



STATUTORY INSTRUMENTS.

S.I. No. 451 of 2013



EUROPEAN UNION (RESTRICTIVE MEASURES AGAINST SYRIA)
REGULATIONS 2013

EUROPEAN UNION (RESTRICTIVE MEASURES AGAINST SYRIA)
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I, RICHARD BRUTON, Minister for Jobs, Enterprise and Innovation, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving full effect to Council Regulation (EU) No. 36/2012 of 18 January 2012¹ as amended by Council Implementing Regulation (EU) No. 55/2012 of 23 January 2012², Council Regulation (EU) No. 168/2012 of 27 February 2012³, Council Implementing Regulation (EU) No. 266/2012 of 23 March 2012⁴, Council Implementing Regulation (EU) No. 410/2012 of 14 May 2012⁵, Council Regulation (EU) No. 509/2012 of 15 June 2012⁶, Council Implementing Regulation No. 544/2012 of 25 June 2012⁷, Council Regulation (EU) No. 545/2012 of 25 June 2012⁸, Council Implementing Regulation (EU) 673/2012 of 23 July 2012⁹, Council Implementing Regulation (EU) No. 742/2012 of 16 August 2012¹⁰, Council Regulation (EU) No. 867/2012 of 24 September 2012¹¹, Council Implementing Regulation (EU) No. 944/2012 of 15 October 2012¹², Council Implementing Regulation (EU) No. 1117/2012 of 29 November 2012¹³, Council Regulation (EU) No. 325/2013 of 10 April 2013¹⁴, Council Implementing Regulation (EU) No. 363/2013 of 22 April 2013¹⁵ and Council Regulation (EU) No. 697/2013 of 22 July 2013¹⁶ hereby make the following regulations:

1. These Regulations may be cited as the European Union (Restrictive Measures Against Syria) Regulations 2013.

2. (1) In these Regulations “Council Regulation” means Council Regulation (EU) No. 36/2012 of 18 January 2012 as amended by Council Implementing Regulation (EU) No. 55/2012 of 23 January 2012, Council Regulation (EU) No. 168/2012 of 27 February 2012, Council Implementing Regulation (EU) No. 266/2012 of 23 March 2012, Council Implementing Regulation (EU) No. 410/2012 of 14 May 2012, Council Regulation (EU) No. 509/2012 of 15 June

¹OJ No. L 16, 19.01.2012, p. 1.

²OJ No. L 19, 24.01.2012, p. 6.

³OJ No. L 54, 28.02.2012, p.1.

⁴OJ No. L 87, 24.03.2012, p.45.

⁵OJ No. L 126, 15.05.2012, p.3.

⁶OJ No. L 156, 16.06.2012, p.10.

⁷OJ No. L 165, 26.06.2012, p.20.

⁸OJ No. L 165, 26.06.2012, p.23.

⁹OJ No. L 196, 24.07.2012, p.8.

¹⁰OJ No. L 219, 17.08.2012, p.1.

¹¹OJ No. L 257, 25.09.2012, p.1.

¹²OJ No. L282, 16.10.2012, p.9.

¹³OJ No. L330, 30.11.2012, p.9.

¹⁴OJ No. L102, 11.04.2013, p.1.

¹⁵OJ No. L111, 23.04.2013, p.1.

¹⁶OJ No. L198, 23.07.2013, p.28.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 29th November, 2013.*

2012, Council Implementing Regulation No. 544/2012 of 25 June 2012, Council Regulation (EU) No. 545/2012 of 25 June 2012, Council Implementing Regulation (EU) 673/2012 of 23 July 2012, Council Implementing Regulation (EU) No. 742/2012 of 16 August 2012, Council Regulation (EU) No. 867/2012 of 24 September 2012, Council Implementing Regulation (EU) No. 944/2012 of 15 October 2012, Council Implementing Regulation (EU) No. 1117/2012 of 29 November 2012, Council Regulation (EU) No. 325/2013 of 10 April 2013, Council Implementing Regulation (EU) No. 363/2013 of 22 April 2013 and Council Regulation (EU) No. 697/2013 of 22 July 2013.

(2) A word or expression used in these Regulations that 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. Subject to Regulations 4 and 5, a person who contravenes a provision of the Council Regulation in the Schedule commits an offence.

4. Where the Council Regulation allows an exception, exemption or derogation from the provisions in the Schedule, the same exception, exemption or derogation shall apply to an offence under Regulation 3.

5. Notwithstanding Regulation 3, a person who has been granted or is deemed to have been granted an authorisation under the Council Regulation may, subject to compliance with the terms and conditions of the authorisation, do such of the things as are so authorised.

6. A person who is guilty of an offence under Article 3 shall be liable—

(a) on summary conviction, to a Class A fine or to imprisonment for a term not exceeding 12 months or both, or

(b) on conviction on indictment, to a fine not exceeding €500,000 or to imprisonment for a term not exceeding 3 years or both.

7. A competent authority of the State may, for the purposes of the administration and enforcement of the Council Regulation or these Regulations, give such directions or issue such instructions to a person as it sees fit.

8. A person who fails to comply with a direction given or an instruction issued under Article 7 shall be guilty of an offence and shall be liable on summary conviction, to a Class A fine or to imprisonment for a term not exceeding 6 months or to both.

9. Where an offence under these Regulations is committed by a body corporate and is proved to have been so committed with the consent, connivance or approval of any person, being a director, manager, secretary or other officer of the body corporate or a person who was purporting to act in any such capacity, that person, as well as the body corporate, shall be guilty of an offence and be liable to be proceeded against and punished as if he or she committed the first mentioned offence.

10. The following are revoked:

- (a) the European Union (Restrictive Measures) (Syria) Regulations 2011 (S.I. No. 153 of 2012), and
- (b) the European Union (Syria) (Financial Sanctions) (No. 4) Regulations 2011 (S.I. No. 676 of 2011).

Schedule*Regulation 3*

Provision of Council Regulation (EU) No. 36/2012 of 18 January 2012 as amended by Council Implementing Regulation (EU) No. 55/2012 of 23 January 2012, Council Regulation (EU) No. 168/2012 of 27 February 2012, Council Implementing Regulation (EU) No. 266/2012 of 23 March 2012, Council Implementing Regulation (EU) No. 410/2012 of 14 May 2012, Council Regulation (EU) No. 509/2012 of 15 June 2012, Council Implementing Regulation No. 544/2012 of 25 June 2012, Council Regulation (EU) No. 545/2012 of 25 June 2012, Council Implementing Regulation (EU) 673/2012 of 23 July 2012, Council Implementing Regulation (EU) No. 742/2012 of 16 August 2012, Council Regulation (EU) No. 867/2012 of 24 September 2012, Council Implementing Regulation (EU) No. 944/2012 of 15 October 2012 and Council Implementing Regulation (EU) No. 1117/2012 of 29 November 2012, Council Regulation (EU) No. 325/2013 of 10 April 2013, Council Implementing Regulation (EU) No. 363/2013 of 22 April 2013 and Council Regulation (EU) No. 697/2013 of 22 July 2013.

Acting contrary to the prohibitions set out in:

Article 2(1)

Article 2a(1) as inserted by Council Regulation (EU) No. 509/2012 and amended by Council Regulation No. 697/2013

Article 3(1) as amended by Council Regulation (EU) No. 509/2012, Council Regulation (EU) No. 545/2012 and Council Regulation (EU) No. 697/2013

Article 3a as inserted by Council Regulation (EU) No. 325/2013

Article 5(1)

Article 6

Article 8(1)

Article 9

Article 11

Article 11a(1) as inserted by Council Regulation (EU) No. 168/2012

Article 11b(1) as inserted by Council Regulation (EU) No. 509/2012

Article 12(1) as amended by Council Regulation (EU) No. 867/2012

Article 13(1)

Article 14(3)

Article 24

Article 25

Article 26(1) and (4)

Article 26a(1) and (3) as inserted by Council Regulation (EU) No. 325/2013

Carrying out the acts specified in the following articles without obtaining the specified prior authorisation:

Article 2b(1) as inserted by Council Regulation (EU) No. 509/2012

Article 2d as inserted by Council Regulation (EU) No. 697/2013

Article 3(4) as inserted by Council Regulation (EU) No. 509/2012 and amended by Council Regulation (EU) No. 545/2012

Article 4(1)

Failure to make a summary declaration or customs declaration contrary to:

Article 2c(1) as inserted by Council Regulation (EU) No. 867/2012

Not freezing the funds and economic resources as set out in:

Article 14(1)

Making available funds as set out in:

Article 14(2)

Failing to supply information or cooperate with the competent authority as set out in:

Article 29(1)



GIVEN under my Official Seal,
25 November 2013.

RICHARD BRUTON,
Minister for Jobs, Enterprise and Innovation.

EXPLANATORY NOTE

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

The effect of these Regulations is to provide for penalties for infringements of the provisions of Council Regulation (EU) No. 36/2012 as amended, which relate to restrictive measures in view of the situation in Syria. The restrictive measures include export and import restrictions, restrictions on the provision of technical/financial assistance or brokering services related to military items and certain technology, restrictions in participation in infrastructural projects, restriction on financing of certain enterprises, freezing of funds and economic resources and restrictions on financial services. These Regulations revoke the European Union (Restrictive Measures) (Syria) Regulations 2011 (S.I. No. 153 of 2012) and the European Union (Syria) (Financial Sanctions) (No. 4) Regulations 2011 (S.I. No. 676 of 2011).

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