



STATUTORY INSTRUMENTS.

S.I. No. 39 of 2018

EUROPEAN COMMUNITIES (INTRA-COMMUNITY TRANSFERS OF
DEFENCE RELATED PRODUCTS) (AMENDMENT) REGULATIONS
2018

EUROPEAN COMMUNITIES (INTRA-COMMUNITY TRANSFERS OF
DEFENCE RELATED PRODUCTS) (AMENDMENT) REGULATIONS
2018

I, HEATHER HUMPHREYS, Minister for Business, 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 effect to Commission Directive (EU) 2017/2054 of 8 November 2017¹ amending Directive 2009/43/EC of the European Parliament and of the Council as regards the list of defence-related products², hereby make the following regulations:

1. These Regulations may be cited as the European Communities (Intra-Community Transfers of Defence Related Products) (Amendment) Regulations 2018.

2. Regulation 2 (amended by the European Communities (Intra-Community Transfers of Defence Related Products) (Amendment) Regulations 2017 (S.I. No. 268 of 2017)) of the European Communities (Intra-Community Transfers of Defence-Related Products) Regulations 2011 (S.I. No. 346 of 2011), is amended, in paragraph (1), by the substitution of the following definition for the definition of “Directive”:

“ ‘Directive’ means Directive 2009/43/EC of the European Parliament and of the Council of 6 May 2009² simplifying the terms and conditions of transfers of defence-related products within the Community as amended by—

- (a) Commission Directive 2010/80/EU of 22 November 2010³ amending Directive 2009/43/EC of the European Parliament and of the Council as regards the list of defence-related products,
- (b) Commission Directive 2012/10/EU of 22 March 2012⁴ amending Directive 2009/43/EC of the European Parliament and of the Council as regards the list of defence-related products,
- (c) Commission Directive 2012/47/EU of 14 December 2012⁵ amending Directive 2009/43/EC of the European Parliament and of the Council as regards the list of defence-related products,

¹OJ No. L 311, 25.11.2017, p.1.

²OJ No. L 146, 10.06.2009, p.1.

³OJ No. L 308, 24.11.2010, p.11.

⁴OJ No. L 85, 24.3.2012, p.3.

⁵OJ No. L 31, 31.1.2013, p.43.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 23rd February, 2018.*

- (d) Commission Directive 2014/18/EU of 29 January 2014⁶ amending Directive 2009/43/EC of the European Parliament and of the Council as regards the list of defence-related products,
- (e) Commission Directive 2014/108/EU of 12 December 2014⁷ amending Directive 2009/43/EC of the European Parliament and of the Council as regards the list of defence-related products,
- (f) Commission Directive (EU) 2016/970 of 27 May 2016⁸ amending Directive 2009/43/EC of the European Parliament and of the Council as regards the list of defence-related products,
- (g) Commission Directive (EU) 2017/433 of 7 March 2017⁹ amending Directive 2009/43/EC of the European Parliament and of the Council as regards the list of defence-related products, and
- (h) Commission Directive (EU) 2017/2054 of 8 November 2017¹ amending Directive 2009/43/EC of the European Parliament and of the Council as regards the list of defence-related products;”.



GIVEN under my Official Seal,
15 February 2018.

HEATHER HUMPHREYS,
Minister for Business, Enterprise and Innovation.

⁶OJ No. L 40, 11.2.2014, p.20.

⁷OJ No. L 359, 16.12.2014, p.117.

⁸OJ No. L 163, 21.06.2016, p.1.

⁹OJ No. L 70, 15.03.2017, p.1.

EXPLANATORY NOTE

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

The purpose of the Intra Communities Transfer Directive (Directive 2009/43/EEC of the European Parliament and of the Council of 6 May 2009) is to simplify the rules and procedures applicable to the intra-Community transfer of defence related products. The list of products covered by Directive 2009/43/EEC is the “EU Common Military List”. As the common military list is updated annually, the Directive is updated annually with an amended list. These Regulations implement and give effect to Commission Directive (EU) 201/2054 of 8 November 2017 to reflect the amendments made in the 2017 EU Common Military List.

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