

COALITION PROVISIONAL AUTHORITY ORDER NUMBER 9 (REVISED)

MANAGEMENT AND USE OF IRAQI PUBLIC PROPERTY

Pursuant to my authority as head of the Coalition Provisional Authority (CPA), and under the laws and usages of war, and consistent with relevant U.N. Security Council resolutions, including Resolutions 1483 (2003) and 1511 (2003),

Noting the needs of the Multinational Force and the CPA with respect to the use of public property in order to meet their obligations and facilitate administrative functions,

Affirming the CPA's obligation to responsibly manage Iraqi public property on behalf of the Iraqi people,

Furthering CPA Order No. 4, Management of the Property and Assets of the Iraqi Ba`ath Party (CPNORD/25 May 2003/04),

Recalling that on 30 June 2004 responsibility for and authority over public property will pass to the Iraqi Government,

I hereby promulgate the following:

Section 1 Applicability

This Order applies to the assignment, occupancy, use and management of public property that is assigned to, occupied, used or managed by the CPA, Multinational Forces, Iraqi Ministries, government offices of Coalition members, emerging Iraqi administrative or political organizations; property that is necessary for the administration of social services to the people of Iraq; and public property that is temporarily made available to private individuals or organizations, including commercial or other enterprises that provide services to, or at the request of, the CPA.

Section 2 Register of Public Property

The CPA Facilities Manager shall compile and maintain a Register of Property and Assets documenting relevant information concerning all public property occupied, used, managed and assigned by the CPA, in accordance with CPA/ORD/25 May 2003/04.

CPA/ORD/27 June 2004/09

Section 3 Procedures

- 1) Applications to occupy and use public properties shall be forwarded to the CPA Facilities Manager for approval. Applications shall be in writing, and shall state the requirement for and proposed use(s) of the property, and specifically describe the property sought, including its condition and exact location.
- 2) If an applicant seeks to occupy or use more than 10 properties, the applicant may request those properties collectively in one or more applications.
- 3) Properties will be allocated at the discretion of the CPA Facilities Manager, in accordance with priorities and policies set by the Administrator, until 30 June 2004.
- 4) When a property is allocated, the CPA Facilities Manager shall issue a Letter of Authority (LOA) that identifies the approved occupant, and the terms, conditions and duration of occupancy and use. The CPA Facilities Manager may issue one or more LOAs for applications that fall within Section 3(2) of this Order.
- 5) All LOAs in force as of 30 June 2004 shall continue in force until such time as a decision on use or occupancy of the subject property has been made by the Iraqi Interim Government, the Iraqi Transitional Government, or the Iraqi government elected under a permanent constitution as set forth in the Law of Administration for the State of Iraq for the Transitional Period (collectively "the Iraqi Government").
- 6) The CPA's approval of an application to occupy and use public property shall not give rise to any obligation or liability on the part of the CPA, or any State participating in the CPA, to any applicant, other than to be left in quiet possession for the duration of the approved tenancy.
- 7) The CPA's approval of an application to occupy and use public property shall not give rise to any obligation on the part of the Iraqi Government in any way.

Section 4 Preservation of Current Arrangements

Multinational Forces, CPA offices, Coalition government offices, and Iraqi State entities already occupying public property but not yet in possession of a LOA shall, until 30 June 2004, follow the procedures set out in Section 3 herein for a LOA documenting their continuing occupancy and use of public property.

Section 5
Inspections

- 1) Until 30 June 2004, the CPA Facilities Manager shall have the authority to enter properties covered under this Order, in order to inspect and inventory such properties and assets. The Facilities Manager may remove furnishings, assets or other moveable property from public buildings for storage, or transfer such property between or among public buildings, as is determined appropriate. No furnishings, assets or other movable property may be removed from or transferred between or among public buildings, without the written approval of the CPA Facilities Manager.

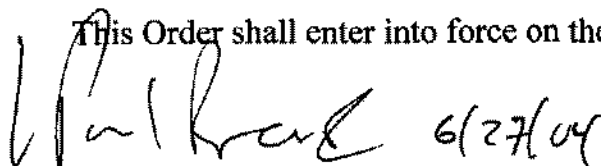
- 2) Interfering with the CPA Facilities Manager in the performance of his duties under this section, or removing furnishings, assets or other movable property from public buildings without the approval of the CPA Facilities Manager, shall constitute a violation of this Order, and may subject the violator to appropriate punishment.

Section 6
Assignment of Functions and Coordination

Until 30 June 2004, the CPA Facilities Manager may delegate authorities under this Order, and request the support of the Commander of the Multinational Forces, as necessary, to accomplish the public property management responsibility described in this Order.

Section 7
Entry into Force

This Order shall enter into force on the date of signature.



L. Paul Bremer III, Administrator
Coalition Provisional Authority