



STATUTORY INSTRUMENTS.

S.I. No. 16 of 2021

EUROPEAN UNION (CERTAIN MINERALS FROM CONFLICT ZONES -
TIN, TANTALUM, TUNGSTEN, THEIR ORES AND GOLD) (SUPPLY
CHAIN OBLIGATIONS) REGULATIONS 2021

EUROPEAN UNION (CERTAIN MINERALS FROM CONFLICT ZONES -
TIN, TANTALUM, TUNGSTEN, THEIR ORES AND GOLD) (SUPPLY
CHAIN OBLIGATIONS) REGULATIONS 2021

I, Eamon Ryan, Minister for the Environment, Climate and Communications, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving full effect to Council Regulation (EC) No. 2017/821 of 17 May 2017¹ hereby make the following regulations:

1. (1) These Regulations may be cited as the European Union (Certain Minerals from Conflict Zones - Tin, Tantalum, Tungsten, their Ores and Gold) (Supply Chain Obligations) Regulations 2021.

(2) In these Regulations-

“EU Regulation” means Regulation (EU) 2017/821 of the European Parliament and of the Council of 17 May 2017¹;

“Minister” means the Minister for the Environment, Climate and Communications.

2. The Competent Authority, being the Minister, designated by the State pursuant to the first paragraph of Article 10 of the EU Regulation, has the functions provided for in the third paragraph of that Article within the State.

3. A person who breaches Article 3(1), 4, 5, 6 or 7 of the EU Regulation commits an offence and, subject to Regulation 4, is liable on summary conviction, to a class A fine or imprisonment for a term not exceeding 6 months or both.

4. (1) Where a breach of Article 3(1), 4, 5, 6 or 7 of the EU Regulation has occurred, the Minister shall issue a notice of remedial action to the Union importer concerned, referring to the particular breach that has occurred and specifying particulars of remedial action that the importer shall take.

(2) A notice issued under paragraph (1) shall specify a time period within which the remedial action shall be taken.

(3) A person to whom a notice has been issued under paragraph (1) shall, within the period specified in the notice, take the remedial action required and

¹ OJ L 130, 19.05/2017, p. 1.

provide to the Minister sufficient information in order for the Minister to establish whether such remedial action as has been specified in the notice has been taken.

(4) A person who fails to comply with a notice issued under paragraph (1) within the period specified or who fails to supply sufficient information as required under paragraph (3), is liable to be prosecuted for breach of the Article or provision of the Article of the EU Regulation which is referred to in the notice and to which the failure to comply or the failure to supply sufficient information relates.

5. Where an offence under these Regulations is committed by a body corporate and is proved to have been so committed with the consent or connivance, or was attributable to any wilful neglect, of a person who was a director, manager, secretary or other officer of the body corporate, or a person purporting to act in that capacity, that person, as well as the body corporate, commits an offence and may be proceeded against as if he or she commits the first-mentioned offence.



GIVEN under my Official Seal,
21 January 2021.

EAMON RYAN
Minister for the Environment, Climate and
Communications.

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