



STATUTORY INSTRUMENTS.

S.I. No. 414 of 2016

CRIMINAL JUSTICE (TERRORIST OFFENCES) ACT 2005 (SECTION
42) (RESTRICTIVE MEASURES CONCERNING CERTAIN PERSONS
AND ENTITIES WITH A VIEW TO COMBATING TERRORISM)
REGULATIONS 2016

S.I. No. 414 of 2016

CRIMINAL JUSTICE (TERRORIST OFFENCES) ACT 2005 (SECTION 42) (RESTRICTIVE MEASURES CONCERNING CERTAIN PERSONS AND ENTITIES WITH A VIEW TO COMBATING TERRORISM) REGULATIONS 2016

WHEREAS the Council Regulation No. 2580/2001 was adopted by the Council on 27 December 2001; and

WHEREAS I, MICHAEL NOONAN, Minister for Finance, am of the opinion that the said Council Regulation is for the purpose of, or will contribute to, combating terrorism through the adoption of specific restrictive measures, directed at persons, groups or entities, for the identification, detection, freezing or seizure of their assets of any kind;

NOW I, MICHAEL NOONAN, Minister for Finance, in exercise of the powers conferred on me by subsections (2) and (6) of section 42 of the Criminal Justice (Terrorist Offences) Act 2005 (No. 2 of 2005), and for the purpose of giving full effect to Council Regulation No. 2580/2001 of 27 December 2001¹, and Council Implementing Regulation (EU) No. 2016/1127 of 12 July 2016², hereby make the following regulations:

1. These Regulations may be cited as the Criminal Justice (Terrorist Offences) Act 2005 (Section 42) Regulations 2016.

2. (1) In these Regulations—

“Act” means the Criminal Justice (Terrorist Offences) Act 2005 (No. 2 of 2005);

“Bank” means the Central Bank of Ireland;

“Council Regulation” means Council Regulation No. 2580/2001 of 27 December 2001¹ as amended by the European acts specified in the Schedule and as implemented by Council Implementing Regulation (EU) No. 2016/1127 of 12 July 2016²;

“European act” means an act adopted by an institution of the European Union or an institution of the European Communities.

(2) A word or expression that is used in these Regulations and that is also used in the Council Regulation has the same meaning in these Regulations as it has in the Council Regulation.

¹OJ No. L344, 28.12.2001, p.70

²OJ No. L188, 13.7.2016, p.1

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 29th July, 2016.

3. It is a requirement within the meaning of subsection (3) of section 42 of the Act that a person shall not contravene the Council Regulation.

4. (1) The Bank may, for the purposes of these Regulations and the Council Regulation, give to any person such directions as it considers appropriate.

(2) A direction under this Regulation shall be in writing.

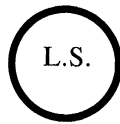
(3) It is a requirement within the meaning of subsection (7) of section 42 of the Act that a person to whom a direction is given under this Regulation shall comply with the direction.

5. The Criminal Justice (Terrorist Offences) Act 2005 (Section 42(2) and (6)) (Counter Terrorism) (Financial Sanctions) (No. 2) Regulations 2015 (S.I. No. 466 of 2015) are revoked.

SCHEDULE

EUROPEAN ACTS AMENDING COUNCIL REGULATION NO.
2580/2001 OF 27 DECEMBER 2001

1. Commission Regulation (EC) No. 745/2003 of 28 April 2003³
2. Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded⁴
3. Commission Regulation (EC) No. 1207/2005 of 27 July 2005⁵
4. Commission Regulation (EC) No. 1957/2005 of 29 November 2005⁶
5. Commission Regulation (EC) No. 1461/2006 of 29 September 2006⁷
6. Commission Regulation (EC) No. 1791/2006 of 20 November 2006⁸
7. Commission Implementing Regulation (EU) No. 1250/2012 of 20 December 2012⁹
8. Council Regulation (EU) No. 517/2013 of 13 May 2013¹⁰
9. Commission Implementing Regulation (EU) No. 646/2013 of 4 July 2013¹¹



GIVEN under my Official Seal,
27 July 2016.

MICHAEL NOONAN,
Minister for Finance.

³OJ No. L 106, 29.4.2003, p. 22

⁴OJ No. L 236, 23.9.2003, p. 33

⁵OJ No. L 197, 28.7.2005, p. 16

⁶OJ No. L 314, 30.11.2005, p. 16

⁷OJ No. L 272, 3.10.2006, p. 11

⁸OJ No. L 363, 20.12.2006, p. 1

⁹OJ No. L 352, 21.12.2012, p. 40

¹⁰OJ No. L 158, 10.6.2013, p. 1

¹¹OJ No. L 187, 6.7.2013, p. 4

EXPLANATORY NOTE

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

These Regulations provide for the enforcement of Council Regulation (EC) No. 2580/2001 of 27 December 2001, as amended.

Section 42 of the Criminal Justice (Terrorist Offences) Act 2005 creates an offence for breach of the provisions of these Regulations, provides for appropriate penalties and empowers the Minister for Finance to make regulations providing for such incidental, supplementary and consequential provisions as appear to the Minister to be necessary.

The Regulations revoke previous domestic instruments created under Section 42 of the Criminal Justice (Terrorist Offences) Act 2005 in relation to Council Regulation (EC) No. 2580/2001 of 27 December 2001, as amended.

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