



STATUTORY INSTRUMENTS.

**S.I. No. 153 of 2012**



EUROPEAN UNION (RESTRICTIVE MEASURES) (SYRIA)  
REGULATIONS 2012

**(Prn. A12/0812)**

EUROPEAN UNION (RESTRICTIVE MEASURES) (SYRIA)  
REGULATIONS 2012

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 2012<sup>1</sup> as amended by Council Implementing Regulation (EU) No 55/2012 of 23 January 2012<sup>2</sup> and Council Regulation (EU) No 168/2012 of 27 February 2012<sup>3</sup> hereby make the following regulations:

1. These Regulations may be cited as the European Union (Restrictive Measures) (Syria) Regulations 2012.

2. (1) In these Regulations “Council Regulation” means Council Regulation (EU) No 36/2012 of 18 January 2012<sup>1</sup> concerning restrictive measures in view of the situation in Syria and repealing Regulation (EU) No 442/2011 as amended by Council Implementing Regulation (EU) No 55/2012 of 23 January 2012<sup>2</sup> and Council Regulation (EU) No 168/2012 of 27 February 2012<sup>3</sup>.

(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) A reference in these Regulations to an Article is to an Article of the Council Regulation.

3. (1) Subject to paragraph (2) and Article 2(2), a person who contravenes Article 2(1)(a) or Article 2(1)(b) commits an offence.

(2) Notwithstanding paragraph (1), a person who has received an authorisation referred to in Article 2(3) may, subject to compliance with the terms and conditions of such authorisation, do such of the things referred to in Article 2(1)(a) or Article 2(1)(b) as are so authorised.

4. Subject to Article 3(2), a person who contravenes—

(a) Article 3(1)(a),

(b) Article 3(1)(b), or

<sup>1</sup>OJ No. L16, 19.01.2012, p.1.

<sup>2</sup>OJ No. L19, 24.1.2012, p.6.

<sup>3</sup>OJ No. L54, 28.2.2012, p.1.

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 18th May, 2012.*

- (c) Article 3(1)(d) in so far as it relates to Article 3(1)(a) or Article 3(1)(b),

commits an offence.

5. (1) Subject to paragraph (2), a person who contravenes Article 4(1) commits an offence.

(2) Notwithstanding paragraph (1), a person who has received an authorisation referred to in Article 4(1) may, subject to compliance with the terms and conditions of such authorisation, do such of the things referred to in Article 4(1) as are so authorised.

6. (1) Subject to paragraph (2), a person who contravenes—

(a) Article 5(1)(a),

(b) Article 5(1)(c), or

(c) Article 5(1)(d) in so far as it relates to Article 5(1)(a) or Article 5(1)(b),

commits an offence.

(2) Notwithstanding paragraph (1), a person who has received an authorisation referred to in Article 5(1) may, subject to compliance with the terms and conditions of such authorisation, do such of the things referred to in—

(a) Article 5(1)(a),

(b) Article 5(1)(c), or

(c) Article 5(1)(d) in so far as it relates to Article 5(1)(a) or 5(1)(c),

as are so authorised.

7. Subject to Article 10, a person who contravenes—

(a) Article 8(1),

(b) Article 9(a), or

(c) Article 9(c) in so far as it relates to Article 9(a),

commits an offence.

8. Subject to Article 12(2), a person who contravenes Article 12(1)(a), or Article 12(1)(b) in so far as it relates to technical assistance, commits an offence.

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, or to be attributable to any neglect on the part 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, commits an offence and is liable to be proceeded against and punished as if he or she committed the first-mentioned offence.

10. The Minister for Jobs, Enterprise and Innovation shall be the competent authority for the purposes of these Regulations and the provisions of the Council Regulation with which these Regulations are concerned.

11. A person guilty of an offence under these Regulations is liable—

(a) on summary conviction, to a class A fine or imprisonment for a term not exceeding 12 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.

12. The European Union (Restrictive Measures) (Syria) Regulations 2011 (S.I. No. 314 of 2011) and the European Union (Restrictive Measures) (Syria) (Amendment) Regulations 2011 (S.I. No. 726 of 2011) are revoked.

13. Summary proceedings for an offence under these Regulations may be brought and prosecuted by the Minister for Jobs, Enterprise and Innovation.



GIVEN under my Official Seal,  
8 May 2012.

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 which relate to trade restrictions in view of the situation in Syria. These restrictions include an embargo on equipment which might be used for internal repression, an embargo on telecommunications monitoring and interception equipment, an embargo on key equipment and technology for the oil and natural gas industries, an embargo on equipment used in the construction of new power plants for electricity production and a ban on the provision of technical assistance and brokering services related to certain embargoed goods and technology. These Regulations revoke the European Union (Restrictive Measures) (Syria) Regulations 2011 (S.I. No. 314 of 2011) and the European Union (Restrictive Measures) (Syria) (Amendment) Regulations 2011 (S.I. No. 726 of 2011).

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