



STATUTORY INSTRUMENTS.

S.I. No. 237 of 2011



EUROPEAN UNION (RESTRICTIVE MEASURES) (ERITREA)
REGULATIONS 2011

(Prn. A11/0846)

EUROPEAN UNION (RESTRICTIVE MEASURES) (ERITREA)
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I, RICHARD BRUTON, 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 effect to Council Regulation (EU) No. 667/2010 of 26 July 2010¹ concerning certain restrictive measures in respect of Eritrea, hereby make the following regulations:

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

2. (1) In these Regulations “Council Regulation” means Council Regulation (EU) No. 667/2010 of 26 July 2010¹.

(2) A word or expression used in these Regulations 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) A reference in these Regulations to an Article is to an Article of the Council Regulation.

3. A person who contravenes Article 2(1)(a), Article 2(1)(c) or Article 2(1)(e), insofar as it relates to Article 2(1)(a) or 2(1)(c), is guilty of an offence.

4. A person who contravenes Article 8(1)(a) or Article 8(2), insofar as it relates to Article 8(1)(a), is guilty of an offence.

5. The Minister for Enterprise, Trade and Innovation shall be the competent authority for the purposes of these Regulations and the provisions of the Council Regulation with which these Regulations are concerned.

6. 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, is 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.

¹O.J. L195, 27.7.2010 p. 16

7. A person who is 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.
8. 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,
20 May 2011.

RICHARD BRUTON,
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 these Regulations is to provide for penalties for infringements of Council Regulation (EU) No. 667 of 26 July 2010 concerning certain restrictive measures in respect of Eritrea. The Regulations provide for restrictive measures on the provision of technical assistance related to military activities and on the provision, manufacture, maintenance and use of material included in the EU Common Military list.

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