

RULES ON DELIVERY AND SUBMISSION OF NOTICES AND OTHER MATERIALS IN WORLD BANK SANCTIONS PROCEEDINGS

In accordance with Section 13.05(a) of the World Bank Sanctions Procedures, the Bank has issued the following rules governing the delivery of Notices of Sanctions Procedures and Notices of Temporary Suspension (collectively, "Notices") and the delivery and submission of other materials in World Bank sanctions proceedings:

1. **Issuance of Notices.** Notices are deemed issued, and temporary suspensions are imposed, as of the date on which the Evaluation Officer ("EO") deposits the Notice with the postal or courier service.
2. **Delivery of Notices by Mail or Courier:** Notices will be delivered by certified mail or courier service to the address designated by INT for each Respondent. A signature will be required to confirm receipt. Delivery will be deemed made on the date of such confirmation of receipt.
3. INT will normally designate the **current address or place of business of a Respondent as the address for delivery of a Notice**. Delivery of a Notice may also be made to a Respondent's legally authorized representative. INT will make reasonable efforts to ascertain the address or place of business, email address and telephone number of each Respondent (or its legally authorized representative) in the course of its investigation. INT should confirm that the address is current no more than 180 days prior to the submission of a proposed Notice to the EO.
4. If a Notice cannot be delivered to the address designated by INT and INT is unable to ascertain the current address of the Respondent after reasonable efforts, delivery may be accomplished as described in "Constructive Delivery of Notices" below.
5. In cases where INT has confirmed the validity of a Respondent's address but it appears that the Respondent has refused to accept delivery, the Notice may be left with any person at the designated address or with an authorized representative of the Respondent. If no such person is available to accept delivery, delivery may be accomplished as described in "Constructive Delivery of Notices" below.
6. **Constructive Delivery of Notices:** If after reasonable efforts INT is unable to ascertain the current address of a Respondent or any legally authorized representative, a sealed letter, marked confidential and addressed to the Respondent, will be deposited at the last known address or place of business of the Respondent informing the

Respondent that the Bank has attempted to deliver a Notice and that the Notice can be obtained by contacting the EO by mail, telephone, email or fax. The letter will indicate that a temporary suspension has been imposed on the Respondent, subject to the Respondent's right to provide an Explanation within 30 days after the letter is deposited. If the letter relates to a Notice of Sanctions Proceedings, the letter will also advise the Respondent that the Respondent will be sanctioned as recommended by the EO if the Respondent fails to submit a Response within 90 days of deposit. The date of deposit of the letter will be verified either by the signature of the person receiving the letter at the designated address or by the written confirmation of the courier (or other person who undertakes to deposit the letter) that the letter has been deposited at the designated address (with or without signature of a recipient).

7. If the last known address of a Respondent cannot be verified as current as of no more than one year prior to the issuance of the Notice, then in addition to the deposit of the sealed letter described above, the Bank will post on its website for a period of no less than 30 calendar days a public notice that it is attempting to locate the Respondent, with delivery deemed to occur on the last day of the posting period.
8. If there is no known address for a Respondent, the Bank will post on its website for a period of no less than 30 calendar days a public notice that it is attempting to locate the Respondent, with delivery deemed to occur on the last day of the posting period.
9. ***Calculation of Time Periods for Respondents' Submissions.*** The time periods for submission of Explanations and Responses shall be calculated from the date of delivery of the Notice. Notices are deemed delivered upon completion of the steps set out above.
10. ***Submission of Explanations and Responses.*** Explanations and Responses are deemed submitted on the date received by the EO or the Secretary of the Sanctions Board, as the case may be. Subject to a Respondent's right to request an extension under Section 4.02(b) or Section 5.02(b) of the Sanctions Procedures, as applicable, documents received after midnight Washington, D.C. time on the due date will not be considered timely submitted. In the event of an Explanation or Response received after the relevant due date, a Respondent may petition the EO or the Sanctions Board Chair for a waiver of the relevant due date if the Respondent can demonstrate to the EO or the Chair's satisfaction that the late submission was due to *force majeure* such as serious illness or natural disaster, or that the document was posted in sufficient time to arrive in a timely fashion under normal circumstances. In the event of a Response received

after the applicable due date, any sanction imposed by the EO pursuant to the operation of Section 4.04 of the Sanctions Procedures will remain in effect during the pendency of the Respondent's waiver request.

11. In the event that the contents of an Explanation or Response do not conform to the formal requirements thereof set out in the Sanctions Procedures, the EO or the Chair of the Sanctions Board shall decide, in his or her discretion, whether or not to accept such submission notwithstanding the non-conformity.
12. **Use of Electronic Means.** The Evaluation Officer or the Secretary of the Sanctions Board may, in their discretion, accept submission of materials by electronic means.
13. **Death or Dissolution of the Respondent.** In the event that a Respondent, if a natural person, has died, or if an entity, has been dissolved, any issued Notice is deemed null and void with respect to that Respondent. INT may, however, submit a new proposed Notice against an appropriate successor or assign of a Respondent, as determined by the Bank. The death or dissolution of one Respondent will not have any effect on the case(s) against any other Respondent(s).
14. **Mistaken Identity.** If a Respondent can establish to the EO's satisfaction that it is not the party described in the Notice, the EO will close the case pursuant to Section 4.03 of the Sanctions Procedures. The Respondent may also raise its identity as a factual issue in its Response. If INT ascertains the mistaken identity, it will promptly notify the EO or Sanctions Board Chair thereof and request that the Notice be withdrawn.
15. A misspelling or similar discrepancy where it is reasonably possible to identify the Respondent through context will have no effect on a case, except to allow the relevant party or parties to correct the record.
16. **Other Matters.** Any issue that may arise in a case concerning the delivery or submission of materials in sanctions proceedings not addressed by these rules may be decided by the Evaluation Officer or the Secretary of the Sanctions Board, as the case may be, in their discretion.