S.I. No. 84 of 2023

EUROPEAN UNION (RESTRICTIVE MEASURES CONCERNING BELARUS) REGULATIONS 2023
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I, MICHAEL MCGRATH, 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, as amended, hereby make the following regulations:

1. These Regulations may be cited as the European Union (Restrictive Measures concerning Belarus) Regulations 2023.

2. (1) In these Regulations -
   “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 which is used in these Regulations and which 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. (1) A person who contravenes a provision of the Council Regulation specified in Part 1 of Schedule 2 shall be guilty of an offence.

   (2) A person who contravenes a condition of an authorisation granted under a provision of the Council Regulation specified in Part 2 of Schedule 2 shall be guilty of an offence.

4. A person who is guilty of an offence under Regulation 3 shall be liable -
   (a) on summary conviction, to a class A fine or to imprisonment for a term not exceeding 12 months or both, or
   (b) on conviction on indictment, to a fine not exceeding €500,000 or to imprisonment for a term not exceeding 3 years or both.

5. A competent authority in the State, following such consultation as it considers necessary with other competent authorities, for the purposes of the administration and enforcement of the Council Regulation or these Regulations, may give in writing such directions to a person as it sees fit.

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1 OJ No. L 134, 20.5.2006, p. 1

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 3rd March, 2023.
6. A person who fails to comply with a direction given under Regulation 5 within the time specified in the direction shall be guilty of an offence and shall be liable on summary conviction to a class A fine or to imprisonment for a term not exceeding 6 months or both.

7. Where an offence under these Regulations is committed by a body corporate and is proved to have been so committed with the consent or connivance 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 a person who was purporting to act in 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.

8. (1) Proceedings for an offence under these Regulations in relation to an act committed outside the State may be taken in any place in the State and the offence may for all incidental purposes be treated as having been committed in that place.

(2) Where a person is charged with an offence referred to in paragraph (1), no further proceedings in the matter (other than any remand in custody or on bail) may be taken except by or with the consent of the Director of Public Prosecutions.

(3) In proceedings for an offence referred to in paragraph (1),

(a) a certificate purporting to be signed by an officer of the Department of Foreign Affairs and stating that a passport was issued by that Department to a person on a specified date, and

(b) a certificate that is signed by an officer of the Minister for Justice and stating that, to the best of the officer’s knowledge and belief, the person has not ceased to be an Irish citizen,

is evidence that the person was an Irish citizen on the date on which the offence is alleged to have been committed, and is taken to have been signed by the person purporting to have signed it, unless the contrary is shown.

(4) A person who has been acquitted or convicted of an offence in a place outside the State shall not be proceeded against for an offence under these Regulations in relation to an act committed outside the State consisting of the conduct, or substantially the same conduct, that constituted the offence of which the person has been acquitted or convicted.

9. The European Union (Restrictive Measures concerning Belarus) (No.6) Regulations 2022 (S.I. No. 371 of 2022) are revoked.
Schedule 1
Council Regulation

11. Council Regulation (EU) No. 114/2012 of 10 February 2012\(^12\)
12. Council Implementing Regulation (EU) No. 170/2012 of 28 February 2012\(^13\)
15. Council Regulation (EU) No. 1014/2012 of 6 November 2012\(^16\)
16. Council Implementing Regulation (EU) No. 1017/2012 of 6 November 2012\(^17\)
17. Council Implementing Regulation (EU) No. 494/2013 of 29 May 2013\(^18\)

\(^2\) OJ No. L 294, 25.10.2006, p. 25
\(^3\) OJ No. L 363, 20.12.2006, p. 1
\(^4\) OJ No. L 180, 9.7.2008, p. 5
\(^5\) OJ No. L 28, 2.2.2011, p. 17
\(^6\) OJ No. L 76, 22.3.2011, p. 13
\(^7\) OJ No. L 136, 24.5.2011, p. 48
\(^8\) OJ No. L 161, 21.6.2011, p. 1
\(^9\) OJ No. L 265, 11.10.2011, p. 6
\(^10\) OJ No. L 265, 11.10.2011, p. 8
\(^11\) OJ No. L 335, 17.12.2011, p. 15
\(^12\) OJ No. L 38, 11.2.2012, p. 3
\(^13\) OJ No. L 55, 29.2.2012, p. 1
\(^14\) OJ No. L 87, 24.3.2012, p. 37
\(^15\) OJ No. L 113, 25.4.2012, p. 1
\(^16\) OJ No. L 307, 7.11.2012, p. 1
\(^17\) OJ No. L 307, 7.11.2012, p. 7
\(^18\) OJ No. L 143, 30.5.2013, p. 1
18. Council Regulation (EU) No. 517/2013 of 13 May 2013\(^{19}\)
22. Council Implementing Regulation (EU) No. 1159/2014 of 30 October 2014\(^{23}\)
27. Council Implementing Regulation (EU) 2016/276 of 25 February 2016\(^{28}\)
32. Council Implementing Regulation (EU) 2020/1387 of 2 October 2020\(^{33}\)
33. Council Implementing Regulation (EU) 2020/1648 of 6 November 2020\(^{34}\)
34. Council Implementing Regulation (EU) 2020/2129 of 17 December 2020\(^{35}\)

\(^{19}\) OJ No. L 158, 10.6.2013, p. 1
\(^{20}\) OJ No. L 288, 30.10.2013, p. 1
\(^{21}\) OJ No. L 16, 21.1.2014, p. 3
\(^{22}\) OJ No. L 200, 9.7.2014, p. 1
\(^{23}\) OJ No. L 311, 31.10.2014, p. 2
\(^{24}\) OJ No. L 185, 14.7.2015, p. 1
\(^{25}\) OJ No. L 206, 1.8.2015, p. 16
\(^{26}\) OJ No. L 284, 30.10.2015, p. 62
\(^{27}\) OJ No. L 284, 30.10.2015, p. 71
\(^{28}\) OJ No. L 52, 27.2.2016, p. 19
\(^{29}\) OJ No. L 52, 27.2.2016, p. 22
\(^{30}\) OJ No. L 50, 28.2.2017, p. 9
\(^{31}\) OJ No. L 54, 14.2.2018, p. 1
\(^{32}\) OJ No. L 182, 8.7.2019, p. 33
\(^{33}\) OJ No. L 319I, 2.10.2020, p. 1
\(^{34}\) OJ No. L 370I, 06.11.20, p. 1
\(^{35}\) OJ No. L 426I, 17.12.2020, p. 1
43. Council Implementing Regulation (EU) 2021/2124 of 2 December 2021
44. Council Regulation (EU) 2022/212 of 17 February 2022
45. Council Implementing Regulation (EU) 2022/300 of 24 February 2022
46. Council Regulation (EU) 2022/355 of 2 March 2022
47. Council Regulation (EU) 2022/398 of 9 March 2022
48. Council Regulation (EU) 2022/577 of 8 April 2022
49. Commission Implementing Regulation (EU) 2022/595 of 11 April 2022
50. Council Implementing Regulation (EU) 2022/876 of 3 June 2022
51. Council Regulation (EU) 2022/877 of 3 June 2022
52. Council Implementing Regulation (EU) 2022/1231 of 18 July 2022
53. Council Implementing Regulation (EU) 2023/419 of 24 February 2023

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36 OJ No. L 68, 26.2.2021, p. 29
37 OJ No. L 197, 4.6.2021, p. 1
38 OJ No. L 219, 21.6.2021, p. 1
39 OJ No. L 219, 21.6.2021, p. 3
41 OJ No. L 2241, 24.6.2021, p. 1
42 OJ No. L 405, 16.11.2021, p. 1
43 OJ No. L 405, 16.11.2021, p. 3
44 OJ No. L 430, 2.12.2021, p. 1
45 OJ No. L 37, 18.2.2022, p. 4
46 OJ No. L 46, 25.2.2022, p. 3
47 OJ No. L 67, 2.3.2022, p. 1
48 OJ No. L 82, 9.3.2022, p. 1
49 OJ No. L 111, 8.4.2022, p. 67
50 OJ No. L 114 12.04.2022 p. 60
51 OJ No. L 153, 3.6.2022, p. 1
52 OJ No. L 153, 3.6.2022, p. 11
53 OJ No. L 190, 18.7.2022, p. 5
54 OJ No. L 61, 27.2.2023, p.20
Schedule 2
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Contravention of Provision of Council Regulation

Article 1a (1)
Article 1b (1)
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Article 1e (1), (2) and (3)
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Article 1f (4) and (5)
Article 1fa (1)
Article 1ja (2)
Article 1k (3)
Article 1v (1)
Article 1w (1)
Article 1zc (4)
Article 3 (1) and (2)
Article 3a
Article 4a
Article 4b
Article 8c (1)

GIVEN under my Official Seal,

MICHAEL MCGRATH,
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 the enforcement of restrictive measures contained in Council Regulation (EC) No. 765/2006 as amended, regarding restrictive measures concerning Belarus.

The Regulations provide that competent authorities of the State may issue directions for the purpose of giving full effect to the sanctions. The Regulations create offences for breach of the Council Regulations or for failure to comply with the directions of competent authorities of the State with regard to implementation of the sanctions and provides for appropriate penalties.
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(ASDF-184) 75. 2/23. Propylon.