VERŻJONI ELETTRONIKA

Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 19,252, 16 ta' Mejju, 2014
Taqsima B

A.L. 168 tal-2014

ATT DWAR POTERI LI JSIRU REGOLAMENTI FL-INTERESS NAZZJONALI (KAP. 365)

Regolamenti tal-2014 dwar l-Infurzar ta' Sanzjonijiet tal-Unjoni Ewropea (Sudan)

BIS-SAĦĦA tas-setgħat mogħtija bl-artikolu 3(2) tal-Att dwar Poteri li jsiru Regolamenti fl-Interess Nazzjonali, il-Prim Ministru għamel dawn ir-regolamenti li ġejjin:-

1. It-titolu ta' dawn ir-regolamenti hu r-Regolamenti tal-2014 dwar l-Infurzar ta' Sanzjonijiet tal-Unjoni Ewropea (Sudan). Titolu.

2. F'dawn ir-regolamenti, kemm-il darba r-rabta tal-kliem ma tkunx teħtieġ xort'oħra - Tifsir.

"l-Att" tfisser l-Att dwar Poteri li jsiru Regolamenti fl-Interess Nazzjonali; Kap. 365.

"ir-Regolamenti tal-Kunsill" tfisser ir-Regolamenti tal-Kunsill imsemmija fir-regolament 3, kif ukoll kwalunkwe emenda jew revoka li tista' issir għal dawn l-istess Regolamenti;

"il-Bord ta' Sorveljanza" tfisser il-Bord imwaqqaf taħt ir-regolament 2 tar-Regolamenti dwar Bord ta' Sorveljanza dwar is-Sanzjonijiet; L.S. 365.08

"it-Trattat" tfisser it-Trattat imsemmi fl-artikolu 2 tal-Att dwar l-Unjoni Ewropea. Kap. 460.

3. Dawn ir-regolamenti japplikaw għar-Regolamenti tal-Kunsill Ewropew li ġejjin: Testi tar-Regolament tal-Kunsill Ewropew (KE) Nru. 141/2004 u tar-Regolament tal-Kunsill Ewropew (KE) Nru. 1184/2005.

(a) ir-Regolament tal-Kunsill Ewropew (KE) Nru. 131/2004 tas-26 ta' Jannar, 2004 dwar ċerti miżuri restrittivi fir-rigward tas-Sudan, li t-test tiegħu jidher fl-ilsien Ingliż fl-iSkeda li tinsab ma' dawn ir-regolamenti; u

(b) ir-Regolament tal-Kunsill Ewropew (KE) Nru. 1184/2005 tat-18 ta' Lulju, 2005, li jimponi certi mizuri restrittivi diretti kontra ċerti persuni li jxekklu l-proċess ta' paċi u li jiksru l-liġi internazzjonali fil-kunflitt tar-Reġjun tad-Darfur fis-Sudan, li t-test tiegħu jidher fl-ilsien Ingliż fl-iSkeda li tinsab ma' dawn ir-regolamenti.

Appikabilità tal-Att dwar l-Unjoni Ewropea. Kap. 460.

4. Għall-fini tal-artikolu 3 tal-Att dwar l-Unjoni Ewropea, ir-Regolamenti tal-Kunsill jorbtu kollha kemm huma fuq Malta u għandhom ikunu parti mil-liġi tal-pajjiż skont il-kondizzjonijiet imsemmijin fit-Trattat.

Notifika dwar l-iffriżar tal-attiv.

5. (1) Meta xi dispożizzjoni ta' xi regolament magħmul taħt l-Att tkun teħtieġ lil xi persuna jew lil xi entità oħra twettaq l-identifikazzjoni ta' flejjes jew attiv li jappartjenu lil jew li jkunu fil-pussess ta' persuni jew entitajiet li jistgħu jiġu identifikati jew li jkunu identifikabbli taħt dawn ir-regolamenti jew l-iffriżar jew l-ibblukkar ta' dawk il-flejjes jew attiv, dik il-persuna jew entità għandha mingħajr ebda dewmien tavża bil-miktub kull informazzjoni rilevanti li jista' jkollha dwar persuni, entitajiet, attiv jew flejjes milquta b'dawn ir-regolamenti lill-Bord ta' Sorveljanza, jew lil dik l-awtorità pubblika oħra li tista' tiġi ordnata b'kull liġi oħra.

(2) L-iżvelar ta' kull informazzjoni fl-ambitu tal-pattijiet u tal-ħtiġiet ta' dan ir-regolament ma għandux jikkostitwixxi ksur tal-Att dwar Segretezza Professjonali, meta dan ikun japplika, jew ta' kull obbligu ieħor ta' konfidenzjalità li joħroġ minn xi kuntratt jew minn xi liġi oħra. Kap. 377.

(3) Kull min jonqos milli jħares id-dispożizzjonijiet tas-subregolament (1) ikun ħati ta' reat bħal ma hemm imsemmi fl-artikolu 4 tal-Kodiċi Kriminali. Kap. 9.

Responsabbiltà ta' korp magħqud.

6. (1) Meta reat kontra xi dispożizzjoni tar-Regolamenti tal-Kunsill, li dawn ir-regolamenti japplikaw għalihom, jew kontra dawn ir-regolamenti, isir minn korp ta' persuni (sew jekk dak il-korp ikun inkorporat jew le), kull persuna li, fiż-żmien tal-għemil tar-reat, kienet direttur, *manager*, segretarju jew uffiċjal ieħor simili ta' dak il-korp jew għaqda, jew kienet tidher li qed taġixxi f'dik il-kariga, tkun ħatja ta' reat kemm-il darba ma tippruvax li r-reat ikun sar mingħajr it-tagħrif tagħha u li tkun eżerċitata d-diligenza kollha xierqa biex ma tħallix illi jsir ir-reat.

(2) Meta l-persuna misjuba ħatja ta' reat taħt dawn ir-regolamenti tkun uffiċjal ta' korp magħqud bħal ma hemm imsemmi fl-artikolu 121D tal-Kodiċi Kriminali jew tkun persuna li jkollha setgħa ta' rappreżentanza jew li jkollha dik l-awtorità bħal ma hemm imsemmi f'dak l-artikolu u r-reat li dik il-persuna tkun instabet ħatja tiegħu jkun sar għall-benefiċċju, f'parti jew kollu kemm hu, ta' dak il-korp magħqud, dik il-persuna għandha għall-finijiet ta' dawn ir-regolamenti titqies bħala li hi vestita bir-rappreżentanza legali tal-istess korp magħqud li għandu jkun responsabbli għall-ħlas ta' multa ta' mhux inqas minn ħamest elef euro (€5,000) u mhux iżjed minn mija u sittax-il elf erba'mija u tmienja u sittin euro (€116,468). Kap. 9.

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7. Meta persuna tagħmel reat kontra xi dispożizzjoni tar-Regolamenti tal-Kunsill, li dawn ir-regolamenti japplikaw għalihom, jew kontra dawn ir-regolamenti, dik il-persuna teħel, meta tinstab ħatja, priġunerija għal żmien minn tnax-il xahar sa ħames snin jew multa ta' mhux iżjed minn mija u sittax-il elf erba'mija u tmienja u sittin euro (€116,468), jew priġunerija u multa flimkien.

B 1544

SKEDA

(Regolament 3)

COUNCIL REGULATION (EC) No 131/2004
of 26 January 2004
concerning certain restrictive measures in respect of Sudan

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 60 and 301 thereof,

Having regard to Council Common Position 2004/31/CFSP of 9 January 2004 concerning the imposition of an embargo on arms, munitions and military equipment* on Sudan,

Having regard to the proposal from the Commission,

Whereas:

(1) In view of the ongoing civil war in Sudan, Common Position 2004/31/CFSP maintains the arms embargo imposed against that country by Council Decision 94/165/CFSP** and strengthens that embargo to include a ban on technical assistance and other services related to military activities, and on financial assistance related to military activities.

(2) Common Position 2004/31/CFSP also makes provision for humanitarian exemptions to the arms embargo, including sale, supply, transfer or export of equipment and materiel for mine clearance operations in Sudan.

(3) The embargoes on certain technical and financial assistance fall within the scope of the Treaty. Therefore, notably with a view to avoiding distortion of competition, Community legislation is necessary to implement the embargoes as far as the territory of the Community is concerned. For the purpose of this Regulation, the territory of the Community is deemed to encompass the territories of the Member States to which the Treaty is applicable, under the conditions laid down in that Treaty.

(4) In order to ensure that the measures provided for in this Regulation are effective, this Regulation should enter into force immediately,

HAS ADOPTED THIS REGULATION:

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*OJ L 6, 10.1.2004, p. 55.
**OJ L 75, 17.3.1994, p. 1. Decision repealed by Common Position 2004/31/CFSP.

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Article 1

For the purposes of this Regulation, the following definition shall apply:

‘technical assistance’ means any technical support related to repairs, development, manufacture, assembly, testing, maintenance, or any other technical service, and may take forms such as instruction, advice, training, transmission of working knowledge or skills or consulting services. Technical assistance includes verbal forms of assistance.

Article 2

It shall be prohibited:

(a) to grant, sell, supply or transfer technical assistance related to military activities and to the provision, manufacture, maintenance and use of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, directly or indirectly to any person, entity or body in, or for use in Sudan;

(b) to provide financing or financial assistance related to military activities, including in particular grants, loans and export credit insurance, for any sale, supply, transfer or export of arms and related materiel, or for any grant, sale, supply, or transfer of related technical assistance, directly or indirectly to any person, entity or body in, or for use in Sudan.

Article 3

The participation, knowingly and intentionally, in activities the object or effect of which is, directly or indirectly, to promote the transactions referred to in Article 2 shall be prohibited.

Article 4

1. By way of derogation from Articles 2 and 3, the competent authorities of Member States as listed in the Annex, may authorise the provision of financing and financial assistance and technical assistance related to:

(a) non-lethal military equipment intended solely for humanitarian or protective use, or for institution building programmes of the United Nations, the European Union and the Community;

(b) material intended for European Union and United Nations crisis management operations;

(c) mine clearance equipment and materiel for use in mine clearance.

2. No authorisations shall be granted for activities that have already taken place.

Article 5

Articles 2 and 3 shall not apply to protective clothing, including flak jackets and military helmets, temporarily exported to Sudan by United Nations personnel, personnel of the EU, the Community or its Member States, representatives of the media and humanitarian and development workers and associated personnel for their personal use only.

Article 6

The Commission and Member States shall immediately inform each other of the measures taken under this Regulation and shall supply each other with any other relevant information at their disposal in connection with this Regulation, in particular information in respect of violation and enforcement problems and judgements handed down by national courts.

Article 7

The Commission shall be empowered to amend the Annex on the basis of information supplied by Member States.

Article 8

The Member States shall lay down the rules on sanctions applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The sanctions provided for must be effective, proportionate and dissuasive.

The Member States shall notify these rules to the Commission without delay after the entry into force of this Regulation and shall notify it of any subsequent amendment.

Article 9

This Regulation shall apply:

(a) within the territory of the Community, including its airspace;

(b) on board any aircraft or any vessel under the jurisdiction of a Member State;

(c) to any person elsewhere who is a national of a Member State;

(d) to any legal person, group or entity which is incorporated or constituted under the law of a Member State;

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(e) to any legal person, group or entity doing business within the Community.

Article 10

This Regulation shall enter into force on the day following that 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, 26 January 2004.

For the Council
The President
B. COWEN

ANNEX

List of competent authorities referred to in Article 4

BELGIUM
Service public fédéral des affaires étrangères, commerce extérieur et coopération au développement
Egmont 1
Rue des Petits Carmes 19
B-1000 Bruxelles

Direction générale des affaires bilatérales
Service 'Afrique du sud du Sahara'
Téléphone (32-2) 501 88 75
Télécopieur (32-2) 501 38 26

Service public fédéral de l'économie, des PME, des classes moyennes et de l'énergie
ARE 4 o division, service des licences
Avenue du Général Leman 60
B-1040 Bruxelles
Téléphone (32-2) 206 58 16/27
Télécopieur (32-2) 230 83 22

Brussels Hoofdstedelijk Gewest - Région de Bruxelles-Capitale:
Kabinet van de minister van Financiën, Begroting, Openbaar Ambt en Externe Betrekkingen van de Brusselse Hoofdstedelijke regering
Kunstlaan 9
B-1210 Brussel

Cabinet du ministre des finances, du budget, de la fonction publique et des relations extérieures du gouvernement de la Région de Bruxelles Capitale
Avenue des Arts 9
B-1210 Bruxelles
Téléphone (32-2) 209 28 25
Télécopieur (32-2) 209 28 12

Région wallonne:
Cabinet du ministre-président du gouvernement wallon
Rue Mazy 25-27
B-5100 Jambes-Namur
Téléphone (32-81) 33 12 11
Télécopieur (32-81) 33 13 13

Vlaams Gewest:
Administratie Buitenlands Beleid
Boudewijnlaan 30
B-1000 Brussel
Tel. (32-2) 553 59 28
Fax (32-2) 553 60 37

DENMARK
Erhvervs- og Boligstyrelsen
Dahlerups Pakhus
Langelinie Allé 17
DK-2100 København Ø
Tlf. (45) 35 46 60 00
Fax (45) 35 46 60 01

Udenrigsministeriet
Asiatisk Plads 2
DK-1448 København K
Tlf. (45) 33 92 00 00
Fax (45) 32 54 05 33

Justitsministeriet
Slotholmsgade 10
DK-1216 København K
Tlf. (45) 33 92 33 40
Fax (45) 33 93 35 10

GERMANY
Concerning financing and financial assistance:
Deutsche Bundesbank
Servicezentrum Finanzsanktionen
Postfach
D-80281 München

Tel. (49-89) 2889-3800
Fax (49-89) 350163-3800

Concerning technical assistance and other services:
Bundesamt für Wirtschaft und Ausfuhrkontrolle (BAFA)
Frankfurter Straße 29-35
D-65760 Eschborn
Tel. (49-61) 96 908-0
Fax (49-61) 96 908-800

GREECE
A. Freezing of Assets
Ministry of Economy and Finance
General Directory of Economic Policy
5 Nikis Str.
GR-101 80 Athens
Tel: (30) 210 333 27 86
Fax: (30) 210 333 28 10

Α. Δέσμευση κεfαλαίων
Υρουργείο Οικονομίας και Οικονομικών
Γενική Δ/νση Οικονομικής Πολιτικής
Νίκης 5
GR-101 80 Αθήνα
Τηλ.: (30) 210 333 27 86
Faξ: (30) 210 333 28 10

B. Import-Export restrictions
Ministry of Economy and Finance
General Directorate for Policy Planning and Management
Kornaroy Str. 1,
GR-105 63 Athens
Tel: (30) 210 328 64 01-3
Fax: (30) 210 328 64 04

Β. Περιορισμοί εισαγωγών-εξαγωγών
Υρουργείο Οικονομίας και Οικονομικών
Γενική Δ/νση Σχεδιασμού και Διαχείρισης Πολιτικής
Κορνάρου 1,
GR-105 63 Αθήνα
Τηλ.: (30) 210 328 64 01-3
Faξ: (30) 210 328 64 04

SPAIN
Ministerio de Economía
Dirección General de Comercio e Inversiones
Paseo de la Castellana, 162

E-28046 Madrid
Tel.: (34) 913 49 38 60
Fax (34) 914 57 28 63

FRANCE
Ministère de l'économie, des finances et de l'industrie
Direction générale des douanes et des droits indirects
Cellule embargo - Bureau E2
Téléphone (33) 144 74 48 93
Télécopieur (33) 144 74 48 97

Ministère des affaires étrangères
Direction des Nations unies et des organisations internationales
Téléphone (33) 143 17 59 68
Télécopieur (33) 143 17 46 91

IRELAND
Department of Enterprise, Trade and Employment
Licensing Unit
Earlsfort Centre
Lower Hatch St.
Dublin 2
Ireland
Tel. (353) 1 631 2121
Fax (353) 1 631 2562

ITALY
Ministero degli Affari esteri
DGAE-Uff. X
Roma
Tel. (39) 06 36 91 37 50
Fax (39) 06 36 91 37 52

Ministero del Commercio estero
Gabinetto
Roma
Tel. (39) 06 59 93 23 10
Fax (39) 06 59 64 74 94

Ministero dei Trasporti
Gabinetto
Roma
Tel. (39) 06 44 26 71 16/84 90 40 94
Fax (39) 06 44 26 71 14

LUXEMBOURG
Ministère des affaires étrangères

Office des licences
21, rue Philippe II
L-2340 Luxembourg
Téléphone (352) 478 23 70
Télécopieur (352) 46 61 38

NETHERLANDS
Ministerie van Economische Zaken
Directoraat-generaal Buitenlandse Economische Betrekkingen
Directie Handelspolitiek en Investeringsbeleid
Bezuidenhoutseweg 153
2594 AG Den Haag
Nederland
Tel. (31) 70 379 76 58
Fax (31) 70 379 73 92

AUSTRIA
Bundesministerium für Wirtschaft und Arbeit
Abteilung C/2/2
Stubenring 1
A-1010 Wien
Tel. (43-1) 711 00
Fax (43-1) 711 00-8386

PORTUGAL
Ministério dos Negócios Estrangeiros
Direcção-Geral dos Assuntos Multilaterais
Largo Rilvas
P-1350-179 Lisboa
Tel.: (351-21) 394 60 72
Fax: (351-21) 394 60 73

FINLAND
Ulkoasiainministeriö/Utrikesministeriet
PL/PB 176
00161 Helsinki/Helsingfors
Puhelin (358) 9 16 05 59 00
Faksi (358) 9 16 05 57 07

Puolustusministeriö/Försvarsministeriet
Eteläinen Makasiinikatu 8
00131 Helsinki/Helsingfors
PL/PB 31
Puhelin (358) 9 16 08 81 28
Faksi (358) 9 16 08 81 11

SWEDEN

B 1552

Inspektionen för strategiska produkter (ISP)
Box 70 252
107 22 Stockholm
Tfn (46-8) 406 31 00
Fax (46-8) 20 31 00

Regeringskansliet
Utrikesdepartementet
Rättssekretariatet för EU-frågor
Fredsgatan 6
103 39 Stockholm
Tfn (46-8) 405 10 00
Fax (46-8) 723 11 76

UNITED KINGDOM
Sanctions Licensing Unit
Export Control Organisation Department of Trade and Industry
4 Abbey Orchard Street
London SW1P 2HT
United Kingdom
Tel. (44) 20 7215 0594
Fax (44) 20 7215 0593

COUNCIL REGULATION (EC) No 1184/2005
of 18 July 2005
imposing certain specific restrictive measures directed against certain persons impeding the peace process and breaking international law in the conflict in the Darfur region in Sudan

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 60, 301 and 308 thereof,

Having regard to Common Position 2005/411/CFSP of 30 May 2005 concerning restrictive measures against Sudan*

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament**

Whereas:

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*OJ L 139, 2.6.2005, p. 25.
**Opinion delivered on 23 June 2005.

VERŻJONI ELETTRONIKA

(1) In its Resolution 1591 (2005) of 29 March 2005, the UN Security Council, acting under Chapter VII of the Charter of the United Nations, and deploring strongly that the Government of Sudan and rebel forces and all other armed groups in Darfur have failed to comply with their commitments and the demands of the Security Council, decided to impose certain additional restrictive measures in respect of Sudan.

(2) Common Position 2005/411/CFSP provides, *inter alia*, for implementation of the freezing of funds and economic resources of those persons designated by the competent United Nations Sanctions Committee, who impede the peace process, constitute a threat to stability in Darfur and the region, commit violations of international humanitarian or human rights law or other atrocities, violate the arms embargo or are responsible for certain offensive military flights in and over the Darfur region. These measures fall within the scope of the Treaty and, therefore, in order to avoid any distortion of competition, Community measures are necessary to implement them as far as the Community is concerned.

(3) For the purpose of this Regulation, the territory of the Community should be deemed to encompass the territories of the Member States to which the Treaty is applicable, under the conditions laid down in that Treaty.

(4) In order to ensure that the measures provided for in this Regulation are effective, this Regulation should enter into force on the day of its publication.

(5) The Treaty, in Articles 60 and 301, empowers the Council to take, under certain conditions, measures aimed at the interruption or reduction of payments or movement of capital and of economic relations with regard to third countries. The measures laid down in this Regulation, targeted also at individual persons not directly linked to the government of a third country, are necessary to attain this objective of the Community and Article 308 of the Treaty empowers the Council to take such measures if no other specific powers are provided for in the Treaty,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of this Regulation, the following definitions shall apply:

1. ‘Sanctions Committee’ means the Committee of the Security Council of the United Nations which was established pursuant to paragraph 3 of UN Security Council Resolution 1591 (2005);

2. ‘funds’ means financial assets and benefits of every kind, including but not limited to:

(a) cash, cheques, claims on money, drafts, money orders and other payment instruments;

(b) deposits with financial institutions or other entities, balances on accounts, debts and debt obligations;

(c) publicly and privately traded securities and debt instruments, including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures and derivatives contracts;

(d) interest, dividends or other income on or value accruing from or generated by assets;

(e) credit, right of set-off, guarantees, performance bonds or other financial commitments;

(f) letters of credit, bills of lading, bills of sale;

(g) documents evidencing an interest in funds or financial resources;

(h) any other instrument of export-financing;

3. 'freezing of funds' means preventing any move, transfer, alteration, use of, access to, or dealing with funds in any way that would result in any change in their volume, amount, location, ownership, possession, character, destination or other change that would enable the funds to be used, including portfolio management;

4. 'economic resources' means assets of every kind, whether tangible or intangible, movable or immovable, which are not funds but can be used to obtain funds, goods or services;

5. 'freezing of economic resources' means preventing their use to obtain funds, goods or services in any way, including, but not limited to, the selling, hiring or mortgaging of them.

Article 2

1. All funds and economic resources belonging to, owned or controlled, directly or indirectly, by the natural or legal persons, entities or bodies listed in Annex I shall be frozen.

2. No funds or economic resources shall be made available, directly or indirectly, to or for the benefit of the natural or legal persons, entities or bodies listed in Annex I.

3. The participation, knowingly and intentionally, in activities the object or effect of which is, directly or indirectly, to circumvent the measures referred to in paragraphs 1 and 2 shall be prohibited.

Article 3

1. By way of derogation from Article 2 the competent authorities of the Member States, as listed in Annex II, may authorise the release of certain frozen funds or economic resources or the making available of certain frozen funds or economic resources, under such conditions as they deem appropriate, after having determined that the funds or economic resources concerned are:

(a) necessary for basic expenses, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;

(b) intended exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services;

(c) intended exclusively for payment of fees or service charges for routine holding or maintenance of frozen funds or economic resources;

provided that the Member State concerned has notified this determination to the Sanctions Committee and the Sanctions Committee has not objected within two working days of such notification.

2. By way of derogation from Article 2 the competent authorities of the Member States, as listed in Annex II, may authorise the release of certain frozen funds or economic resources or the making available of certain frozen funds or economic resources, after having determined that the funds or economic resources are necessary for extraordinary expenses, provided that this determination has been notified by the Member State to the Sanctions Committee and that the determination has been approved by that Committee.

Article 4

By way of derogation from Article 2, the competent authorities of the Member States as listed in Annex II may authorise the release of certain frozen funds or economic resources, if the following conditions are met:

(a) the funds or economic resources are subject of a judicial, administrative or arbitral lien established prior to 29 March 2005 or of a judicial, administrative or arbitral judgment rendered prior to that date;

(b) the funds or economic resources will be used exclusively to satisfy claims secured by such a lien or recognised as valid in such a judgment, within the limits set by applicable laws and regulations governing the rights of persons having such claims;

(c) the lien or judgment is not for the benefit of a person, entity or body listed in Annex I;

(d) recognising the lien or judgment is not contrary to public policy in the Member State concerned;

(e) the lien or judgment has been notified by the Member State to the Sanctions Committee.

Article 5

1. Article 2(2) shall not apply to the addition to frozen accounts of:

(a) interest or other earnings on those accounts; or

(b) payments due under contracts, agreements or obligations that were concluded or arose prior to the date on which those accounts became subject to this Regulation,

provided that any such interest, other earnings and payments are frozen in accordance with Article 2(1).

2. Article 2(2) shall not prevent the crediting of the frozen accounts by financial or credit institutions that receive funds transferred by third parties to the account of the person, entity or body listed in Annex I, provided that any such additions to such accounts will also be frozen. The financial or credit institutions shall inform the competent authorities about such transactions without delay.

Article 6

1. Without prejudice to the applicable rules concerning reporting, confidentiality and professional secrecy and to the provisions of Article 284 of the Treaty, natural and legal persons, entities and bodies shall:

(a) supply immediately any information which would facilitate compliance with this Regulation, such as accounts and amounts frozen in accordance with Article 2, to the competent authorities of the Member States listed in Annex II where they are resident or located, and shall transmit such information, directly or through these competent authorities, to the Commission;

(b) cooperate with the competent authorities listed in Annex II in any verification of this information.

2. Any additional information directly received by the Commission shall be made available to the competent authorities of the Member State concerned.

3. Any information provided or received in accordance with paragraphs 1 and 2 shall be used only for the purposes for which it was provided or received.

Article 7

The freezing of funds and economic resources or the refusal to make funds or economic resources available, carried out in good faith on the basis that such action is in accordance with this Regulation, shall not give rise to liability of any kind on the part of the natural or legal person, entity or body implementing it, or its directors or employees, unless it is proved that the funds and economic resources were frozen as result of negligence.

Article 8

The Commission and Member States shall immediately inform each other of the measures taken under this Regulation and shall supply each other with any other relevant information at their disposal in connection with this Regulation, in particular information in respect of violation and enforcement problems and judgments handed down by national courts.

Article 9

1. The Commission shall be empowered to:

(a) amend Annex I on the basis of determinations made by the Sanctions Committee; and

(b) amend Annex II on the basis of information supplied by Member States.

2. Without prejudice to the rights and obligations of the Member States under the Charter of the United Nations, the Commission shall maintain all necessary contacts with the Sanctions Committee for the purpose of the effective implementation of this Regulation.

Article 10

Member States shall lay down the rules on penalties applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive.

Member States shall notify those rules to the Commission without delay after the entry into force of this Regulation and shall notify it of any subsequent amendment.

Article 11

This Regulation shall apply

(a) within the territory of the Community, including its airspace;

(b) on board any aircraft or any vessel under the jurisdiction of a Member State;

(c) to any person inside or outside the territory of the Community who is a national of a Member State;

(d) to any legal person, entity or body which is incorporated or constituted under the law of a Member State;

(e) to any legal person, entity or body doing business within the Community.

Article 12

This Regulation shall enter into force on the day following that 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, 18 July 2005

For the Council
The President
J. STRAW

ANNEX I

List of natural and legal persons, entities or bodies referred to in Article 2

(Annex to be completed subject to designation by the Committee of the Security Council established pursuant to paragraph 3 of UN Security Council Resolution 1591 (2005))

ANNEX II

List of competent authorities referred to in Articles 3, 4, 5, 6 and 7

BELGIUM
Federale Overheidsdienst Financiën
Thesaurie
Kunstlaan 30
B-1040 Brussel
Fax: 00 32 2 233 74 65
E-mail: Quesfinvragen.tf@minfin.fed.be

Service Public Fédéral des Finances
Trésorerie

30 Avenue des Arts
B-1040 Bruxelles
Fax: 00 32 2 233 74 65
E-mail: Quesfinvragen.tf@minfin.fed.be

CZECH REPUBLIC
Ministerstvo financí
Financní analytický útvar
P.O. BOX 675
Jindrišská 14
111 21 Praha 1
Tel.: + 420 2 5704 4501
Fax: + 420 2 5704 4502

Ministerstvo zahranicních vecí
Odbor spolecné zahranicní a bezpecnostní politiky EU
Loretánské nám. 5
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Fax: + 420 2 2418 4080

DENMARK
Erhvervs- og Byggestyrelsen
Langelinie Allé 17
DK-2100 København K
Tlf. (45) 35 46 62 81
Fax (45) 35 46 62 03

Udenrigsministeriet
Asiatisk Plads 2
DK-1448 København K
Tlf. (45) 33 92 00 00
Fax (45) 32 54 05 33

Justitsministeriet
Slotholmsgade 10
DK-1216 København K
Tlf. (45) 33 92 33 40
Fax (45) 33 93 35 10

GERMANY
Concerning freezing of funds:
Deutsche Bundesbank
Servicezentrum Finanzsanktionen
Postfach
D-80281 München
Tel. (49) 89 28 89 38 00

Fax (49) 89 35 01 63 38 00

Concerning technical assistance:
Bundesamt für Wirtschaft und Ausfuhrkontrolle (BAFA)
Frankfurter Straße 29-35
D-65760 Eschborn
Tel. (49) 61 96 908-0
Fax (49) 61 96 908-800

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Eesti Välisministeerium
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15049 Tallinn
Tel.: + 372 6317 100
Faks: + 372 6317 199

Finantsinspektsioon
Sakala 4
15030 Tallinn
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Faks: + 372 6680 501

GREECE
A. Freezing of Assets
Ministry of Economy and Finance
General Directory of Economic Policy
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10 563 Athens - Greece
Tel.: + 30 210 3332786
Fax: + 30 210 3332810

Α. Δέσμευση κefαλαίων
Υρουργείο Οικονομίας και Οικονομικών
Gενική Δ/νση Οικονομικής Πολιτικής
Δ/νση: Νίκης 5
10 563 Αθήνa
Τηλ.: + 30 210 3332786
Faξ: + 30 210 3332810

B. Import-Export restrictions
Ministry of Economy and Finance
General Directorate for Policy Planning and Management
Address Kornaroy Str.
10 563 Athens
Tel.: + 30 210 3286401-3
Fax: + 30 210 3286404

Β. Περιορισμοί εισαγωγών - εξαγωγών
Υπουργείο Οικονομίας και Οικονομικών
Γενική Δ/νση Σχεδιασμού και Διαχείρισης Πολιτικής
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Τηλ.: + 30 210 3286401-3
Φαξ: + 30 210 3286404

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Dirección General del Tesoro y Política Financiera
Subdirección General de Inspección y Control de Movimientos de Capitales
Ministerio de Economía
Paseo del Prado, 6
E-28014 Madrid
Tel. (34) 912 09 95 11

Dirección General de Comercio e Inversiones
Subdirección General de Inversiones Exteriores
Ministerio de Industria, Comercio y Turismo
Paseo de la Castellana, 162
E-28046 Madrid
Tel. (34) 913 49 39 83

FRANCE
Ministère de l'économie, des finances et de l'industrie
Direction générale du Trésor et de la politique économique
Service des affaires multilatérales et du développement
Sous-direction Politique commerciale et investissements
Service Services, Investissements et Propriété intellectuelle
139, rue du Bercy
75572 Paris Cedex 12
Tél.: (33) 1 44 87 72 85
Télécopieur: (33) 1 53 18 96 55

Ministère des affaires étrangères
Direction générale des affaires politiques et de sécurité
Direction des Nations unies et des organisations internationales
Sous-direction des affaires politiques
Tél.: (33) 1 43 17 59 68
Télécopieur (33) 1 43 17 46 91

Service de la politique étrangère et de sécurité commune
Tél.: (33) 1 43 17 45 16
Télécopieur: (33) 1 43 17 45 84

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Department of Foreign Affairs
Iveagh House
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Tel.: + 353 1 478 0822
Fax: + 353 1 408 2165

Central Bank and Financial Services Authority of Ireland
Financial Markets Department
Dame Street
Dublin 2
Tel.: + 353 1 671 6666
Fax: + 353 1 679 8882

ITALY
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I-00194 Roma
D.G.A.S. - Ufficio II
Tel. (39) 06 3691 2435
Fax. (39) 06 3691 4534

Ministero dell'Economia e delle Finanze
Dipartimento del Tesoro
Comitato di Sicurezza Finanziaria
Via XX Settembre, 97
I-00187 Roma
Tel. (39) 06 4761 3942
Fax. (39) 06 4761 3032

CYPRUS
Ministry of Commerce, Industry and Tourism
6 Andrea Araouzou
1421 Nicosia
Tel: + 357 22 86 71 00
Fax: + 357 22 31 60 71

Central Bank of Cyprus
80 Kennedy Avenue
1076 Nicosia
Tel: + 357 22 71 41 00
Fax: + 357 22 37 81 53

Ministry of Finance (Department of Customs)
M. Karaoli
1096 Nicosia
Tel: + 357 22 60 11 06

Fax: + 357 22 60 27 41/47

LATVIA
Latvijas Republikas Prokuratura
Noziedzigi iegutu lidzeklu legalizacijas noveršanas dienests
Kalpaka bulvaris 6
Riga, LV 1801
Talr. Nr. (371) 70144431
Fakss: (371) 7044804
E-pasts: gen@lrp.gov.lv

Latvijas Republikas Arlietu ministrija
Brivibas iela 36
Riga, LV 1395
Talr. Nr. (371) 7016201
Fakss: (371) 7828121
E-pasts: mfa.cha@mfa.gov.lv

LITHUANIA
Security Policy Department
Ministry of Foreign Affairs of the Republic of Lithuania
J. Tumo-Vaižganto 2
LT-01511 Vilnius
Lithuania
Tel. (370-5) 236 25 16
Faks. (370-5) 236 30 90

LUXEMBOURG
Ministère des Affaires étrangères et de l'Immigration
Direction des Relations économiques internationales
5, rue Notre-Dame
L-2240 Luxembourg
Tél.: (352) 478 2346
Fax: (352) 22 20 48

Ministère des Finances
3, rue de la Congrégation
L-1352 Luxembourg
Tél.: (352) 478 2712
Fax: (352) 47 52 41

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Hungarian National Police Headquarters
Teve u. 4-6.
H-1139 Budapest
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B 1564

Országos Rendorfokapitányság
1139 Budapest, Teve u. 4-6.
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Ministry of Finance
József nádor tér. 2-4.
H-1051 Budapest
Hungary
Postbox: 1369 Pf.: 481
Tel.: + 36-1-318-2066, + 36-1-327-2100
Fax: + 36-1-318-2570, + 36-1-327-2749

Pénzügyminisztérium
1051 Budapest, József nádor tér. 2–4.
Magyarország
Postafiók: 1369 Pf.: 481
Tel.: + 36-1-318-2066, + 36-1-327-2100
Fax: + 36-1-318-2570, + 36-1-327-2749

Ministry of Economic Affairs and Transport (in view of Article 4)
Hungarian Trade Licencing Office
Margit krt.85.
H-1024 Budapest Hungary
Postbox: 1537 Pf.: 345
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Gazdasági és Közlekedési Minisztérium - Kereskedelmi Engedélyezési Hivatal
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H-1024 Budapest Magyarország
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MALTA
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Ministeru ta' l-Affarijiet Barranin
Palazzo Parisio
Triq il-Merkanti
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De Directie Financiële Markten/Afdeling Integriteit
Postbus 20201

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Fax: 070-342 7984

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Oesterreichische Nationalbank
Otto Wagner Platz 3
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Fax (+ 43-1) 404 20-7399

POLAND
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General Inspector of Financial Information (GIFF)
ul. Swietokrzyska 12
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Fax. (+ 48 22) 694 54 50

Coordinating authority:
Ministry of Foreign Affairs
Department of Law and Treaties
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00-580 Warsaw
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Fax. (+ 48 22) 523 83 29

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Ministério das Finanças
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P-1100 Lisboa
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Ministry of Foreign Affairs

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SI-1000 Ljubljana
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PL/PB 176
FIN-00161 Helsinki/Helsingfors
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103 51 Stockholm
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113 85 Stockholm
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