



Liberia Anti-Corruption Commission

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REGULATIONS FOR THE ADMINISTRATION, MONITORING, RECEIVING AND IMPLEMENTATION OF ASSET DECLARATION IN ACCORDANCE WITH THE NATIONAL CODE OF CONDUCT FOR ALL PUBLIC OFFICIALS AND EMPLOYEES

WHEREAS, Chapter XI, Article 90 of the Constitution of Liberia, empowers the National Legislature to prescribe a Code of Conduct for all Public Officials and Employees stipulating the acts which constitute Conflict of Interest or against public policy and penalties for violation thereof;

WHEREAS, pursuant to this Constitutional Provision and Mandate, on March 31, 2014, the National Legislature enacted into LAW the “National Code of Conduct for all Public Officials and Employees of the Government of Liberia;

WHEREAS, Part X of the National Code of Conduct (NCoC) for all Public Officials and employees of the Government of the Republic of Liberia requires that every Public Official and Employee of Government involved in making decisions affecting contracting, tendering or procurement and issuance of licenses of various types shall sign performance or financial bonds and shall in addition declare his or her income, assets and liabilities prior to taking office and thereafter at the end of every three years, on promotion or progression from one level to another, upon transfer to another public office and upon retirement or resignation;

WHEREAS, Part V section 5.2 (1) of the Liberia Anti-Corruption Commission (LACC) Act of 2008 empowers the LACC to lead the implementation of the Anti-Corruption Strategy of Liberia, including the Code of Conduct for Liberian Public Servants;

AND WHEREAS, there is a need to regulate the implementation of Part X of the NCoC;



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NOW THEREFORE, these regulations are issued pursuant to Part X of the National Code of Conduct; and Section 5.2 (l) of the LACC Act of 2008:

I. Obligation to file Asset Declaration Statements

1. The LACC shall issue Asset Declaration (AD) forms that shall be completed, signed, notarized and filed in accordance with Section 10.2 of the NCoC by all persons occupying the following public positions:

1.1 Legislature

- Members of the House of Representatives
- Members of the Senate
- Secretary of the Senate
- Chief Clerk of the House of Representatives
- Comptrollers, Procurement Officers, Departmental Directors, and Project Managers

1.2 Judiciary

- Chief Justice and Associate Justices of the Supreme Court
- Judges of Circuit Courts and circuit-level specialized courts
- Stipendiary and Associate Magistrates
- Clerks of the Supreme Court, Circuit Courts and circuit-level specialized courts
- Court Administrator, Comptroller, Procurement Officers, Departmental Directors, and Project Managers

1.3 Executive

- President of Liberia
- Vice President of Liberia
- Cabinet Ministers, Deputy Ministers and Assistant Ministers
- Comptrollers, Procurement Officers, Custom officers, Internal Revenue Agents, Departmental Directors, Project



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Managers, and persons making decisions affecting contracting, tendering or procurement, and issuance of licenses of various types

- Members of the Board of Directors, Heads, Deputy Heads, and Department Heads of Autonomous Agencies
- Head, Deputy Head, and Department Head of State Owned Enterprises
- Chairpersons, Commissioners, Deputy Heads, and Department Heads of Independent Commissions
- Ambassadors-At-Large, Ambassadors, Consul Generals, Consular Officers; Heads and Deputy Heads of Department and Heads of foreign missions, institutions and organizations.
- Heads, Deputies, Department Heads and Top-ranking officers (from the rank of Captain where applicable) of Law Enforcement and Investigation Agencies including but not limited to Liberia National Police, Bureau Immigration Naturalization/Liberia Immigration Services, Drug Enforcement Agency, National Security Agency, etc.
- Chief of Staff, Deputy Chief of Staff, and Commissioned Officers of the Armed Forces of Liberia (AFL).
- Custom Officers of LRA

Such public officials and employees of Government shall deposit two copies of their AD forms with the relevant repositories as provided for under the Code of Conduct for Public Officials and Employees of Government:

- **Judiciary**, the Clerk of the Supreme Court
- **House of Senate**, the Secretary of the Senate
- **House of Representatives**, the Chief Clerk of the House of Representatives



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- **Executive**, the GAC or the LACC (in furtherance of an MoU of 2016 between the LACC and the GAC)

These repositories will remit one of the two copies of the Asset Declaration (AD) forms to the LACC for verification/investigative purposes.

II. Newly hired/appointed officials

2. Newly hired or appointed officials must submit two copies of a completed, signed and notarized Asset Declaration form as provided for under PART X Subsection 10.1 of the NCoC prior to taking office and thereafter in any position numerated herein above.
3. Other public officials who exit public office by means of retirement, resignation, dismissal, etc., are also required to submit two copies of a completed, signed and notarized Asset Declaration Form immediately prior to exit.
4. An official standardized Asset Declaration Form shall be obtained from the websites of the LACC, GAC, Executive Mansion, Legislature, Judiciary etc. and/or from the offices of the LACC, GAC, Secretary of the Senate, Clerk of the House of Representatives, Clerk of the Supreme Court or from direct supervisors or appointing officials.

III. Infringement: Refusal to declare assets as per these regulations shall be deemed a violation of Section 4.2 of the NCoC, Respect for Laws of the State, and shall be punishable in the following manner:

5. Salary, reimbursement of expenses, per diem, bonus, awards or other fees **will not be paid** to any official or concerned public employee until a completed, signed and notarized AD form is filed with the relevant authority who will confirm receipt of the completed form; and such receipt notified to the LACC as prescribed by the NCoC.



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6. Payment of salary, reimbursement of expenses, per diem, bonus, awards or other fees to any official or employee who occupies positions hereinabove listed and as prescribed in Section 10.1 of the NCoC who has not submitted his/her “RE-DECLARATION” form within two (2) months of the deadline as required shall be suspended until a completed, signed and notarized RE-DECLARATION form is received and validated by the LACC.
 - a. **For the Judiciary**, the Clerk of the Supreme Court and the LACC will inform the Chief Justice of the Supreme Court of violations of this subsection by the concerned public employees. The Chief Justice of the Supreme Court will enforce punitive measures for infringement under this subsection.
 - b. **For the Executive**, The LACC will advise the office of the President of Liberia on violations and enforcement measures; and collaborate with relevant heads and officials of Ministries, Agencies and Commissions responsible for approving and executing payments to implement effective systems to ensure suspension of payments from the State’s budget to officials and relevant public employees who have not filed AD forms in compliance with these regulations.
 - c. **For the House of Senate**, the Secretary of the Senate and the LACC will inform the President Pro Tempore of the Senate of violations under this subsection. The President Pro Tempore will enforce punitive measures for infringement under this subsection.
 - d. **For the House of Representatives**, the Chief Clerk and the LACC will inform the Speaker of the House of Representatives of violations under this subsection. The Speaker of the House of Representatives will enforce punitive measures for infringement under this subsection.



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IV. Administration of Asset Disclosure System

7. The universal filing deadline of Asset Declaration **Forms** for all public officials shall be the **last Friday in July** of each filing year where applicable. LACC shall publicly announce the annual AD filing deadline date no less than two (**2**) months in advance of such deadline. All relevant authorities designated to receive completed asset declaration forms will confirm receipt of the forms and notify the LACC with a copy.
8. The LACC may delegate responsibilities to relevant agency officials as needed to ensure effective and cost-effective dissemination, collection and compliance monitoring functions.

V. Processing and Management of AD Forms

9. Compliance status, and those providing false or incomplete information on AD forms shall be subject to administrative or criminal penalties dependent on the facts indicating the intentional or inadvertent nature of the violation.
 - In the event the nature, facts and circumstances related to inaccurately reporting or missing information appears to be an honest mistake, the LACC may require immediate correction by provision of sufficient data and documentation, as well as issue a warning notice and/or recommend administrative penalties in cases where factual circumstances indicate a degree of seriousness of the error.
 - In the event the LACC discovers inaccurate or missing information on an AD form that appears upon examination and/or investigation to be intentional, the official will be subject to summary dismissal and criminal prosecution pursuant to relevant criminal laws and procedures in furtherance of the NCoC Part 10.3.



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10. The LACC may request information from other government agencies or foreign counterpart agencies as necessary to verify and analyze assets reported in the AD forms, as well as share information and data reported on AD forms with national or foreign agencies on a confidential need-to-know basis with the aim of preventing and detecting corrupt activities.

11. The LACC shall design monitoring and evaluation criteria and compile data to measure effectiveness, compliance, costs, results, efficiency as well as recommendations for improvements of the AD system on an annual basis. This information shall be contained in an annual report compiled by the LACC and submitted to the office of the President and to the Legislature and shall be publicly disseminated and posted on the websites of anti-graft institutions.

Issued by: The Liberia Anti Corruption Commission (LACC)

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Monrovia, Liberia