



Jersey

# **EU LEGISLATION (SANCTIONS – NORTH KOREA) (JERSEY) ORDER 2017<sup>1</sup>**

## **Official Consolidated Version**

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## EU LEGISLATION (SANCTIONS – NORTH KOREA) (JERSEY) ORDER 2017

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## **EU LEGISLATION (SANCTIONS – NORTH KOREA) (JERSEY) ORDER 2017**

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

Commencement [[see endnotes](#)]

### **1 Interpretation**

In this Order –

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

“Regulation (EU) 2017/1509” means Council Regulation (EU) 2017/1509 of 30 August 2017 concerning restrictive measures against the Democratic People’s Republic of Korea and repealing Regulation (EC) No 329/2007 (OJ L 224, 31.8.2017, p. 1) as amended up to 28th February 2018 (subject to Article 2).<sup>3</sup>

### **2 Ambulatory references to Annexes**

A reference in Regulation (EU) 2017/1509 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) 2017/1509 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.
- (3) For the purpose of Article 14A of the General Provisions Order, the UN financial sanctions resolution implemented by Regulation (EU) 2017/1509 is United Nations Security Council Resolution 1718 (2006).

### **4 Implementation of Regulation (EU) 2017/1509**

Regulation (EU) 2017/1509 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 the modification that a reference in Regulation (EU) 2017/1509 to the “financial intelligence unit” or “FIU” is to be construed as a reference to a designated police officer, a designated customs officer or the Financial Intelligence Unit, as each of those terms is defined in the [Money Laundering \(Jersey\) Order 2008](#).

## 5 Offences

- (1) A person who –
  - (a) contravenes Article 3, 5, 7, 9, 10, 11, 12, 13, 15, 16a, 16b, 16c, 16d, 16f, 16h, 16j, 16k, 16l, 16m, 16n, 16p, 17, 18, 20, 21, 24, 26, 28, 30, 31, 32, 34, 38(4), 39, 41, 43, 44a or 52 of Regulation (EU) 2017/1509, as that Article has effect 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.<sup>4</sup>
- (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 50(1) of Regulation (EU) 2017/1509, 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 the General Provisions Order.

## 6 Citation

This Order may be cited as the EU Legislation (Sanctions – North Korea) (Jersey) Order 2017.

