



Jersey

**EU LEGISLATION (SANCTIONS –
DEMOCRATIC REPUBLIC OF THE CONGO)
(JERSEY) ORDER 2014¹**

Official Consolidated Version

This is an official version of consolidated legislation compiled and issued under the authority of the Legislation (Jersey) Law 2021.

Showing the law from 19 July 2019 to 21 October 2020



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

Commencement [[see endnotes](#)]

1 Interpretation

In this Order –

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

“implemented Regulation” means Council Regulation (EC) No 1183/2005;

“Council Regulation (EC) No 1183/2005” means Council Regulation (EC) No 1183/2005 of 18 July 2005 imposing certain specific restrictive measures directed against persons acting in violation of the arms embargo with regard to the Democratic Republic of the Congo (OJ L 193, 23.7.2005, p. 1), as amended³ up to 20th July 2016 (subject to Article 2).⁴

2 Ambulatory references to Annexes

A reference in the implemented Regulation to any of the Annexes to that Regulation 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.⁵

3 Application of general provisions

- (1) This Order is a relevant special Order for the purpose of the General Provisions Order.
- (2) The implemented Regulation is the relevant EU provision for the purpose of the general provisions of the General Provisions Order, when those general provisions are read as part of this Order.⁶
- (3) For the purpose of Article 14A of the General Provisions Order, the UN financial sanctions resolution implemented by Council Regulation (EC) No 1183/2005 is United Nations Security Council Resolution 1807 (2008).⁷

4 Implemented Regulation⁸

- (1) The implemented Regulation has effect as if it were an enactment –
 - (a) to any extent that it does 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).⁹
- (2) Paragraph (1) does not apply to any extent that it is inconsistent with or repugnant to any provision of the Democratic Republic of the Congo (United Nations Sanctions) (Channel Islands) Order 2003 or the Democratic Republic of the Congo (United Nations Sanctions) (Channel Islands) Order 2005, being a provision that has effect for the time being in Jersey.

5 Offences

- (1) A person who –
 - (a) contravenes Article 1a, 2, 6(1) or 7b of the implemented Regulation, as that Article has effect in Jersey by virtue of Article 4;
 - (b) 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
 - (c) with intent to evade the provisions of Article 10 of the General Provisions Order as read as part of this Order, 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.¹⁰
- (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 5(2) of Council Regulation (EC) No 1183/2005, 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 – Democratic Republic of the Congo) (Jersey) Order 2014.

ENDNOTES

Table of Legislation History

| Legislation | Year and No | Commencement |
|---|----------------------------------|------------------|
| EU Legislation (Sanctions – Democratic Republic of the Congo) (Jersey) Order 2014 | R&O.205/2014 | 12 December 2014 |
| EU Legislation (Sanctions – Democratic Republic of the Congo) (Amendment) (Jersey) Order 2015 | R&O.49/2015 | 28 April 2015 |
| EU Legislation (Sanctions – Democratic Republic of the Congo) (Amendment No. 2) (Jersey) Order 2016 | R&O.80/2016 | 29 July 2016 |
| EU Legislation (Sanctions) (Miscellaneous Amendments – United Nations) (Jersey) Order 2017 | R&O.52/2017 | 4 May 2017 |

Table of Renumbered Provisions

| Original | Current |
|----------|----------------|
| 6 | spent, omitted |
| 7 | 6 |

Table of Endnote References

¹ This Order was repealed by the Sanctions and Asset-Freezing (Implementation of EU Regulations) (Jersey) Order 2020 on 22 October 2020.

² Despite the repeal of Article 2(1) of the European Union Legislation (Implementation) (Jersey) Law 2014, this Order is continued in force and is to be treated as if made under Article 3(1) of the Sanctions and Asset-Freezing (Jersey) Law 2019, with effect from 19 July 2019. See Article 48 of that Law.

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 1 amended by R&O.49/2015, R&O.80/2016

⁵ Article 2 amended by R&O.49/2015

⁶ Article 3(2) amended by R&O.49/2015

⁷ Article 3(3) inserted by R&O.52/2017

⁸ Article 4 heading amended by R&O.49/2015

⁹ Article 4(1) amended by R&O.49/2015

¹⁰ Article 5(1) amended by R&O.49/2015