



STATUTORY INSTRUMENTS.

S.I. No. 267 of 2010

CRIMINAL JUSTICE (TERRORIST OFFENCES) ACT 2005 (SECTION
42(6)) (USAMA BIN LADEN, THE AL-QAIDA NETWORK AND THE
TALIBAN) (FINANCIAL SANCTIONS) REGULATIONS 2010

(Prn. A10/0817)

CRIMINAL JUSTICE (TERRORIST OFFENCES) ACT 2005 (SECTION 42(6)) (USAMA BIN LADEN, THE AL-QAIDA NETWORK AND THE TALIBAN) (FINANCIAL SANCTIONS) REGULATIONS 2010

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 full effect to certain acts that are adopted by the institutions of the European Communities, and being of the opinion that Council Regulation (EC) No. 881/2002 of 27 May 2002¹, 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)) (Usama bin Laden, the Al-Qaida network and the Taliban) (Financial Sanctions) Regulations 2010.

2. (1) In these Regulations—

“Council Regulation” means Council Regulation (EC) No. 881/2002 of 27 May 2002¹, as amended by—

(a) Council Regulation (EC) No. 561/2003 of 27 March 2003²,

(b) Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded³,

(c) Council Regulation (EC) No. 1791/2006 of 20 November 2006⁴,

(d) the amending Commission Regulations and corrigenda cited or referred to in the Criminal Justice (Terrorist Offences) Act 2005 (Section 42(6)) (Usama bin Laden, the Al-Qaida network and the Taliban) (Financial Sanctions) Regulations (No. 3) 2009 (S.I. No. 427 of 2009),

¹OJ No. L.139, 29.5.02, p.9.

²OJ No. L.82, 29.3.03, p.1.

³OJ No. L.236, 23.9.03, p.773.

⁴OJ No. L.363, 20.12.06, p.1.

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 11th June, 2010.

- (e) Commission Regulation (EC) No. 1033/2009 of 28 October 2009⁵,
- (f) Commission Regulation (EC) No. 1102/2009 of 16 November 2009⁶,
- (g) Commission Regulation (EU) No. 1220/2009 of 14 December 2009⁷,
- (h) Council Regulation (EU) No. 1286/2009 of 22 December 2009⁸,
- (i) Commission Regulation (EU) No. 70/2010 of 25 January 2010⁹ and Corrigendum¹⁰,
- (j) Commission Regulation (EU) No. 110/2010 of 5 February 2010¹¹ and Corrigendum¹²,
- (k) Commission Regulation (EU) No. 207/2010 of 10 March 2010¹³,
- (l) Commission Regulation (EU) No. 262/2010 of 24 March 2010¹⁴,
- (m) Commission Regulation (EU) No. 290/2010 of 6 April 2010¹⁵,
- (n) Commission Regulation (EU) No. 318/2010 of 16 April 2010¹⁶,
- (o) Commission Regulation (EU) No. 366/2010 of 28 April 2010¹⁷,
- (p) Commission Regulation (EU) No. 372/2010 of 30 April 2010¹⁸,
- (q) Commission Regulation (EU) No. 417/2010 of 12 May 2010¹⁹, and
- (r) Commission Regulation (EU) No. 450/2010 of 21 May 2010²⁰.

(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. 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.

⁵OJ No. L.283, 30.10.09, p.51.

⁶OJ No. L.303, 18.11.09, p.39.

⁷OJ No. L.328, 15.12.09, p.66.

⁸OJ No. L.346, 23.12.09, p.42.

⁹OJ No. L.20, 26.1.10, p.1.

¹⁰OJ No. L.51, 2.3.10, p.26.

¹¹OJ No. L.36, 9.2.10, p.9.

¹²OJ No. L.51, 2.3.10, p.25.

¹³OJ No. L.63, 12.3.10, p.1.

¹⁴OJ No. L.80, 26.3.10, p.40.

¹⁵OJ No. L.87, 7.4.10, p.29.

¹⁶OJ No. L.97, 17.4.10, p.10.

¹⁷OJ No. L.107, 29.4.10, p.12.

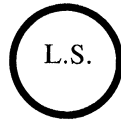
¹⁸OJ No. L.110, 1.5.10, p.22.

¹⁹OJ No. L.119, 13.5.10, p.14.

²⁰OJ No. L.127, 26.5.10, p.8.

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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,
8 June 2010.

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 certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban imposed by Council Regulation (EC) No. 881/2002 of 27 May 2002, as amended by Council Regulation (EC) No. 561/2003 of 27 March 2003, Annex II of Act of Accession 2004, Council Regulation (EC) No. 1791/2006 of 20 November 2006 and various Council and Commission Regulations.

This update provides for enforcement of the additional amending Commission Regulations, which add to or remove entries from the asset-freeze list:

Commission Regulation (EC) No. 1033/2009 of 28 October 2009,
Commission Regulation (EC) No. 1102/2009 of 16 November 2009,
Commission Regulation (EU) No. 1220/2009 of 14 December 2009,
Council Regulation (EU) No. 1286/2009 of 22 December 2009,
Commission Regulation (EU) No. 70/2010 of 25 January 2010 and
Corrigendum,
Commission Regulation (EU) No. 110/2010 of 5 February 2010 and
Corrigendum,
Commission Regulation (EU) No. 207/2010 of 10 March 2010,
Commission Regulation (EU) No. 262/2010 of 24 March 2010,
Commission Regulation (EU) No. 290/2010 of 6 April 2010,
Commission Regulation (EU) No. 318/2010 of 16 April 2010,
Commission Regulation (EU) No. 366/2010 of 28 April 2010,
Commission Regulation (EU) No. 372/2010 of 30 April 2010,
Commission Regulation (EU) No. 417/2010 of 12 May 2010, and
Commission Regulation (EU) No. 450/2010 of 21 May 2010.

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.

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Wt. (B27670). 285. 6/10. Cahill. Gr. 30-15.