



STATUTORY INSTRUMENTS.

**S.I. No. 527 of 2013**

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EUROPEAN UNION (BELARUS) (FINANCIAL  
SANCTIONS) REGULATIONS 2013

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I, MICHAEL NOONAN, Minister for Finance, 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 (EC) No. 765/2006 of 18 May 2006<sup>1</sup>, as last amended by Council Implementing Regulation (EU) No. 1054/2013 of 29 October 2013<sup>2</sup>, hereby make the following regulations:

1. These Regulations may be cited as the European Union (Belarus) (Financial Sanctions) Regulations 2013.

2. (1) In these Regulations “Council Regulation” means Council Regulation (EC) No. 765/2006 of 18 May 2006, as amended by—

- (a) Commission Regulation (EC) No. 1587/2006 of 23 October 2006<sup>3</sup>,
- (b) Council Regulation (EC) No. 1791/2006 of 20 November 2006<sup>4</sup>,
- (c) Council Regulation (EC) No. 646/2008 of 8 July 2008<sup>5</sup>,
- (d) Council Implementing Regulation (EU) No. 84/2011 of 31 January 2011<sup>6</sup>,
- (e) Council Implementing Regulation (EU) No. 271/2011 of 21 March 2011<sup>7</sup>,
- (f) Council Implementing Regulation (EU) No. 505/2011 of 23 May 2011<sup>8</sup>,
- (g) Council Regulation (EU) No. 588/2011 of 20 June 2011<sup>9</sup>,
- (h) Council Regulation (EU) No. 999/2011 of 10 October 2011<sup>10</sup>,

<sup>1</sup>OJ No. L 134, 20.5.06, p. 1

<sup>2</sup>OJ No. L 288, 30.10.13, p. 1

<sup>3</sup>OJ No. L 294, 25.10.06, p. 25

<sup>4</sup>OJ No. L 363, 20.12.06, p. 1

<sup>5</sup>OJ No. L 180, 9.7.08, p. 5

<sup>6</sup>OJ No. L 28, 2.2.11, p. 17

<sup>7</sup>OJ No. L 76, 22.3.11, p. 13

<sup>8</sup>OJ No. L 136, 24.5.11, p. 48

<sup>9</sup>OJ No. L 161, 21.6.11, p. 1

<sup>10</sup>OJ No. L 265, 11.10.11, p. 6

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 3rd January, 2014.*

- (i) Council Implementing Regulation (EU) No. 1000/2011 of 10 October 2011<sup>11</sup>,
- (j) Council Implementing Regulation (EU) No. 1320/2011 of 16 December 2011<sup>12</sup>,
- (k) Council Regulation (EU) No. 114/2012 of 10 February 2012<sup>13</sup>,
- (l) Council Implementing Regulation (EU) No. 170/2012 of 28 February 2012<sup>14</sup>,
- (m) Council Implementing Regulation (EU) No. 265/2012 of 23 March 2012<sup>15</sup>,
- (n) Council Regulation (EU) No. 354/2012 of 23 April 2012<sup>16</sup>,
- (o) Council Regulation (EU) No. 1014/2012 of 6 November 2012<sup>17</sup>,
- (p) Council Implementing Regulation (EU) No. 1017/2012 of 6 November 2012<sup>18</sup>,
- (q) Council Implementing Regulation (EU) No. 494/2013 of 29 May 2013<sup>19</sup>, and
- (r) Council Implementing Regulation (EU) No. 1054/2013 of 29 October 2013<sup>2</sup>.

(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. For the purposes of these Regulations and the Council Regulation the Central Bank of Ireland shall be the competent authority in the State.

4. Subject to Regulation 5, a person who contravenes the provisions of the Council Regulation as regards—

- (a) the provision of financing or financial assistance,
- (b) the freezing of funds or economic resources,

<sup>11</sup>OJ No. L 265, 11.10.11, p. 8

<sup>12</sup>OJ No. L 335, 17.12.11, p. 15

<sup>13</sup>OJ No. L 38, 11.2.12, p. 3

<sup>14</sup>OJ No. L 55, 29.2.12, p. 1

<sup>15</sup>OJ No. L 87, 24.3.12, p. 37

<sup>16</sup>OJ No. L 113, 25.4.12, p. 1

<sup>17</sup>OJ No. L 307, 7.11.12, p. 1

<sup>18</sup>OJ No. L 307, 7.11.12, p. 7

<sup>19</sup>OJ No. L 143, 30.5.13, p. 1

- (c) the making available of funds or economic resources,
- (d) the supply of information to or cooperation with the competent authorities, or
- (e) the participation in activities to circumvent paragraphs (a), (b), (c) or (d),

shall be guilty of an offence.

5. Notwithstanding Regulation 4, a person who—

- (a) has received a prior approval under Article 1b,
- (b) has been granted or is deemed to have been granted an authorisation under Article 3(1), 4a or 4b, or
- (c) has been granted or is deemed to have been granted a specific authorisation under Article 3(2),

of the Council Regulation may, subject to compliance with the terms and conditions of the approval or authorisation, as the case may be, do such of the things as are so authorised.

6. A person guilty of an offence under Regulation 4 shall be 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.

7. The Central Bank of Ireland may, for the purposes of the administration and enforcement of the Council Regulation or these Regulations, give such directions or issue such instructions to a person as it sees fit.

8. A person who fails to comply with a direction given or an instruction issued under Regulation 7 shall be guilty of an offence and shall be liable on summary conviction to a class A fine or imprisonment for a term not exceeding 6 months or both.

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

10. The European Union (Belarus) (Financial Sanctions) (No. 4) Regulations 2012 (S.I. No. 498 of 2012) are revoked.



GIVEN under my Official Seal,  
18 December 2013.

MICHAEL NOONAN,  
Minister for Finance.

## EXPLANATORY NOTE

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

These Regulations provide for enforcement of financial sanctions contained in Council Regulation (EC) No. 765/2006 of 18 May 2006, as amended, concerning restrictive measures in respect of Belarus. The sanctions impose an asset-freeze on President Lukashenko, the Belarusian leadership and officials responsible for violations of international electoral standards and international human rights law, as well as for the crackdown on civil society and democratic opposition.

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

It creates offences for breach of the Council Regulation or for failure to comply with the instructions of the Central Bank of Ireland with regard to implementation of the sanctions and it provides for appropriate penalties.

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