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STATUTORY INSTRUMENTS

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**1993 No. 1798**

**The Iraq (United Nations) (Sequestration  
of Assets) (Guernsey) Order 1993**

**Ascertainment of Entitlement to Funds**

6.—(1) Where the Attorney General considers, after consultation with the Commission, that a relevant institution holds funds to which an Iraqi person is entitled representing amounts which may be derived from or otherwise attributable to a relevant transaction he may require the Commission—

- (a) by notice in writing to invite that institution and, if different, the Iraqi person, to make representations to the Commission in writing concerning the entitlement to or the source of the funds within such period of not less than 21 days beginning on the day on which the notice is given as may be specified in the notice and to state that if the institution or person so requests, it or he shall be afforded an opportunity of being heard by the Commission; and
- (b) to publish a notice in *La Gazette Officielle* inviting any person who disputes the Iraqi person's entitlement to the funds to make representations to the Commission in writing concerning the entitlement of any person to the funds within such period of not less than 21 days beginning on the day on which the notice is published as may be specified in the notice and stating that, if the person so requests, he shall be afforded the opportunity of being heard by the Commission.

(2) Where the Attorney General considers that any person who is not a relevant institution holds funds to which an Iraqi person is entitled representing amounts which may be derived from or otherwise attributable to a relevant transaction he may—

- (a) by notice in writing invite any such person who is not a relevant institution and the Iraqi person to make representations to him in writing concerning the entitlement to or the source of the funds within such period of not less than 21 days beginning with the day on which the notice is given as may be specified in the notice and state that, if any person so requests, he shall be afforded an opportunity of being heard by the Attorney General; and
- (b) publish a notice in *La Gazette Officielle* inviting any person who disputes the Iraqi person's entitlement to the funds to make representations to him in writing concerning the entitlement to the funds within such period of not less than 21 days beginning with the day on which the notice is published as may be specified in the notice and stating that, if the person so requests, he shall be afforded the opportunity of being heard by the Attorney General.

(3) After considering any representations made by any relevant institution or person in writing and any evidence submitted before or given at a hearing following the giving of notice under paragraph (1) above the Commission shall provide the Attorney General with copies of such representations, a record of the evidence submitted before or given at the hearing and its assessment of whether a relevant institution holds funds to which an Iraqi person is entitled representing amounts which are derived from or otherwise attributable to a relevant transaction.