



STATUTORY INSTRUMENTS

**S.I. No. 758 of 2007**

---

FINANCIAL TRANSFERS (SOMALIA) (PROHIBITION) ORDER 2007

**(Prn. A7/2086)**

FINANCIAL TRANSFERS (SOMALIA) (PROHIBITION) ORDER 2007

I, BRIAN COWEN, Minister for Finance, in exercise of the powers conferred on me by section 4 of the Financial Transfers Act 1992 (No. 27 of 1992) and for the purpose of giving further effect to Council Regulation (EC) No. 147/2003 of 27 January 2003<sup>1</sup>, hereby order as follows:

1. This Order may be cited as the Financial Transfers (Somalia) (Prohibition) Order 2007.

2. (1) In this Order “Council Regulation” means Council Regulation (EC) No. 147/2003 of 27 January 2003<sup>1</sup>, as amended by Council Regulation (EC) No. 631/2007 of 7 June 2007<sup>2</sup>.

(2) A word or expression which is used in this Order and which is also used in the Council Regulation has, unless the context otherwise requires, the same meaning in this Order as it has in the Council Regulation.

3. A person shall not make a financial transfer, the effect of which would be to enable or facilitate, directly or indirectly, the doing of any thing which is a breach of the Council Regulation, between the State and another country.

4. Notwithstanding Article 3 of this Order, a person who has received an authorisation under Article 2a or prior approval under Article 3 of the Council Regulation may, subject to compliance with the terms and conditions of it, do such of the things referred to in Article 3 of this Order as are so authorised.

5. The Central Bank and Financial Services Authority of Ireland may, for the purpose of supervision of financial transfers and for the administration and enforcement of the provisions of this Order, give such directions or issue such instructions to a person as it sees fit.

6. A person to whom a direction has been given or an instruction issued under Article 5 of this Order shall comply with such direction or instruction.

<sup>1</sup>OJ L24, 29.1.2003, p.2.

<sup>2</sup>OJ L146, 8.6.2007, p.1.

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 20th November, 2007.*

7. A person shall not do anything to directly or indirectly assist in the circumvention of the provisions of this Order.



GIVEN under my Official Seal  
14 November 2007

BRIAN COWEN  
Minister for Finance

EXPLANATORY NOTE

*(This note is not part of the Statutory Instrument and does not purport to be a legal interpretation).*

This Order prohibits financial transfers between the State and another country as outlined in Council Regulation (EC) No. 147/2003 of 27 January 2003 as amended by Council Regulation (EC) No. 631/2007 of 7 June 2007 concerning restrictive measures against Somalia. The prohibition is in respect of the provision of financing or financial assistance related to military activities in Somalia, with exemptions in respect of support for the African Union Mission to Somalia (AMISOM).

It also provides that the Central Bank and Financial Services Authority of Ireland may issue instructions for the purpose of giving full effect to the financial sanctions and requires compliance with such instructions.

The Financial Transfers Act 1992 allows for control of financial transfers between the State and other countries, creates an offence for breach of the provisions of any Order made under it and provides for appropriate penalties.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,  
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2  
nó tríd an bpost ó  
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,  
51 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2  
(Teil: 01 - 6476834/35/36/37; Fax: 01 - 6476843)  
nó trí aon díoltóir leabhar.

---

DUBLIN  
PUBLISHED BY THE STATIONERY OFFICE  
To be purchased directly from the  
GOVERNMENT PUBLICATIONS SALE OFFICE  
SUN ALLIANCE HOUSE, MOLESWORTH STREET, DUBLIN 2  
or by mail order from  
GOVERNMENT PUBLICATIONS, POSTAL TRADE SECTION,  
51 ST. STEPHEN'S GREEN, DUBLIN 2  
(Tel: 01-6476834/35/36/37; Fax: 01-6476843)  
or through any bookseller.

---

€2.54

ISBN 1-4064-3460-4



9 781406 434606