



STATUTORY INSTRUMENTS

S.I. No. 83 of 2008

EUROPEAN COMMUNITIES (RESTRICTIVE MEASURES)
(DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA) (AMENDMENT)
REGULATIONS 2008

(Prn. A8/0407)

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EUROPEAN COMMUNITIES (RESTRICTIVE MEASURES)
(DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA) (AMENDMENT)
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I, MICHEÁL MARTIN, Minister for Enterprise, Trade and Employment, in exercise of the powers conferred on me by section 3 (as amended by section 2 of the European Communities Act 2007 (No. 18 of 2007)) of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving further effect to Council Regulation (EC) No. 329/2007 of 27 March 2007¹, as amended by Commission Regulation (EC) No. 117/2008 of 28 January 2008², hereby make the following regulations:

1. These Regulations may be cited as the European Communities (Restrictive Measures) (Democratic People's Republic of Korea) (Amendment) Regulations 2008.

2. European Communities (Restrictive Measures) (Democratic People's Republic of Korea) Regulations 2007 (S.I. No. 254 of 2007) are amended by substituting the following Regulations for Regulation 2:

“2. In these Regulations ‘Council Regulation’ means Council Regulation (EC) No. 329/2007 of 27 March 2007¹, as amended by Commission Regulation (EC) No. 117/2008 of 28 January 2008².

2A. (1) A person who contravenes Article 2(1)(a), 2(1)(b), 2(3), 3(1)(a), 3(1)(b), 3(1)(c), 4(a) or 4(b) of the Council Regulation is guilty of an offence.

(2) A person who fails to comply with an authorisation under Article 5(3) of the Council Regulation is guilty of an offence.

2B. A person who is guilty of an offence under these Regulations is liable—

(a) on summary conviction, to a fine not exceeding €5,000 or imprisonment for a term not exceeding 6 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.”

¹OJ No. L88, 29.3.2007, p. 1.

²OJ No. L35, 9.2.2008, p.57.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 4th April, 2008.*



GIVEN under my Official Seal,
18 March 2008

MICHEÁL MARTIN.
Minister for Enterprise, Trade and Employment.

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 amend the Statutory Instrument that provided for penalties for infringements of Council Regulation (EC) No. 329/2007 of 27 March 2007. The Council Regulation introduced a ban on the export of goods and technology and the provision of technical assistance and finance, which could contribute to North Korea's nuclear-related, weapons of mass destruction-related or ballistic missile-related programmes. It also prohibited the export of luxury goods to, and the procurement of goods and technology from, North Korea. The amendments, which give effect to Commission Regulation (EC) No. 117/2008, replace Annexes I and II of the Council Regulation.

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