
STATUTORY INSTRUMENTS

2013 No. 244

The Guinea (Sanctions) (Overseas Territories) Order 2013

PART 1

Freezing funds etc.

Information relating to funds etc.

6.—(1) The Governor must take such steps as the Governor considers appropriate to cooperate with any international investigation relating to the funds, economic resources or financial transactions of—

- (a) a designated person,
- (b) a person owned or controlled by a designated person, or
- (c) a person acting on behalf of, or at the direction of, a designated person.

(2) A relevant institution must inform the Governor as soon as practicable if it knows or suspects that a customer—

- (a) is a designated person, or
- (b) has committed an offence under article 4 or 10(10).

(3) When informing the Governor under paragraph (2), the relevant institution must state—

- (a) the information or other matter on which the knowledge or suspicion is based,
- (b) any information it holds about the customer by which the customer can be identified, and
- (c) if the customer is a designated person, the nature and amount or quantity of any funds or economic resources held by the relevant institution for the customer since the customer first became a designated person.

(4) A relevant institution must inform the Governor as soon as practicable if it credits a frozen account in accordance with article 5(1)(b) or (2).

(5) It is an offence for a relevant institution to fail to comply with a requirement of paragraph (2), (3) or (4).

(6) Anything done by a relevant institution in accordance with this article is not to be treated as a breach of any restriction imposed by statute or otherwise.

(7) For the purposes of this article, “customer”, in relation to a relevant institution, includes—

- (a) a person who is or has been a customer of the institution at any time since the coming into force of this Order, or
- (b) a person with whom the institution has had dealings in the course of its business since the coming into force of this Order.