



STATUTORY INSTRUMENTS.

S.I. No. 554 of 2013



EUROPEAN UNION (LIBYA) (FINANCIAL SANCTIONS)
REGULATIONS 2013

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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. 204/2011 of 2 March 2011¹, as last amended by Council Regulation (EU) No. 488/2013 of 27 May 2013², hereby make the following regulations:

1. These Regulations may be cited as the European Union (Libya) (Financial Sanctions) Regulations 2013.

2. (1) In these Regulations “Council Regulation” means Council Regulation (EU) No. 204/2011 of 2 March 2011¹ as amended by—

- (a) Council Implementing Regulation (EU) No. 233/2011 of 10 March 2011³,
- (b) Council Implementing Regulation (EU) No. 272/2011 of 21 March 2011⁴,
- (c) Council Implementing Regulation (EU) No. 288/2011 of 23 March 2011⁵,
- (d) Council Regulation (EU) No. 296/2011 of 25 March 2011⁶,
- (e) Council Implementing Regulation (EU) No. 360/2011 of 12 April 2011⁷,
- (f) Council Implementing Regulation (EU) No. 502/2011 of 23 May 2011⁸,
- (g) Council Regulation (EU) No. 572/2011 of 16 June 2011⁹,
- (h) Council Implementing Regulation (EU) No. 573/2011 of 16 June 2011¹⁰,

¹OJ No. L 58, 3.3.11, p. 1

²OJ No. L 141, 28.5.13, p. 1

³OJ No. L 64, 11.3.11, p. 13

⁴OJ No. L 76, 22.3.11, p. 32

⁵OJ No. L 78, 24.3.11, p. 13

⁶OJ No. L 80, 26.3.11, p. 2

⁷OJ No. L 100, 14.4.11, p. 12

⁸OJ No. L 136, 24.5.11, p. 24

⁹OJ No. L 159, 17.6.11, p. 2

¹⁰OJ No. L 159, 17.6.11, p. 5

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 3rd January, 2014.*

- (i) Council Implementing Regulation (EU) No. 804/2011 of 10 August 2011¹¹,
- (j) Council Implementing Regulation (EU) No. 872/2011 of 1 September 2011¹²,
- (k) Council Implementing Regulation (EU) No. 925/2011 of 15 September 2011¹³,
- (l) Council Implementing Regulation (EU) No. 941/2011 of 22 September 2011¹⁴,
- (m) Council Regulation (EU) No. 965/2011 of 28 September 2011¹⁵,
- (n) Council Regulation (EU) No. 1139/2011 of 10 November 2011¹⁶,
- (o) Council Regulation (EU) No. 1360/2011 of 20 December 2011¹⁷,
- (p) Council Regulation (EU) No. 50/2013 of 22 January 2013¹⁸,
- (q) Council Regulation (EU) No. 364/2013 of 22 April 2013¹⁹, and
- (r) Council Regulation (EU) No. 488/2013 of 27 May 2013².

(2) A word or expression used in these Regulations that 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 the provisions of the Council Regulation as regards—

- (a) the freezing of funds or economic resources,
- (b) the making available of funds or economic resources,
- (c) the supply of information to, or cooperation with, the competent authorities, or
- (d) the participation in activities to circumvent the requirements of the Council Regulation as regards paragraph (a), (b), (c) or (d),

shall be guilty of an offence.

¹¹OJ No. L 206, 11.8.11, p. 19

¹²OJ No. L 227, 2.9.11, p. 3

¹³OJ No. L 241, 17.9.11, p. 1

¹⁴OJ No. L 246, 23.9.11, p. 11

¹⁵OJ No. L 253, 29.9.11, p. 8

¹⁶OJ No. L 293, 11.11.11, p. 19

¹⁷OJ No. L 341, 22.12.11, p. 18

¹⁸OJ No. L 20, 23.1.13, p. 29

¹⁹OJ No. L 111, 23.4.13, p. 25

4. Notwithstanding Regulation 3, a person who has been granted or is deemed to have been granted an authorisation under Articles 2(4), 3, 7, 8, 8a, 8b, 10 or 10a of 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 guilty of an offence under Regulation 3 shall be liable—

(a) on summary conviction, to a class A fine or imprisonment for a term not exceeding 12 months or both, or

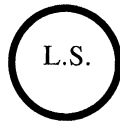
(b) on conviction on indictment, to a fine not exceeding €500,000 or imprisonment for a term not exceeding 3 years or both.

6. A competent authority of the State may, for the purposes of the administration and enforcement of the provisions of 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 imprisonment for a term not exceeding 6 months or both.

8. Where a body corporate is guilty of an offence and the offence is proved to have been committed with the consent or connivance 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 shall, as well as the body corporate, be 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.

9. The European Union (Libya) (Financial Sanctions) Regulations 2012 (S.I. No. 13 of 2012) are revoked.



GIVEN under my Official Seal,
18 December 2013.

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. 204/2011 of 2 March 2011, as amended, concerning restrictive measures against Libya. The sanctions include a prohibition on financial assistance related to the provision of military equipment or equipment which could be used for internal repression in Libya. The Council Regulation also provides for the freezing of funds and economic resources of persons and entities listed in Annexes II and III of the Council Regulation.

These Regulations provide that the Central Bank of Ireland may issue instructions for the purpose of giving full effect to the financial sanctions.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2
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