



Jersey

**EU LEGISLATION (SANCTIONS – ISIL
(DA'ESH) AND AL-QAIDA) (JERSEY)
ORDER 2016**

Official Consolidated Version

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EU LEGISLATION (SANCTIONS – ISIL (DA’ESH) AND AL-QAIDA) (JERSEY) ORDER 2016

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EU LEGISLATION (SANCTIONS – ISIL (DA’ESH) AND AL-QAIDA) (JERSEY) ORDER 2016

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 Interpretation

In this Order –

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

“implemented Regulations” means Regulation (EC) No 881/2002 and Regulation (EU) 2016/1686;

“Regulation (EC) No 881/2002” means –

- (a) in Articles 2, 3 and 4, Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da’esh) and Al-Qaida organisations (OJ L 139, 29.5.2002, p. 9), as amended¹ up to 16th March 2016 (subject to Article 2); and
- (b) in Article 5, the provisions of that Regulation as they have effect in Jersey by virtue of Article 4;

“Regulation (EU) 2016/1686” means –

- (a) in Articles 2, 3 and 4, Council Regulation (EU) 2016/1686 of 20 September 2016 imposing additional restrictive measures directed against ISIL (Da’esh) and Al-Qaida and natural and legal persons, entities or bodies associated with them (OJ L 255, 21.9.2016, p. 1) (subject to Article 2); and
- (b) in Article 5, the provisions of that Regulation as they have effect in Jersey by virtue of Article 4.²

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

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 provisions are read as part of this Order.⁴

4 Implementation of Regulation (EC) No 881/2002 and Regulation (EU) 2016/1686⁵

- (1) Regulation (EC) No 881/2002 and Regulation (EU) 2016/1686 have effect as if they were enactments, subject to paragraph (2).⁶
- (2) Paragraph (1) –
 - (a) does not apply to any extent that it is inconsistent with or repugnant to any provision of the Al-Qa’ida and Taliban (United Nations Measures) (Channel Islands) Order 2002, being a provision that has effect for the time being in the law of Jersey;
 - (b) applies, subject to sub-paragraph (a), to any extent that the implemented Regulations do not otherwise have effect in Jersey; and
 - (c) is subject to the modifications made, by the general provisions that are to be read as part of the relevant special Order by virtue of Article 3 and the General Provisions Order, to the effect in Jersey of the implemented Regulations.⁷

5 Offences

- (1) A person who –
 - (a) contravenes Article 2(1), 2(2), 3 or 4(1) of Regulation (EC) No 881/2002;
 - (aa) contravenes Article 2, 9, 11(1) or 13 of Regulation (EU) 2016/1686;
 - (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 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.⁸
- (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 4(2) or 5(1) of Regulation (EC) No 881/2002;
 - (c) Article 8, 10(1) or 11(2) of Regulation (EU) 2016/1686.⁹

6 Citation

This Order may be cited as the EU Legislation (Sanctions – ISIL (Da’esh) and Al-Qaida) (Jersey) Order 2016.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
EU Legislation (Sanctions – ISIL (Da’esh) and Al-Qaida) (Jersey) Order 2016	R&O.35/2016	25 March 2016
EU Legislation (Sanctions – ISIL (Da’esh) and Al-Qaida) (Amendment) (Jersey) Order 2016	R&O.105/2016	11 October 2016

Table of Renumbered Provisions

Original	Current
6	spent, omitted
7	6

Table of Endnote References

¹ 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.

² Article 1 amended by R&O.105/2016

³ Article 2 amended by R&O.105/2016

⁴ Article 3(2) amended by R&O.105/2016

⁵ Article 4 heading amended by R&O.105/2016

⁶ Article 4(1) amended by R&O.105/2016

⁷ Article 4(2) amended by R&O.105/2016

⁸ Article 5(1) amended by R&O.105/2016

⁹ Article 5(2) amended by R&O.105/2016