#### **REJECTION OF A COMPLAINT**

A complaint is given an opportunity to be heard. The Commission may examine a complaint and may reject it for being:

- 1. frivolous or vexatious; or
- 2. Falls outside the purview of the commission.

### **INVESTIGATION OF COMPLAINT (Section 30)**

- The Commission investigate a matter where necessary.
- The Commission hear the submissions and evidence during an inquiry by its members at a selective venue.
- The Public Officer and the complainant are served with a notice of proceedings of inquiry. Persons may be represented at the inquiry either in person or by an attorney-atlaw.



#### DIRECTOR OF PUBLIC PROSECUTION REPORT

- After the conclusion of the Inquiry, a Report is sent to the DPP and the President.
- After examining the report and the supporting evidence, the DPP, once satisfied, shall institute and undertake criminal proceeding against that public official (for the offence committed).
- The DPP may send a report to the relevant

- authority to institute disciplinary control over the person; whom the complaint was made against may think necessary.
- The DPP shall inform the commission in writing of the action taken.



## CODE OF CONDUCT (CoC)

- The Commission is the holder of the CoC for all public officials. Part IV, section 25 to 35 of the Act outlines the CoC (Schedule 11 specifies the rules applicable to public officials)
- The CoC is a body of rules (contain a schedule) for every public official.
- Any public official who breaches any of the rules outlined in schedule 2, upon conviction, can be fined for \$25,000 (GYD) and to be imprisoned for a period less than 6 months nor more than 1 year.

### COC SCHEDULE II

Person in public life shall not be engaged in:

- Bribery; Discrimination; Gifts;
- Conflict of interest; Use of official influence;
- Handing of classified or propriety information;
- Use of public property; Sexual misconduct;
- Use of personal influence.

Office of the Integrity Commission Lot: 126 Barrack Street, Kingston, Georgetown Website: integritycommission.gov.gy Email: ic@integritycommission.gov.gy Telephone: 226-0142 or 226-3576 WhatsApp: 614-6184

# INTEGRITY COMMISSION



"To improve public confidence in the integrity of persons in public life"

"Securing the integrity of persons in public life."



MISSION

#### ABOUT THE COMMISSION

The Integrity Commission is a governmental agency that works towards ensuring public officers execute their job functions creditably.

#### OBJECTIVES

- To ensure full compliance from public offices in the submission of their list of specified officers under schedule 1 of the Act.
- To ensure public officers understand their statutory obligations according to the Act

#### PURPOSE

- To improve governance by securing the integrity of persons in public life.
- To receive, examine, and retain declarations of assets, liabilities, income, and interest from specific persons in public life.



### **ROLES AND FUNCTIONS**

- The Commission was established to ensure persons in public life maintain integrity in the performance of their public functions to aid in the improvement of the standards of good governance, transparency, and accountability.
- The Commission is duty bound to receive and verify the accuracy of declarations, financial affairs from persons in public life.

#### **DUTIES:**

- 1. To investigate complaints of impropriety, corruption, and misconduct by public officials
- 2. To prosecute persons who have breached provisions of the code of conduct or failed to file their declarations of assets and liabilities.

#### **HISTORY:**

- The legal framework supporting the Commission is the Integrity Commission Act (24<sup>th</sup> Sept. 1997) which makes provision for securing the integrity of persons in public life.
- The act provides for the appointment of a chairman and two to four other members; a secretary to oversee its daily functions; and other officers for its effective administration.
- The mandate of the Commission is to administering and enforcing the Integrity Act which comprise the: code of conduct, and declarations of income, assets, and liabilities.

### OBLIGATIONS

- Specified **Public Offices** are subject to (Schedule 1: Sections 13 & 18) of the Commission Act and are obligated to provide an updated list of all specific persons in public life who are required to submit an annual declaration to the commission.
- Part III of the Act stipulates that all specified in **Public Officers** (schedule 1) must disclose their finances to the Commission. Disclosure in this regard entails their assets, and liabilities in the prescribed form (Form 1).
- The **Duty to Disclose** finances includes the Public Officer, their spouse, children, and other persons connected to him/her in terms of property and/financial holdings.

#### PARTS OF A DECLARATION FORM

- Statutory Period; Income; Assets; Cash;
- Life Insurance Policies;
- Shareholdings in Companies, Partnerships, and Joint Ventures;
- Directorship and Partnership;
- Liabilities; and Other Assets.

#### **COMPLAINTS (Section 28)**

A person who believes that a person in public life is in breach of any provision of the Code of Conduct / Declaration may make a complaint in writing to the Commission. A complaint comprises of particulars of a breach, including:

- a) The period the breach was committed;
- b) The name (s) and address (es) of person (s) involved in the commission of the breach
- A person making a complaint shall produce:
- a) Documentary Evidence, sworn statements;b) Other prescribed particulars
- A person making a complaint shall not be liable for civil or criminal proceedings unless it is proven that it was not made in good faith.
- The Commission designed a complaint form, which can be found on the Commission's website. It outlines all the required information that is needed to file an official complaint.
- The Complaint along with the supporting documentation must be sent to the chairperson (man) either personally or by registered post.