



Jersey

EU LEGISLATION (SANCTIONS – SOMALIA) (JERSEY) ORDER 2014

Official Consolidated Version

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EU LEGISLATION (SANCTIONS – SOMALIA) (JERSEY) ORDER 2014

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EU LEGISLATION (SANCTIONS – SOMALIA) (JERSEY) ORDER 2014

THE MINISTER FOR EXTERNAL RELATIONS, in pursuance of Article 2 of the [European Union Legislation \(Implementation\) \(Jersey\) Law 2014](#), orders as follows –

Commencement [[see endnotes](#)]

1 Interpretation¹

In this Order –

“General Provisions Order” means the EU Legislation (Sanctions) (General Provisions) (Jersey) Order 2014;

“implemented Regulations” means Regulation (EC) No 147/2003 and Regulation (EU) No 356/2010;

“Regulation (EC) No 147/2003” means Council Regulation (EC) No 147/2003 of 27 January 2003 concerning certain restrictive measures in respect of Somalia (OJ L 24, 29.1.2003, p. 2), as amended² up to 2nd December 2014 (subject to Article 2);

“Regulation (EU) No 356/2010” means Council Regulation (EU) No 356/2010 of 26 April 2010 imposing certain specific restrictive measures directed against certain natural or legal persons, entities or bodies, in view of the situation in Somalia (OJ L 105, 27.4.2010, p. 1), as amended³ up to 11th December 2018 (subject to Article 2).

2 Ambulatory references to Annexes

A reference in the implemented Regulations to any of the Annexes to those Regulations is to be read as a reference to that Annex as amended, substituted, extended or applied from time to time by any other EU provision, or as that Annex otherwise has effect in the EU from time to time by virtue of any judgment of the European Court.

3 Application of general provisions

- (1) This Order is a relevant special Order for the purpose of the General Provisions Order.
- (2) The implemented Regulations are the relevant EU provisions for the purpose of the general provisions of the General Provisions Order, when those general provisions are read as part of this Order.

- (3) For the purpose of Article 14A of the General Provisions Order, the UN financial sanctions resolution implemented by Regulation (EU) No 356/2010 is United Nations Security Council Resolution 1844 (2008).⁴

4 Implementation of Regulation (EC) No 147/2003 and Regulation (EU) No 356/2010

- (1) Regulation (EC) No 147/2003 and Regulation (EU) No 356/2010 have effect as if they were enactments –
- (a) to any extent that the implemented Regulations do not otherwise have effect in Jersey;
 - (b) subject to the modifications made by the general provisions that are to be read as part of this Order by virtue of Article 3 and the General Provisions Order; and
 - (c) subject to paragraph (2).
- (2) Paragraph (1) does not apply to any extent that it is inconsistent with or repugnant to any provision of the Somalia (United Nations Sanctions) (Channel Islands) Order 2002, being a provision that has effect for the time being in Jersey.

5 Offences

- (1) A person who –
- (a) contravenes Article 1, 2, 3a or 3b of Regulation (EC) No 147/2003, as that Article has effect in Jersey by virtue of Article 4;
 - (b) contravenes Article 2(1), 2(2), 2(4), or 8 of Regulation (EU) No 356/2010, as that Article has effect in Jersey by virtue of Article 4;
 - (c) intentionally furnishes false information or a false explanation to any person exercising powers under Article 10 of the General Provisions Order as read as part of this Order; or
 - (d) with intent to evade the provisions of that Article, destroys, mutilates, defaces, secretes or removes any document,
- is guilty of an offence and liable to imprisonment for a term of 2 years and to a fine.
- (2) A person is guilty of an offence, and liable to imprisonment for a term of 3 months and to a fine, if the person, without reasonable excuse, contravenes –
- (a) Article 10(3) of the General Provisions Order as read as part of this Order; or
 - (b) Article 3(2) or 9(1) of Regulation (EU) No 356/2010, as that Article has effect in Jersey by virtue of Article 4.
- (3) Paragraphs (1)(a) and (b) do not apply to a contravention –
- (a) by the Minister, of an obligation imposed on the Minister by Article 8 of the General Provisions Order; or
 - (b) by a person other than the Minister, of an obligation imposed on that person under Article 9 of that Order.

6 Citation

This Order may be cited as the EU Legislation (Sanctions – Somalia) (Jersey) Order 2014.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
EU Legislation (Sanctions – Somalia) (Jersey) Order 2014	R&O.192/2014	3 December 2014
EU Legislation (Sanctions) (Miscellaneous Amendments – United Nations) (Jersey) Order 2017	R&O.52/2017	4 May 2017
EU Legislation (Sanctions – Somalia) (Amendment) (Jersey) Order 2018	R&O.11/2018	3 February 2018
EU Legislation (Sanctions – Somalia) (Amendment No. 2) (Jersey) Order 2018	R&O.142/2018	22 December 2018

Table of Renumbered Provisions

Original	Current
6	spent, omitted
7	6

Table of Endnote References

¹ Article 1 amended by R&O.11/2018, R&O.142/2018

² Available, with subsequent amendments, on EUR-Lex at <http://eur-lex.europa.eu/> - searchable by Regulation number and year, or by Official Journal publication details.

³ Available, with subsequent amendments, on EUR-Lex at <http://eur-lex.europa.eu/> - searchable by Regulation number and year, or by Official Journal publication details.

⁴ Article 3(3) inserted by R&O.52/2017