



STATUTORY INSTRUMENTS.

S.I. No. 351 of 2012



EUROPEAN UNION (RESTRICTIVE MEASURES CONCERNING THE
REPUBLIC OF GUINEA-BISSAU) REGULATIONS 2012

EUROPEAN UNION (RESTRICTIVE MEASURES CONCERNING THE
REPUBLIC OF GUINEA-BISSAU) REGULATIONS 2012

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. 377/2012 of 3 May 2012¹ as amended by Council Implementing Regulation (EU) No. 458/2012 of 31 May 2012², hereby make the following regulations:

1. These Regulations may be cited as the European Union (Restrictive Measures Concerning the Republic of Guinea-Bissau) Regulations 2012.

2. (1) In these Regulations “Council Regulation” means Council Regulation (EU) No. 377/2012 of 3 May 2012¹ as amended by Council Implementing Regulation (EU) No. 458/2012 of 31 May 2012².

(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. Subject to Regulation 4, a person who contravenes Article 2 or Article 8(1) of the Council Regulation commits an offence.

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

5. A person who is guilty of an offence under Regulations 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.

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 given 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 to imprisonment for a term not exceeding 6 months or to both.

¹O.J. No. L 119, 04.05.12, p.1

²O.J. No. L 142, 01.06.12, p.11

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 21st September, 2012.*

8. 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 have been attributable to the 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 any such capacity, that person, as well as the body corporate, shall be guilty of an offence and be liable to be proceeded against and punished as if he or she committed the first mentioned offence.



GIVEN under my Official Seal,
18 September 2012.

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. 377/2012 of 3 May 2012 which provides for the freezing of funds and economic resources of certain persons, entities and bodies as listed in Annex 1 to the Council Regulation.

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(Teil: 01 - 6476834 nó 1890 213434; Fax: 094 - 9378964 nó 01 - 6476843)
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