



STATUTORY INSTRUMENTS.

S.I. No. 159 of 2020



EUROPEAN UNION (CONTROL OF EXPORTS OF PERSONAL
PROTECTIVE EQUIPMENT) (NO. 2) REGULATIONS 2020

S.I. No. 159 of 2020

EUROPEAN UNION (CONTROL OF EXPORTS OF PERSONAL PROTECTIVE EQUIPMENT) (NO. 2) REGULATIONS 2020

I, HEATHER HUMPHREYS, Minister for Business, Enterprise and Innovation, in exercise of the powers conferred on me by Section 3 of the European Communities Act (No. 27 of 1972) hereby make the following regulations:

1. These Regulations may be cited as the European Union (Control of Exports of Personal Protective Equipment) (No. 2) Regulations 2020.

2. (1) In these Regulations –

- (i) “Commission Implementing Regulation” means Commission Implementing Regulation (EU) 2020/568 of 23 April 2020¹ making the exportation of certain products subject to the production of an export authorisation.
- (ii) “Minister” means the Minister for Business, Enterprise and Innovation.

(2) A word or expression used in these Regulations and which is also used in the Commission Implementing Regulation has, unless the context otherwise requires, the same meaning in these Regulations as it has in the Commission Implementing Regulation.

3. (1) The Minister is the competent authority in the State for the purposes of the Commission Implementing Regulation.

(2) The Minister is responsible for the notification obligations provided for in Articles 2(7), 3(5) and 4 of the Commission Implementing Regulation.

4. The Minister may issue an authorisation for the purposes of Article 2 of the Commission Implementing Regulation.

- 5. (a) An application for an authorisation under Regulation 4 must be made in accordance with the form specified in Schedule 1.
- (b) The Minister shall issue a decision on an application for an export authorisation no later than five working days from the date on which all required information has been provided to the Minister.

¹ OJ No. L 129, 24.04.2020, p.7

- (c) In accordance with Article 3(2) of the Commission Implementing Regulation, the Minister may extend the application processing time by a further five working days in exceptional circumstances and for duly justified reasons.
- (d) In accordance with Article 2(6) of the Commission Implementing Regulation, applications for exports for use in third countries to enable the provisions of emergency supplies in the context of humanitarian aid shall be processed as soon as possible, but no later than two working days from the date on which all required information has been provided to the Minister.

6. A person who contravenes Article 2(3) of the Commission Implementing Regulation shall be guilty of an offence.

7. A person who is guilty of an offence under Regulation 6 shall be liable

- (a) on summary conviction, to a class A fine or to imprisonment for a term not exceeding 12 months or both, or
- (b) on conviction on indictment, to a fine not exceeding €500,000 or to imprisonment for a term not exceeding 3 years or both.

8. A summary offence under Regulation 6 may be prosecuted by the Minister.

9. The European Union (Control of Exports of Personal Protective Equipment) Regulations 2020 (S.I. No. 84 of 2020) are revoked.



GIVEN under my Official Seal,
1 May, 2020.

HEATHER HUMPHREYS,
Minister for Business, Enterprise and Innovation.

Schedule 1

Export authorisation application form

 <p>An Roinn Gnó, Fiontar agus Nuálaíochta Department of Business, Enterprise and Innovation</p>		<p>Application for Export Authorisation</p> <p>Personal Protective Equipment</p> <p>Commission Implementing Regulation (EU) 2020/402</p>																						
<p>1. Exporter Details</p> <p>Name:</p> <p>Address:</p> <p>Email Address:</p> <p>EORI No:</p>		<p>2. Recipient Details</p> <p>Name:</p> <p>Address:</p> <p>Email Address:</p> <p>EORI No:</p>																						
<p>3. Destination Country</p>																								
<table border="1"> <thead> <tr> <th>4. Commodity Code</th> <th>5. Description of goods</th> <th>6. Quantity</th> <th>7. Unit</th> <th>8. Location</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>					4. Commodity Code	5. Description of goods	6. Quantity	7. Unit	8. Location															
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9. Please supply any information pertinent to Article 2(6) of the Commission Implementing Regulation.				
10. Please supply any information pertinent to Article 2(7) of the Commission Implementing Regulation.				
12. Please supply any information pertinent to Article 3(4) of the Commission Implementing Regulation.				
13. Please supply any information pertinent to Article 3(5) of the Commission Implementing Regulation.				

14. Please provide any other relevant information.

15. Declaration

I, the undersigned, certify that the information provided in this application is true and given in good faith, and that I am established in the Union.

Name of applicant (BLOCK LETTERS): _____

Signature: _____ **Date:** _____ **Contact Telephone No:** _____

PLEASE TYPE THE REQUIRED INFORMATION ONTO THE FORM AND RETURN A SCANNED COPY OF YOUR SIGNED FORM TO: (exportcontrol@dbei.gov.ie)

Explanatory note to the export authorisation application form

The completion of all the boxes is mandatory except when stated otherwise.

Box 1	Exporter details	Full name and address of the exporter for whom the authorisation is issued and EORI number if applicable.
Box 2	Recipient details	Full name and address of the final recipient of the goods, if known at the time of issuance and EORI number if applicable. If the final recipient is not known at the time of issuance, the field is left empty.
Box 3	Destination Country	2-letter geonomenclature code of the country of destination of the goods for which the authorisation is issued.
Box 4	Commodity Code	The numerical code from the Harmonised System or the Combined Nomenclature under which the goods to export are classified when the authorisation is issued.
Box 5	Description of goods	Plain language description precise enough to allow identification the goods.
Box 6	Quantity	The quantity of goods measured in the unit declared in box 7.
Box 7	Unit	The measurement unit in which the quantity declared in box 8 is expressed. The units to use are "P/ST" for goods counted by number of pieces (e.g. masks).
Box 8	Location	If the protective equipment is located in one or more Member States other than Ireland, please indicate that fact by including the geonomenclature code of the Member State where the goods are located. If the goods are located in Ireland, this box must be left empty.
Box 9	Information relevant to Article 2(6)	Information relevant to the considerations laid out in Article 2(6) of Commission Implementing Regulation (EU) 2020/568.
Box 10	Information relevant to Article 2(7)	Information relevant to the considerations laid out in Article 2(7) of Commission Implementing Regulation (EU) 2020/568.
Box 11	Information relevant	Information relevant to the considerations laid out in Article 3(3) of Commission

	to Article 3(3)	Implementing Regulation (EU) 2020/568.
Box 12	Information relevant to Article 3(4)	Information relevant to the considerations laid out in Article 3(4) of Commission Implementing Regulation (EU) 2020/568.
Box 13	Information relevant to Article 3(5)	Information relevant to the considerations laid out in Article 3(5) of Commission Implementing Regulation (EU) 2020/568.
Box 14	All other relevant information	Please provide any other information considered relevant in light of the provisions of Commission Implementing Regulation (EU) 2020/568.
Box 15	Declaration	Declaration that the information provided in the form is true and given in good faith.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
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52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2,
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