

Statutory Document No. 0128/13

*European Communities (Isle of Man) Act 1973*

NORTH KOREA SANCTIONS (AMENDMENT) REGULATIONS 2013

Laid before Tynwald: 21 May 2013
Coming into Operation in accordance with regulation 2

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

1 Title

These Regulations are the North Korea Sanctions (Amendment) Regulations 2013.

2 Commencement

These Regulations come into operation immediately after they are made.

3 Amendment of the North Korea Sanctions (No. 2) Regulations 2010

- (1) The North Korea Sanctions (No. 2) Regulations 2010¹ are amended as follows.
- (2) In regulation 3, for the definition of “the EC Regulation” substitute—
☐ “the EC Regulation” means Council Regulation (EC) No 329/2007² of 27 March 2007 concerning restrictive measures against the Democratic People’s Republic of Korea as amended by—
 - (a) Council Regulation (EU) No 1283/2009³ of 22 December 2009 amending Council Regulation (EC) No 329/2007 concerning restrictive measures against the Democratic People’s Republic of Korea;
 - (b) Council Regulation (EU) 567/2010⁴ of 29 June 2010 amending Council Regulation (EC) No 329/2007

¹ SD 899/10

² OJ L 88, 29.3.2007

³ OJ L 346, 23.12.2009, p.1

⁴ OJ L 163, 30.6.2010, p. 15

concerning restrictive measures against the Democratic People's Republic of Korea;

- (c) Commission Implementing Regulation (EU) No 1355/2011⁵ of 20 December 2011 amending Council Regulation (EC) No 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea; and
- (d) Council Regulation (EU) No 296/2013⁶ of 26 March 2013 amending Regulation (EC) No 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea,

as these instruments have effect in the Island⁷, and a reference to a numbered Article or Annex (without more) is a reference to the Article of, or Annex to, the EC Regulation so numbered; **22**.

- (3) For regulation 4(1), substitute—

23(1) A person commits an offence if the person fails to comply with the following provisions of the EC Regulation—

- (a) Article 2(1) and (3);
- (b) Article 3(1);
- (c) Article 4;
- (d) Article 4a(1);
- (e) Article 4b;
- (f) Article 5a;
- (g) Article 6;
- (h) Article 9a; and
- (i) Article 10(1) and (3). **22**

- (4) In regulation 4(5)—

- (a) in paragraph (a), after “has been obtained” insert **23** under regulation 5 **22**; and
- (b) in paragraph (b), for “(1)(l)” substitute **23**(1)(g) **22**.

- (5) Omit regulation 4(6).

- (6) In regulation 7(1)—

- (a) for “(m)” substitute **23**(h) **22**; and
- (b) after “4(4)” insert **23**, 5(5) **22**.

⁵ OJ L 338, 21.12.2011, p. 39

⁶ OJ L 90, 28.3.2013, p. 4

⁷ Council Regulation (EC) No 329/2007, Council Regulation (EC) No 1283/2009, Council Regulation (EU) No 567/2010, Commission Implementing Regulation (EU) No 1355/2011 and Council Regulation (EU) No 296/2013 were applied to the Island with modifications by SD 659/07, SD 857/10, SD 0045/12 and SD 0127/13 respectively

- (7) In regulation 7(2), for “4(1)(n) or (o)” substitute **4(1)(i)**.
- (8) In regulation 7(6)—
- (a) for “(o)” substitute **(i)**; and
 - (b) after “4(4)” insert **5(5)**.
- (9) In the Schedule, in paragraphs 1(1) and 3(1)(d), in each place, for “EU Regulation” substitute **EC Regulation**.

4 Revocation

The North Korea Sanctions (Amendment) Regulations 2012⁸ are revoked.

MADE 13:10 19TH APRIL 2013

W GREENHOW
Chief Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the North Korea Sanctions (No. 2) Regulations 2010 (“the principal Regulations”) to take account of the amendment of Council Regulation (EC) No 329/2007 of 27 March 2007 by Council Regulation (EU) No 296/2013 as these EU instruments have effect in the Island by virtue of SD 659/07 and SD 0127/13 respectively.

The principal Regulations established offences and penalties for breaches of Council Regulation (EU) No. 329/2007, as applied to the Island, and they provided for the licensing by the Treasury of activities which would otherwise be proscribed.

Previous amendment Regulations are revoked.

⁸ SD 0046/12