement that the matter will be reviewed every six months.
- (7) The Attorney General shall, every six months—
 - (a) review all orders made under subclause (1) so as to determine whether the circumstances referred to in subclause (1) continue to exist in respect of the listed entity; and
 - (b) if he determines that such circumstances no longer exist, apply to a judge for the setting aside of the order in respect of the listed entity.

(8) Nothing in this clause shall preclude the Attorney General at any time from—

- (a) conducting a review of the circumstances relative to an order made under subclause (1) to determine whether the circumstances referred to in subclause (1) continue to exist in respect of the listed entity; or
- (b) applying to a judge for the variation or the setting aside of the order in respect of the listed entity if he determines that such circumstances no longer exist or for the purposes of clause 5(2).

(9) The Attorney General shall not make an application under subclause (8) for a variation of the order unless he has first notified the Committee of his intention to apply to the Court for such an order and he obtains the consent of the Committee for such an application to the Court.

Variation of
an order

5. (1) The Court may, at any time, on the application of the Attorney General or a person affected by the order, vary an order made under clause 4.

(2) Where an order is made under clause 4 in respect of a listed entity, the Court may, in varying an order—

- (a) make provision for meeting out of the property, reasonable living expenses, including but not limited to—
 - (i) mortgage or rent payments;
 - (ii) allowances for food, medicine and medical treatment;
 - (iii) payments due as a result of an order of the Court;
 - (iv) provision for the reasonable living expenses of dependents, including educational expenses; and
 - (v) provision for taxes, insurance premiums and public utilities;
- (b) make provision for reasonable legal expenses, including expenses incurred in defending a criminal charge or any proceedings connected thereto and any proceedings under this Order;
- (c) make provision for expenses necessary to enable a person to carry on any trade, business, profession or occupation subject to the prior approval of the United Nations Security Council;

- (d) make provision for fees or service charges for routine holding or maintenance of frozen property or other financial assets or economic resources;
- (e) make provision for meeting out of the property, such sums as are necessary for the satisfaction of any judicial, administrative or arbitral lien or judgment, provided that the lien or judgment was entered prior to 21st October, 2022 and is not for the benefit of any other listed entity subject to the prior notification of the United Nations Security Council;
- (f) make provision for the listed entity making any payment due under a contract that was entered into prior to the date of the making of the order under clause 4, provided that the Court is satisfied that—
 - (i) the contract is not related to prohibited items, materials, goods, technologies, assistance, investment, brokering or services prohibited under this Order; and
 - (ii) the payment will not be directly or indirectly received by any other listed entity;
- (g) make provision for the release of property or economic resources for extraordinary expenses subject to the prior approval of the United Nations Security Council; and
- (h) make the listed entity subject to any other condition that the Court considers reasonable.

(3) The Attorney General shall not apply to the Court for a variation of an order in accordance with subclauses (2)(a), (b) and (d) unless he has first notified the Committee of his intention to apply to the Court for such an order and the Committee has not indicated its objection to such an application to the Court within five working days of said notice.

(4) A person who has an interest arising out of a contract which is affected by an order made under clause 4, may make a request to the Attorney General to apply to the Court for a variation of the order in accordance with subclause (2)(f).

(5) The Attorney General shall not apply to the Court for a variation of an order in accordance with subclause (2)(f) unless he has first notified the Committee of his intention to apply to the Court for such an order and the Committee has not indicated its objection to such an application to the Court within ten working days of said notice.

(6) The Court shall not vary an order in accordance with subclause (2)(f), where a contract is related to prohibited items, material, equipment, goods, technologies, assistance, training, financial assistance, investment brokering or services prohibited under this Order.

(7) The Attorney General shall not apply to the Court for a variation of an order in accordance with subclause (2)(h) unless he has first obtained the approval of the Committee.

(8) For the avoidance of doubt, where an order has been made under clause 4, and the Committee has raised no objection to or has granted its consent for the variation of the order, the Attorney General may apply to the Court in accordance with subclause (1), for a variation of the order.

Application
for review by
an affected
person

6. (1) A person affected or likely to be affected by an order made under clause 4 may at any time after the publication of the order, apply to a judge for a review of the order.

(2) Where an application for review is made under subclause (1), the Attorney General shall be served with a copy of the application and given the opportunity to make representations to the Court in respect of any proceedings for the review of the order.

(3) A person likely to be affected by an order may include a person with the same or similar name to a listed entity.

Review of an
order

7. (1) Within sixty days after the date of publication of an order under clause 4, the individual or entity in respect of which the order is made may apply to a judge for a review of the order and shall notify the Attorney General of the application.

(2) Upon an application made under subclause (1), the judge may—

(a) hear evidence that may be presented by the Attorney General and may, at the request of the Attorney General, hear all or part of that evidence or information in the absence of the applicant or an Attorney-at-law representing the applicant, if the judge is of the opinion that the disclosure of the information would be prejudicial to national security or endanger the safety of any person;

- (b) provide the applicant with a statement summarising the information available to the judge, so as to enable the applicant to be reasonably informed of the reasons for the making of the order, without disclosing any information the disclosure of which would, in the opinion of the judge, be prejudicial to national security or endanger the safety of any person;
- (c) provide the applicant with a reasonable opportunity to be heard; and
- (d) determine whether or not the order should be set aside on the basis of the information available to the judge and, if he determines that the order should be set aside, direct that the order be set aside.

(3) For the purposes of any application or review under this clause, the judge may receive in evidence anything that, in the opinion of the judge, is reliable and relevant.

(4) Upon an application under subclause (1), the judge shall, if satisfied as to the matters referred to in that subclause, make an order to set aside the order, which shall be—

- (a) published in the *Gazette* and in two daily newspapers of general circulation in Trinidad and Tobago; and
- (b) served upon the FIUTT or the Attorney General where he is not a party to the proceedings in accordance with the Civil Proceedings Rules, 1998.

(5) Where an order is made under subclause (4), the Attorney General shall, within seven days after the date of the order, cause a copy of the order to be published in the *Gazette* and in at least two daily newspapers of general circulation in Trinidad and Tobago.

8. (1) The Attorney General, after consultation with the FIUTT, shall be responsible for—

- (a) maintaining a list of listed entities under this Order;
- (b) maintaining contact with the United Nations Security Council at frequent intervals to ensure that the domestic consolidated list of listed entities remains current and up-to-date;
- (c) circulating the list referred to in paragraph (a) immediately, to financial institutions and listed businesses requesting information on whether these listed entities have property in Trinidad and Tobago to be provided to the FIUTT; and

Attorney General to maintain list of listed persons or entities

- (d) maintaining a consolidated list of all orders issued by the Court under clause 4 or 5 and circulating the same by facsimile transmission or other electronic means to all financial institutions and listed businesses immediately at intervals of three months.

(2) Notwithstanding his obligation to circulate the consolidated list, the Attorney General shall, when new information has been obtained before the expiration of three months, circulate any additions to that list or a new list immediately by facsimile transmission or other electronic means.

Requirement
to inform the
FIUTT

9. (1) As soon as a financial institution or listed business is notified of the list in accordance with subclause 8(1), the financial institution or listed business shall immediately inform the FIUTT in the approved form where—

- (a) it has knowledge or reasonably suspects that any entity named in the order has property with the financial institution or listed business; or
- (b) there is a transaction being conducted by a person involving property owned or controlled, whether directly or indirectly by a listed entity,

and shall disclose to the FIUTT all information relating to the property or property of the listed entity or to the transaction conducted.

(2) Where a listed entity attempts to enter into a transaction or continue a business relationship with a financial institution or listed business, the financial institution or listed business shall submit a suspicious activity report to the FIUTT immediately and shall not enter into or continue a business transaction or business relationship with such person or entity.

Prohibited dealings with listed entities

Dealing with
property
owned or
controlled by
a listed
person

10. (1) No person shall knowingly—

- (a) deal in property that is owned or controlled whether directly or indirectly, wholly or jointly by—
- (i) a listed entity;
- (ii) an entity owned or controlled, directly or indirectly by a listed entity; or
- (iii) an entity acting on behalf of, or at the direction of, or in association with a listed entity;

- (b) deal in property for the benefit of a listed entity;
- (c) enter into a financial transaction in respect of property whether directly or indirectly under paragraph (a); or
- (d) provide financial or other related services in respect of property under paragraph (a).

(2) A person who contravenes subclause (1) commits an offence.

(3) Notwithstanding subclause (2), a person does not commit an offence where he does any act under subclause (1) in accordance with an order of the Court under clause 4.

11. (1) No person shall knowingly provide or make available property or financial or other related services, whether directly or indirectly—

Making property available to listed entity

- (a) to a listed entity;
- (b) to an entity owned or controlled, directly or indirectly, wholly or jointly by a listed entity;
- (c) to an entity acting on behalf of, or at the direction of, or in association with a listed entity; or
- (d) for the benefit of a listed entity.

(2) A person who contravenes subclause (1) commits an offence.

(3) Notwithstanding subclause (2), a person does not commit an offence where he does any act under subclause (1) in accordance with an order of the Court under clause 4.

12. (1) No person shall by any means, knowingly provide or collect property, or attempt to do so, whether directly or indirectly, with the intention or with the knowledge that such property is to be used in whole or in part—

Provision of property to a listed entity

- (a) by a listed entity;
- (b) by an entity owned or controlled, directly or indirectly, wholly or jointly by a listed entity;
- (c) by an entity acting on behalf of, or at the direction of, or in association with a listed entity; or
- (d) for the benefit of a listed entity.

(2) A person who contravenes subclause (1) commits an offence.

(3) Notwithstanding subclause (2), a person does not commit an offence where he does any act under subclause (1) in accordance with an order of the Court under clause 4.

Restricted
supply, sale,
shipment of
arms and
related
material

13. (1) No person shall directly or indirectly sell, supply, transfer or ship, to or for the use or benefit of a listed entity, arms and related materiel of all types including—

- (a) weapons and ammunition;
- (b) military vehicles and equipment; or
- (c) paramilitary equipment and spare parts,

from or through Trinidad and Tobago, or by citizens or nationals of Trinidad and Tobago, or using a flag vessel of Trinidad and Tobago or aircraft, without the approval of the United Nations Security Council.

(2) Subclause (1) shall not apply where a person is authorised by the Minister to sell, supply, transfer or ship, directly or indirectly to or for the use or benefit of a listed entity, arms and related materiel of all types, including—

- (a) weapons and ammunition;
- (b) military vehicles and equipment; or
- (c) paramilitary equipment and spare parts.

(3) Where a person wishes to sell, supply, transfer or ship, directly or indirectly to or for the use or benefit of a listed entity arms and related materiel of all types, including—

- (a) weapons and ammunition;
- (b) military vehicles and equipment; or
- (c) paramilitary equipment and spare parts,

he shall apply to the Minister in the approved form.

(4) The Minister may, on receipt of an application under subclause (3), authorise a person to sell, supply, transfer or ship, directly or indirectly to or for the use or benefit of a listed entity arms and related materiel of all types, including—

- (a) weapons and ammunition;
- (b) military vehicles and equipment; or
- (c) paramilitary equipment and spare parts,

subject to any conditions he considers appropriate and he shall notify the applicant of his authorisation in writing.

(5) A person who contravenes subclause (1) commits an offence.

14. (1) No person shall knowingly provide technical assistance, ^{Technical and other assistance} training, financial or other assistance directly or indirectly to or for the use or benefit of a listed entity related to—

- (a) military activities; or
- (b) the provision, maintenance or use of any arms and related materiel, including the provision of armed mercenary personnel,

whether or not originating in Trinidad and Tobago, without the approval of the United Nations Security Council.

(2) A person who contravenes subclause (1) commits an offence.

Powers of Enforcement

15. A customs officer, immigration officer or police officer may, ^{Power to inspect cargo} where he has reasonable grounds to suspect that cargo contains items for which the supply, sale, transfer or export are prohibited by this Order, apply to a Magistrate or Judge for a warrant to inspect the cargo.

16. (1) The Comptroller of Customs and Excise may deny entry into ^{Power to deny entry for refusal to permit inspection} a port of entry to the owner or master of a vessel or the operator of an aircraft if he refuses to permit a customs officer, immigration officer or police officer to inspect the cargo on the vessel or aircraft.

(2) Where a vessel or aircraft refuses to permit a customs officer, immigration officer or police officer to inspect the cargo on a vessel or aircraft, the customs officer, immigration officer or police officer, as the case may be, shall report the vessel or aircraft to the Committee.

(3) Notwithstanding subclause (1), the Comptroller of Customs and Excise, as the case may be, may permit a vessel or aircraft to enter into a port of entry—

- (a) where the entry is required as a result of an emergency;
- (b) for the purposes of conducting an inspection; or
- (c) for the purposes of permitting the ship to return to its port of origin.

(4) For the purposes of this section, “port” has the meaning assigned to it under the Customs Act.

Power to deny permission to an aircraft 17. (1) Where the Comptroller of Customs and Excise reasonably believes that an aircraft may contain items whose supply, sale, transfer or export is prohibited by this, he may deny permission to the aircraft to fly over Trinidad and Tobago or land or take-off from Trinidad and Tobago.

(2) Subclause (1) shall not apply where an aircraft is engaged in an emergency landing.

Restriction on entry into port by a vessel owned by a listed entity by the Harbour Master 18. (1) The Harbour Master shall not permit a vessel to enter into a port where he reasonably believes that the vessel is carrying arms and ammunition and is owned or controlled—

- (a) wholly or jointly, directly or indirectly by a listed entity; or
- (b) by persons acting on behalf of, or at the direction of, or in association with a listed entity.

(2) Notwithstanding subclause (1), the Harbour Master may permit a vessel to enter into a port—

- (a) where the entry is required as a result of an emergency;
- (b) for the purposes of conducting an inspection; or
- (c) where the Committee has determined that entry into port should be permitted for humanitarian purposes.

(3) The master of a vessel who wishes to enter into a port in accordance with subclause (2)(c) shall first apply to the Committee in writing for approval to enter into a port for humanitarian purposes.

(4) Where the Committee determines that the entry into port is for humanitarian purposes, it shall grant approval for the entry.

Chap. 50:10 (5) For the purposes of this section, “port” has the meaning assigned to it under the Shipping Act.

Restriction on entry into port by a vessel owned by a listed entity by the Comptroller of Customs and Excise 19. (1) The Comptroller of Customs and Excise shall not permit a vessel to enter into a port where he reasonably believes that the vessel is carrying arms and ammunition and is owned or controlled—

- (a) wholly or jointly, directly or indirectly by a listed entity; or
- (b) by persons acting on behalf of, or at the direction of, or in association with a listed entity.

(2) Notwithstanding subclause (1), the Comptroller of Customs and Excise may permit a vessel to enter into a port—

- (a) where the entry is required as a result of an emergency;

- (b) for the purposes of conducting an inspection; or
- (c) where the Committee has determined that entry into port should be permitted for humanitarian purposes.
- (3) The master of a vessel who wishes to enter into a port in accordance with subclause (2)(c) shall first apply to the Committee in writing for approval to enter into a port for humanitarian purposes.
- (4) Where the Committee determines that the entry into port is for humanitarian purposes, it shall grant approval for the entry.
- (5) For the purposes of this section, “port” has the meaning assigned to it under the Customs Act.

Chap. 78:01

20. For the purposes of ensuring compliance with this Order and in accordance with section 8(1) of the Act, a customs officer, immigration officer or police officer may apply to a Magistrate or Judge for a warrant.

Power to obtain a warrant

Miscellaneous

21. A person who commits an offence under this Order shall be liable to the penalty prescribed in the Act.

General penalty

Dated this 6th day of June, 2023.

CHRISTINE CARLA KANGALOO
President