



STATUTORY INSTRUMENTS

**S.I. No. 643 of 2007**

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EUROPEAN COMMUNITIES (BURMA/MYANMAR) (FINANCIAL  
SANCTIONS) REGULATIONS 2007

**(Prn. A7/1740)**

## EUROPEAN COMMUNITIES (BURMA/MYANMAR) (FINANCIAL SANCTIONS) REGULATIONS 2007

I, BRIAN COWEN, Minister for Finance, 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 further effect to Council Regulation (EC) No. 817/2006 of 29 May 2006<sup>1</sup>, as amended, hereby make the following regulations:

1. These Regulations may be cited as the European Communities (Burma/Myanmar) (Financial Sanctions) Regulations 2007.

2. (1) In these Regulations “Council Regulation” means Council Regulation (EC) No. 817/2006 of 29 May 2006<sup>1</sup>, as amended by—

(a) Council Regulation (EC) No. 1411/2006 of 25 September 2006<sup>2</sup>,

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

(c) Commission Regulation (EC) No. 481/2007 of 27 April 2007<sup>4</sup>, and

(d) Council Regulation (EC) No. 830/2007 of 16 July 2007<sup>5</sup>.

(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 that it has in the Council Regulation.

3. Subject to Regulation 4, a person who fails to comply with the requirements of the Council Regulation as regards—

(a) the providing or making available of financing or financial assistance,

(b) the making available of funds or economic resources,

(c) the acquisition of or extension of a participation prohibited,

(d) the participation in activities to circumvent paragraphs (a), (b) or (c),

commits an offence.

4. A person who has received an authorisation under Articles 4 or 7 of the Council Regulation may, subject to compliance with the terms and conditions of it, do such of the things referred to in Regulation 3 as are so authorised.

<sup>1</sup>O.J. No. L148, 2.6.2006, p.1.

<sup>2</sup>O.J. No. L267, 27.9.2006, p.1.

<sup>3</sup>O.J. No. L363, 20.12.2006, p.1.

<sup>4</sup>O.J. No. L111, 28.4.2007, p.50.

<sup>5</sup>O.J. No. L185, 17.7.2007, p.1.

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 25th September, 2007.*

5. The Central Bank and Financial Services Authority of Ireland may, for the purposes of the administration and enforcement of the provisions of these Regulations, give such directions or issue such instructions to a person as it sees fit.

6. A person who fails to comply with a direction or an instruction issued under Regulation 5 commits an offence.

7. 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 have been attributable to the 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 shall be liable to be proceeded against and punished as if he or she committed the first mentioned offence.

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

(a) on summary conviction, to a fine not exceeding €5,000 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.

9. The European Communities (Burma/Myanmar) (Sanctions) Regulations (No. 3) 2005 (S.I. No. 897 of 2005) are revoked.



GIVEN under my Official Seal  
19 September 2007

BRIAN COWEN  
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 for enforcement of financial sanctions contained in Council Regulation (EC) No. 817/2006 of 29 May 2006 concerning restrictive measures in respect of Burma/Myanmar. The sanctions include a ban on financial assistance related to military activities, a ban on the export of equipment which might be used for internal repression, the freezing of funds and economic resources of members of the Government of Burma/Myanmar and of persons associated with them and a prohibition on making financial loans or credits available to, and on acquiring or extending a participation in, Burmese state-owned enterprises.

They also provide that the Central Bank and Financial Services Authority of Ireland (CBFSAI) may issue instructions for the purposes of giving full effect to the financial sanctions.

They create offences for breach of the Council Regulation or for failure to comply with the instructions of the CBFSAI with regard to implementation of the sanctions and they provide for appropriate penalties.

BAILE ÁTHA CLIATH  
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