



STATUTORY INSTRUMENTS.

**S.I. No. 551 of 2013**



EUROPEAN UNION (ZIMBABWE) (FINANCIAL SANCTIONS)  
REGULATIONS 2013

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I, MICHAEL NOONAN, Minister for Finance, 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 2004<sup>1</sup> as last amended by Commission Implementing Regulation (EU) No. 915/2013 of 23 September 2013<sup>2</sup>, hereby make the following regulations:

1. These Regulations may be cited as the European Union (Zimbabwe) (Financial Sanctions) Regulations 2013.

2. (1) In these Regulations “Council Regulation” means Council Regulation (EC) No. 314/2004 of 19 February 2004<sup>1</sup> as amended by—

- (a) Commission Regulation (EC) No. 1488/2004 of 20 August 2004<sup>3</sup>,
- (b) Commission Regulation (EC) No. 1367/2005 of 19 August 2005<sup>4</sup>,
- (c) Council Regulation (EC) No. 1791/2006 of 20 November 2006<sup>5</sup>,
- (d) Commission Regulation (EU) No. 173/2010 of 25 February 2010<sup>6</sup>,
- (e) Commission Implementing Regulation (EU) No. 151/2012 of 21 February 2012<sup>7</sup>,
- (f) Commission Implementing Regulation (EU) No. 145/2013 of 19 February 2013<sup>8</sup>,
- (g) Council Regulation (EU) No. 298/2013 of 27 March 2013<sup>9</sup>, and
- (h) Commission Implementing Regulation (EU) No. 915/2013 of 23 September 2013<sup>2</sup>.

(2) A word or expression used in these Regulations that 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.

<sup>1</sup>OJ No. L 55, 24.2.04, p. 1

<sup>2</sup>OJ No. L 252, 24.9.13, p. 23

<sup>3</sup>OJ No. L 273, 21.8.04, p. 12

<sup>4</sup>OJ No. L 216, 20.8.05, p. 6

<sup>5</sup>OJ No. L 363, 20.12.06, p. 1

<sup>6</sup>OJ No. L 51, 2.3.10, p. 13

<sup>7</sup>OJ No. L 49, 22.2.12, p. 2

<sup>8</sup>OJ No. L 47, 20.2.13, p. 63

<sup>9</sup>OJ No. L 90, 28.3.13, p. 48

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 3rd January, 2014.*

3. Subject to Regulation 4, a person who contravenes the provisions of the Council Regulation as regards—

- (a) the freezing of funds or economic resources,
- (b) the making available of funds or economic resources,
- (c) the supply of information to, or cooperation with, the competent authorities, or
- (d) the participation in activities to circumvent the requirements of the Council Regulation as regards paragraph (a), (b) or (c),

shall be guilty of an offence.

4. Notwithstanding Regulation 3, a person who has been granted or is deemed to have been granted an authorisation under Article 4 or 7 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. A person guilty of an offence under Regulation 3 shall be liable—

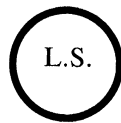
- (a) on summary conviction, to a class A fine or imprisonment for a term not exceeding 12 months or both, or
- (b) on conviction on indictment, to a fine not exceeding €500,000 or imprisonment for a term not exceeding 3 years or both.

6. A competent authority of the State may, for the purposes of the administration and enforcement of the Council Regulation or these Regulations, give such directions or issue such instructions to a person as it sees fit.

7. A person who fails to comply with a direction given or an instruction issued under Regulation 6 shall be guilty of an offence and shall be liable on summary conviction to a class A fine or imprisonment for a term not exceeding 6 months or both.

8. Where a body corporate is guilty of an offence under these Regulations and the offence is proved to have been committed with the consent or connivance 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 any such capacity, that person shall, as well as the body corporate be guilty of an offence and is liable to be proceeded against and punished as if he or she were guilty of the first-mentioned offence.

9. The European Union (Zimbabwe) (Financial Sanctions) Regulations 2012 (S.I. No. 91 of 2012) are revoked.



GIVEN under my Official Seal,  
18 December 2013.

MICHAEL NOONAN,  
Minister for Finance.

## EXPLANATORY NOTE

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

These Regulations provide for enforcement of financial sanctions contained in Council Regulation (EC) No. 314/2004 of 19 February 2004, as amended, concerning restrictive measures against Zimbabwe.

The sanctions include a prohibition on financing or financial assistance related to a) military activities in Zimbabwe and b) the supply of equipment which may be used for internal repression in Zimbabwe. The sanctions also include the freezing of funds and economic resources belonging to named members of the Government of Zimbabwe and to their families and close associates.

The most recent amendments to the Council Regulation are contained in Commission Implementing Regulation (EU) No. 145/2013 of 19 February 2013, Council Implementing Regulation (EU) No. 298/2013 of 27 March 2013, and Commission Implementing Regulation (EU) No. 915/2013 of 23 September 2013 which replace Annex II, amends Annex III to the Council Regulation and provides for the suspension of the application of Article 6 of the Council Regulation until 20 February 2014.

These Regulations also provide that the Central Bank of Ireland may issue instructions for the purpose of giving full effect to the financial sanctions.

They create offences for breach of the Council Regulation or for failure to comply with the instructions of the Central Bank with regard to implementation of the sanctions and they provide for appropriate penalties.

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