



STATUTORY INSTRUMENTS.

S.I. No. 208 of 2011



FINANCIAL TRANSFERS (LIBYA) (PROHIBITION) (NO. 4) ORDER
2011

(Prn. A11/0686)

FINANCIAL TRANSFERS (LIBYA) (PROHIBITION) (NO. 4) ORDER
2011

I, MICHAEL NOONAN, Minister for Finance, in exercise of the powers conferred on me by section 4 of the Financial Transfers Act 1992 (No. 27 of 1992) and for the purpose of giving full effect to Council Regulation (EU) No. 204/2011 of 2 March 2011¹, hereby order as follows:

1. This Order may be cited as the Financial Transfers (Libya) (Prohibition) (No. 4) Order 2011.

2. (1) In this Order “Council Regulation” means Council Regulation (EU) No. 204/2011 of 2 March 2011¹, as amended by—

(a) Council Implementing Regulation (EU) No. 233/2011 of 10 March 2011²,

(b) Council Implementing Regulation (EU) No. 272/2011 of 21 March 2011³,

(c) Council Implementing Regulation (EU) No. 288/2011 of 23 March 2011⁴,

(d) Council Regulation (EU) No. 296/2011 of 25 March 2011⁵, and

(e) Council Implementing Regulation (EU) No. 360/2011 of 12 April 2011⁶.

(2) A word or expression which is used in this Order has, unless the context otherwise requires, the same meaning that it has in the Council Regulation.

3. A person shall not make a financial transfer between the State and another country the effect of which would be to enable or facilitate, directly or indirectly, the doing of any thing which is a breach of the Council Regulation.

4. Notwithstanding Article 3 of this Order, a person who has received a prior authorisation under Article 3, 7, 8, 8a or 10 of the Council Regulation may, subject to compliance with the terms and conditions of such authorisation, do such of the things referred to in Article 3 of this Order as are so authorised.

¹OJ No. L.58, 03.03.11, p.1.

²OJ No. L.64, 11.03.11, p.13.

³OJ No. L.76, 22.03.11, p.32.

⁴OJ No. L.78, 24.03.11, p.13.

⁵OJ No. L.80, 26.03.11, p.2.

⁶OJ No. L.100, 14.04.11, p.12.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 10th May, 2011.*

5. The Central Bank of Ireland may, for the purpose of supervision of financial transfers and for the administration and enforcement of the provisions of this Order, give such directions or issue such instructions to a person as it sees fit.

6. A person to whom a direction has been given or an instruction issued under Article 5 shall comply with such direction or instruction.

7. A person shall not do anything to directly or indirectly assist in the circumvention of the provisions of this Order.

8. The Financial Transfers (Libya) (Prohibition) (No. 3) Order 2011 (S.I. No. 161 of 2011) is revoked.



GIVEN under my Official Seal,
6 May 2011.

MICHAEL NOONAN,
Minister for Finance.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

This Order provides for enforcement of financial sanctions prohibiting financial transfers between the State and another country, as outlined in Council Regulation (EU) No. 204/2011 of 2 March 2011, as amended, concerning restrictive measures against Libya. The sanctions include a prohibition on financial assistance related to the provision of military equipment or equipment which could be used for internal repression in Libya. The Council Regulation also provides for the freezing of funds and economic resources of persons and entities listed in Annexes II and III of the Council Regulation.

The Order provides that the Central Bank of Ireland may issue instructions for the purpose of giving full effect to the financial sanctions.

The Financial Transfers Act 1992 allows for control of financial transfers between the State and other countries, creates an offence for breach of the provisions of any Order made under it and provides for appropriate penalties.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,
nó tríd an bpost ó
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,
CONTAE MHAIGH EO,
(Teil: 01 - 6476834 nó 1890 213434; Fax: 094 - 9378964 nó 01 - 6476843)
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased directly from the
GOVERNMENT PUBLICATIONS SALE OFFICE
SUN ALLIANCE HOUSE, MOLESWORTH STREET, DUBLIN 2,
or by mail order from
GOVERNMENT PUBLICATIONS, POSTAL TRADE SECTION,
UNIT 20 LAKESIDE RETAIL PARK, CLAREMORRIS, CO. MAYO,
(Tel: 01 - 6476834 or 1890 213434; Fax: 094 - 9378964 or 01 - 6476843)
or through any bookseller.

€2.54



Wt. (B28428). 285. 5/11. Cahill. Gr. 30-15.