

Statutory Document No. 0031/13



European Communities (Isle of Man) Act 1973

EUROPEAN UNION (IRAN SANCTIONS) (HUMAN RIGHTS) (AMENDMENT) ORDER 2013

Approved by Tynwald: 20 February 2013
Coming into Operation in accordance with article 2

The Council of Ministers makes the following Order under sections 2A and 2C of the European Communities (Isle of Man) Act 1973.

1 Title

This Order is the European Union (Iran Sanctions) (Human Rights) (Amendment) Order 2013.

2 Commencement

This Order comes into operation immediately after it is made.

3 Application of EU Instrument

- (1) Subject to paragraph (2) and to the modifications set out in the Schedule, Council Regulation 1245/2012 of 20 December 2012¹ amending Regulation (EU) No 359/2011² concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran, applies as part of the law of the Island.
- (2) This Order does not apply in respect of provisions that apply as part of the law of the Island under section 2(1) of the European Communities (Isle of Man) Act 1973.

¹ OJ L 352, 21.12.2012, p. 15

² OJ L 100, 14.4.2011, p. 1. Council Regulation (EU) No 359/2011 was applied to the Island with modifications by SD 0478/12

MADE 14:00 31ST JANUARY 2013

WILL GREENHOW
Chief Secretary

SCHEDULE

[Article 3(1)]

LIST OF MODIFICATIONS TO THE APPLIED EU INSTRUMENT

- 1 COUNCIL REGULATION (EU) No 1245/2012 of 20 December 2012 amending Regulation (EC) No 359/2012 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran.**
- (1) Omit article 2.
 - (2) After article 2, omit the statement of application and effect.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order applies the provisions of Council Regulation (EU) No 1245/2012, as amended by the Schedule to the Order, as part of the law of the Island. This EU Regulation amends Council Regulation (EU) No 359/2011 concerning restrictive measures against Iran, which was applied to the Island with certain modifications by SD 478/12.

Annex
COUNCIL REGULATION (EU) No 1245/2012
of 20 December 2012

amending Regulation (EU) No 359/2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215(2) thereof,

Having regard to Council Decision 2011/235/CFSP of 12 April 2011 concerning restrictive measures directed against certain persons and entities in view of the situation in Iran¹,

Having regard to the joint proposal of the High Representative of the Union for Foreign Affairs and Security Policy and of the European Commission,

Whereas:

- (1) In response to the deterioration of the human rights situation in Iran, on 12 April 2011, the Council by Regulation (EU) No 359/2011² imposed certain restrictive measures directed against certain persons, entities and bodies, in accordance with Decision 2011/235/CFSP.
- (2) On 20 December 2012 the Council adopted Decision 2012/810/CFSP³ amending Decision 2011/235/CFSP as regards the scope of the measures related to equipment which might be used for internal repression.
- (3) Those measures fall within the scope of the Treaty and, therefore, regulatory action at the level of the Union is necessary in order to implement them, in particular with a view to ensuring their uniform application by economic operators in all Member States.
- (4) Regulation (EU) No 359/2011 should therefore be amended accordingly.
- (5) This Regulation should enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

Article 1a of Regulation (EU) No 359/2011 is hereby amended as follows:

- (1) the existing paragraph is numbered paragraph 1;
- (2) the following paragraph is added:

‘2. By way of derogation from paragraph 1, the competent authorities of the Member States, as listed in Annex II, may authorise, under such conditions as they deem appropriate, the sale, supply, transfer or export of equipment which might be used for internal repression as listed in Annex III provided that it is intended solely for the protective use of the personnel of the Union and its Member States in Iran, or the provision of technical assistance or brokering services or of financing or financial assistance referred to in paragraph 1(b) and (c) related to such equipment.’.

Article 2

~~This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.~~

~~This Regulation shall be binding in its entirety and directly applicable in all Member States.~~

Done at Brussels, 20 December 2012.

For the Council
The President
E. FLOURENTZOU

¹ OJ L 100, 14.4.2011, p. 51.

² OJ L 100, 14.4.2011, p. 1.

³ See page 49 of this Official Journal.