EU LEGISLATION (SANCTIONS – MYANMAR/BURMA) (JERSEY) ORDER 2018

Official Consolidated Version

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Showing the law from 1 January 2019 to 18 July 2019

Jersey

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Article

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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 –

Commencement [see endnotes]

1   Interpretation

In this Order –

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

"Regulation (EU) No 401/2013" means Council Regulation (EU) No 401/2013 of 2 May 2013 (OJ L 121, 3.5.2013, p. 1) concerning restrictive measures in respect of Myanmar/Burma and repealing Regulation (EC) No 194/2008, as amended up to up to 27th April 2018 (subject to Article 2).

2   Ambulatory references to Annexes

A reference in Regulation (EU) No 401/2013 to an Annex 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.

3   Application of general provisions

(1)   This Order is a relevant special Order for the purpose of the General Provisions Order.

(2)   Regulation (EU) No 401/2013 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.

4   Implementation of Regulation (EU) No 401/2013

Regulation (EU) No 401/2013 has effect as if it were an enactment –

(a)   to any extent that it does not otherwise have effect in Jersey; and

(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.

5 Offences

(1) A person who –

    (a)   contravenes Article 2, 3, 3a, 3b, 3c, 4a or 4g of Regulation (EU) No 401/2013, 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.

(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 4e of Regulation (EU) No 401/2013, as that Article has effect in Jersey by virtue of Article 4.

(3) Paragraph (1)(a) does 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 – Myanmar/Burma) (Jersey) Order 2018.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
EU Legislation (Sanctions – Myanmar/Burma) (Jersey) Order 2018	R&O.64/2018	18 May 2018

Table of Renumbered Provisions

Original	Current
6	spent, omitted
7	6

Table of Endnote References

There are currently no endnote references