

Complaints

Did you know that anyone who has reasonable grounds to believe that a person in public life is guilty of a breach of any provision of the Code of Conduct may make a complaint in writing to the OIC?

Section 28 (1) dictates that a person who has reasonable grounds to believe that any person in public life is guilty of a breach of any provision of the Code of Conduct may make a complaint in writing to the Commission stating –

- The particulars of the breach
- The particulars, as far as they are known, of the person against whom the complaint is made
- The nature of the evidence that the complainant proposes to produce in respect of the complaint;
- and such other particulars as may be prescribed by the minister.

Purpose of the Complaint Provisions

- To efficiently record, process and refer complaints
- To encourage a culture of openness, accountability, ethical behavior and integrity within public offices
- To build confidence amongst stakeholders and citizens in the effectiveness of the Complaints System, established for combatting corruption in Guyana



Making a Complaint

Before making a complaint, one should familiarize themselves with the provisions of the Code of Conduct in order to submit a more informed claim. The Code of Conduct contained in Schedule II prohibits acts of:

- (a) Bribery
- (b) Discrimination
- (c) Gifts
- (d) Conflicts of interest
- (e) Misuse of official influence
- (f) Mishandling of classified or proprietary information
- (g) Misuse of public property
- (h) Sexual misconduct
- (i) Use of personal influence

When making an official complaint (in writing) to the OIC, the complainant shall state in the complaint the particulars of the breach including:

- A period within which the breach was committed
- The name (s) and address (es) of the person (s) involved in the commission of the breach

The Complainant shall produce to the OIC:

Evidence to support the complaint includes documentary evidence, sworn statements; and other particulars as may be prescribed by the OIC.

Complaint Form

The OIC has designed a Complaint Form which can be found on the Commission's Website (www.integritycommission.gov.gy). It outlines all the required information to file an official complaint for your convenience.

Submission of Complaint Form

The Complaint along with the supporting documentation has to be sent to the Chairman/Chairperson either personally or by registered post.

Handling of Complaints

Investigation of a Breach of Code of Conduct **(Section 30)**

• Where upon an examination of a Complaint, the Commission is of the view that an investigation is necessary, it shall inquire into the matter to determine whether the public official is in breach of the Code of Conduct contained in Schedule II of the Act.

• The person who makes the complaint and the public official against whom the complaint is made shall be served with a Notice of Proceedings of Inquiry in a reasonable time frame. N.B The parties may be represented at the Inquiry either in person or by an Attorney-at-law.

Report to the Director of Public Prosecution (DPP) **(Section 31)**

After the conclusion of any inquiry under Section 30, a report is submitted to the DPP by the Commission, only if considered necessary. A copy of the said report is also sent to the President.

When the DPP is satisfied after examining the report mentioned above and the supporting evidence, the Public Official ought to be prosecuted for the offence committed, the DPP shall institute and undertake criminal proceeding against that Public Official.

Rejection of a Complaint

(Section 29)

Any person who makes a frivolous, mischievous, or spiteful complaint shall be guilty of an offence. Upon conviction, they can be fined \$25,000.00 Guyana Dollars and two (2) months imprisonment. The nature of the Complaint for which the person is convicted shall be published in a daily newspaper at the expense of such person.

The Commission has the power to reject any complaint but this can be done only after considering and examining the Complaint. Rejection of any complaint can be on the following grounds:

- The complaint is frivolous or has no relation to the Commission
- Undue delay in making the Complaint

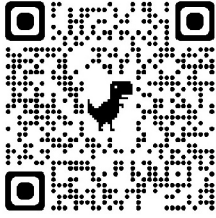
No Complaint shall be rejected without the Commission giving the Complaint a reasonable opportunity to be heard.

Responsibility of Public Officers

Public Officers have a public duty to uphold the law, including the general law against discrimination and sexual harassment, and to act with propriety on all occasions in accordance with the public trust and confidence placed in them.

Responsibility of the Complainant

The Complainant should seek to provide a full account, to the best of their knowledge, of the contravention of the Integrity Commission Act, including any available supporting documents. The Complainant should not make allegations that they know to be false, misleading or reckless. To do so knowingly, constitutes an offence.



SCAN ME

Complaint Form – Integrity Commission of Guyana

INTEGRITY COMMISSION OF GUYANA

COMPLAINT FORM

To be filled out by the complainant.

PART I

Personal Details

[Tick correct title] (✓)

Title: Mr. () Mrs. () Miss. () Dr. () Prof () Other ()

Name.....

Address.....

.....

Occupation:.....

.....

Contact Numbers Home:.....

Mobile:.....

Fax:..... Other.....

Email:.....

Mailing Address:.....

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**Integrity
Commission**

The Complaint Process

**“Securing the integrity
of persons in public life”**