



STATUTORY INSTRUMENTS.

S.I. No. 555 of 2013



FINANCIAL TRANSFERS (LIBERIA) (PROHIBITION) ORDER 2013

FINANCIAL TRANSFERS (LIBERIA) (PROHIBITION) ORDER 2013

I, MICHAEL NOONAN, Minister for Finance, in exercise of the powers conferred on me by section 4 of the Financial Transfers Act, 1992 (No. 27 of 1992), and for the purpose of giving full effect to Council Regulation (EC) No. 234/2004 of 10 February 2004¹, as last amended by Council Regulation (EU) No. 493/2010 of 7 June 2010², and Council Regulation (EC) No. 872/2004 of 29 April 2004³, as last amended by Commission Implementing Regulation (EU) No 291/2013 of 26 March 2013⁴, hereby order as follows:

1. This Order may be cited as the Financial Transfers (Liberia) (Prohibition) Order 2013.

2. (1) In this Order—

“Council Regulation (EC) No. 234/2004” means Council Regulation (EC) No. 234/2004 of 10 February 2004¹, as amended by—

- (a) Council Regulation (EC) No. 1126/2006 of 24 July 2006⁵,
- (b) Council Regulation (EC) No. 1819/2006 of 11 December 2006⁶,
- (c) Council Regulation (EC) No. 719/2007 of 25 June 2007⁷,
- (d) Council Regulation (EC) No. 866/2007 of 23 July 2007⁸, and
- (e) Council Regulation (EU) No. 493/2010 of 7 June 2010².

“Council Regulation (EC) No. 872/2004” means Council Regulation (EC) No. 872/2004 of 29 April 2004³, as amended by—

- (a) Commission Regulation (EC) No. 1149/2004 of 22 June 2004⁹,
- (b) Commission Regulation (EC) No. 1478/2004 of 18 August 2004¹⁰,

¹OJ No. L 40, 12.2.04, p. 1

²OJ No. L 140, 8.6.10, p. 17

³OJ No. L 162, 30.4.04, p. 32

⁴OJ No. L 87, 27.3.13, p. 4

⁵OJ No. L 201, 25.7.06, p. 1

⁶OJ No. L 351, 13.12.06, p. 1

⁷OJ No. L 164, 26.6.07, p. 1

⁸OJ No. L 192, 24.7.07, p. 4

⁹OJ No. L 222, 23.6.04, p. 17

¹⁰OJ No. L 271, 19.8.04, p. 36

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

- (c) Commission Regulation (EC) No. 1580/2004 of 8 September 2004¹¹,
- (d) Commission Regulation (EC) No. 2136/2004 of 14 December 2004¹²,
- (e) Commission Regulation (EC) No. 874/2005 of 9 June 2005¹³,
- (f) Commission Regulation (EC) No. 1453/2005 of 6 September 2005¹⁴,
- (g) Commission Regulation (EC) No. 2024/2005 of 12 December 2005¹⁵,
- (h) Council Regulation (EC) No. 1791/2006 of 20 November 2006¹⁶,
- (i) Commission Regulation (EC) No. 1462/2007 of 11 December 2007¹⁷,
- (j) Commission Regulation (EC) No. 973/2008 of 2 October 2008¹⁸,
- (k) Commission Regulation (EC) No. 1216/2008 of 5 December 2008¹⁹,
- (l) Commission Regulation (EC) No. 275/2009 of 2 April 2009²⁰,
- (m) Commission Regulation (EC) No. 496/2009 of 11 June 2009²¹,
- (n) Commission Regulation (EC) No. 835/2009 of 11 September 2009²²,
- (o) Commission Regulation (EC) No. 26/2010 of 12 January 2010²³,
- (p) Commission Implementing Regulation (EU) No. 116/2012 of 9 February 2012²⁴,
- (q) Commission Implementing Regulation (EU) No. 777/2012 of 27 August 2012²⁵,
- (r) Commission Implementing Regulation (EU) No. 9/2013 of 9 January 2013²⁶, and
- (s) Commission Implementing Regulation (EU) No. 291/2013 of 26 March 2013⁴.

¹¹OJ No. L 289, 10.9.04, p. 4

¹²OJ No. L 369, 16.12.04, p. 14

¹³OJ No. L 146, 10.6.05, p. 5

¹⁴OJ No. L 230, 7.9.05, p. 14

¹⁵OJ No. L 326, 13.12.05, p. 10

¹⁶OJ No. L 363, 20.12.06, p. 1

¹⁷OJ No. L 326, 12.12.07, p. 24

¹⁸OJ No. L 265, 4.10.08, p. 8

¹⁹OJ No. L 328, 6.12.08, p. 26

²⁰OJ No. L 91, 3.4.09, p. 18

²¹OJ No. L 149, 12.6.09, p. 60

²²OJ No. L 241, 12.9.09, p. 5

²³OJ No. L 9, 14.1.10, p. 5

²⁴OJ No. L 38, 11.2.12, p. 29

²⁵OJ No. L 231, 28.8.12, p. 9

²⁶OJ No. L 5, 10.1.13, p. 1

(2) A word or expression used in this Order that is also used in Council Regulation (EC) No. 234/2004 or in Council Regulation (EC) No. 872/2004 has, unless the context otherwise requires, the same meaning in this Order as it has in the Council Regulation concerned.

3. Subject to Article 4, a person shall not make a financial transfer between the State and another country the effect of which would be to enable or facilitate, directly or indirectly, the doing of any thing which is a contravention of the Council Regulations.

4. Notwithstanding Article 3, a person who has been granted or is deemed to have been granted an authorisation under Article 3 of Council Regulation (EC) No. 234/2004 or an authorisation under Article 3 or 4 of Council Regulation (EC) No. 872/2004 may, subject to compliance with the terms and conditions of such authorisation, do such of the things as are so authorised.

5. A competent authority of the State may, for the purposes of supervision of financial transfers and for the administration and enforcement of the Council Regulations or this Order, give such directions or issue such instructions to a person as it sees fit.

6. A person to whom a direction has been given or an instruction issued under Article 5 of this Order shall comply with such direction or instruction.

7. A person shall not do anything to directly or indirectly assist in the circumvention of the provisions of this Order.

8. The Financial Transfers (Liberia) (Prohibition) Order 2012 (S.I. No. 90 of 2012) is revoked.



GIVEN under my Official Seal,
18 December 2013.

MICHAEL NOONAN,
Minister for Finance.

EXPLANATORY NOTE

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

This Order provides for the enforcement of financial sanctions contained in Council Regulation (EC) No. 234/2004 of 10 February 2004, as amended, and Council Regulation (EC) No. 872/2004 of 29 April 2004, as amended, concerning restrictive measures against Liberia. The sanctions include a prohibition on financial assistance related to military activities in Liberia, and the freezing of funds and economic resources of former Liberian President Charles Taylor, his immediate family and close associates engaged in or providing support for activities undermining peace and stability in Liberia.

The most recent updates to EU Financial Sanctions against Liberia are contained in Commission Implementing Regulation (EU) No. 291/2013 of 26 March 2013 which amends the asset-freeze list established under Council Regulation (EC) No. 872/2004 of 29 April 2004.

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 of Ireland with regard to implementation of the sanctions and they provide for appropriate penalties.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2
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