STATUTORY INSTRUMENTS.

S.I. No. 85 of 2019

CRIMINAL JUSTICE (TERRORIST OFFENCES) ACT 2005 (SECTION 42) (RESTRICTIVE MEASURES CONCERNING CERTAIN PERSONS AND ENTITIES WITH A VIEW TO COMBATING TERRORISM) REGULATIONS 2019

S.I. No. 85 of 2019

Criminal Justice (Terrorist Offences) Act 2005 (Section 42)
(Restrictive Measures concerning Certain Persons and Entities
with a view to Combating Terrorism) Regulations 2019

WHEREAS the Council Regulation (EC) No. 2580/2001 was adopted by the Council on 27 December 2001; and

WHEREAS I, PASCHAL DONOHOE, Minister for Finance am of the opinion that the said Council Regulation 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;

NOW I, PASCHAL DONOHOE, Minister for Finance, in exercise of the powers conferred on me by subsections (2) and (6) of section 42 of the Criminal Justice (Terrorist Offences) Act 2005 (No. 2 of 2005), and for the purpose of giving full effect to Council Regulation (EC) No. 2580/2001 of 27 December 2001[1], hereby make the following regulations:

1. These Regulations may be cited as the Criminal Justice (Terrorist Offences) Act 2005 (Section 42) (Restrictive Measures concerning Certain Persons and Entities with a view to Combating Terrorism) Regulations 2019.

2. (1) In these Regulations - "Act" means the Criminal Justice (Terrorist Offences) Act 2005 (No. 2 of 2005);

"Bank" means the Central Bank of Ireland;

"Council Regulation" means Council Regulation (EC) No. 2580/2001 of 27 December 2001[1] as amended by the European acts specified in the Schedule;

"European act" means an act adopted by an institution of the European Union or an institution of the European Communities.

(2) A word or expression that is used in these Regulations and that is also used in the Council Regulation has the same meaning in these Regulations as it has in the Council Regulation.

3. It is a requirement within the meaning of subsection (3) of section 42 of the Act that a person shall not contravene the Council Regulation.

4. (1) The Bank may, for the purposes of these Regulations and the Council Regulation, give to any person such directions as it considers appropriate.

[1] OJ No. L 344, 28.12.2001, p.70

*Notice of the making of this Statutory Instrument was published in "Iris Oifigiúil"*15*th of March*, 2019.

(2) A direction under this Regulation shall be in writing.

(3) It is a requirement within the meaning of subsection (7) of section 42 of the Act that a person to whom a direction is given under this Regulation shall comply with the direction.

5. The Criminal Justice (Terrorist Offences) Act 2005 (Section 42) (Restrictive Measures concerning Certain Persons and Entities with a view to Combating Terrorism) Regulations (No.2) 2018 (S.I. No. 342 of 2018) are revoked.

SCHEDULE

EUROPEAN ACTS AMENDING COUNCIL REGULATION (EC) NO. 2580/2001 OF 27 December 2001

1. Commission Regulation (EC) No. 745/2003 of 28 April 2003[2]
2. 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 founded[3]
3. Commission Regulation (EC) No. 1207/2005 of 27 July 2005[4]
4. Commission Regulation (EC) No. 1957/2005 of 29 November 2005[5]
5. Commission Regulation (EC) No. 1461/2006 of 29 September 2006[6]
6. Council Regulation (EC) No. 1791/2006 of 20 November 2006[7]
7. Commission Implementing Regulation (EU) No. 1250/2012 of 20 December 2012[8]
8. Council Regulation (EU) No. 517/2013 of 13 May 2013[9]
9. Commission Implementing Regulation (EU) No. 646/2013 of 4 July 2013[10]
10. Council Implementing Regulation (EU) 2015/2425 of 21 December 2015[11]
11. Council Implementing Regulation (EU) 2016/620 of 21 April 2016[12]
12. Council Implementing Regulation (EU) 2016/1127 of 12 July 2016[13]
13. Council Regulation (EU) 2016/1710 of 27 September 2016[14]
14. Council Regulation (EU) 2016/2373 of 22 December 2016[15]
15. Council Regulation (EU) 2017/150 of 27 January 2017[16]
16. Council Implementing Regulation (EU) 2017/965 of 8 June 2017[17]
17. Council Implementing Regulation (EU) 2017/1420 of 4 August 2017[18]

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[2] OJ No. L 106, 29.4.2003, p. 22
[3] OJ No. L 236, 23.9.2003, p. 33
[4] OJ No. L 197, 28.7.2005, p. 16
[5] OJ No. L 314, 30.11.2005, p. 16
[6] OJ No. L 272, 3.10.2006, p. 11
[7] OJ No. L 363, 20.12.2006, p. 1
[8] OJ No. L 352, 21.12.2012, p. 40
[9] OJ No. L 158, 10.6.2013, p. 1
[10] OJ No. L 187, 6.7.2013, p. 4
[11] OJ No. L 334, 22.12.2015, p. 1
[12] OJ No. L 106, 22.4.2016, p. 1
[13] OJ No. L 188, 13.7.2016, p. 1
[14] OJ No. L 259, 27.9.2016, p. 1
[15] OJ No. L 352, 23.12.2016, p. 31
[16] OJ No. L 23, 28.01.2017, p. 3
[17] OJ No. L 146, 9.6.2017, p. 6
[18] OJ No. L 204, 5.8.2017, p. 3

18. Council Regulation (EU) 2017/2061 of 13 November 2017[19]
19. Council Implementing Regulation (EU) 2017/2064 of 13 November 2017[20]
20. Council Implementing Regulation (EU) 2018/468 of 21 March 2018[21]
21. Council Implementing Regulation (EU) 2018/1071 of 30 July 2018[22]
22. Council Implementing Regulation (EU) 2019/24 of 8 January 2019[23]

L.S.

GIVEN under my Official Seal,
8 March, 2019.

Paschal Donohoe,
Minister for Finance.

[19] OJ No. L 295, 14.11.2017, p. 3
[20] OJ No. L 295, 14.11.2017, p. 38
[21] OJ No. L 79, 22.3.2018, p. 7
[22] OJ No. L 194, 31.7.2018, p. 23
[23] OJ No. L 6, 9.1.2019, p. 2

EXPLANATORY NOTE

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

These Regulations provide for the enforcement of Council Regulation (EC) No. 2580/2001 of 27 December 2001, as amended.

Section 42 of the Criminal Justice (Terrorist Offences) Act 2005 creates an offence for breach of the provisions of these Regulations, provides for appropriate penalties and empowers the Minister for Finance to make regulations providing for such incidental, supplementary and consequential provisions as appear to the Minister to be necessary.

The Regulations revoke previous domestic instruments created under Section 42 of the Criminal Justice (Terrorist Offences) Act 2005 in relation to Council Regulation (EC) No.2580/2001 of 27 December 2001, as amended.

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