



STATUTORY INSTRUMENTS.

S.I. No. 319 of 2018

EUROPEAN COMMUNITIES (EXTRA-TERRITORIAL APPLICATION
OF LEGISLATION ADOPTED BY A THIRD COUNTRY)
(AMENDMENT) REGULATIONS, 2018

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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 fuller effect to Council Regulation (EC) No. 2271/96 of 22 November 1996¹ as amended by Commission Delegated Regulation (EU) 2018/1100 of 6 June 2018, hereby make the following Regulations:

1. These Regulations may be cited as the European Communities (Extraterritorial Application of Legislation Adopted by a Third Country) (Amendment) Regulations, 2018.

2. In these Regulations, ‘Regulations of 1997’ means the European Communities (Extraterritorial Application of Legislation Adopted by a Third Country) Regulations 1997 (S.I. No. 217 of 1997).

3. The Regulations of 1997 are amended—

(a) In Paragraph 3, by the substitution of “The Minister for Business, Enterprise and Innovation” for “The Minister for Tourism and Trade”

(b) By substituting for Paragraph 5(2) the following:

“5 (2) A person (not being a person whom an authorisation under Article 7 (b) of the Council Regulation has been granted) who contravenes the provisions of Article 5(1) of the Council Regulation shall be guilty of an offence.”

(c) By substituting for Paragraph 6 the following:

“6. A person who is guilty of an offence under Regulation 5 shall be liable—

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

¹OJ L. 309, 29.11.96, p.1.

(d) By substituting for Paragraph 11(2) the following:

“11 (2) In proceedings referred to in paragraph (1) of this Regulation a court may admit in evidence a document purporting to have been obtained from the European Commission which purports to contain the text of a law, regulation or other legislative instrument specified in the Annex to the Council Regulation, as evidence of that law, regulation or other legislative instrument.



GIVEN under my Official Seal,
8 August 2018.

HEATHER HUMPHREYS,
Minister for Business Enterprise and Innovation.

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