



STATUTORY INSTRUMENTS

**S.I. No. 128 of 2009**

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CRIMINAL JUSTICE (TERRORIST OFFENCES) ACT 2005 (SECTION  
42(6)) (COUNTER TERRORISM) (FINANCIAL SANCTIONS)  
REGULATIONS 2009

**(Prn. A9/0480)**

S.I. No. 128 of 2009

## CRIMINAL JUSTICE (TERRORIST OFFENCES) ACT 2005 (SECTION 42(6)) (COUNTER TERRORISM) (FINANCIAL SANCTIONS) REGULATIONS 2009

I, BRIAN LENIHAN, 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. 2580/2001 of 27 December 2001<sup>1</sup>, 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)) (Counter Terrorism) (Financial Sanctions) Regulations 2009.

2. (1) In these Regulations—

“Council Regulation” means Council Regulation (EC) No. 2580/2001 of 27 December 2001<sup>1</sup>, as amended by:

(a) Annex II of Act of Accession 2004<sup>2</sup>,

(b) Council Regulation (EC) No. 1791/2006 of 20 November 2006<sup>3</sup>, and

(c) the Commission Regulations cited or referred to in the Criminal Justice (Terrorist Offences) Act 2005 (Section 42(6)) (Counter Terrorism) (Financial Sanctions) Regulations (No. 3) 2008 (S.I. No. 377 of 2008),

and as implemented by Council Decision No. 2009/62/EC of 26 January 2009<sup>4</sup>.

(2) A word or expression that is used in these Regulations has, unless the context otherwise requires, the same meaning 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.

<sup>1</sup>OJ No. L.344, 28.12.01, p. 70.

<sup>2</sup>OJ No. L.236, 23.9.03, p.773.

<sup>3</sup>OJ No. L.363, 20.12.06, p.1.

<sup>4</sup>OJ No. L.23, 27.1.09, p.25.

*Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 10th April, 2009.*

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,  
3 April 2009

BRIAN LENIHAN,  
Minister for Finance.

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 any persons, groups or entities listed under Council Decision No. 2009/62/EC of 26 January 2009, in accordance with Council Regulation (EC) No. 2580/2001 of 27 December 2001, as amended by various Council and 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.

Council Decision No. 2009/62/EC of 26 January 2009 replaces the list to which the Council Regulation applies, removing one entry from the existing list.

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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