

WHAT IS TO BE FILED IN THE DECLARATIONS?

Statutory Declarations should include information on all assets, liabilities and income of the Declarant, her/his spouse and children, whether held locally or abroad. If the spouse or child (over the age of eighteen (18)) was not living with the Declarant at any time during the period of the declaration, then only assets held in trust for or as an agent of the Declarant must be included in the declaration.

The declaration should also include information in relation to any gift received by the Declarant (other than from a relative), which exceeds the value of One Hundred Thousand Dollars (\$100,000.00).

WHAT HAPPENS IF I DO NOT FILE A DECLARATION OR IF I MAKE A FALSE STATEMENT IN MY DECLARATION?

The **FAILURE TO FILE A STATUTORY DECLARATION**, without reasonable cause, may be punishable by a fine not exceeding Five Hundred Thousand Dollars (\$500,000.00) or to a term of imprisonment not exceeding six (6) months. Further, **A PERSON WHO KNOWINGLY MAKES A FALSE STATEMENT** in their declaration, commits an offence under the Act, and is liable to a fine not exceeding Two Million Dollars (\$2,000,000.00) or to a term of imprisonment not exceeding two (2) years.

CAN THE PUBLIC SEE MY DECLARATIONS?

The information contained in Statutory Declarations, letters and other documents submitted to the Commission, are regarded as secret and confidential under the Integrity Commission Act. Any communication or attempted communication of a declarant's information to an unauthorised person is punishable by a fine not exceeding One Million Dollars (\$1,000,000.00) or to a term of imprisonment not exceeding one (1) year. **However, the Integrity Commission, under Section 42(3)(b) of the Act, is required to publish annually, a summary of the Statutory Declarations made by the Prime Minister and the Leader of the Opposition.**

WHERE ARE STATUTORY DECLARATIONS TO BE FILED?

The Integrity Commission operates from two (2) locations in Kingston. However, **ALL Statutory Declarations MUST be delivered to:**

The Director of Information and Complaints
Integrity Commission
The Masonic Building, 2nd Floor
45-47 Barbados Avenue
Kingston 5
Jamaica, W.I.

OFFICE HOURS

(For Submission of Statutory Declarations)

Mondays to Thursdays	8:30 a.m. to 4:30 p.m.
Fridays	8:30 a.m. to 3:30 p.m.

The information contained in this document is intended as a general guide and should not be considered as a part of the Integrity Commission Act or Regulations.

For more information, please consult the Integrity Commission Act, 2017 or contact the Integrity Commission.

Telephone: 876-968-6227/ 876-960-0470
Facsimile: 876-960-5617

Website: www.integrity.gov.jm
General Email: general@integrity.gov.jm

STATUTORY DECLARATION MATTERS ONLY

Email: declarations@integrity.gov.jm



GOVERNMENT OF JAMAICA

A GUIDE

STATUTORY DECLARATION OF ASSETS, LIABILITIES & INCOME

IN ACCORDANCE WITH THE
INTEGRITY COMMISSION ACT, 2017



INTEGRITY COMMISSION

"United Against Corruption"

WHAT IS CORRUPTION?

A simple definition of corruption is the misuse of one's office for private gain, for the benefit of the holder of the Office or some third party.

THE INTEGRITY COMMISSION ACT, 2017

The Integrity Commission Act, 2017 was established in law on February 22, 2018, to promote and enhance standards of ethical conduct for Parliamentarians, Public Officials and other persons, by consolidating laws relating to the prevention of corruption and the award, monitoring and investigating of government contracts and prescribed licences and to provide for the establishment of a single Anti-Corruption body known as the *Integrity Commission*, to *promote and strengthen the measures for the prevention, detection and prosecution of acts of corruption*.

WHAT IS A STATUTORY DECLARATION?

Public Officials and Parliamentarians are required to annually submit to the Integrity Commission, through the *Director of Information and Complaints*, a declaration of their assets, liabilities and income for the calendar year just ended (*or other period where appropriate*).

All declarants MUST submit the required information utilising the prescribed form set out in the Third Schedule of the Integrity Commission Act, 2017. The form may be accessed and printed or completed electronically, at www.integrity.gov.jm. Forms may also be collected from the Commission's Office located at 45-47 Barbados Avenue, Kingston 5.

WHO FILES STATUTORY DECLARATIONS?

All Parliamentarians and Public Officials in receipt of total annual gross emoluments of Three Million Five Hundred Thousand Dollars (\$3,500,000.00) or more, as well as those Public Officials, who, by Notice published in the *Jamaica Gazette*, are required to file. Further, any other Public Official

or category of Public Official, which the Commission requests in writing, to do so, is also required to file Statutory Declarations.

WHO ARE CONSIDERED TO BE PARLIAMENTARIANS AND PUBLIC OFFICIALS?

Under the Integrity Commission Act, 2017, "*Parliamentarian*" means a member of the House of Representatives or a member of the Senate.

Under the subject Act, "*Public Official*" means-

- (a) any person holding an executive, an administrative or a judicial office, or a Parliamentarian, whether appointed or elected, whether permanent or temporary, or whether paid or unpaid;
- (b) any other person who is employed to a Public Body; and
- (c) any member of the Security Forces; "*Security Forces*" means -
 - i the Jamaica Constabulary Force;
 - ii the Jamaica Defence Force; and
 - iii the Rural Police

WHEN ARE STATUTORY DECLARATIONS TO BE FILED?

The Integrity Commission Act, 2017, mandates that Statutory Declaration of Assets, Liabilities and Income **for each Calendar Year** (as at December 31st) are to be filed with the Integrity Commission **by the 31st March, of the following year**. However, Section 41(1) of the Act further outlines the following:

- (a) In the case of a person elected or appointed as a **Parliamentarian**, as at the date of such election or appointment, and thereafter –
 - i. where the election or appointment was at any time after the 30th day of June in any year, as at the 31st day of December in the year next following, and thereafter, as at the 31st day of December in each year,

during any part of which she/he remains a Parliamentarian; or

- ii. in any case where the election or appointment is at any time in a calendar year other than that referred to in paragraph (i), as at the 31st day of December in that year and thereafter as at the 31st day of December in each year during any part of which she/he remains a Parliamentarian;
- iii. as at the end of twelve (12) months from the date on which he/she ceases to be a Parliamentarian;

(b) in the case of-

- i. a person who on the appointed day is a **Public Official**: *as at the date of appointment of the person as a Public Official; or*
- ii. a Public Official whose emoluments become equivalent to, or is in excess of Three Million Five Hundred Thousand Dollars (\$3,500,000.00): *as at the date on which the emoluments are so adjusted,*

and thereafter, as at the 31st day of December in each year, during any part of which s/he remains a Public Official, or at such intervals as the Commission may direct by Notice to the Declarant or published in the *Jamaica Gazette*.

WOULD I STILL NEED TO FILE IF I AM NO LONGER A PUBLIC OFFICIAL?

Where a person ceases to be a Public Official, s/he shall make a Statutory Declaration as at the end of twelve (12) months from the date on which s/he ceases to be a Public Official.