



STATUTORY INSTRUMENTS.

S.I. No. 71 of 2015



EUROPEAN UNION (RESTRICTIVE MEASURES CONCERNING
AFGHANISTAN) REGULATIONS 2015

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AFGHANISTAN) REGULATIONS 2015

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 753/2011 of 1 August 2011¹ as last amended by Council Implementing Regulation (EU) No 1057/2014 of 8 October 2014² hereby make the following regulations:

1. These Regulations may be cited as the European Union (Restrictive Measures concerning (Afghanistan) Regulations 2015.

2. (1) In these Regulations “Council Regulation” means Council Regulation (EU) No 753/2011 of 1 August 2011¹ as last amended by Council Implementing Regulation (EU) No 1057/2014 of 8 October 2014².

(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. A person who contravenes a provision of the Council Regulation specified in the Schedule commits an offence.

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

5. 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.

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

¹OJ No. L.199, 02.08.11, p.1.

²OJ No. L.293, 09.10.14, p.1.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 3rd March, 2015.*

7. A person who fails to comply with a direction given or an instruction issued under Regulation 6 within the time specified in the direction or instruction 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.

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 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.

9. The European Union (Afghanistan) (Financial Sanctions) (No. 2) Regulations 2013 (S.I. No. 532/2013) are revoked.

SCHEDULE

Regulation 3

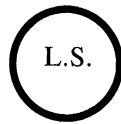
Provision of Council Regulation

Article 2

Article 3

Article 6(2)

Article 8(1)



GIVEN under my Official Seal,
27 February 2015.

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 the enforcement of restrictive measures contained in Council Regulation (EU) No 753/2011, as amended, regarding restrictive measures concerning Afghanistan.

The Regulations provide that competent authorities of the State may issue instructions for the purpose of giving full effect to the sanctions.

The Regulations also create offences for breach of the Council Regulation or for failure to comply with the instructions of competent authorities of the State with regard to implementation of the sanctions and provides for appropriate penalties.

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