



STATUTORY INSTRUMENTS

S.I. No. 237 of 2008

CRIMINAL JUSTICE (TERRORIST OFFENCES) ACT 2005 (SECTION
42(6)) (COUNTER TERRORISM) (FINANCIAL SANCTIONS)
REGULATIONS (No. 2) 2008

(Prn. A8/0962)

CRIMINAL JUSTICE (TERRORIST OFFENCES) ACT 2005 (SECTION
42(6)) (COUNTER TERRORISM) (FINANCIAL SANCTIONS)
REGULATIONS (No. 2) 2008

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 2001¹, 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 (No. 2) 2008.

2. (1) In these Regulations—

“Council Regulation” means Council Regulation (EC) No. 2580/2001 of 27 December 2001¹, as amended by:

(a) Annex II of Act of Accession 2004²,

(b) Council Regulation (EC) No. 1791/2006 of 20 November 2006³, 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 2008 (S.I. No. 10 of 2008),

and as implemented by:

(a) Council Decision No. 2007/868/EC of 20 December 2007⁴ as amended by:

(i) Council Decision No. 2008/342/EC of 29 April 2008⁵, and

(ii) Council Decision No. 2008/343/EC of 29 April 2008⁶.

¹OJ No. L344, 28.12.2001, p. 70.

²OJ No. L236, 23.9.2003, p.773.

³OJ No. L363, 20.12.2006, p.1.

⁴OJ No. L340, 22.12.2007, p.100.

⁵OJ No. L116, 30.4.2008, p.23.

⁶OJ No. L116, 30.4.2008, p.25.

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

(2) A word or expression which 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.

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
2 July 2008

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 2007/868/EC of 20 December 2007, in accordance with Council Regulation (EC) No. 2580/2001 of 27 December 2001, as amended by various Council and Commission Regulations.

Council Decision No. 2008/342/EC of 29 April 2008 amends Council Decision No. 2007/868/EC to remove certain persons from the list of persons, groups and entities to which Council Regulation (EC) No. 2580/2001 applies.

Council Decision No. 2008/343/EC of 29 April 2008 amends details in relation to one of the entries on the list.

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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