



STATUTORY INSTRUMENTS

S.I. No. 39 of 2008

CRIMINAL JUSTICE (TERRORIST OFFENCES) ACT 2005 (SECTION
42(6)) (USAMA BIN LADEN, THE AL-QAIDA NETWORK AND THE
TALIBAN) (FINANCIAL SANCTIONS) REGULATIONS 2008

(Prn. A8/0257)

CRIMINAL JUSTICE (TERRORIST OFFENCES) ACT 2005 (SECTION 42(6)) (USAMA BIN LADEN, THE AL-QAIDA NETWORK AND THE TALIBAN) (FINANCIAL SANCTIONS) REGULATIONS 2008

I, BRIAN COWEN, 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 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 2008.

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) Annex II of Act of Accession 2004³,

(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.4) 2007 (S.I. No. 760 of 2007),

(e) Commission Regulation (EC) No. 1389/2007 of 26 November 2007⁵,

¹OJ L139, 29.5.2002, p.9.

²OJ L82, 29.3.2003, p.1.

³OJ L236, 23.9.2003, p.773.

⁴OJ L363, 20.12.2006, p.1.

⁵OJ L310, 28.11.2007, p.6.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 26th February, 2008.*

(f) Commission Regulation (EC) No. 46/2008 of 18 January 2008⁶
and

(g) Commission Regulation (EC) No. 59/2008 of 24 January 2008⁷.

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

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
22 February 2008

BRIAN COWEN
Minister for Finance

⁶OJ L16, 19.1.2008, p.11.

⁷OJ L22, 25.1.2008, p.4.

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 Commission Regulations.

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.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2
nó tríd an bpost ó
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