



STATUTORY INSTRUMENTS.

S.I. No. 78 of 2016



EUROPEAN UNION (RESTRICTIVE MEASURES CONCERNING
ZIMBABWE) REGULATIONS 2016

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ZIMBABWE) REGULATIONS 2016

I, RICHARD BRUTON, Minister for Jobs, Enterprise and Innovation, 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 (EC) No 314/2004 of 19 February 2004¹, as amended, hereby make the following regulations:

1. These Regulations may be cited as the European Union (Restrictive Measures concerning Zimbabwe) Regulations 2016.

2. (1) In these Regulations—

“Council Regulation” means Council Regulation (EC) No 314/2004 of 19 February 2004¹ as amended by the European acts specified in Schedule 1;

“European act” means an act adopted by an institution of the European Union or an institution of the European Communities.

(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 Schedule 2 commits an offence.

4. Notwithstanding Regulation 3, a person who has received an authorisation under Article 4(1) or 7(1) 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. (1) 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 to 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 to both.

6. Any competent authority, following such consultation as it considers necessary with the other competent authorities, for the purposes of the administration

¹OJ L 055, 24.2.2004, p.1

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 26th February, 2016.*

and enforcement of the Council Regulation or these Regulations, may give in writing such directions to a person as it sees fit.

7. A person who fails to comply with a direction given under Regulation 6 within the time specified in the direction 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 or connivance of or to be attributable to any 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 such capacity, that person shall, as well as the body corporate, be guilty of an offence and shall be liable to be proceeded against and punished as if he or she were guilty of the first-mentioned offence.

9. The following are revoked:

- (a) the European Communities (Restrictive Measures) (Zimbabwe) Regulations 2004 (S.I. No. 161 of 2004);
- (b) the European Union (Zimbabwe) (Financial Sanctions) Regulations 2013 (S.I. No. 551 of 2013).

Schedule 1

Council Regulation

Regulation 2

1. Commission Regulation (EC) No 1488/2004 of 20 August 2004²
2. Commission Regulation (EC) No 898/2005 of 15 June 2005³
3. Commission Regulation (EC) No 1272/2005 of 1 August 2005⁴
4. Commission Regulation (EC) No 1367/2005 of 19 August 2005⁵
5. Council Regulation (EC) No 1791/2006 of 20 November 2006⁶
6. Commission Regulation (EC) No 236/2007 of 2 March 2007⁷
7. Commission Regulation (EC) No 412/2007 of 16 April 2007⁸
8. Commission Regulation (EC) No 777/2007 of 2 July 2007⁹
9. Commission Regulation (EC) No 702/2008 of 23 July 2008¹⁰
10. Commission Regulation (EC) No 1226/2008 of 8 December 2008¹¹
11. Commission Regulation (EC) No 77/2009 of 26 January 2009¹²
12. Commission Regulation (EU) No 173/2010 of 25 February 2010¹³
13. Commission Regulation (EU) No 174/2011 of 23 February 2011¹⁴
14. Commission Implementing Regulation (EU) No 151/2012 of 21 February 2012¹⁵
15. Commission Implementing Regulation (EU) No 145/2013 of 19 February 2013¹⁶
16. Council Regulation (EU) No 517/2013 of 13 May 2013¹⁷

²OJ L 273, 21.8.2004, p.12

³OJ L 153, 16.6.2005, p.9

⁴OJ L 201, 2.8.2005, p.40

⁵OJ L 216, 20.8.2005, p.6

⁶OJ L 363, 20.12.2006, p.1

⁷OJ L 66, 6.3.2007, p.14

⁸OJ L 101, 18.4.2007, p.6

⁹OJ L 173, 3.7.2007, p.3

¹⁰OJ L 195, 24.7.2008, p.19

¹¹OJ L 331, 10.12.2008, p.11

¹²OJ L 23, 27.1.2009, p.5

¹³OJ L 51, 2.3.2010, p.13

¹⁴OJ L 49, 24.2.2011, p.23

¹⁵OJ L 49, 22.2.2012, p.2

¹⁶OJ L 47, 20.2.2013, p.63

¹⁷OJ L 158, 10.6.2013, p.1

17. Commission Implementing Regulation (EU) No 915/2013 of 23 September 2013¹⁸
18. Council Regulation (EU) No 153/2014 of 17 February 2014¹⁹
19. Commission Implementing Regulation (EU) 2015/275 of 19 February 2015²⁰
20. Council Regulation (EU) 2015/612 of 20 April 2015²¹

¹⁸OJ L 252, 24.9.2013, p.23

¹⁹OJ L 50, 20.2.2014, p.1

²⁰OJ L 47, 20.2.2015, p.15

²¹OJ L 102, 21.4.2015, p.1

Schedule 2

Provision of Council Regulation

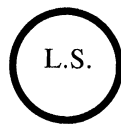
Regulation 3

Article 2

Article 3

Article 6

Article 8(1)



GIVEN under my Official Seal,
21 February 2016.

RICHARD BRUTON,
Minister for Jobs, Enterprise and Innovation.

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 (EC) No 314/2004 as amended, regarding restrictive measures concerning Zimbabwe.

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

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

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