



STATUTORY INSTRUMENTS.

S.I. No. 45 of 2011



EUROPEAN UNION (RESTRICTIVE MEASURES) (IRAN)
REGULATIONS 2011

(Prn. A11/0213)

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I, MARY HANAFIN, Minister for Enterprise, Trade and Innovation, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving full effect to Council Regulation (EU) No. 961/2010 of 25 October 2010¹, hereby make the following regulations:

1. These Regulations may be cited as the European Union (Restrictive Measures) (Iran) Regulations 2011.

2. (1) In these Regulations “Council Regulation” means Council Regulation (EU) No. 961/2010 of 25 October 2011.

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

(3) A reference in these Regulations to an Article is to an Article of the Council Regulation.

3. (1) A person who contravenes Article 2(1)(a), Article 2(1)(b) or Article 2(1)(c), insofar as it relates to Article 2(1)(a) or 2(1)(b), commits an offence.

(2) Article 2(1)(a) does not apply where it is subject to Article 6.

4. A person who does anything specified in Article 3(1) or Article 5(2) otherwise than in accordance with a prior authorisation under Article 3 or an authorisation under Article 5, as the case may be, commits an offence.

5. A person who contravenes Article 4 or Article 8 commits an offence.

6. A person who contravenes Article 5(1)(a), Article 5(1)(b), Article 5(1)(c) or Article 5(1)(e), insofar as it relates to Article 5(1)(a), 5(1)(b) or 5(1)(c), commits an offence.

7. A person who fails to comply with any term or condition specified in the authorisation granted under Article 7 commits an offence.

8. A person who contravenes Article 9(a) or Article 9(c), insofar as it relates to Article 9(a), commits an offence.

¹OJ No. L281, 27.10.2010, p. 1.

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 4th February, 2011.

9. Where an offence under these Regulations is committed by a body corporate and is proved to have been so committed with the consent, connivance or approval of, or to be attributable to any neglect on the part of any person, being a director, manager, secretary or other officer of the body corporate, or any other person who was acting or purporting to act in any such capacity, that person, as well as the body corporate, commits an offence and is liable to be proceeded against and punished as if he or she committed the first-mentioned offence.

10. A person guilty of an offence under these Regulations is liable—

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

11. Summary proceedings for an offence under these Regulations may be brought and prosecuted by the Minister for Enterprise, Trade and Innovation.



GIVEN under my Official Seal,
1 February 2011.

MARY HANAFIN,
Minister for Enterprise, Trade and Innovation.

EXPLANATORY NOTE

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

The effect of this Order is to provide for penalties for infringements of the provisions of Council Regulation (EU) No. 961/2010 which relate to trade restrictions. The Council Regulation introduced, *inter alia*, additional restrictions on trade in dual-use goods and technology, as well as equipment which might be used for internal repression, and restrictions on trade in key equipment and technology for the Iranian oil and gas industry. The Council Regulation also prohibits the provision of technical assistance or brokering services in relation to certain goods and technology. Council Regulation (EC) No. 423/2007 has been repealed.

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€2.54



Wt. (B28242). 285. 2/11. Cahill. Gr. 30-15.