



GUYANA

ACT No. 20 OF 1997

INTEGRITY COMMISSION ACT 1997

In assent.

SAMUEL A. HINDS,
President.
24th September, 1997

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

SECTION

1. Short title.
2. Interpretation.

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AN ACT to provide for the establishment of an Integrity Commission and to make provisions for the purpose of securing the integrity of persons in public life.

A.D. 1997

Enacted by the Parliament of Guyana:—

PART 1

PRELIMINARY

- | | |
|----------------|---|
| Short title | 1. This Act may be cited as the Integrity Commission Act 1997. |
| Interpretation | <p>2. In this Act —</p> <p>(a) “assets” of a person means all property including any right or interest in property and money held by the person in Guyana or elsewhere;</p> <p>(b) “chairman” means the chairman of the Commission appointed under section 3;</p> <p>(c) “child” in relation to a person, means the person’s child who has not attained the age of eighteen years and is not married and includes a step-child or an adopted child;</p> <p style="padding-left: 40px;">and, in respect of a man, includes a child born out of wedlock of whom the man had been adjudged the father by a court of competent jurisdiction or whom the man had acknowledged to be his own child;</p> <p>(d) “Code of Conduct” means the body of rules contained in Schedule 11;</p> <p>(e) “Commission” means the Integrity Commission established by section 3;</p> <p>(f) “Form” means a form in Schedule 111;</p> <p>(g) “liabilities” of a person means all the obligations of the person to pay money or to provide goods or services in Guyana or elsewhere;</p> |
| Schedule 11 | |
| Schedule 111 | |

- (h) "member" means a member of the Commission appointed under section 3 and includes the chairman;
- (i) "person in public life" means a person who holds any specified office and includes a person in section 45 whether or not mentioned in Schedule 1;
- (j) "specified office" means an office listed in Schedule 1; Schedule 1
- (k) "spouse" includes reputed wife and reputed husband;
- (l) "tribunal" means any person appointed a tribunal under section 21;

PART 11

INTEGRITY COMMISSION

3. (1) There is hereby established a commission to be known as the Integrity Commission which shall consist of a chairman and not less than two nor more than four other members. Establishment of Integrity Commission

(2) The Chairman shall be a person who is or who was, or who is qualified to be, appointed as, a Puisne Judge of the High Court or any other fit and proper person.

(3) The other members shall be appointed from among persons appearing to the President to be qualified as having had experience of, and shown capacity in, law, administration of justice, public administration, social service, finance or accountancy or any other discipline.

(4) The chairman and other members shall be appointed by the President after consultation with the Minority Leader.

(5) The chairman and other members may be appointed as either full time or part time.

(6) The names of the chairman and other members of the Commission as first constituted and every change in the membership thereof shall be published in the **Gazette** and in a daily newspaper.

(7) The Commission shall be a body corporate.

4. (1) Subject to the provisions of section 5, the chairman or any other member shall be appointed for such period, being not less than one year, as may be specified by the President when appointing him; and the emoluments and other terms and conditions of appointment of the chairman and other member shall be such as may be determined by the President after consultation with the Minority Leader. Terms and conditions of chairman and other members

(2) Except where the appointment of the chairman or other member is terminated under section 5 (1), the chairman or other member shall be eligible for re-appointment on the expiry of his term.

5. (1) The appointment of the chairman or any other member may be terminated by the President if the chairman or other member -

- (a) is convicted for the breach of any provision of the Code of Conduct;
- (b) is convicted of any other offence;
- (c) is guilty of misconduct inconsistent with his membership of the commission;
- (d) becomes of unsound mind or incapable of carrying out his duties;
- (e) becomes bankrupt or compounds with his creditors;
- (f) is absent, except on leave granted by the Commission, from all meetings of the Commission held during two consecutive months, or during any three months in any period of twelve months;
- (g) fails to carry out all or any of the duties or functions conferred or imposed on him by this Act;

Provided that the appointment of the chairman or other member shall not be terminated under this subsection unless he has been given a reasonable opportunity of being heard:

Provided further that where an appointment is terminated a concise report thereof shall with all convenient speed be laid before the National Assembly.

(2) The chairman or any other member may resign by letter addressed to the President.

6. The chairman or other member shall not enter upon the duties of his office unless he has taken and subscribed the oath of office set out in the Constitution before a magistrate or a justice of the peace and such oath shall be deposited by the chairman or other member with the Head of the Presidential Secretariat.

