



STATUTORY INSTRUMENTS.

S.I. No. 117 of 2011



EUROPEAN UNION (RESTRICTIVE MEASURES) (LIBYA)
REGULATIONS 2011

(Prn. A11/0433)

EUROPEAN UNION (RESTRICTIVE MEASURES) (LIBYA)
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I, RICHARD BRUTON, Minister for Enterprise, Trade 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 (EU) No 204/2011 of 2 March 2011¹, hereby make the following regulations:

1. These Regulations may be cited as the European Union (Restrictive Measures) (Libya) Regulations 2011.

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

(2) A word or expression used in these Regulations 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 reference in these Regulations to an Article is to an Article of the Council Regulation.

3. (1) Subject to Article 2(3), a person who contravenes Article 2(1)(a), 2(1)(b) in so far as it relates to Article 2(1)(a), or Article 2(2), commits an offence.

(2) Paragraph (1) does not apply where an authorisation referred to in Article 2(4) has been granted.

4. (1) Subject to Article 3(2), a person who contravenes Article 3(1)(a), 3(1)(b), or 3(1)(d) in so far as it relates to Article 3(1)(a) or 3(1)(b), commits an offence.

(2) Paragraph (1) does not apply where an authorisation referred to in Article 3(3) has been granted.

5. Where an offence under these Regulations is committed by a body corporate and is proved to have been so committed with the consent, connivance or approval 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 any other person who was acting or purporting to act in any such capacity, that person, as well as the body corporate, commits an offence and is liable to be proceeded against and punished as if he or she committed the first-mentioned offence.

¹OJ No. L 58, 3.3.2011, p. 1

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 22nd March, 2011.*

6. The Minister for Enterprise, Trade and Innovation shall be the competent authority for the purposes of these Regulations and the provisions of the Council Regulation with which these Regulations are concerned.

7. A person who is guilty of an offence under these Regulations is 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.

8. Summary proceedings for an offence under these Regulations may be brought and prosecuted by the Minister for Enterprise, Trade and Innovation.



GIVEN under my Official Seal,
16 March 2011.

RICHARD BRUTON,
Minister for Enterprise, Trade and Innovation.

EXPLANATORY NOTE

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

The effect of this Order is to provide for penalties for infringements of Council Regulation (EU) No. 204 of 2 March 2011 concerning certain restrictive measures in view of the situation in Libya. The Order prohibits the sale, transfer, export and import of equipment which might be used for internal repression, and prohibits the provision of technical assistance or brokering services related to equipment which might be used for internal repression.

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