

STATUTORY INSTRUMENT

Supplement to the Sierra Leone Gazette Vol. CXLX, No. 9

dated 24th January, 2019

STATUTORY INSTRUMENT NO. 3 OF 2019

Published 24th January, 2019

THE ANTI-CORRUPTION ACT, 2008

(ACT No. 12 of 2008)

THE ANTI-CORRUPTION COMMISSION (ASSET
DECLARATION) REGULATIONS, 2019

Short title.

In exercise of the powers conferred on it by Section 140 of the Anti-Corruption Act, 2008 the Commission hereby makes the following regulations—

1. In these Regulations unless the context otherwise requires— Interpretation.

“Act” means the Anti-Corruption Act, 2008; and

“declarant” means a public officer required by the Act or these Regulations to deposit a sworn declaration of his income, assets and liabilities to the Commission under subsection (1) of section 119.

Public officers specified by Commissioner. 2. The categories of persons listed under the **First Schedule** are public officers specified by the Commissioner under subsection (16) of section 119 for the purpose of declaration of assets, income and liabilities.

Asset declaration form. 3. The declaration of income, assets and liabilities required under subsection (16) of section 119 shall be in the form specified in the **Second Schedule**.

Certificate published by Commission. 4. The certificate to be published by the Commission under subsection (2) of section 120 shall be in the form specified in the **Third Schedule**.

Investigation of declaration. 5. The Commission shall investigate each declaration form to ascertain whether the declaration –

- (a) sufficiently accounted for all income, assets and liabilities;
- (b) adequately stated the value of assets; and
- (c) indicate illicit enrichment.

Commission to archive declaration forms. 6. A declaration form deposited with the Commission under subsection (1) of section 119 shall be archived by the Commission for a period of not less than twenty years.

SCHEDULES

FIRST SCHEDULE

CATEGORIES OF PUBLIC OFFICERS SPECIFIED BY THE COMMISSIONER UNDER SUBSECTION (16) OF SECTION 119 FOR THE PURPOSE OF DECLARATION OF ASSETS, INCOME AND LIABILITIES

- (a) Persons in elective offices;
- (b) Persons appointed by the President;
- (c) Public officers in grade 7 and above;
- (d) Public officers below grade 7 who –
 - (i) handle or control cash or goods;
 - (ii) make official decisions or recommendations relating to the granting or denial of licences in regulatory sectors;
 - (iii) conduct research or prepare analytic reports for higher level officials who make critical decisions on financial, economic or regulatory policies;
 - (iv) are in regulatory agencies responsible for regulatory compliance, monitoring and inspection;
- (e) Any organisation, whether local or foreign, established to render any voluntary social service to the public or any section thereof or for other charitable purposes, which receives funds or other donation for the benefit of the people of Sierra Leone or a section thereof; and
- (f) Persons notified in writing that they are under formal investigation by the Commission and such person or persons shall submit the asset declaration forms within 14 days from the receipt of the notice.

SECONDSCHEDULE



NAME:.....

MDA:.....

DESIGNATION:.....

PHOTO
FOR
NEW
DECLARANT
ONLY

ADF2018

NO:

INCOME/ASSETS/LIABILITIES DECLARATION FORM

NOTE:

PLEASE READ THE INSTRUCTIONS BELOW CAREFULLY BEFORE COMPLETING THIS FORM.

GUIDELINES FOR COMPLETION OF THE ASSET DECLARATION FORM

(All available information should be included)

Responsibility for completeness and accuracy of this Asset Disclosure form rests solely with the declarant who must sign and notarize the form regardless of whether the form is completed or submitted by representative or agent.

In accordance with Section 119 of the Anti-Corruption Act, 2008, a person holding public office shall declare his/her income, assets and liabilities and that of his/her spouse(s) and children/dependant. Such person must declare **ONLY** those assets he/she **ACTUALLY** owns or liabilities already incurred at the time of submission of this form. These shall include any assets/liabilities he/she holds as sole owner, as well as jointly or severally (i.e partial ownership), as well as those held on behalf of or in trust for third parties and any assets/liabilities held by or incurred by third parties on his/her behalf. Such person **MUST NOT** declare any asset he/she is **ANTICIPATING**.

All Income/Assets/Liabilities whether acquired inside or outside Sierra Leone **MUST** be stated clearly with the true current value of the said asset or liability in the currency of the country where they are situated.

The declaration shall be submitted within 3 months of the person becoming a public officer, and thereafter not later than 31st March in each succeeding year, and when the officer is leaving office.

In accordance with Section 119 (13) of the Act, the declaration shall be secret and confidential.

In accordance with Section 120 and 121 of the Act, the Commission may verify the accuracy of the declaration of income/assets/liabilities submitted by public officer including his spouse(s) and children/dependants. **VERIFICATION** may be made by officers of the Commission authorized on its behalf.

Do not leave any column blank, rather where you have no information to fill in the relevant column, please mark an X indicating, "**NOT APPLICABLE**" or "You do not own such property (ies)"

Please use a separate sheet of paper if the space provided is not adequate.

If the information submitted in your previous declaration remains the same, please tick the **NO CHANGE** box.

After completion of the form, the declarant or his/her designated agent/representative must hand over the form to the Commission and an acknowledgment receipt will be issued.

In accordance with section 122 of the Act, any declarant who willfully or without reasonable cause makes a false statement in relation to this income/assets/liabilities declaration form shall be guilty of an offence and shall be liable on conviction to a fine not less than twenty million Leones or to imprisonment for a term not less than one year or both such fine and imprisonment.

**It is recommended to keep a copy of the Completed and Notarised form for your own records*

THIS FORM IS PROVIDED FREE OF CHARGE



CONFIDENTIAL

ASSETS DECLARATION AND PERSONAL INFORMATION FORM

Please write carefully

PART A - GENERAL INFORMATION

PHASE I - USER DETAILS

- Personal Details
- Employee Details and
- Family Details

TITLE	
Surname	
First Name	
Middle Name	
Previous Name/Aliases	
Date of Birth	
Present Citizenship	
Details of any other Citizenship	
Marital status	
Gender (Male, Female)	
Mobile No.	
Email:	
Passport number (s)	
National ID Card number (if any)	
Permanent Address: (Mailing Address)	
Present Address if different from above	

1B. EMPLOYMENT DETAILS

1A. PERSONAL DETAILS

Ministry, Department or Agency (MDA)				
Employee Category				
Designation (e.g Permanent Secretary, Procurement Officer,				
Current Posting				
Grade or Rank				
Currency	LEONES	USD	GBP	EURO
Annual Salary (net)				
Other Allowances (specify:-)				
Social Security Number (SS No.)				
Employee ID No:				
Employee Pin Code (if any)				
Establishment Registration Number (if any)				
Start Date	DAY	MONTH	YEAR	
End Date	DAY	MONTH	YEAR	
Specify source (s) of Income (e.g. Employment, Rent, Farm land, Business Interest etc, and Others, please specify.				



2D. DO YOU OR YOUR SPOUSE(S), DEPENDANT(S) OWN SECURITIES INCLUDING PREMIUM BONDS, SHARES, DEBENTURES, STOCKS, CERTIFICATES, INSURANCE PREMIUM AND TRUST FUNDS IN OR OUTSIDE SIERRA LEONE.

If the information submitted in your previous declaration remains the same, please tick the NO CHANGE box.

NO CHANGE

Name of Owner and Relationship	Name of Security	Type of Security	Certificate Number	Number of Shares and stocks (for shareholders only)	Name of company, Business or bank	Yearly Interest of shares	Nature of shares	Current Market Value	Acquisition		
									Cost	Yr	Mode

2E. OTHER ASSETS AND ACTIVITIES NOT SPECIFIED (IF ANY) IN OR OUTSIDE OF SIERRA LEONE

If the information submitted in your previous declaration remains the same, please tick the NO CHANGE box.

NO CHANGE

Name of Owner	Relationship (please click X below were appropriate)				Asset Types	Location	Estimated/Current Market Value	Acquisition			Remarks (if any)
	Self	Spouse	Child	Dependant				Cost	Year	Mode	

2F. INCOME STATEMENT (INTEREST, DIVIDEND, LOTTERY WINNING, THRIFT/OSUSU ETC)

If the information submitted in your previous declaration remains the same, please tick the NO CHANGE box.

NO CHANGE

Earnings Name	Relationship (please click X below were appropriate)				Types Income	Income From						
	Self	Spouse	Child	Dependant		Name of Company, Business or Bank	Location	Rentals	Deposit/Security (Interest)	Share Holding (Dividend)	Hire Charges/Lease	Any other source(s)



3A. DECLARATION OF LIABILITIES

If the information submitted in your previous declaration remains the same, please tick the NO CHANGE box.

LOANS, MORTGAGES, OVERDRAFTS AND OTHER DEBTS IN AND OUTSIDE OF SIERRA LEONE

NO CHANGE

Name of Debtor	Relationship (Please click X below were appropriate)				Creditor (Financial Institutions, Individuals)	Location of Creditor	Loan Amount (Actual amount Available)	Year Contracted	Purpose of Loan	Loan Repayment (Annual)	Payment Period	Loan Outstanding	Time of Maturity	Remarks (if any)
	Self	Spouse	Child	Dependant										

DECLARATION:

I swear or affirm that all the information that I have written on this form is true and I make this solemn declaration conscientiously the same to be true and correct by virtue of the Statutory Declaration Act, 1835, and pursuant to the Anti-Corruption Act 2008.

Solemnly declared at this day of2017.

Signature

BEFORE ME
A Commissioner of Oaths/Notary Public/ Justice of the Peace

.....
Stamp & Signature
(Please use additional sheets if necessary)

THIRD SCHEDULE

CERTIFICATE PUBLISHED BY THE COMMISSION



ANTI-CORRUPTION COMMISSION

OFFICIAL ACKNOWLEDGE RECEIPT

DUPLICATE

NO :

With thanks we acknowledge receipt of Mr./Mrs./Ms
.....
asset declaration for the year

Received on date Please retain this receipt for
your record and future reference.

(Sign).....
Asset Declaration Administrator

MADE this 24th day of January, 2019.

FRANCIS BEN KAIFALA,
Commissioner, Anti-Corruption Commission.



ANTI-CORRUPTION COMMISSION

OFFICIAL ACKNOWLEDGE RECEIPT

ORIGINAL

NO :

With thanks we acknowledge receipt of Mr./Mrs./Ms
.....
asset declaration for the year

Received on date Please retain this receipt for
your record and future reference.

(Sign).....
Asset Declaration Administrator