



STATUTORY INSTRUMENTS.

S.I. No. 427 of 2009

CRIMINAL JUSTICE (TERRORIST OFFENCES) ACT 2005 (SECTION 42(6)) (USAMA BIN LADEN, THE AL-QAIDA NETWORK AND THE TALIBAN) (FINANCIAL SANCTIONS) REGULATIONS (No. 3) 2009

(Prn. A9/1481)

CRIMINAL JUSTICE (TERRORIST OFFENCES) ACT 2005 (SECTION 42(6)) (USAMA BIN LADEN, THE AL-QAIDA NETWORK AND THE TALIBAN) (FINANCIAL SANCTIONS) REGULATIONS (No. 3) 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 full 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 (No. 3) 2009.

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. 2) 2009 (S.I. No. 119 of 2009),

(e) Commission Regulation (EC) No. 344/2009 of 24 April 2009⁵,

(f) Commission Regulation (EC) No. 490/2009 of 10 June 2009⁶,

(g) Commission Regulation (EC) No. 574/2009 of 30 June 2009⁷,

¹ OJ No. L.139, 29.5.02, p.9.

² OJ No. L.82, 29.3.03, p.1.

³ OJ No. L.236, 23.9.03, p.773.

⁴ OJ No. L.363, 20.12.06, p.1.

⁵ OJ No. L.105, 25.4.09, p.3.

⁶ OJ No. L.148, 11.6.09, p.12.

⁷ OJ No. L.172, 2.7.09, p.7.

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 30th October, 2009.

- (h) Commission Regulation (EC) No. 601/2009 of 9 July 2009⁸,
- (i) Commission Regulation (EC) No. 678/2009 of 27 July 2009⁹,
- (j) Commission Regulation (EC) No. 732/2009 of 10 August 2009¹⁰,
- (k) Commission Regulation (EC) No. 774/2009 of 25 August 2009¹¹,
- (l) Commission Regulation (EC) No. 937/2009 of 7 October 2009¹², and
- (m) Commission Regulation (EC) No. 954/2009 of 13 October 2009¹³.

(2) A word or expression which is used in these Regulations and which 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,
27 October 2009.

BRIAN LENIHAN,
Minister for Finance.

⁸ OJ No. L.179, 10.7.09, p.54.

⁹ OJ No. L.196, 28.7.09, p.8.

¹⁰ OJ No. L.208, 12.8.09, p.3.

¹¹ OJ No. L.223, 26.8.09, p.24.

¹² OJ No. L.264, 8.10.09, p.7.

¹³ OJ No. L.269, 14.10.09, p.20.

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.

This update provides for enforcement of the additional amending Commission Regulations, which add to or remove entries from the asset-freeze list:

Commission Regulation (EC) No. 344/2009 of 24 April 2009
Commission Regulation (EC) No. 490/2009 of 10 June 2009
Commission Regulation (EC) No. 574/2009 of 30 June 2009
Commission Regulation (EC) No. 601/2009 of 9 July 2009
Commission Regulation (EC) No. 678/2009 of 27 July 2009
Commission Regulation (EC) No. 732/2009 of 10 August 2009
Commission Regulation (EC) No. 774/2009 of 25 August 2009
Commission Regulation (EC) No. 937/2009 of 7 October 2009, and
Commission Regulation (EC) No. 954/2009 of 13 October 2009.

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
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,
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