



STATUTORY INSTRUMENTS.

**S.I. No. 549 of 2013**



EUROPEAN UNION (TUNISIA) (FINANCIAL SANCTIONS) (NO. 2)  
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 (EU) No. 101/2011 of 4 February 2011<sup>1</sup>, as last amended by Council Implementing Regulation (EU) No. 735/2013 of 30 July 2013<sup>2</sup>, hereby make the following regulations:

1. These Regulations may be cited as the European Union (Tunisia) (Financial Sanctions) (No. 2) Regulations 2013.

2. (1) In these Regulations “Council Regulation” means Council Regulation (EU) No. 101/2011 of 4 February 2011<sup>1</sup>, as amended by—

(a) Council Regulation (EU) No. 1100/2012 of 26 November 2012<sup>3</sup>, and

(b) Council Implementing Regulation (EU) No. 735/2013 of 30 July 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 that it has in the Council Regulation.

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

(a) the freezing of funds or economic resources,

(b) the making available of funds or economic resources,

(c) the supply of information to or cooperation with the competent authorities, or

(d) the participation in activities to circumvent the requirements of the Council Regulation as regards paragraph (a), (b) or (c),

shall be guilty of an offence.

4. Notwithstanding Regulation 3, a person who has been granted or is deemed to have been granted an authorisation under Article 4, 5 or 7 of the Council Regulation may, subject to compliance with the terms and conditions of such authorisation, do such of the things as are so authorised.

<sup>1</sup>OJ No. L 31, 5.2.11, p. 1

<sup>2</sup>OJ No. L 204, 31.7.13, p. 23

<sup>3</sup>OJ No. L 327, 27.11.12, p. 16

5. A person guilty of an offence under Regulation 3 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.

6. A competent authority of the State 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.

7. A person who fails to comply with a direction or an instruction issued under Regulation 6 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.

8. Where a body corporate is guilty of an offence 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 is liable to be proceeded against and punished as if he or she were guilty of the first mentioned offence.

9. The European Union (Tunisia) (Financial Sanctions) Regulations 2013 (S.I. No. 113 of 2013) 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 European Union financial sanctions contained in Council Regulation (EU) No. 101/2011 of 4 February 2011 which provides for the freezing of funds and economic resources owned or controlled by certain persons responsible for the misappropriation of Tunisian State funds, and persons associated with them.

These Regulations also provide that the Central Bank of Ireland may issue instructions for the purpose of giving full effect to the financial sanctions.

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