



"Your Right, Your Role: SAY NO TO CORRUPTION!"

Integrity Commission, Jamaica Promoting Integrity | Transparency | Accountability

INTERNATIONAL ANTI-CORRUPTION DAY - 2021
THURSDAY, DECEMBER, 9, 2021

ABOUT THE INTEGRITY COMMISSION

ESTABLISHMENT OF THE INTEGRITY COMMISSION

The Integrity Commission Act, 2017 was promulgated on February 22, 2018, effectively merging the operations of (i) the former Office of the Contractor General, which had responsibility primarily to ensure that the Government procurement procedures and the issuance of Government licences and permits were free of impropriety and irregularity, (ii) the former Commission for the Prevention of Corruption, to which Public Officials were required to annually file their income, asset and liability statements and (iii) the former Integrity Commission (Parliamentary), to which Parliamentarians were required to annually file their income, asset and liability statements.

MANDATE OF THE COMMISSION

The Integrity Commission is a Commission of Parliament, which is governed under the Integrity Commission Act, 2017 and is tasked with carrying out its functions, as mandated generally under Section 6 of said Act. Among the functions outlined under the Act, are, to:

- (a) investigate alleged or suspected acts of corruption and instances of non-compliance

- with the provisions of the Act;
- (b) prosecute acts of corruption and offences committed under the Act;
- (c) receive complaints in relation to alleged or suspected acts of corruption and instances of non-compliance with the provisions of the Act;
- (d) monitor and where necessary, investigate the award, implementation and termination of government contracts; and
- (e) adopt and strengthen mechanisms for educating the public in matters relating to corruption.

The Commission is also mandated under the Act, to receive, keep on record and examine Statutory Declarations submitted by Parliamentarians and Public Officials, regarding their assets, liabilities and income.

The Principal Objects of the Integrity Commission Act, 2017, as outlined in Section 3 of said Act, are, to:

- (a) further encourage and promote propriety and integrity among persons exercising public functions in Jamaica;
- (b) promote and strengthen measures for the prevention, detection, investigation and

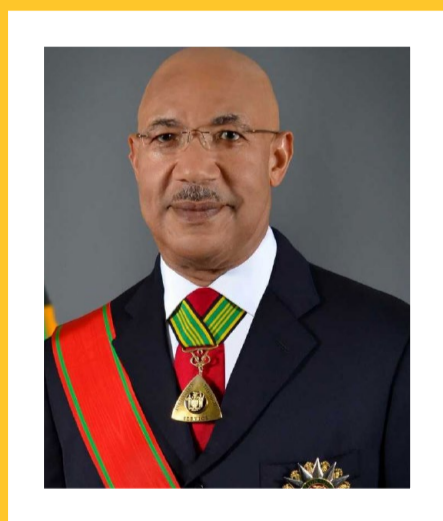
- prosecution of acts of corruption;
- (c) ensure that government contracts are awarded, varied, renewed or terminated impartially, on merit and in a financially prudent manner; and
- (d) enhance public confidence that acts of corruption and impropriety committed by persons exercising public functions will be appropriately investigated and dealt with in a manner which achieves transparency, accountability and fairness.

The Commission, in carrying out its functions under the Integrity Commission Act, is committed to acting independently, impartially and fairly, in the interest of the public, which it serves.

Office Locations of the Integrity Commission
The Integrity Commission operates from two (2) locations; 45-47 Barbados Avenue, Kingston 5 and 16 Oxford Road, Kingston 5, respectively, both in New Kingston, Kingston, Jamaica. Specific operations are conducted at each location; however, of special note is that the filing/submission of Statutory Declarations is exclusively undertaken at the Barbados Avenue location of the Commission.

MESSAGES

The Governor General His Excellency -
THE MOST HON. SIR PATRICK ALLEN ON,
GCMG, CD, KSTJ



Every Jamaican has a responsibility to prevent corruption in order to promote resilience and integrity at all levels of society.

Despite all best efforts, this year Jamaica has slipped on the Global Corruption Index and is now ranked at 78 out of 196 countries with a Risk Evaluation status of Medium. Such a rating will negatively affect sustainable growth and development.

Corruption is costly in many ways. It drains on the national economic resources, damages the reputation of the country, compromises the integrity of individuals, and indicates a decline in individual and collective moral and ethical standards.

Good internal controls and effective checks and balances are necessary to curb corruption. It would serve everyone

in the Public and Private Sectors to heed the timely advice in this year's Anti-Corruption Day theme - 'Say no to corruption.'

In 2011, I signed the Protected Disclosures (Whistle Blower) Act which has been hailed as one of the best legislation of its kind enacted in countries globally. The Act seeks to encourage specified disclosures of improper conduct in the public interest while protecting persons who report incidents. However, the Act by itself will be meaningless unless it is accompanied by the requisite procedures and the will to implement its provisions.

I commend the Integrity Commission on its vigilance in carrying out its mandate to 'combat corruption' and trust that in the near future, its vision of Jamaica being a 'corrupt-free society for citizens and visitors' will be realized.

The Prime Minister -
THE MOST HON. ANDREW HOLNESS, ON, MP



I am pleased to join the Integrity Commission in Jamaica in commemorating International Anti-Corruption Day.

To support our goal of having a fair and just society, the Jamaican Government stands firmly in support of anti-corruption efforts by implementing legislative measures and policies to address systemic weaknesses that have facilitated corruption. This Administration is committed to ridding our society of corruption, as evidenced by the passage of the Integrity Commission Act in 2017, which consolidated and strengthened the existing anti-corruption laws and established the Integrity Commission. We provide both budgetary and legislative support to the Integrity Commission as well as the other independent investigative and oversight bodies that continue to operate, without fear or favour, in pursuit of a just and corruption-free society.

While the Government must play a leading role, everyone has role to play - civil servants, law enforcement officers, media representatives, the private sector, civil society, academia, the public and youth - in tackling corruption.

Like we did last year, we commemorate Anti-Corruption Day in the midst of the COVID-19 pandemic, that has indeed impacted lives and livelihoods. We must redouble our efforts at rooting out corruption, misconduct and wrongdoing as they steal away valuable resources at a time when they are most needed to respond to and recover from the pandemic.

Let us resolve to recover stronger and faster together with integrity as the vanguard of our objectives.



The Leader of the Opposition
The Hon. Mark Golding, MP

The legitimacy of the state, public institutions and political representatives is also undermined when they become embroiled in actual or perceived acts of corruption. With the impact of nearly two years of the COVID-19 pandemic, which has further exacerbated many of the pre-existing inequities in our societies, the fight against corruption is of even greater importance today.

It is with great pleasure that I join in support for the Integrity Commission's celebration of International Anti-Corruption Day (IACD). The IACD was designed by the United Nations (UN) in collaboration with other global agencies which focus on anti-corruption work. This year, the theme of IACD is "Your right, your role: Say no to corruption" and is being advanced by the United Nations' Global Campaign.

On IACD last year, I noted that approximately 5% of global GDP is lost every year to corruption, according to the UN. I shared that it is critically important for us as Jamaicans and for all global leaders to recognize that corruption is a costly impediment to economic, political and social development.

Our nation has made great strides in building institutions and creating systems which are dedicated to promoting probity and integrity in governance and more effectively rooting out corruption. Most recently, these include the Integrity Commission and the Major Organized Crime & Anti-Corruption Agency (MOCA). The society anxiously wishes these efforts bearing fruit, to assure us that we have indeed created an effective national response in combating corruption.

All well-thinking Jamaicans must recommit ourselves to supporting this process that is so vital to the future of our society, and hold our leaders accountable when they fail to live up to the basic standards of good governance.



The President of the Senate
Sen. the Hon. Thomas Tavares-Finson, OJ, CD, QC, JP

procedures with efficiency. This is not so. Any perceived gain derived from wrongdoing is worth far less than the integrity lost through any corrupt practice.

It is time that we realize that corruption will not cease simply through the work of official anti-corruption agencies. Every corrupt activity involves the action of at least one person who deliberately chooses to do wrong for the sake of expediency or personal gain. Corruption will only come to an end, therefore, when each person chooses to stand up for integrity and "say no to corruption".

I am pleased that the Integrity Commission continues to be a standard-bearer in the anti-corruption fight. I encourage the Commission to continue to educate the citizens of this country in the role they have to play in this effort. It is my hope that all sectors of society will work together to make corruption a thing of the past.

International Anti-Corruption Day gives us an opportunity to assess the advances we have made in our attempts to create a corruption-free society. In Jamaica, we have come a far way in this regard. We have put in place legislation to combat corruption. In addition, we have created and empowered agencies to tackle the monster of corruption in the public and private arenas.

However, more emphasis needs to be placed on the role of personal responsibility in preventing corrupt activities. Some persons equate bypassing established processes and



Chairman, Integrity Commission
The Hon. Mr Justice (Ret'd)
Seymour Panton, OJ, CD

officials only. Corrupt acts usually involve individuals who are not public officials. These individuals are the beneficiaries of favours from public officials, and cover a wide range. The person who pays money to a public official in order to secure a contract for public works is involved in corruption; so too is the person who makes a false declaration on a customs form that requires the value or identity of an imported item. Corruption is not necessarily an inherited trait. It is a learnt and practiced art that does the broader society no good. It stifles personal development where for example an appropriately qualified person is denied a position so as to facilitate a relative or friend who is not qualified.

Individuals need to be sensitized at an early age as to the values of truthfulness, honesty and fairness. This ought to begin in homes and be continued in our schools. Persons who have been adversely affected by or know of corrupt acts should not hesitate to report same to the bodies that have been established to deal with such acts. The problem of corruption may only be lessened or eradicated if well-thinking persons in the society assist in this regard. There is need for a realization that the cost of global corruption, estimated at nearly US\$3 trillion, is a burden that is too great especially for the under-developed and the developing countries of the world. They need to breathe a sigh of relief.

The Integrity Commission of Jamaica joins with the international community in celebrating International Anti-Corruption Day. The Commission does so at a time when there is a perception that corruption is everywhere in the world. Jamaica has not escaped being in that net of perception. However, the Commission, established in 2018, is committed to the execution of its mandate: "to promote and enhance standards of ethical conduct" in the society, and to monitor and investigate the actions of public bodies so far as the expenditure of public funds and the provision of public service is concerned, among other things.

The Commission has, over the past year, established a Division with the specific responsibility of educating the populace on what is corruption, and the means by which corruption should be avoided.

Corruption is not something that is confined to, or committed by, public



Speaker of the House of Representatives
The Hon. Marisa Dalrymple Philibert, CD, MP

who are the most vulnerable in our society.

It is therefore our duty as responsible citizens to ensure that we conduct our daily activities guided by the principles of integrity and fairness. We must be transparent in our interactions with each other and with public and private institutions. We should also go further by encouraging those close to us—our family members, friends and colleagues—to do what is right. Our collective voice supported by our collective action will ensure that the society we leave for future generations will be one that is inhospitable to misconduct and wrongdoing.

As we celebrate International Anti-Corruption Day, I congratulate the Integrity Commission for their efforts towards realising a society that is free from corruption. I also encourage all Jamaicans to "say no to corruption".

Many in Jamaican society are inclined to believe that confronting the issue of corruption is solely the purview of organisations like the Integrity Commission. While it is true that such bodies are crucial in the battle against corruption, all Jamaicans must join the anti-corruption fight.

Corruption is a disease that cripples all spheres of life. It drains the lifeblood from economic activity, fractures social cohesion and hampers the provision of essential services particularly to those

IMPORTANCE OF INTEGRITY IN THE FIGHT AGAINST CORRUPTION

1

OPPORTUNITY

Ability to execute plan without being caught.

1

AUTHORITY

Power or right to give orders, make decisions and enforce obedience.

2

PRESSURE

Financial or emotional force pushing towards fraud.

2

ACCOUNTABILITY

Obligations to explain, justify and take responsibility for one's actions.

3

RATIONALIZATION

Personal justification of dishonest action.

3

RESPONSIBILITY

State or fact of having a duty to deal with something or of having control over someone.





Executive Director, Integrity Commission
Greg Christie

country as a whole. And they must do so in both word and in deed!

As Lee Kuan Yew, the founding father and first Prime Minister of Singapore said, "the moment key leaders are less than incorruptible, less than stern in demanding high standards, from that moment on the structure of administrative integrity will weaken, and will eventually crumble."

Leadership in a nation's anti-corruption fight also falls, as a matter of course, to a nation's lawmakers.

It is axiomatic, though not readily obvious to all, that if a country's anti-corruption laws are deficient, or are inconsistent with international anti-corruption and anti-bribery best practices, you can have as many anti-corruption institutions as you would wish, but they will be of no moment.

Business leaders, too, must recognize that the 'bottom line' of profit is not the only line in a commercial enterprise. There is something that is called the 'good corporate citizen' and, as the captains of industry, manufacturing, trade and commerce, they must also visibly and credibly lend themselves to the anti-corruption cry.

A big part of corruption is attributable to the role that businessmen play in political campaign financing. Oftentimes, this is done with the implicit or overt understanding that there will, in time, be a quid pro quo for their contributions.

That said, it is virtually impossible for the grand bribery of political, government or public officials to take place without the complicity of members of the private sector. This is a stark reality. And, it is for this singular reason that many countries around the world have been passing laws to punish the business enterprise, whether large or small, for its 'failure to prevent bribery.'

In the final analysis, we must all play a role in rejecting corruption. We must call out its purveyors, as well as its sponsors. And we must do so loudly. We must let them know that they are enemies of society, inhibitors of national prosperity, obstructionists to social and economic progress, and architects of poverty.

It was Mr. Javier Corral, the then Governor of Mexico's Chihuahua State, who said this on March 28, 2017: "He who steals from the government does not just steal a few cents or some millions. He steals opportunities, he steals hope, and he steals the rights of people who aspire to a better life." Say NO to corruption!

President, Private Sector Organisation of Jamaica
Keith Duncan

stakeholders to achieve the requisite change.

We have made public calls on the Government of Jamaica to earnestly begin training and screening individuals appointed to serve on public boards. This we believe must be accompanied by legislation such as the Public Bodies Management and Accountability (Nomination, Selection and Appointment to Boards) Regulations, as these regulations are a foundational element in the public sector corporate governance structure.

We also remain committed to the agreements outlined in the National Consensus on Crime, a bipartisan, multi stakeholder agreement, which among other things addresses the link between organised crime and politics.

All well thinking Jamaicans are pleading for a new tide in leadership – one focused solely on public service and achieving equitable and sustained development.

To achieve this, we must all take ownership of our responsibility to shun personal involvement in any practices of corruption while holding our leaders to account.

The saying remains more poignant today: "The only thing necessary for the triumph of evil is for good men [and women] to do nothing," – so let's "Say no to corruption."



Executive Director, National Integrity Action
Prof. Trevor Munroe, CD, DPhil (Oxon)

crime pandemics, could otherwise be allocated to making the majority of our people enjoy a less stressful and more satisfactory life. For much the same reason, our police officers, teachers, health workers and other public servants are experiencing additional pressure, receiving inadequate compensation and unsatisfactory conditions of service. It is therefore the role and responsibility of each of us to do all in our power to build integrity, to prevent, detect and punish corruption.

NIA, on this IAC 2021, therefore renews its resolve to intensify its activity towards increasing public awareness of the harmful consequences of corruption, strengthening Jamaica's anti-corruption framework and supporting more effective law enforcement to punish the corrupt. Towards this end, we reaffirm the critical role of our Integrity Commission and look forward to strengthening collaboration with the Commission and with other anti-corruption bodies as well as civil society and private sector organizations.

NIA joins with the Integrity Commission and all well thinking Jamaicans in saluting IAC 2021, under the theme 'Your right, your role: say no to corruption!' This theme is particularly timely and relevant to us Jamaicans. It is the right of each of us to enjoy citizen security, of our children to have access to proper education and of our people to have the benefit of satisfactory health services, adequate roads and water supplies.

Yet Jamaica is falling short in providing these essential services. One main reason:

Organized crime, corruption and the corrupt are stealing up to 100 billion dollars annually which, particularly in the context of the COVID-19 and



The President, Jamaica Chamber of Commerce
Mr. Ian Neita

sportsmanship, and culture, as it is for its involvement in corruption. We endeavour to revamp this image and are committed to be engaged in this fight against corruption.

We appreciate that Jamaica's leaders have set up the requisite infrastructure for the oversight of corruption; our concern lies in the effectiveness of this structure. The JCC has embarked on a journey to counter Illicit Trade and increase Integrity in Business. We will continue with this mandate as it acknowledges that a less corrupt Jamaica will catapult us to a place of global influence.

We encourage our fellow citizens, businesses and government counterparts to continue in this fight against corruption, become educated and develop the best strategies to cure this malady. We look forward to further commitment and to join with the Integrity Commission and the United Nations in their fight against corruption.

The Jamaica Chamber of Commerce (JCC) acknowledges this year's commemoration of International Anti-Corruption Day under the theme "Your right, your role: Say no to corruption". We are acutely aware of the significance this celebration, in recognizing that corruption is an impediment to economic growth and development.

Jamaica's placement as one of the most corrupt nations in the world has significantly stymied our efforts to become a first world country. Jamaica is spotlighted as much for its innovation,



President, Private Sector Organisation of Jamaica
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Executive Director, Jamaica Accountability Meter Portal
Jeanette Calder

As we strategise our recovery from the macro-economic impact of the pandemic, the need to see major inroads in combatting corruption as top priority. Every tax dollar must count and every opportunity to maximise the value of that dollar must drive the decisions in every ministry, department and agency. However, there will be no meaningful progress without the involvement and buy-in of Jamaicans in every nook and cranny. Anti-corruption partnerships between Government, corporate sector, civil society organisations and international development partners are solidifying to the benefit of all Jamaicans but there is a distance we will not cover without the confidence and support of the majority. That is the partnership we must now forge and the Jamaica Accountability Meter Portal is confident that enough pieces are in place to achieve this most worthy goal of normalising integrity in service to country and each other.

Corruption is theft - the stealing of the assets and resources we have, as well as the ones we should have but are denied. Relative to other jurisdictions, Jamaica is legislatively and institutionally well-positioned to take on that monster. However, laws and technical solutions are insufficient in themselves and will amount to little if not addressed at a cultural and personal level, as this behaviour for many, is a part of social and business norms as well as our political culture.

"Integrity is doing the right thing even when no one is watching!"

C.S. Lewis

Jamaica's Integrity Commission joins the United Nations, other national anti-corruption agencies and leaders and institutions all around the world in commemorating International Anti-Corruption Day on December 9, 2021.

This year, the annual global campaign is being advanced under the theme: "Your right, your role: Say no to corruption."

The theme highlights the fact that citizens not only have a right, but a responsibility, to speak up against corruption. You should not feel inhibited to do so. Neither must you allow others to intimidate you into silence.

When we do not speak out about corruption we not only help to normalize it but, worse, we give it the oxygen that it needs to breathe. We, therefore, become constructive aiders and abettors of a problem that will ultimately operate to our own detriment.

Corruption benefits only the corrupt! Consequently, the architects and administrators of corruption, and their supporters, would like nothing more than for you to keep quiet. In fact, they will go to extremes to accomplish their objective, oftentimes in very subtle ways, and other times in ways that could bring you harm.

As it has been said, when you fight corruption, it will fight back! But, as patriots, we must not be deterred by this. There is too much at stake!

Very importantly, however, the fight against corruption is not just a fight for citizens, or for anti-corruption agencies and law-enforcement. It's a fight for a nation's leaders. Why? Because, like all worthy efforts, if they are to succeed they must be purposefully led.

The battle against corruption must, therefore, commence with a country's Prime Minister or Executive President, and his/her Cabinet.

They must design the policies and set the tone that will drive and encourage high standards of integrity, ethical conduct, values and accountability, not only in government, but in the wider public sector, as well as throughout the

The Private Sector Organisation is pleased to join in celebrating this year's International Anti-Corruption Day (IACD). This year's theme: Your right, your role: Say no to corruption, serves as a clarion call for all Jamaicans, especially in the context of recent challenges that have brought into sharp focus the need for integrity and transparency for national and global progress.

The work of the Integrity Commission, has now, more than ever, proven to be integral in restoring the eroding confidence of our people in the nation's political directorate.

We have been disheartened by the repeated cases of mismanagement of scarce public resources; instances of corruption that have undermined the country's capacity to grow and a lack of integrity by those from whom we require exemplary behaviour.

Nonetheless, we refuse to be dissuaded and as an Organisation continue to partner with public and civil society



President Jamaica Civil Service Association
O'Neil W. Grant, MBA |

The Jamaica Civil Service Association (JCSA) recognises its role in the fight against corruption and stands on its right as the entity so recognised in Jamaica's Constitution as the representative of Public Sector workers in Jamaica to say a resounding NO! to corruption.

Many may think of corruption as individuals lining their pockets with state funds or not carrying out their duties in exchange for reward and further, seeking a reward for

doing their Job. For us in the JCSA corruption also includes those actions that through collusion, willful neglect, and contrivance, persons in authority use the power of one's office to deny workers the promise of decent work. We feel it is an act of corruption when senior officials use their authority to dismiss workers without cause incurring millions of dollars of public funds to be expended to settle court cases caused by these acts of willful neglect and contrivance to unfairly deprive workers of their jobs.

As we celebrate Anti-corruption Day under the theme "Your right, Your Role: Say no to Corruption", the JCSA stands resolute in its stance against acts of corruption in all its forms.

We laud the work of the Integrity Commission and commit our voice and actions to support it as it seeks to stamp out corruption in Jamaica.



OUR TEAM



THE INTEGRITY COMMISSION TEAM

Section 8 of the Integrity Commission Act provides that the Commission shall consist of the Auditor General and four other Commissioners appointed by the Governor General after consultation with the Prime Minister and the Leader of the Opposition. Importantly, the law requires that two of the Commissioners shall be retired Judges of the Court of Appeal or the Supreme Court.

COMMISSIONERS



The Hon. Mr. Justice (Ret'd)
Seymour Panton, OJ, CD
(Chairman)



Mrs. Pamela Monroe Ellis,
FCCA, CA



The Hon. Mr. Justice (Ret'd)
Lloyd Hibbert, CD



Mr. Eric Crawford, CD



Mr. H. Wayne Powell, OD, JP

The Executive Team of the Commission comprises the Executive Director and four Statutory Directors who are appointed by the Governor General acting on the recommendation of the Commission, and by a Director of Corporate Services and a Director of Information Technology and Business Processes

DIRECTORS



Mr. Greg Christie
Executive Director



Mr. Ryan Evans
Director, Corruption Prevention, Stakeholder Engagement and Anti-Corruption Strategy



Mr. Craig Beresford
Director, Information and Complaints



Mr. Kevon Stephenson, JP
Director, Investigation



Ms. Keisha Prince
Director, Corruption Prosecution



Mr. Ronald Salmon
Director, Corporate Services



Mr. Delano Gaskin, JP
Director (Actg), Information Technology and Business Processes

CORRUPTION PREVENTION, STAKEHOLDER ENGAGEMENT AND ANTICORRUPTION STRATEGY DIVISION

The CORRUPTION PREVENTION, STAKEHOLDER ENGAGEMENT AND ANTICORRUPTION STRATEGY DIVISION is one of the four (4) established Statutory Divisions of the Integrity Commission. The Division was operationalized on June 1, 2021. Guided by section 6 of the Integrity Commission Act, 2017 it is tasked to:

- Take necessary and effective measures for the prevention and detection of corruption within public bodies;
- Examine the practices and procedures of public bodies and make recommendations in relation to the revision of those practices and procedures which in the opinion of the Commission may reduce the likelihood or the occurrence of acts of corruption;
- Prepare codes of conduct and other advisory material relating to corruption and guide public bodies in respect of matters within the purview of the Act;
- Monitor current legislative and administrative practices in the fight against corruption;
- Advise the Minister on the adoption of international best practices relating to the prevention of corruption;
- Coordinate the implementation of an anti-corruption strategy;
- Collaborate or cooperate with other persons or bodies whether in Jamaica or outside of Jamaica duly authorized to prevent combat and investigate acts of corruption so as to implement an integrated approach to the eradication of corruption
- Advise the Minister on such legislative reform as the Commission considers necessary to reduce the likelihood or the occurrence of acts of corruption;
- Compile and publish statistics relating to the investigation, prosecution and conviction of offences relating to acts of corruption;
- Determine the extent of financial loss and such other losses to public bodies, private individuals and organizations, including losses sustained by the private sector as a result of acts of corruption; and,
- Adopt and strengthen mechanisms for educating the public in matters relating to corruption.

INFORMATION AND COMPLAINTS DIVISION - AN OVERVIEW

The functions of the Director of Information and Complaints are set out in Section 32(1), which states, inter alia, to:

Receive, keep on record and examine all statutory declarations filed with the Commission;

Make such enquiries as he considers necessary in order to certify or determine the accuracy of a statutory declaration;

Receive and keep proper record of any complaint or information or notification in relation to any or all of the following matters:

- i) any allegation which involves or may involve an act of corruption;
- ii) any allegation regarding impropriety or irregularity with respect to the award, implementation or termination of a government contract or the grant, issue, suspension or revocation of a prescribed licence;
- iii) any allegation in respect of non-compliance with any of the provisions of this Act;

Important Facts About Filing of Statutory Declarations

YOUR RESPONSIBILITIES

Who should file a statutory declaration

1. *Parliamentarians*
2. *Public Officials who Earn \$3,500,000.00 and over*
3. *Public Officials appointed to a Gazetted Position*

For example:

1. *All Members of the Jamaica Constabulary Force*
2. *All Members of the Jamaica Defence Force*
3. *All Staff of the Integrity Commission*
4. *All Parish Councillors; including Mayors*



1

WHEN TO FILE STATUTORY DECLARATIONS

PARLIAMENTARIANS - Initial Statutory Declaration

Due for submission at the end of the third calendar month following the date of appointment or election.

ANNUAL STATUTORY DECLARATION

If an election or appointment was any time after June 30th in any year, the first annual Statutory Declaration & Information should be as at December 31 of the following year.

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If the election or appointment is any time before June 30th in any year, the first annual Statutory Declaration & Information should be as at December 31 of that same year.

PUBLIC OFFICIALS - Initial Declaration

Due for submission at the end of the third month after the date which a public official is in receipt of total emoluments of \$3,500,000.00

Due for submission at the end of the third month after the date in a Gazette or letter from the Commission

PARLIAMENTARIANS AND PUBLIC OFFICIALS

Annual Declaration period: January 1 – December 31
Statutory Declaration & Information should be as at December 31 thereafter, as long as you were a parliamentarian or public official at any point during the year.

FINAL STATUTORY DECLARATION

Twelve (12) months after demitting office (loss of election, resignation or retirement.)



2

WHAT TO INCLUDE IN A STATUTORY DECLARATION

Parliamentarians and Public Officials are required to file statutory declarations with information relating to:

Assets - An item of property owned by a person regarded as having value in or outside of Jamaica. (Examples are house, car, cash, equivalent, goodwill, art work, intellectual properties)

Liabilities - An amount owed to a supplier, bank, lender, or other provider of goods, services, or loans in or outside of Jamaica. (Examples are mortgage, credit cards etc.)

Income - Amounts received for work, or through investments in or outside of Jamaica, profit on the sale of assets, monetary gifts etc.

Offences and Penalties

FAILURE TO PROVIDE INFORMATION REQUESTED BY THE DIRECTOR OF INFORMATION AND COMPLAINTS

Conviction in a Parish Court to a fine not exceeding \$500,000.00
or imprisonment not exceeding six (6) months.

FAILURE TO SUBMIT A STATUTORY DECLARATION

Conviction in a Parish Court to a fine not exceeding \$500,000.00
or imprisonment not exceeding six (6) months.

FAILURE TO SUBMIT AND/OR FAILURE TO MEET EXTENDED DEADLINE IN A WRITTEN NOTICE.

An additional fine of \$20,000.00 for each month after the 30 day notice period expires until the submission is made.

FAILURE TO ATTEND AN INQUIRY BEING CONDUCTED BY THE DIRECTOR OF INVESTIGATIONS:

Conviction in a Parish Court to a fine not exceeding \$500,000.00
or
A term of imprisonment not exceeding 6 months.

MAKES FALSE STATEMENTS IN A STATUTORY DECLARATION OR KNOWINGLY GIVES FALSE INFORMATION AT AN INQUIRY

Conviction in a Parish Court to a fine not exceeding \$2,000,000.00
or
A term of imprisonment not exceeding two years.



THE DECLARANTS' RIGHT

- Secrecy and confidentiality of all information provided to the Integrity Commission.
- To receive confirmation of the submission of Statutory Declarations submitted to the Director of Information and Complaints.
- Certification of Statutory Declaration – Where the Director of Information and Complaints is satisfied with the completeness and accuracy of your Statutory Declaration, you will receive a letter of certification for the statutory declaration reviewed by the Integrity Commission.

THE DECLARANTS' ROLE

- Submit your Statutory Declaration on or before the last day of the third month following the date of the declaration.
- Provide the Director of Information and Complaints with the information required to determine the accuracy of your Statutory Declaration.
- Respond to all correspondence from the Director of Information and Complaints during the Integrity Commission's Examination and Enquiry Process (EEP).

PROTECTED DISCLOSURES AND YOU

The Integrity Commission was named by the Minister of Justice as the Designated Authority under the Protected Disclosures Act, 2011 in a gazette dated Monday, January 25, 2021.

WHAT HAVE WE DONE?

The Integrity Commission has since operationalised the Protected Disclosures Act through:

1. The publication of the Protected Disclosures Act, 2011-Procedural Guidelines in a gazette dated November 15, 2021.
2. The commencement of the engagement of the Prescribed Persons/Entities to establish Protected Disclosures Procedural Guidelines to encourage and facilitate employees who wish to make disclosures regarding improper conducts in the public interest; and also to regulate the receiving, investigating and otherwise dealing with disclosures.

WHAT IS TO COME?

Phase 1 – Engagement of all Public Sector Entities to establish their Protected Disclosures Procedural Guidelines.

Phase 2 – Engagement of Private Sector Entities to establish their Protected Disclosures Procedural Guidelines.

Phase 3 – Regular training of Designated Officers to handle protected disclosure matters, subsequent to their entities completion of the Protected Disclosures Procedural Guidelines.

THE EMPLOYEES' RIGHT

- Protection from occupational detriment for employees who make disclosures in good faith and in the public interest.
- Secrecy and confidentiality of the identity of the employee who makes the disclosure and the disclosure made; any statement given, document, information or thing provided to any person in the carrying out of an investigation.
- A person who makes a protected disclosure, or receives, investigates or otherwise deals with a protected disclosure, shall not be liable in any civil or criminal proceeding or to any disciplinary proceeding by reason of having made, received, investigated or otherwise dealt with such disclosures.

THE EMPLOYEES' ROLE

- Make disclosures of improper conducts within the workplace to the employer or the designated officer appointed by the employer; or externally to prescribed persons/entities, designated authority, an attorney-at-law, the Minister with portfolio responsibility for that subject matter or the Prime Minister or both.
- Ensure that by making a disclosure, an offence has not been committed.
- Make a disclosure in relation to a matter that would prejudice the national security, defence or international relations of Jamaica, to either the Minister with portfolio responsibility for that subject matter or the Prime Minister or to both.
- Inform the Designated Authority, in the event that the disclosure is not dealt with pursuant to the Protected Disclosures Act.

THE EMPLOYERS' ROLE

- Each employer is required to establish written procedures for handling disclosures. The procedures must facilitate the making of disclosures, the investigation of disclosures, and the protection of persons making disclosures from detrimental actions by the employer or any employee of the employer.
- Each employer must make a copy of its written procedures available to each of its employees and must have a copy available for inspection by members of the public. The procedures should also be located or linked on any website maintained by the employer.
- Where an employee makes a disclosure, every employer or designated officer appointed by the employer shall keep the employee updated on the status of the investigation, which should be at intervals no greater than thirty (30) days.
- Ensure that both the confidentiality of the information and the identity of the persons making protected disclosures are maintained throughout the process.
- Identify clear contact points for reporting protected disclosures, including all relevant disclosures made in person or by mail, phone calls and emails.
- Each employer should review its policies and procedures when amendments are made to the Act, Regulations or the designated authority's Guidelines.
- Maintain a log of the disclosures received in the Protected Disclosures Log (Form PDA2).
- Submit monthly reports electronically and/or in print of all disclosures received, to the Designated Authority in the Protected Disclosures Summary Report (Form PDA3).

Special Procedures for matters related to National Security, Defence and International Relations
The Prime Minister and any Minister with the portfolio responsibility for National Security, Defence or International Relations shall establish and cause to be operated procedures for receiving, investigating or otherwise dealing with these disclosures.

OUR RESPONSIBILITY

Maintain secrecy and confidentiality throughout the term of our employment and thereafter. Failure to comply will result in:

Conviction in Parish Court to a fine not exceeding \$1,000,000.00 OR A term of imprisonment not exceeding one year

Notwithstanding our responsibility to maintain secrecy:

Section 42(3)(b) requires the Integrity Commission to publish the Summary of Statutory Declarations made by the Prime Minister and Leader of the Opposition.

COMPLAINTS

Assist in the fight against Corruption, tell us what you know!

1

WHO CAN MAKE A COMPLAINT?



Any person may make a complaint orally or in writing via any of the methods listed below:

a) Orally

- i) Complainants may call our Anti-Corruption hotline at (876) 926-0001
- ii) In person at - 45-47 Barbados Avenue
2nd Floor, Kingston 5, Jamaica, W.I.
- iii) Call our Barbados Avenue location landlines 876-926-2288, 876-906-8314,
876-968-6227 or 876-960-0470

b) In writing

- i) Complainants may write a letter addressed to the Director of Information and Complaints at - 45-47 Barbados Avenue, 2nd Floor, Kingston 5, Jamaica, W.I.

c) Internet

Complaints may be made online by completing the requisite form, which may be accessed via the following link: <https://integrity.gov.jm/report-impropriety>

2

PROTECTION OF COMPLAINANT:



"No person shall be obligated or permitted to disclose the name or address of a person who makes a complaint under subsection (1), or state any matter which may lead to the identity of such person being known". (Section 37 (5))

"No action, suit, prosecution or other proceedings shall be instituted against a person who makes a complaint under subsection (1), in good faith in pursuance of the provisions of this Act." (Section 37(6))

"A person who takes any harmful action against any other person, including interference with the other person's lawful employment or occupation, on the ground that the person has made a complaint under subsection (1) commits an offence and is liable, on summary conviction in a Parish Court, to a fine not exceeding five hundred thousand dollars or to a term of imprisonment not exceeding six months." (Section 37 (7))

"A copy of a complaint, information or notification may be in a form which keeps anonymous the identity of the complainant or any other person." (Section 38(2))

3

WHY MAKE A COMPLAINT?



Reduce and/or prevent possible offences.
Complaints assist with building a better nation for yourself, loved ones and your community.
Equality of opportunities.

CONTACT US:

PIOJ Building, 1st Floor

16 Oxford Road, P.O. Box 540
Kingston 5, Jamaica, W.I.

Telephone: (876) 929-6460
(876) 929-6466
(876) 929-8560

Fax: (876) 929-7335

The Masonic Building, 2nd Floor

45-47 Barbados Avenue
Kingston 5, Jamaica, W.I.

Telephone: (876) 926-2288
(876) 968-6227
(876) 960-0470

Fax: (876) 960-5617



THE INVESTIGATION DIVISION

The Investigation Division is mandated by law to investigate, broadly, allegations of non-compliance, and suspected acts of corruption in the manner specified by the Integrity Commission Act. The Division also monitors, on a sustained basis, the award, implementation and termination of government contracts as well as prescribed licences and permits.

The Division's core values include:

1 Equality and Fairness- We conducts all investigations with equality and equity and with no regard for class, creed or affiliations.

2 Accountability and Professionalism- We seek to provide the highest level of service to Jamaica whilst remaining accountable for the performance of the investigative mandate of the Commission.

3 Honesty and Integrity- We adhere to the highest standards of ethical behaviour remaining cognizant that, with the enormous entrusted powers and responsibilities, our actions and motives must be above reproach.

4 Respect- We treat all colleagues, partners, stakeholders and subjects of our Investigations with respect and dignity whilst valuing differences and opportunities and remaining committed to growth and development.

5 Teamwork- We value the strength of unity and collaboration



Quick Facts

- 1** For the purposes of an investigation, the Director of Investigation shall have the power to summon witnesses, compel the production of documents or any other information and do all such things which are necessary for the purposes of conducting an investigation.
- 2** A person who is under investigation, or any witness summoned to appear before the Director of Investigation may be represented by an attorney-at-law.
- 3** The Director of Investigation, may summon and examine on oath:
 - A** Any person who has made a complaint, given information or a notification before the Commission;
 - B** Any public official, parliamentarian or other person who in the opinion of the Director of Investigation is able to provide information.

How Can You Help Us?

- Report irregularities and corruption involving public officers when you see it.
- Tell us about substandard workmanship and contract implementation.
- Desist from engaging in or encouraging acts of corruption or actions

- which may facilitate corruption or unethical conduct.
- Encourage others to model integrity in their daily affairs.

"Your Confidentiality Guaranteed"

LAND DIVESTMENT AND ACQUISITION

- (1) The preservation of natural resources and the environment
- (2) The promotion of social capital formation (relationships in society and the interaction of institutions with processes)

Urban renewal and upgrading/conservation of heritage sites

- (3) The promotion of economic and infrastructural development

LICENCES

The Integrity Commission is responsible for monitoring and investigating any award, creation or termination of government contracts. These contracts include any agreement entered into by a public body for the sale or purchase of property, such contracts including licences.



EXAMPLES OF LICENCES:

- BUILDING PERMITS
- FISHING LICENCES
- DRIVERS LICENCES
- QUARRY LICENCES



Land Divestment of Government Owned Lands is significantly guided by the Policy & Procedures Manual for the Divestment of Government-Owned Lands 2015 ("Policy Manual 2015). The purpose for the divestment or acquisition of land is guided by the Policy Manual 2015, which includes:

NB - All pictures are to be used as a guide by the graphic artist to re-create an image that is similar in nature to prevent any copyright infringement.



CORRUPTION PROSECUTION DIVISION

The Commission is empowered through the Corruption Prosecution Division to prosecute acts of corruption and related offences. These include Illicit Enrichment, Bribery, and Failing to File or Filing of False Statutory Declarations. Some of these provisions are also applicable to the private sector. Once the evidence exists to the requisite standard, the Corruption Prosecution Division will fearlessly prosecute these matters. However, for this to succeed members of the public must play their role in supplying information that can lead to sound prosecutions. Rest assured that the highest confidentiality will be employed to safeguard every individual who makes a complaint. In essence the fight and prosecution of acts of corruption starts with YOU.

Under the Corruption Prevention Act 2002: | Acts of Corruption - solicits gifts, bribery etc.

Illicit Enrichment - owns asset disproportionate to lawful earnings and fails to provide satisfactory explanation

**Conviction in a Parish
Court to a fine not
exceeding**

\$2,000,000.00


**OR A term of
imprisonment not
exceeding two years**

**Conviction in a Circuit
Court to a fine not
exceeding**

\$5,000,000.00

**OR A term of
imprisonment not
exceeding five years**

The Commission is implementing a Zero Tolerance Policy which will result in prosecution for non-compliance. This is in respect to submission of outstanding Statutory Declarations and information requested from a Declarant and third party, person or entity.



"An act of corruption is... an offence relating to the conduct of any person that constitutes an abuse or misuse of his office (whether or not within the public sector) for the purpose of conferring a benefit or an advantage to himself or another person, being an offence that arises under the common law or any other enactment"



Powers of the Corruption Prosecution Division

- 1** To institute and undertake prosecutorial proceedings in respect of the acts of corruption
- 2** Have conduct of prosecutions in respect of acts of corruption
- 3** Provide legal advice to the Commission on matters concerning acts of corruption
- 4** Collaborate with the FID to conduct proceedings for recovery of property relating to acts of corruption
- 5** Perform such other prosecutorial functions relating to acts of corruption