



STATUTORY INSTRUMENTS

S.I. No. 377 of 2008

CRIMINAL JUSTICE (TERRORIST OFFENCES) ACT 2005 (SECTION
42(6)) (COUNTER TERRORISM) (FINANCIAL SANCTIONS)
REGULATIONS (No. 3) 2008

(Prn. A8/1489)

CRIMINAL JUSTICE (TERRORIST OFFENCES) ACT 2005 (SECTION 42(6)) (COUNTER TERRORISM) (FINANCIAL SANCTIONS) REGULATIONS (No. 3) 2008

I, BRIAN LENIHAN, Minister for Finance, in exercise of the powers conferred on me by section 42(6) of the Criminal Justice (Terrorist Offences) Act 2005 (No. 2 of 2005), for the purpose of giving effect to certain acts that are adopted by the institutions of the European Communities, and being of the opinion that Council Regulation (EC) No. 2580/2001 of 27 December 2001¹, as amended, is for the purpose of, or will contribute to, combating terrorism through the adoption of specific restrictive measures, directed at persons, groups or entities, for the identification, detection, freezing or seizure of their assets of any kind, hereby make the following Regulations:

1. These Regulations may be cited as the Criminal Justice (Terrorist Offences) Act 2005 (Section 42(6)) (Counter Terrorism) (Financial Sanctions) Regulations (No. 3) 2008.

2. (1) In these Regulations—

“Council Regulation” means Council Regulation (EC) No. 2580/2001 of 27 December 2001¹, as amended by:

(a) Annex II of Act of Accession 2004²,

(b) Council Regulation (EC) No. 1791/2006 of 20 November 2006³, and

(c) the Commission Regulations cited or referred to in the Criminal Justice (Terrorist Offences) Act 2005 (Section 42(6)) (Counter Terrorism) (Financial Sanctions) Regulations (No. 2) 2008 (S.I. No. 237 of 2008),

and as implemented by Council Decision No. 2008/583/EC of 15 July 2008⁴.

(2) A word or expression that is used in these Regulations has, unless the context otherwise requires, the same meaning as it has in the Council Regulation.

3. The Central Bank and Financial Services Authority of Ireland may, for the purposes of the administration and enforcement of these Regulations and the Council Regulation, give such directions or issue such instructions to a person as it sees fit.

¹OJ No. L344, 28.12.2001, p. 70.

²OJ No. L236, 23.9.2003, p.773.

³OJ No. L363, 20.12.2006, p.1.

⁴OJ No. L188, 16.7.2008, p.21.

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 26th September, 2008.

4. A person to whom a direction is given or an instruction is issued under Regulation 3 shall comply with such direction or instruction.



GIVEN under my Official Seal
17 September 2008

BRIAN LENIHAN
Minister for Finance

EXPLANATORY NOTE

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

These Regulations provide that the Central Bank and Financial Services Authority of Ireland may issue instructions for the purpose of giving full effect to financial sanctions against any persons, groups or entities listed under Council Decision No. 2008/583/EC of 15 July 2008, in accordance with Council Regulation (EC) No. 2580/2001 of 27 December 2001, as amended by various Council and Commission Regulations.

Section 42 of the Criminal Justice (Terrorist Offences) Act 2005 creates an offence for breach of the provisions of these Regulations and provides for appropriate penalties.

Council Decision No. 2008/583/EC of 15 July 2008 replaces the list to which the Council Regulation applies, removing one entry from the existing list.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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