



2020/2021

Third Annual Report

INTEGRITY COMMISSION



UNITED AGAINST CORRUPTION





INTEGRITY COMMISSION

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June 25, 2021

The Hon. Marisa Dalrymple-Philibert, MP
Speaker of the House of Representatives
Houses of Parliament
Gordon House
81 Duke Street
Kingston

Senator the Hon. Tom Tavares-Finson, CD, QC
President of the Senate
Houses of Parliament
Gordon House
81 Duke Street
Kingston

Dear Honourable Speaker and Honourable President:

Section 36(2) of the Integrity Commission Act directs as follows:

"The Commission shall, not later than three months after the end of each financial year, or within such longer period as the Parliament may approve, submit to Parliament an annual report relating generally to the execution of the functions of the Commission during the preceding financial year, which shall contain the information set out in the Second Schedule".

In keeping with this provision, I hereby submit to you three (3) printed copies and an electronic copy of the Third Annual Report for the financial year 2020/2021.

Yours Respectfully,

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

Copy: Mrs. Heather E Cooke, JP, Clerk to the Houses of Parliament

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

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INTEGRITY COMMISSION

3RD ANNUAL REPORT

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CHAIRMAN'S REMARKS

The Annual Report contains details of the activities of the Commission during the preceding financial year. This is a requirement of the Integrity Commission Act. I do not propose to add to those details.

However, I should mention that the composition of the Commission changed somewhat with the resignation of Dr. Derrick McKoy, CD, and the appointment of Mr. Wayne Powell, OD, in his stead.

I thank Dr. McKoy for his valuable contribution to the work of the Commission during the period that he served. It is also appropriate to welcome Mr. Powell and to say that we are fortunate to have his expertise at the Commission.

During the period covered by this report, His Excellency the Governor-General was pleased to appoint the principal officers of the Commission. They are Mr. Greg Christie, Executive Director; Mr. Craig Beresford, Director of Information and Complaints; Mr. Kevon Stephenson, Director of Investigation; and Miss Keisha Prince, Director of Corruption Prosecution. Under the leadership of Mr. Christie, the Directors have increased the energy level of the Commission and they are concentrating on executing the mandate of the Commission.

I wish to thank the Executive Director, the Directors, managers and the other members of staff of the Commission for the work being done and for the commitment displayed in the execution of their respective duties. I recognize that we have had some difficult times during the past year due to the pandemic; however, staff members have not allowed the situation to prevent them from performing the tasks assigned.

The Commissioners have been very faithful and dedicated in their attention to the activities and affairs of the Commission in our role as the oversight body. And for this, I thank them and look forward to their continued cooperation.

I also wish to thank the various Ministries with which we have to interact – particularly the Office of the Prime Minister and the Ministry of Finance. They have been quite cooperative as we seek to execute the mandate of the Commission.

I hereby assure the public that every effort is being made by the Commission to ensure that parliamentarians, public officials and others operate in an ethical and lawful manner as regards the award of government contracts, the provision of State services and the expenditure and management of public funds. The efforts of the Commission require the support of the public so we welcome, and urge, the reporting of all activities suspected of being corrupt. All matters are dealt with in confidence.

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

Chairman

EXECUTIVE DIRECTOR'S REMARKS

Despite the challenges of the Covid-19 pandemic, the 2020/2021 Financial Year was a watershed year for the Commission. Substantial strides were made in laying the groundwork to fully operationalize the Commission, and several significant strategic work initiatives were embarked upon.

To begin with, and as is noted in our Chairman's remarks, the 2020/2021 Financial Year was the year in which the Commission saw the swearing-in into office of all 4 substantive members of its Statutory Executive Team.

One of the Team's and the Commission's first areas of address was to transition the Commission's staff away from the legacy positions that they had been holding in the former Commission of the Contractor General, the Parliament Integrity Commission and the Corruption Prevention Commission, into substantive Integrity Commission staff positions. Aligned with this, was the movement of the staff from 6-month renewable contracts to a standard 3-year renewable contracting platform, thus giving them greater security of tenure.

Simultaneously, we embarked upon an external hiring program, limited only by the Commission's physical office space constraints. As at the end of the Financial Year, 22 new staff members had been hired across all Commission Divisions. Notably, the Commission's Corruption Prosecution Division was virtually built-out and operationalized, moving from a staff complement of only 1, i.e. the Director, to 6. We added to the Division, 2 Senior Prosecutors, 1 Prosecutor, 1 Para-Legal and 1 Legal Secretary.

Another critical initiative that was commenced, and completed, in the reporting year, was the restructuring of the Commission's organization, following a comprehensive assessment of its previously approved 132-staff member structure.

Our gap-analysis of the structure, and its associated resources, when matched with the 16 substantive functions that the Commission was established to discharge under the Integrity Commission Act, disclosed that the approved structure was 'not fit for purpose'. It was weak in a number of respects and there were several appreciable deficits. This, in the Commission's view, required urgent remediation.

After extensive internal consultations, a new and revised organization structure, with an expanded staff complement of 172, was developed. The revised structure added a new operating division – the Corruption Prevention, Stakeholder Engagement and Anti-Corruption Strategy Division – and either revamped or strengthened all of the Commission's other divisions and units.

The new organization structure was subsequently presented to and approved by the Ministry of Finance and the Public Service, and then by the Committee of Parliament that is established under Section 35 of the Integrity Commission Act for that purpose.

A major drawback that the Commission had faced from its inception in 2017, was the fact that its two (2) existing offices, located at Oxford Road and Barbados Avenue in the New Kingston area, were physically inadequate. Combined, their maximum staff capacity was less than 100 - a far cry from the Commission's initially approved staff complement of 132 and, more-so, its expanded staff complement of 172.

Determined to fix the problem, we commenced, in earnest, during the Financial Year, the process to acquire expanded office accommodations for the Commission.

As at the time of the writing of these Remarks, we had identified a suitable office space located in the New Kingston area, and had negotiated and executed a lease to secure its acquisition.

It is our expectation that we should take possession of the property before the end of the calendar year. The Commission intends to retain its current office accommodations on Oxford Road, but will terminate its lease over its Barbados Avenue office location.

In our effort to build strategic operating relationships with the country's major law enforcement agencies, we have also, during the year, drafted, submitted and/or finalized MOUs to govern our operational and information-sharing relationships with 8 of them - referred to as 'Competent Authorities' in the Integrity Commission Act.

The entities are the Jamaica Constabulary Force (JCF), the Office of the Attorney General Office, the Office of the Director of Public Prosecutions, Jamaica Customs, Tax Administration Jamaica, the Financial Investigation Division (FID), the Major Organization Crime and Anti-Corruption Agency (MOCA), and the Revenue Protection Division (RPD). We have also sought to have the Office of the Political Ombudsman designated as a 9th Competent Authority.

As at the time of writing, MOUs between the JCF and the FID had been formally executed by the Commission, but are awaiting the approval of the Most Hon. Prime Minister, in keeping with the requirements of the Integrity Commission Act.

Importantly, since assuming office, I have also held formal one-on-one meetings with several state officials. During these meetings, the groundwork was laid to secure their support for the Commission's strategic and operating objectives going forward. The Commission, during the year, has also collaborated with Jamaica Private Sector leaders to discuss ways in which they can tangibly assist the Commission in the fight against corruption in Jamaica.

Further to Section 6 of the Integrity Commission Act, 2017, the Commission, during the year, also formally commenced the critical process to develop a National Anti-Corruption Strategy for Jamaica. The 1st phase of the process was the issue of a tender, utilizing the international competitive bidding procurement methodology, to procure the engagement of the Consultants who, under the guidance of the Commission, will be tasked with the development of the Strategy.

The Strategy will necessarily require the input of multiple stakeholders and interest groups, within the Jamaica public and private sectors, as well as input from Civil Society. The process will be a broad consultative one. Upon completion, and once all relevant approvals are obtained, the strategy will be implemented on a phased basis.

Significantly, following formal representations that were made to the Cabinet by the Commission, the Commission was lawfully designated as the 'Authority', under law, to operationalize and administer the Protected Disclosures Act, otherwise called 'The Whistleblowing Act'. The Commission's Information and Complaints Division will discharge these responsibilities for and on behalf of the Commission.

With the formal appointments, during the year, of the Commission's 3 Statutory Division Directors for Information and Complaints, Investigation, and Corruption Prosecution, it became necessary to develop protocols which would promote information flow and cooperation between the Divisions, whilst not compromising the Directors' respective mandates and legislated separation of functions.

Accordingly, an Inter-Divisional Protocol document was developed, through the collaborative efforts of the Statutory Directors themselves, aided by the Commission's Legal Counsel. The document outlines the agreed framework of cooperation, collaboration and communication that will take place between the Divisions, to ensure that they will ultimately achieve the collective mandates of the Commission.

In another first for the Commission, our Executive Team also appeared, on July 21, 2020, before the Integrity Commission Joint-Select Parliament Oversight Committee. The public session, which lasted for approximately 3 hours, was a very productive and engaging one.

Among the designated statutory functions of the Parliament Oversight Committee are (a) monitoring and reviewing the performance of the Commission; (b) reviewing the annual report and any other report of the Commission; (c) submitting recommendations in relation thereto to both Houses of Parliament; and (d) assessing the effectiveness of the Integrity Commission and the appropriateness of its procedures.

During the year, the Commission also succeeded in an effort which we believe is unprecedented in our region, namely, the development and delivery of a special series of anti-corruption, good governance and integrity sensitization workshop modules for the country's Cabinet Ministers. Twelve (12) workshops were conducted in ten (10) 2-hour sessions that were held during the country's weekly Cabinet Meetings. The unedited Workshop Presentations have been posted on the Commission's website, where they can be freely accessed by any of the Commission's stakeholders.

Despite our shortages of staff across all of the Commission's Operating Divisions and Support Units, and the challenges that we have faced as an emerging institution, the work of the Commission has, nevertheless, proceeded in a commendable fashion under the strong leadership of our Chairman, the Hon. Mr. Justice (Ret'd) Seymour Panton, and the other Members of our Board of Commissioners.

Our primary statutory mandates have continued to be discharged as best as our limited resources have allowed. We have also continued to satisfy all key statutory and compliance requirements. Detailed information, regarding the activities of the Commission's 3 Statutory Operating Divisions, throughout the reporting period, are provided elsewhere in the Report.

As an aside, I should mention that the Commission has added a 4th Operating Division, the Corruption Prevention, Stakeholder Engagement and Anti-Corruption Strategy Division. The Division was established, effective May 31, 2021, outside of the reporting period, with the swearing-in into office of its Director, Mr. Ryan Evans, by His Excellency the Governor General. The Division is a critical one. Its singular objective is to fight corruption by preventing it and creating an environment to deter it, this as opposed to waiting for acts of corruption to take place.

Special mention must be made of the Commission's support departments and personnel. They work mostly behind the scenes, but without them it would be impossible for the Commission to function effectively. I speak of the Commission's Accounting, Registry, Human Resource, Office Management, Procurement, Information Technology, Legal Services, Administrative Services, and Corporate Services

Departments, as well as our Special Projects Teams, Drivers, Receptionists, Office Assistants and Security Officers.

In terms of compliance and good corporate governance issues, it is important for me to highlight that the Commission's 2nd Annual Report, for Financial Year 2019/2020, inclusive of its Audited Financial Statements, was prepared and submitted to the Parliament by the end of June 30, 2020, within the prescribed statutory timeline. The current Report will also satisfy the requirements of the law. Additionally, all 92 of the Commission's staff-members were compliant in their filings of the required 2020 Annual Statutory Declaration of Assets, Liabilities and Income, before the March 31, 2021 statutory deadline.

The Commission and I owe our staff a deep debt of gratitude. I encourage them to continue to give of their best, with integrity, and the quest for excellence, as their daily compass.

On behalf of the Commission, I must also thank the Integrity Commission Parliament Oversight Committee, the Section 35 Committee, which is chaired by the Hon. Speaker of the House; the Hon. Cabinet Secretary; key Government Ministries, particularly the Ministry of Finance and the Public Service; the Permanent Secretaries Group, particularly the Financial Secretary and the Permanent Secretary in the Office of the Prime Minister; the Hon. Solicitor General; Tax Administration Jamaica; the Accountant General's Department; the Competent Authorities; our Lessors – the Planning Institute of Jamaica and the Freemasons Association (Jamaica) Ltd. - and, last but not least, our external strategic programme funders – the United Kingdom's Foreign, Commonwealth and Development Office.

Last, but by no means least, I would wish to record our appreciation for the leadership and guidance of our Chairman, the Hon. Mr. Justice (Ret'd) Seymour Panton, and our Commissioners - Auditor General Mrs. Pamela Monroe-Ellis; Mr. Eric Crawford, the Hon. Mr. Justice (Ret'd) Lloyd Hibbert; and Mr. Wayne Powell.

Despite the Commission's initiatives and limited successes achieved during the Financial Year, significant challenges lie ahead.

There will be considerable work to be done in the 2021/2022 Financial Year and beyond, once the Commission brings on board the remainder of its expanded staff complement of 172. Progressively, we will be better positioned to effectively and efficiently discharge all 16 of the Commission's statutory mandates and functions.

We must, however, be purposeful and proactive, and commit ourselves to work hard to prevent and to deter acts of corruption, and to confront it, without fear and without favor, wherever and whenever it presents itself.

The Commission is the national institution in which the Parliament of Jamaica has reposed the statutory responsibility to ensure the highest standards of integrity and good governance in the country's Public Sector. We must, therefore, as a matter of course, also lead by example.

Should we fail in any of the foregoing endeavors, the public, whose interests we serve, will question our commitment and effectiveness and, indeed, our relevance, and quite rightly so if they do.

As we look ahead, it is my hope, therefore, that the Commission will secure even greater accomplishments as it continues to serve and protect the interests of the People of Jamaica.



We will remain resolute in our quest to significantly raise the standards of good governance, integrity and probity in the Jamaica Public Sector, and to substantially reduce the scourge of corruption that continues to plague our cherished island.

Greg Christie
Executive Director

GOVERNANCE STRUCTURE

The Integrity Commission is headed by duly appointed Commissioners who are responsible for the governance and oversight of the Integrity Commission pursuant to the requirements of the Act.

Section 5(4) of the Integrity Commission Act, 2017, provides as follows:

“The Commission shall –

- (a) subject to sections 34(3) and 36(4), be ultimately responsible and accountable to Parliament for all matters relating to the functions of the Commissioner; and*
- (b) monitor and report to Parliament on the operation and effectiveness of the provisions of this Act.”*

Section 8(1) of the Integrity Commission Act, 2017, which is detailed hereunder, provides particulars of the constitution of the Commission and the persons who may be appointed to hold such an appointment, as a Commissioner.

8. - (1) *Pursuant to section 5 and subject to subsection (3), the Commission shall consist of the following persons appointed as Commissioners —*

- (a) the Auditor-General;*
- (b) four other persons (hereinafter referred to as “appointed Commissioners”) appointed by the Governor-General, by instrument in writing, after consultation with the Prime Minister and the Leader of the Opposition, from any of the following categories of persons—*
 - i. retired Judges of the Court of Appeal or retired Judges of the Supreme Court, from which two persons shall be appointed;*
 - ii. senior retired public officials with knowledge and expertise in the area of finance, accounting or public administration;*
 - iii. persons who represent non-governmental organizations that appear to be well established.*

In this regard, the Commission is currently comprised of the following members:

1. The Hon. Mr. Justice (Ret'd) Seymour Panton, OJ, CD (Chairman)
2. Mrs. Pamela Monroe Ellis, FCCA, CA
3. The Hon. Mr. Justice (Ret'd) Lloyd Hibbert, CD., Q.C.
4. Mr. Eric Crawford, CD, FCA, FCCA
5. Mr. H. Wayne Powell, O.D., J.P.

In the performance of its functions under the Act, the Commission has established several Committees through which oversight is provided. Detailed below are particulars of each Committee, inclusive of membership and number of meetings convened.

INTEGRITY COMMISSION



INTEGRITY COMMISSION COMMITTEES AND MEMBERS

COMMISSION MEETING	
<p><i>Standing Members:</i> The Hon. Mr. Justice (Ret'd) Seymour Panton, OJ, CD (Chairman) Mrs. Pamela Monroe Ellis, FCCA, CA (Commissioner) The Hon. Mr. Justice (Ret'd) Lloyd Hibbert, CD (Commissioner) Mr. Eric Crawford, CD (Commissioner) Mr. H. Wayne Powell, OD, JP (Commissioner)</p> <p>The Executive Director</p>	
Meeting Schedule	The first Monday of every month or as necessary
No. of Meetings Convened for the Reporting Period	14

AUDIT, FINANCE & TECHNOLOGY COMMITTEE	
<p><i>Standing Members:</i> Mr. Eric Crawford, CD, (Chair) Mrs. Pamela Monroe Ellis, FCCA, CA Mr. H. Wayne Powell, OD, JP</p> <p>The Executive Director Director of Information Technology & Business Processes Director of Corporate Services Chief Accountant Financial Accountant Senior Public Procurement Officer Manager, Office Services</p>	
Meeting Schedule	The third Thursday of every month or as necessary
No. of Meetings Convened for the Reporting Period	12



HUMAN RESOURCE & CORPORATE GOVERNANCE COMMITTEE

Standing Members:

Mrs. Pamela Monroe Ellis, FCCA, CA (Chair, Human Resource Component)

Mr. H. Wayne Powell, OD, JP (Chair, Corporate Governance Component)

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

**The Executive Director
Manager, Human Resource**

Meeting Schedule	The fourth Friday of every month or as necessary
No. Of Meetings Convened for the Reporting Period	11

Note: The respective meeting components are held alternately.

INFORMATION AND COMPLAINTS COMMITTEE

Standing Members:

Mrs. Pamela Monroe Ellis, FCCA, CA (Chair)

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

Mr. Eric Crawford, CD

Director of Information & Complaints

Meeting Schedule	The third Wednesday of every month or as necessary
No. Of Meetings Convened for the Reporting Period	14

INVESTIGATION AND CORRUPTION PROSECUTION COMMITTEE

Standing Members:

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

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

Mr. Eric Crawford, CD

**Director of Investigation
Director of Corruption Prosecution**

Meeting Schedule	The second Friday of every month or as necessary
No. Of Meetings Convened for the Reporting Period	9

CONTENT OF THE ANNUAL REPORT

The Integrity Commission, in the preparation and publication of its Annual Report is bound by the requirements of the law regarding its content and the information which can be made available in the referenced Report. Specifically, Section 36 (2) of the Integrity Commission Act, 2017, provides as follows:

“The Commission shall, not later than three months after the end of each financial year, or within such longer period as the Parliament may approve, submit to Parliament an annual report relating generally to the execution of the functions of the Commission during the preceding financial year, which shall contain the information set out in the Second Schedule”

Detailed below is the verbatim content of the Second Schedule of the Integrity Commission Act and to which the structure and content of the Commission’s Annual Report is aligned.

SECOND SCHEDULE (Section 36(2))

Contents of Annual Report of Commission

- 1. A general description of the matters that were referred to the Commission.*
- 2. Subject to section 53(3), a general description of the matters investigated by the Commission.*
- 3. The following details with respect to matters investigated by the Commission—*
 - a. the number of investigations commenced but not finally dealt with during the financial year in question;*
 - b. the average time taken to deal with complaints and the actual time taken to investigate any*
matter in respect of which a report is made.
- 4. Any recommendations for changes in the laws of Jamaica, or for administrative action, that the Commission considers should be made as a result of the exercise of its functions.*
- 5. The general nature and extent of any information submitted under this Act by the Commission during the year to the Security Forces or any other public body.*
- 6. The number of matters investigated by the Commission which have resulted in prosecutions or disciplinary action in that year.*
- 7. A description of its activities during that year in relation to any of its functions.*
- 8. The number of convictions and acquittals, and where a charge is laid the time taken to dispose of each matter.*
- 9. Such other information as the Commission thinks relevant; however, no details shall be provided by the Commission in relation to any matter under investigation by the Director of Investigation or for which criminal proceedings have been instituted by the Director of Corruption Prosecution.*
- 10. The audited financial statements of the Commission for the financial year.*

GENERAL DESCRIPTION OF MATTERS REFERRED TO THE COMMISSION

The Integrity Commission, pursuant to the discharge of its statutory mandate under Section 6 of the Integrity Commission Act, 2017, had numerous matters referred to it during the course of the 2020/2021 Financial Year, ended March 31, 2021.

The matters related to, *inter alia*, (a) allegations of impropriety in the award of GOJ contracts; allegations of irregularities including breach of tender procedures by a Government Ministry; and (c) allegations of conflict of interest.

Additionally, the Commission, which is charged with the receipt of complaints and the monitoring of government contracts, the divestment of government lands and assets, and other acts of corruption, also had matters referred to it, which related to, *inter alia*;

1. Unethical procurement and hiring practices;
2. Untenable working conditions;
3. Irregular award/revocation of licences;
4. Vote buying;
5. Poor/sub-standard public works;
6. Fraud;
7. Excessive expenditures;

8. Government Waiver;
9. Accountability of Public Bodies;
10. Unfair Government Policies;
11. Corruption in Jamaica's Justice System;
12. Unfair treatment at public facilities;
13. Unethical practices;
14. Mismanagement of public funds; and
15. Complaints related to court administration and unresolved legal dispute.

Some of the matters which were referred informed the monitoring, enquiry and investigative processes which were undertaken by the Commission during the current reporting period.

“The most harmful consequences of endemic corruption in a society are the culture of acceptance, culture of resignation, culture of apathy”

-Anonymous

GENERAL DESCRIPTION OF MATTERS INVESTIGATED

The Integrity Commission, pursuant to Sections 6 and 33 of the Integrity Commission Act, 2017, has a statutory mandate to, amongst other things:

1. Investigate alleged or suspected acts of corruption and instances of non-compliance with the provisions of this Act; and
2. Monitor and, where necessary, investigate the award, implementation and termination of government contracts.

In the discharge of the above referenced statutory mandate, the Integrity Commission, through its Investigation Division, and the Information and Complaints Division has been involved in the investigation of the following types of matters:

1. Allegations regarding the breach of Government of Jamaica (GoJ) Procurement Rules and Guidelines;
2. Alleged acts of corruption involving public bodies and private citizens;
3. Allegations of cronyism and corruption in the award of GOJ contracts;
4. The divestment of Government of Jamaica owned assets;
5. Allegations of conflict of interest and nepotism in the award and implementation of (GoJ) contracts;
6. Allegations of irregularity and impropriety in the award, implementation and administration of GoJ contracts;

7. Alleged breaches of the Public Bodies Management and Accountability Act and the Financial Administration and Audit Act and other financial irregularities in the implementation and administration of GoJ contracts by Public Bodies;

8. Allegations of conflicts of interest, and corruption involving GoJ Board Directors;

9. Allegations of corruption in the award of GoJ contracts, and impropriety in the management and governance of Public Bodies;

10. Alleged breaches of the Corruption Prevention Act (CPA) and the Integrity Commission Act, 2017. Offences typically investigated include:

- (i) The failure, without reasonable cause, to furnish statutory declarations — Section 43(1)(a) of the integrity Commission Act;

“You have to look for corruption to find it. It doesn’t walk in the door.”

Patricia Ferrick, FBI Head, Connecticut - Feb.2014

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- (ii) The failure, without reasonable cause, to provide any information as the Director of Information and Complaints may require - Section 43(1)(b) of the Integrity Commission Act;
 - (iii) The failure without reasonable cause to attend an inquiry being conducted by the Director of Investigation - Section 43(1)(c) of the Integrity Commission Act;
 - (iv) Knowingly making a false statement in a statutory declaration - Section 43(2)(a) of the Integrity Commission Act;
 - (v) Knowingly giving false information at an inquiry being conducted by the Director of Investigation - Section 43(2)(b) of the Integrity Commission Act;
 - (vi) Illicit Enrichment - Section 14(5) of the Corruption Prevention Act.
 - (vii) An act of corruption pursuant to Sections 14 (1),(2), and (3) of the Corruption Prevention Act.
- Detailed particulars of the nature and extent of the respective portfolios and matters investigated is contained in the Divisional and Unit Reports contained herein.

STATISTICAL PERFORMANCE – MATTERS INVESTIGATED

Contract, Procurement & Corruption Investigation (CPCI) Unit

During the 2020/2021 financial year, investigations were initiated into twenty-four (24) matters. The matters related to, *inter alia*, (a) allegations of impropriety in the award of GOJ contracts, (b) allegations of abuse and misuse of public funds, (c) allegations of conflict of interest and nepotism in the award and implementation of Government of Jamaica (GoJ) contracts, (d) allegations of corruption and breaches of the Corruption Prevention Act (e) breaches of the GoJ procurement procedure, the Public Bodies Management and Accountability Act and the Financial Administration and Audit Act and other Financial Irregularities in the implementation and administration of GOJ

contracts by Public Bodies; (f) allegations of conflicts of interest, and corruption involving GOJ Board Directors (e) allegations of corruption in the award of GOJ contracts, and impropriety in the management and governance of Public Bodies.

The investigations were launched by the Director of Investigation, pursuant to Section 33 of the Integrity Commission Act, 2017. All twenty-four (24) investigations which commenced during the reporting period are on-going and are at varying stages of the investigative process.

The following Chart indicates the investigations which were completed and tabled in the Houses of Parliament during the reporting period:

No.	Investigation	Commencement Date	Date of Completion ¹
	Report No. 1 Special Report of Investigation Conducted Into Allegations of Acts of Irregularity and/or Impropriety, Conflict of Interest, Corruption, Nepotism, Cronyism and Favouritism at Petrojam Limited	June 26, 2018	June 30, 2020
	Report No. 2 Special Report of Investigation Conducted Into Allegations Concerning Certain Donations which were made by Petrojam Limited to Organizations and Causes for the period April 2016 to March 2018	June 26, 2018	June 30, 2020
	Special Report of Investigation Conducted into Allegations Regarding Impropriety and Irregularity in the Signing of 'cheques' by Ms. Shernet Haughton in Relation to the Performance of a Contract Awarded to Mr. [BB], by the Hanover Parish Council	September 12, 2014	December 8, 2020
	Special Report of Investigation Concerning Allegations of Lack of Transparency and Fairness in the Issuance of Import Permits by the Ministry of Agriculture and Fisheries for the Importation of 'Chicken Backs and Chicken Necks'	March 6, 2015	December 8, 2020

¹ Reflects the date on which the report was tabled in the Houses of Parliament.

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A total of ten (10) other matters were referred to the Director of Corruption Prosecution by the Director of Investigation, pursuant to Section 54(3) (b) of the Integrity Commission Act.

Declarations And Financial Investigations Unit

The Declarations and Financial Investigations Unit conducts Financial and Non-Compliance Investigations, pursuant to Section 43 of the Integrity Commission Act and Section 14 of the

Corruption Prevention Act, into Statutory Declarations. During the period under review, the Unit had a total of five hundred and seventeen (517) Financial Investigation cases. Of this total, thirty-nine (39) were received during the reporting year and eight (8) cases were completed with no further action recommended.

The table below portrays the particulars of the financial investigations conducted over the period:

Employer	New Financial Investigation Cases 2020/21	Cases Closed 2020/21	Cases Referred to Director of Corruption Prosecution to date *	Cases Referred to Other Authority, Boards, Commissions to date	Financial Investigation Cases to Date
Caribbean Maritime University					2
Financial Investigations Division	1		2		43
Financial Services Commission					5
Housing Agency of Jamaica					2
Houses of Parliament	2	1			5
Island Traffic Authority			2		21
Jamaica Constabulary Force	6		3		111
Jamaica Customs Department	11	1	6		96
Jamaica Defence Force	2				7
Jamaica Urban Transit Company					11
Kingston & St Andrew Municipal Corporation			1		3
Manchester Municipal Corporation					2
Ministry of Transport and Work	2	1			8
National Health Fund			1		4
National Solid Waste Management Authority	1	1			4
National Works Agency	7	3	1		40

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Passport, Immigration and Citizenship Agency					21
Port Authority of Jamaica					9
Spectrum Management Authority					5
St Ann Municipal Corporation	4				6
Tax Administration Jamaica					20
Other Agencies	3	1			92
Total	39	8	16	-	517

* Seven (7) of the sixteen (16) cases referred to the Director of Corruption Prosecution were previously referred to the Director of Public Prosecution.

Non-Compliance Investigations

Section 33(1)(a) of the Integrity Commission Act, 2017, mandates the Director of Investigation to, among other things, investigate “*any allegation relating to non-compliance with the provisions of this Act.*” During the year under review, the Unit had a case load of five hundred and forty one

(541) persons who are not compliant in the filing of statutory declarations. Thirty-eight (38) of these investigations were completed and referred to the Director of Investigation. Of the thirty-eight (38) cases, thirty (30) cases were referred to the Director of Corruption Prosecution as illustrated in the Table below:

Employer	New Non-Compliant Declarants investigations 2020/21	Non-Compliance Investigations Completed 2020/21	Non-compliant Declarants Referred to Director of Corruption Prosecution 2020/21	Non-Compliant Declarant Investigation Cases to Date
South East Regional Health Authority	49	38	30	298
Jamaica Constabulary Force				243
Total	49	38	30	541

RECOMMENDATIONS FOR LEGISLATIVE AMENDMENTS AND BEST PRACTICES

Pursuant to Section 60(2) and Section 4 of the Second Schedule of the Integrity Commission Act, 2017, the Integrity Commission makes the following recommendations for amendments to Legislation and Best Practices:

Amendments To The Integrity Commission Act, 2017

1. Gifts to Parliamentarians/Public Officials from Relatives

It is recommended that Section 40(4) of the Integrity Commission Act be deleted. On the face of it, this sub-section can create a loop-hole, and is a potential corruption enabler. It is conceivable that a relative of a Parliamentarian or a Public Official could be used as a conduit for the exchange of an illicit benefit, designed to confer a benefit or an advantage to himself or another person.

2. Offence for misleading, obstructing or non-compliance with request from the Director of Investigation

Section 51 of the Integrity Commission Act empowers the Director of Investigation to be advised of matters relating to government contracts and prescribed licences. In doing so, the Director is entitled to be advised of, among other things, (i) the award, variation and termination of government contracts, (ii) to have access to documents and (iii) to have access to premises where work on a government contract has been, is being or is to be carried out.

Despite these vast powers, the Commission notes that unlike Section 43(1)(b) which creates an offence for failure to provide information required by the Director of Information and Complaints, there is no similar provision in law or sanction in relation to the Director of Investigation upon which he can rely in the execution of the functions under Section 51 of the Integrity Commission Act, 2017. The absence of such a provision restricts the dissuasive and timely remedies that should be available to the Director of Investigation having regard to the entitlements stated in the Integrity Commission Act, 2017.

It is, therefore, recommended that due consideration be given to the inclusion of an offence in circumstances where the work of the Director of Investigation, in accordance with Section 51, is (i) obstructed or hindered, (ii) where a person fails to comply with the Director's lawful requirement, and (iii) where a person willfully makes a false statement to mislead or misleads or attempts to mislead the Director of Investigation or any other person in the execution of his function under the Integrity Commission Act, 2017.

3. Authority To Comment On Investigation

With respect to Section 53(3) which addresses confidentiality regarding all matters under investigation, it is recommended that the Commission be vested with the authority to comment on the initiation of investigations and on aspects of an on-going investigation as deemed necessary and appropriate.

4. Action Of The Commission Not Void For Want Of Form

The Integrity Commission Act has repealed Section 22 of the Contractor-General Act and no subsequent and equal provision has been provided. Given the complexity and variety of matters being treated with by the Commission, it is recommended that the Act be amended to include the provision that the proceedings of the Commission and/or a Director shall not be rendered void for want of form.

Amendments to Other Legislation

5. Public Procurement Act

The Public Procurement Act be amended to explicitly require de-certification, debarment/suspension and cross-debarment of government contractors who engage in, and/or are convicted of fraudulent practices or who consistently fail to perform their contracts to the required standard.

6. Public Procurement Act

The Public Procurement Act 2015, as amended, was brought into force April 1, 2019. The Commission recognizes that the Act which has been amended and the various Regulations thereto, need to be consolidated in order to provide ease of reference and clarity as to the procedures and requirements in relation to public procurement. It is also recommended that a new procedural handbook be issued which would reflect the current requirements of the Act, Regulation and Orders.

7. Evidence Act

Section 31G of the Evidence Act deals with the admissibility of computer

generated evidence, which requires that direct evidence, whether oral or by the tendering of a certificate, be presented to show that each device responsible for the production of the document being tendered is reliable. This represents a departure from the common law presumption that, in the absence of evidence to the contrary, the relevant mechanical instruments were in proper working order at the material time. This will ultimately result in the exclusion of relevant, probative evidence, where the device in question cannot be located or otherwise accounted for. It is therefore recommended that Section 31G of the Evidence Act be repealed or alternatively, that the common law presumption be codified in statute.

8. Witnesses' Expenses Act

The schedule of rates in the Witnesses' Expenses Act should be updated in order to facilitate Sub-Sections 50(1) and 50(2) of the Integrity Commission Act in relation to the reimbursement of witness expenses. The schedule of rates is wholly outdated and does not reflect expenses reasonably incurred by a witness who is required to attend and/or give evidence to the Integrity Commission.

9. Interception of Communications Act

Notwithstanding Section 48(4) of the Integrity Commission Act, 2017, it is desirous that the Integrity Commission be named a designated person to whom communication data may be disclosed by a telecommunications provider, in instances where there are reasonable grounds for believing that the subscriber to the telecommunications service is the subject of an investigation in connection with an offence. It is recommended,

therefore, that the Integrity Commission is included as a designated person, pursuant to Section 16 of the Interception of Communications Act, who may require data for the purpose of investigating a person suspected of committing an offence under the Integrity Commission Act and/or the Corruption Prevention Act.

10. Committal Proceedings Act

It is recommended that Section 6(2)(a) of the Committal Proceedings Act be amended to indicate that where a statement has been recorded by an Investigating Officer of the Integrity Commission, the requirements for the admissibility of the written statement in Section 6(2)(a) has been satisfied. There are offences in the Corruption Prevention Act which are indictable offences triable in the Circuit Court and in order to advance the investigation and prosecution of matters, the Integrity Commission should be permitted to collect and rely on statements which would readily meet the requirements under the Committal Proceedings Act.

Best Practices

The Commission recommends the implementation of visible, measurable, comprehensive and effective institutional best-practice arrangements for combating corruption and bribery.

11. Adoption of ISO-37001 Anti-Bribery Management Systems

It is recommended that the private and the public sectors give due consideration to the adoption of the ISO-37001 Management System/Standard with a view to:

- (a) Instilling an anti-bribery culture within organisations;
- (b) Implementing anti-bribery systems and controls.

The adoption of the standard will complement or be complementary to any proposed anti-bribery legislation which might be considered.

12. Formalization and Improvement of Land Divestment Practices

Having reviewed several Land Divestment processes, the Licence, Assets, Divestment and Acquisition (LADA) Unit recognizes the need for clear instructions to be provided within the Policy Manual to address the tender process stage to include guidance regarding:

- a. The information to be included in Requests for Offer to Purchase or Lease (RFOLP) and Request for Proposals (RFP);
- b. The need for all bids to be subjected to a Public Opening (Tender Opening Ceremony) Procedure which ought to be followed in respect of Bid opening exercises;
- c. A standardized format for the preparation of the Bid Evaluation Reports, whilst stipulating the minimum information to be included in the Evaluation Report.

Whereas it is noted that the current Policy Framework and Procedures Manual for the Divestment of Government-Owned Lands, 2015

applies specifically to Crown Lands and that other Public Bodies should be guided by the Policy, it is strongly recommended that the Policy Framework be segmented to include a specific section which addresses the general divestment procedures to be adhered to Public Bodies. In its existing form, the Policy Framework does not provide clear guidance where the lands being divested are not Crown Lands and the existing ambiguity makes the governance of the divestment process difficult and serves as a corruption enabling facility.

13. Implementation of Anti-Bribery Legislation

It is recommended that consideration be given to the Government of Jamaica adopting legislation similar to the United Kingdom's Bribery Act, 2010. In this regard, it is suggested that a strict liability offence is created for failure of a commercial organization to take the necessary preventative steps to guard against bribery involving its officials or any party acting on its behalf, in relation to bribery matters. This would result in tough and dissuasive criminal and civil sanctions being imposed upon private sector entities for the bribery of public officials and/or any other person.

14. Structured Anti-Corruption Training for Public Officials

The GOJ, in collaboration with the Integrity Commission, is encouraged to develop an education program and a standard code of ethics, to be applied across all holders of any public office. This program and code of ethics should form a mandatory component for employment and should be developed and deployed in such a way which requires a mandatory two- to three-hour

ethics, public trust, and anti-corruption course to be taken by all employees and supplemented with annual follow-up refresher courses.

15. The Commission recommends the implementation of visible, measurable, comprehensive and effective institutional best-practice arrangements for combating corruption and bribery.

16. Regulating The Transition Of Senior Public Officials Into Private Employment

It is suggested that very senior officials holding posts in MDAs be restricted for a period after leaving the government, from receiving compensation or making representations or advocacy contacts on any matter before their former MDAs, or to any person in an executive level position with the government. The following are recommended prohibitions:

"Procurement personnel" in government MDAs should not only be limited in their post-employment representational, lobbying, or advocacy activities on behalf of private entities after leaving government service, but they should also be prohibited from receiving compensation from certain private contractors for a period of time after being responsible for procurement action on certain large contracts as government officials. Procurement personnel also have additional rules on reporting "contracts" from prospective employers who are government contractors.

"Senior officials and employees of the Bank of Jamaica and/or other government banking agency": those who are involved in bank regulations, examinations or inspections, are restricted from any compensated employment with those private

depository institutions for a period of one year after leaving government service.

Employees who served for at least two months during their last year of government service as “the senior examiner (or a functionally equivalent position),” and who exercised “continuing, broad responsibility for the examination (or inspection)” of a depository institution or depository institution holding company: These former employees are barred for one year from receiving any compensation as an “employee, officer, director, or consultant” from the depository institution, the depository institution holding company that controls such depository institution, or any other company that controls the depository institution, or from the depository institution holding company or any depository institution that is controlled by that the depository institution holding company.

“Senior level employees”: The suggestion is for a one-year “no contact” or “cooling off” period for “senior” level employees in the executive branch of MDAs, whereby such former employees may not make advocacy contacts or representations to (that is, communications with “intent to influence”), or any appearance before officers or employees of their former MDAs, for one year after such senior level employees leave those MDAs. “Senior” level officers or employees of the executive branch include persons paid on the Executive Schedule.

Recommendations Arising From Completed Reports Of Investigations

During the course of the financial year the Director of Investigation made several recommendations in keeping with Section 54 of the Integrity Commission Act and anti-corruption initiatives geared at improving public procurement and contract administration as well as improving systems of governance and eradicating corruption enabling facilities.

The following recommendations were made to the Director of Corruption Prosecution, pursuant to Section 54 (3) (b) of the Integrity Commission Act, for a determination to be made in relation to the following matters:

- a) Whether Dr. Andrew Wheatley, MP, was dishonest in his representations concerning Ms. Sophia Deer and whether he sought to mislead and did mislead the Director of Investigation contrary to Section 48 (3) of the Integrity Commission Act, Section 11E of the Commission of Enquiry Act and Section 4 of the Perjury Act.
- b) Whether Dr. Perceval Bahado-Singh, former Board Chairman, Petrojam Limited, acted dishonestly in his representations and submissions to Petrojam Limited for reimbursement of travel expenditure and whether said actions gives rise to a breach of duty, misconduct in public office, the offence of fraud pursuant to Section 27 of the Larceny Act and an act of corruption pursuant to Section 14 of the Corruption Prevention Act.
- c) Whether Mr. Floyd Grindley, former General Manager, Petrojam Limited, by his act of authorizing reimbursements to Dr. Perceval Bahado-Singh in several

instances which (a) contravened the Sections 17, 19(c) and 20 of the FAA Act and (b) which were devoid of adequate due diligence, amounts to a misuse of public office, misuse of public funds and a breach of duty.

- d) Whether the actions of Mrs. Yolande Ramharrack, former Human Resource Manager, Petrojam Limited, Mrs. Ronique Budram-Ford, Former Procurement Unit Head, Petrojam Limited, and Mr. Floyd Grindley, in the hosting of birthday parties for Dr. Andrew Wheatley, MP, Former Minister of Energy and Mining and Dr. Perceval Bahado-Singh, amounts to a breach of duty, misuse of public office, misuse of public funds and a conspiracy to defraud Petrojam Limited and by extension, the Government of Jamaica.
- e) Whether the actions of Mrs. Yolande Ramharrack, Mrs. Ronique Budram-Ford and Mr. Floyd Grindley, in preparing and/or endorsing the Bid Evaluation Approval Control Sheet and Purchase Order dated October 30, 2017 relating to a pre-strategic planning retreat meeting gives rise to an act of forgery contrary to Section 3 (1) of the Forgery Act and Section 8 of the Perjury Act.
- f) Whether the actions of Mrs. Yolande Ramharrack, in the employment of her brother, Mr. Clayton Smith to Petrojam Limited, amounted to an explicit act of nepotism which constitutes the common law offence of misconduct in public office, a breach of public trust and a breach of Section 14 of the Corruption Prevention Act.
- g) Whether the failure of Mr. Floyd Grindley, Mrs. Ronique Budram-Ford and Mrs. Yolande Ramharrack to submit statutory declarations for the financial

year 2017/2018 amounts to a breach of Section 4 of the Corruption Prevention Act and Section 39 of the Integrity Commission Act.

- h) Whether the failure of Mr. Grindley to comply with the Director of Investigation's statutory requisition amounts to a breach of Section 48(3) of the Integrity Commission Act.

The following recommendations and anti-corruption initiatives were also made:

- i. In accordance with Section 25 of the Public Bodies Management and Accountability Act, recommendations were made to the Attorney-General for a determination as to whether Dr. Bahado-Singh contravened Section 17 of the Public Bodies Management and Accountability Act when he acted dishonestly in claiming for travel expenses from Petrojam Limited knowing that such expenses were not for bona fide business meetings. The Director of Investigation opined that Dr. Bahado-Singh having refunded the funds in question, did not disavow the fact that there was a breach of his duty of care, but had in actuality, acknowledged his willful breach.
- ii. The Director of Investigation recommended that Petrojam Limited refrain from employing persons who do not meet the minimum academic and professional qualifications and experience required to adequately execute job functions. It was also recommended that Petrojam Limited excise from its unconventional practice, the waiving of the required probationary period for newly recruited employees.
- iii. The Director of Investigation recommended that the Ministry of Science, Energy and Technology,



Petroleum Corporation of Jamaica and Petrojam Limited, ensure that its public officials are made aware of the requirements in relation to identifying and disclosing conflicts of interest, and that reasonable steps are taken to ensure the enforcement of this requirement.

- iv. It was recommended that a review be undertaken by the Ministry of Finance and the Public Service of Circular No 21 “Revised Procedures for Official Overseas Travel”; and in particular the definition ascribed to ‘Overseas Travel’. In this regard, overseas travel is defined as travel for official purpose from Jamaica to another country. It was observed that there is a lacuna in relation to travel from countries other than Jamaica to other countries for company related business.
- v. It was strongly recommended that the Accounting and Accountable Officers of Petrojam Limited ensure that adequate systems of due diligence and checks

and balances are developed and/or aggressively enforced, in relation to the review and reimbursement of travel related expenditure.

- vi. The Director of Investigation recommended that the Ministry of Agriculture and Fisheries (MoAF) discontinue with immediate effect the current discriminatory process utilised to issue permits to applicants on the basis of prior importation history. It was strongly recommended that the MoAF develop a formal policy that will ensure transparency and accountability in the receipt and processing of applications, as well as, merit and integrity in the issuance of permits/licences for the importation of all animal products. It was also recommended that the MoAF, and by extension, the Government of Jamaica develop the necessary administrative structures that will facilitate an equitable process for all applicants who apply for permits for the importation of chicken products.

THE NATURE AND EXTENT OF INFORMATION SHARED WITH THE SECURITY FORCES/PUBLIC BODIES

During the period under review, requests for information were received from one (1) Competent Authority, the Financial Investigations Division (FID). The Integrity Commission received three (3) requests from the Financial Investigations Division of the Ministry of Finance and the Public Service. These requests required the Commission to disclose details of statutory declarations submitted by specific Public Officials, along with all supporting documents, as well as the

particulars of any investigation conducted in relation to any of the specified declarants.

The Integrity Commission complied with the requests received from the Competent Authority, where the requested information was in its possession.

'Any serious effort to combat corruption must start with the realization that we're together in this war; we will all rise or fall together'

Anonymous

NUMBER OF MATTERS INVESTIGATED WHICH HAVE RESULTED IN PROSECUTIONS AND/OR DISCIPLINARY ACTION

The Corruption Prosecution Division (CPD), as part of its mandate, has responsibility for determining at the conclusion of an investigation so referred, what criminal charges, if any, may be brought against an individual or individuals, who have been deemed to have committed an act of corruption on the evidence made available, being an offence arising under the common law or any enactment.

For the reporting period, ten (10) Special Reports of Investigations were submitted to the

CPD for ruling from the Investigation Division, in addition to forty-six (46) Financial Investigation matters. From the Information and Complaints Division (I&C) thirty-three (33) public servants were referred to the CPD during the period, for various Statutory Declaration Breaches. In twenty-four (24) of those matters, it was determined that a Notice to Discharge Liability of the offences identified should be issued to those declarants, and for reporting purposes, this is referenced as a disciplinary measure.

MATTERS REFERRED TO THE CORRUPTION PROSECUTION DIVISION FOR THE PERIOD ENDING MARCH 31, 2021

TYPES OF REFERRAL	NO. OF MATTERS REFERRED	NO. OF MATTERS RULED FOR CHARGES TO BE LAID	NO. OF MATTERS RULED FOR NO CHARGES TO BE LAID	NO. OF MATTERS FOR DISCIPLINARY ACTION (DISCHARGE NOTICE)	NO. OF MATTERS WHERE ADDITIONAL INFORMATION REQUIRED	NO. OF MATTERS UNDER REVIEW AT CLOSE OF PERIOD
Special Reports of Investigations	10	0	2	N/A	1	7
Financial Investigation Referrals	46	3*	12	N/A	0	31
Statutory Declaration Breaches referred from the I&C Division	33	0	0	24	3	6
TOTAL:	89	3	14	24	4	44

*Of the three (3) matters ruled for charges to be laid, summonses were prepared and issued for service in two (2) of the matters, for the accused person to attend court at a date beyond the close of the reporting period.

GENERAL DESCRIPTION OF ACTIVITIES IN RELATION TO THE COMMISSION'S FUNCTIONS

Section 6 of the Integrity Commission Act outlines approximately sixteen functions of the Commission in relation to the detection, investigation and prosecution of acts of corruption. The referenced section also details numerous preventative tasks related to education, outreach, and informing policy direction, amongst other things, which the Commission is tasked to undertake. Detailed overleaf are particulars of the performance of certain of these key functions of the Commission during the reporting period.

INFORMATION AND COMPLAINTS DIVISION

Section 32(1) of the Integrity Commission Act, 2017, sets out the functions of the Director of Information and Complaints, who heads the Information and Complaints Division of the Integrity Commission. The referenced section provides that:

“The Director of Information and Complaints shall –

a) receive, keep on record and examine all statutory declarations filed with the Commission;

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

c) 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 the Act;

d) refer to the appropriate Director, any complaint or information or notification received under paragraph (c), or any other matter, which he considers appropriate for action;

e) submit to the Executive Director, Quarterly reports on the activities of the Division; and

f) perform such other functions as may be assigned to him by or under this Act or any other enactment.”

The Information and Complaints Committee

Pursuant to Section 25 of the Integrity Commission Act, 2017, a Committee of this Division was established. The Committee is comprised of three (3) members of the Commission; Pamela Monroe-Ellis (Chair), Justice (Ret'd) Seymour Panton, Eric Crawford and the Director of Information and Complaints, Craig Beresford.

The Terms of Reference of the Committee are to:

(a) review complaints regarding allegations of impropriety as well as non-compliance with any provision of the Integrity Commission Act, 2017;

(b) advise the Commission on matters of concern that it considers of significance and that should be referred to the Director of Investigations; and

(c) review the summary of statutory declarations made by the Prime Minister and Leader of the Opposition, that is to be gazetted and published.

Information and Complaints Committee Meetings

For the period under review, fourteen (14) committee meetings were held, where important matters were considered and discussed. Some of the matters discussed were:

- a. Electronic filing of Statutory Declarations;
- b. Progress being made on the Data Entry Project;
- c. Complaints Assessment Reports for referral;
- d. Strengthening of the financial analysis, declarations and complaints processes;



- e. Weaknesses in the Act, which necessitates urgent amendments; and
- f. Certification of Statutory Declarations, Net Worth Statements, and resultant breaches of the Act, as well as potential cases of illicit enrichment for further and necessary action.

Organisational Structure of the Information and Complaints Division

The Appointment of a Director of Information and Complaints

The Director of Information and Complaints, Craig Beresford, was appointed by the Governor General on Tuesday, July 14th, 2020.

Staff Structure of the Information and Complaints Division

The Information and Complaints Division is comprised of the following units:

1. The Office of the Director of Information and Complaints;
2. Complaints and Protected Disclosures;
3. Statutory Declarations; and
4. Financial Analysis.

At the end of the Financial Year 2020/2021, the Information and Complaints Division had a total staff complement of Twenty-Seven (27) employees, including thirteen (13) temporary Data Entry Officers hired under the Division's Data Entry Project.

The Table below shows the positions within the Information and Complaints Division, and details the status of each position:

Office of the Director of Information and Complaints	Complaints and Protected Disclosures Unit	Declarations Unit	Financial Analysis Unit
Director of Information and Complaints (1 Filled)	Manager of Complaints and Protected Disclosures (1 Filled)	Manager of Declarations (1 Filled)	Manager of Financial Analysis (1 Filled)
Reporting and Compliance Officer (1 Filled)	Senior Complaints Review Officer [1 Vacant]	Senior Declaration Verification Officer [1 Vacant]	Senior Financial Analyst (1 Filled) [1 Vacant]
Administrative Assistant to the Director of Information and Complaints (1 Filled)	Complaints Review Officer [3 Vacant]	Declaration Verification Officer (2 Filled) [1 Vacant]	Financial Analyst (2 Filled) [4 Vacant]
Administrative Assistant to the Division [1 Vacant]		Data Verification Officer (2 Filled) [1 Vacant]	
		Registry Officer (1 Filled)	
		Data Entry Project Initiative – Temporary Data Entry Officers (13 Filled)	

The Division, therefore, operated at fifty-six percent (56%) of its human resource capacity, excluding data entry staff who are engaged for the purpose of executing the Data Entry Project.

Information and Complaints Division's Objectives

The Director of Information and Complaints established five (5) broad objectives with the aim to strengthen the Division's core functions. The Division, throughout the Financial Year 2020/2021, pursued the following areas of focus with a reformation agenda:

- (a) Implementation of the Electronic Declarations System (eDS) to allow for ease of submission on the part of Public Officials and to facilitate a more efficient and effective means of examining Statutory Declarations;
- (b) Achievement of a 100% compliance rate with respect to the submission of Statutory Declarations, by using a dual-pronged approach of engagement and enforcement;
- (c) Implementation of a mechanism which utilises technology to analyse 100% of Statutory Declarations received from Public Officials;
- (d) Revision of methodologies, approaches, processes and systems to ensure that 100% of the illicit enrichment cases identified are referred; and
- (e) Establishment of a robust mechanism to report corruption, fully operationalising the Protected Disclosures Act, 2011 and creating an environment where complainants feel free to report contravention of the Integrity Commission Act, 2017.

Highlights of Major Initiatives

Regulations – Amendment to the Third Schedule of the Integrity Commission Act, 2017

Section 64 of the Integrity Commission Act, 2017, states, *inter alia*, that the Commission may make regulations to amend the Third Schedule, for which *"...Regulations made... shall be subject to affirmative resolution"*

The primary objective of preparing the draft regulations for the Third Schedule is to strengthen the Commission's analysis process, clarify certain ambiguous sections and to incorporate feedback received from Declarants over the years.

The Third Schedule was also amended to provide for the electronic submission of statutory declarations by Parliamentarians and Public Officials (Declarants).

The Third Schedule is the Commission's primary data collection tool which aids with the determination of a Declarant's Net Worth; to ensure that any growth in assets are sufficiently supported by legitimate income.

The legitimacy of the assets and income declared by Declarants must be validated by the Commission's research and Third Party verification processes, in the first instance, to ensure that there is no concealment of material information.

In effect, the true and complete disclosures made by Declarants, coupled with the Commission's research and Third Party verifications, will inform its analysis and consequent findings.

Succinctly put, the Commission must ensure there is no Illicit Enrichment, prior to certifying a Statutory Declaration.

Some of the recommended inclusions are, disclosure of other financial assets, such as cryptocurrency and digital currency, financial statements for any company of which the declarant is a beneficial owner, cost of property improvements, trust property and blind trusts, Government contracts or subcontracts, Board memberships and whether the declarant is a politically exposed person.

As at the time of preparing this Report, the matter was being considered by The Cabinet.

Partnership and Relationship Building – Public Bodies

The Division focussed on the root cause of non-compliance that the Integrity Commission has been challenged with since its inception. The initiative was

geared towards educating and establishing partnerships with key stakeholders.

Under the Partnership and Relationship Building Initiative, the Management Team met with Public Bodies, the engagements were geared towards informing them how they can assist the Division in fulfilling its mandate, as well as sensitizing them about their obligations pursuant to the Integrity Commission Act, 2017 and the Protected Disclosures Act, 2011.

During the Financial Year 2020/2021, the Division engaged eighty (80) of the one hundred and ninety (190) Public Bodies.

Partnership and Relationship Building is now at the core of every activity that the Division undertakes.

2020 Gazette - Positions and functions required to file a Statutory Declaration

The Division undertook a review of the 2019 Gazette and the recommendations below formed the changes made to the 2020 Gazette:

- Board Members and Commissioners were removed, given the definition of a Public Official in keeping with the Integrity Commission Act, 2017. The decision to remove the named categories was also informed by an opinion from the Solicitor General;
- All Staff of the Integrity Commission are required to file a statutory declaration;
- All Staff of the Major Organised Crime Agency are required to file a statutory declaration;
- All Principals of Public Educational Institutions are required to file a statutory declaration; and
- Internal Auditor was added for clarity.

In preparing the 2021 Gazette, a more comprehensive and methodical risk-based review process will be undertaken which will inform the development of a comprehensive list of positions

based upon the functions of the public body and its organizational structure.

Engagement of Third-Party Entities

The Division engaged several public and private sector entities under its third-party verification initiative. The engagements were geared towards establishing relationships with entities that have pertinent information required by the Division to improve its third-party verification process and widen the scope of information available to conduct more detailed scrutiny in the analysis process. The Division also broadened its information gathering to other jurisdictions.

Electronic Declaration System (eDS)

The Division worked with the Commission's Information Systems Department to advance the development of the Electronic Declarations System (eDS). The eDS will facilitate the following:

- i. The submission of electronic Statutory Declarations by declarants;
- ii. Electronic receipting for Statutory Declarations;
- iii. The submission of Declarants' Lists by Public Bodies;
- iv. Validation of data received using approved Government database;
- v. Interface with in-house assessment applications;
- vi. The computation of statistical reports;
- vii. The provision of quality reports for the personal use of declarants; and
- viii. Agile communication with declarants and approved designated officers within MDAs.

It is anticipated that the eDS will be launched for the 2021 statutory declaration intake.

Instructions for Filing a Statutory Declaration and Sample Statutory Declaration Form

The Division developed an Instruction document to guide declarants through the process of completing a Statutory Declaration Form. A sample Statutory Declaration Form was also developed for ease of



reference. The Instruction and Sample Statutory Declaration Form were developed to aid in the submission of properly completed Statutory Declarations and to ensure that all the relevant information is included to facilitate the examination and analysis processes.

The Instructions for Filing a Statutory Declaration as well as the sample Statutory Declaration Form have been uploaded to the Integrity Commission's Website to facilitate public access.

Revamping of the Division's Business Processes

The Division revamped the entire business processes for its Units, during the second quarter of the financial year 2020/2021. The enhanced

processes were fully implemented by the third quarter of 2020/2021, and will ensure that the most robust approach is adopted for the discharge of its mandate. All processes have been codified and will serve to guide staff members, as well as form the basis for continuous improvement.

Information and Complaints Division Referrals

Referrals are made by the Director of Information and Complaints pursuant to Sections 38 and 43 of the Integrity Commission Act, 2017, and Sections 14 and 15 of the Corruption Prevention Act, 2001.

During the reporting period, the following referrals were made:

Complaints and Protected Disclosure Referred to the Investigation Division for the Financial Year 2020/2021

Allegation	Referrals
Reports on Allegations of Conflict of Interest, Corruption, Fraud, Impropriety, Contracts and Procurement Breaches – Pursuant to Section 38 of the Integrity Commission, 2017.	42
Protected Disclosures Act, 2011	1

Offences under the Integrity Commission Act, 2017 and the Corruption Prevention Act, 2001 for the Financial Year 2020/2021

Offences	Parliamentarians	Public Officials
Failure to file a Statutory Declaration - Section 43 (1)(a) of the Integrity Commission, 2017:		
30 Day - Statutory Notice	25	355
Discharge of Liability	-	27
Prosecution	-	-
Failure to provide Information – Section 43 (1)(b) of the Integrity Commission Act, 2017:		
Discharge of Liability	5	-
Prosecution	-	-
Providing False Information – Section 43(2)(a) of the Integrity Commission Act, 2017 and Section 15(2) (b) of the Corruption Prevention Act, 2001:		
Prosecution	2	6
Illicit Enrichment – Section 14 of the Corruption Prevention Act, 2001:		
Investigation	2	6
Other Referral – Revenue Protection Division	-	1

Thirty-two (32) Declarants were offered the opportunity to Discharge Liability for non-compliance; Fine valued at \$8,000,000.00.



COMPLAINTS AND PROTECTED DISCLOSURES

Sections 32(1)(c) of the Integrity Commission Act, 2017 sets out the function of receiving complaints or information on matters which involve or may involve an act of corruption or non-compliance with the provisions of the Act.

Management of Complaints

For the period under review, ninety-one (91) complaints were received. These came through various media such as: the Commission's web

portals, by letters, via telephone calls, emails, walk-ins, and courier service. The Division also established a system for the review of media information and other 'intelligence' which may prompt a referral for investigation.

The complaints and information received by the Division are classified in the Table below:

Complaints	Number of Complaints Received/ Initiated by the Director	Number of Complaints Processed	Number of Complainants Supplied with Records of Complaint	Number of Anonymous Complaints	Number of Complaints Not in the jurisdiction of the Integrity Commission	Number of Referrals
Classification of Allegations:						
Conflict of Interest	6	6	1	5		6
Contracts and Procurement Breach	13	13	7	6	1	12
Corruption/Fraud	16	16	11	5	2	14
Court Proceedings	7	7	7	-	7	
Impropriety/Irregularity	16	16	6	10	6	10
Protected Disclosures	5	5	4 ²	-	-	1
Other Complaints	28	28	24	4	28	
Total	91	91	60	30	43	43

² The Integrity Commission was unable to supply an individual with a record of the Disclosure made pursuant to the Protected Disclosures Act, 2011 because the Commission had no channel of communication.

The complaints and information received by the Division that were not corruption related matters are classified as other complaints. For the matters reported that were not within the Jurisdiction of the Integrity Commission, the complainants were encouraged to report such matters to the relevant authority. The Division was in receipt of thirty (30) anonymous complaints for the period.

Processing of Complaints

The average time taken to process a complaint is dependent on the information presented to the Integrity Commission. Information received is sometimes vague and necessitates further verification to validate its authenticity, in order to determine the required steps and actions necessary to resolve such matters.

On average, the process of receiving, logging, acknowledging, assessing, reviewing and referring a complaint can take approximately five (5) to twenty (20) business days.

Referrals

Following the assessment of the complaints, and on the approval by the Director of Information and Complaints, the matters are referred to the Director of Investigation for action pursuant to Section 38(1)(c) of the Integrity Commission Act, 2017. For the period under review, forty three (43) matters were referred to the Director of Investigation.

The Protected Disclosures Act, 2011

For the period under review, five (5) matters relevant to the Protected Disclosures Act, 2011, were received by the Integrity Commission. These matters

were reviewed and assessed; one which was considered to be multi-faceted was referred to the Director of Investigation.

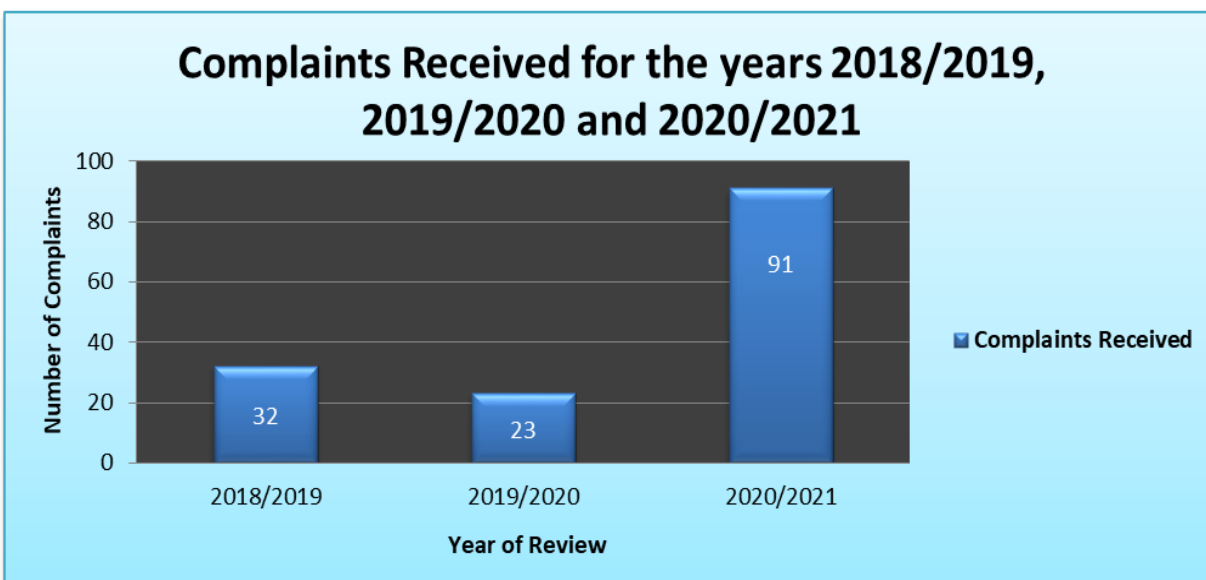
Four (4) of the Protected Disclosures received during the period have not yet been referred.

In accordance with the Jamaica Gazette dated Monday, January 25, 2021, the Integrity Commission was named by the Minister of Justice as the Designated Authority with respect to the Protected Disclosures Act, 2011.

The Information and Complaints Division made the Protected Disclosures Act, 2011 a point of focus throughout the period, by sensitising a small section of its wider stakeholders, Public Bodies, of their responsibility under this legislation.

The Protected Disclosures Work Programme is in the development stage; this Work Programme will include the launch of the Protected Disclosures Public Relations Campaign in the Financial Year 2021/2022. The Protected Disclosures Public Relations Campaign will be geared towards educating Jamaicans about the responsibility of all organisations to establish Protected Disclosures Procedural Guidelines for distribution among their employees. This, in an effort to ensure that all employees understand the roles of their organisation, the assigned Designated Officer(s), the Integrity Commission as Designated Authority, Prescribed Persons in other entities and the rights of employees.

The Graph below represents a three year Comparison of Complaints received by the Integrity Commission:



Complaints and Protected Disclosures Initiatives

During the reporting period, the Division implemented several initiatives to strengthen the Complaints and Protected Disclosures processes.

Complaints Policy

The Integrity Commission's Complaints Policy was developed to provide the public with information regarding the management process for complaints received, the requirements of the Integrity Commission, and the responsibilities of Complainants pursuant to the Integrity Commission Act, 2017. The Integrity Commission's Complaints Policy was published in the media on November 15th, 2020 and is available on the Integrity Commission's website for public access.

Assessment of Complaints

An assessment process was established and operationalised for the management of complaints received by the Division. The assessment process is conducted prior to any complaint being referred to

the relevant Division and/or Competent Authority. The process entails a preliminary review of the allegation made to determine the nature of the Complaints, the responsible authority, the jurisdiction of the Integrity Commission and the legitimacy of the information reported to the Integrity Commission. The assessment process also includes an interview with the Complainant, if necessary.

Inter-Unit Protocols

An inter-unit protocol has been established between the Complaints and Protected Disclosures Unit and the Financial Analysis Unit in order to prompt the probing of declarants who are considered 'persons of interest' with respect to any complaint or information received by the Integrity Commission.

STATUTORY DECLARATIONS

Sections 32(1)(a) of the Integrity Commission Act, 2017 sets out the functions of receiving, recording and examining all Statutory Declarations which are filed with the Commission.

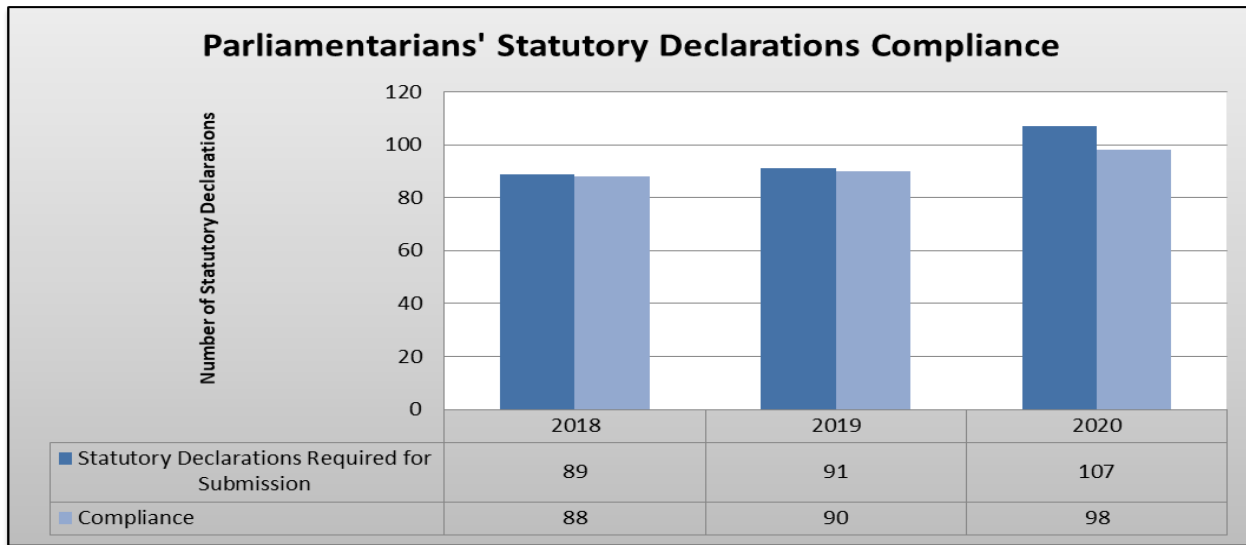


Parliamentarians

2020 Statutory Declarations Submission

Number of Statutory Declarations required for the year 2020	Number of Statutory Declarations received for the year 2020 as at March 31, 2021	Number of Statutory Declarations outstanding as at March 31, 2021
107	98	9

The Graph below shows Parliamentarians' compliance for the years 2018, 2019 and 2020:



Status of Statutory Declarations required for the year 2020

Declarants	Declaration Date	Deadline for Submission	Number of Statutory Declarations Due for the year 2020	Statutory Declarations Submitted	Late Submissions	Outstanding Statutory Declarations
New Members of Parliament (Elected on March 2, 2020)	March 2, 2020	June 30, 2020	1	1	1	0
Member of Parliament (Elected on September 3, 2020)	September 3, 2020	December 31, 2020	63	63	20	0
Members of the Senate (Appointed on September 15, 2020)	September 15, 2020	December 31, 2020	20	20	6	0
Member of the Senate (Appointed on December 18, 2020)	December 18, 2020	March 31, 2021	1	1	0	0
Former Member of Parliament (Loss of Election on September 3, 2020)	December 31, 2020	March 31, 2021	22	13	0	9
Total Statutory Declarations			107	98	27	9

Statutory Notices to Parliamentarians

During the period April 1, 2020 to March 31, 2021, twenty-six (26) Statutory Notices were sent to Parliamentarians for non-compliance with respect to the submission of Statutory Declarations as at September 2020. All Parliamentarians served with Statutory Notices submitted their Statutory Declarations within the thirty (30) day period of the Notice.

Of the nine (9) delinquent former Parliamentarians stated in the table above, eight (8) will be sent Statutory Notices. One former Parliamentarian informed the Commission of his COVID-19 positive status via email dated March 31, 2021, and indicated that the completed attached Statutory Declaration as at December 31, 2020, will be physically submitted to the Integrity Commission after his quarantine period.

Examination and Certification

Examination and Certification of Statutory Declarations undertaken in 2020/2021

Year of Review	Number of Statutory Declarations Examined for the period April 1, 2020 to March 31, 2021	Number of Statutory Declarations to be Examined as at March 31, 2021	Number of Statutory Declarations Certified for the period April 1, 2020 to March 31, 2021	Number of Statutory Declarations to be Certified as at March 31, 2021
2018	17	-	8	41
2019	90	-	19	71
2020	16	80	5	91

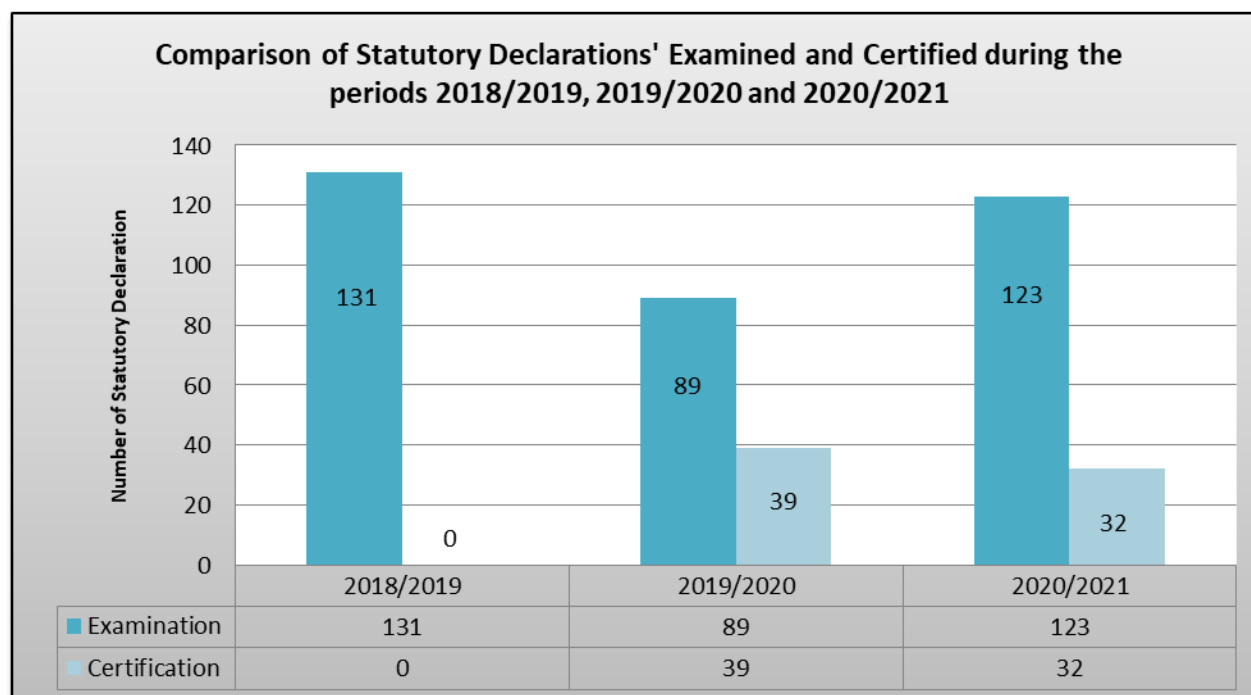
For the period under review, a total of One Hundred and Twenty-Three (123) Statutory Declarations received from Parliamentarians were examined, while Thirty-Two (32) Statutory Declarations were certified. The process of certifying Statutory Declarations commenced during the Financial Year 2019/2020 for all Statutory Declarations on or after the appointed date of the Integrity Commission Act, 2017.

Statutory Declarations Examined and Certified for the Financial Years 2018 – 2021

Year	Number of Statutory Declarations Examined	Number of Statutory Declarations Certified
2018/2019	131	0 ³
2019/2020	89	39
2020/2021	123	32

The Graph below shows the Comparison of Statutory Declarations examined and certified for the periods 2018/2019, 2019/2020 and 2020/2021:

³ Certification commenced during the year 2019/2020 for Statutory Declarations submitted subsequent to February 22, 2018, the appointment date of the Integrity Commission Act, 2017.



Public Officials

Total number of Statutory Declarations Received as at March 31, 2020 and March 31, 2021 for all required periods

Declaration Period	Number of Statutory Declarations received as at March 31, 2020	Number of Statutory Declarations received as at March 31, 2021	Statutory Declarations received during April 1, 2020 and March 31, 2021
Ended December 31, 2003 to 2017	254,095	255,240	1,145
Ended December 31, 2018	18,970	20,253	1,283
Ended December 31, 2019	13,498	20,187	6,689
Ended December 31, 2020	-	23,532	23,532
			Total number of Statutory Declarations
			32,649

For the period April 1, 2020 to March 31, 2021, the Division received thirty-two thousand, six hundred and forty-nine (32,649) statutory declarations spanning the years 2003 to 2020. Twenty-three thousand, five hundred and thirty-two (23,532) statutory declarations were received for the period ended December 31, 2020, whilst nine thousand, one hundred and seventeen (9,117) outstanding statutory declarations for prior periods were received during the year 2020/2021.

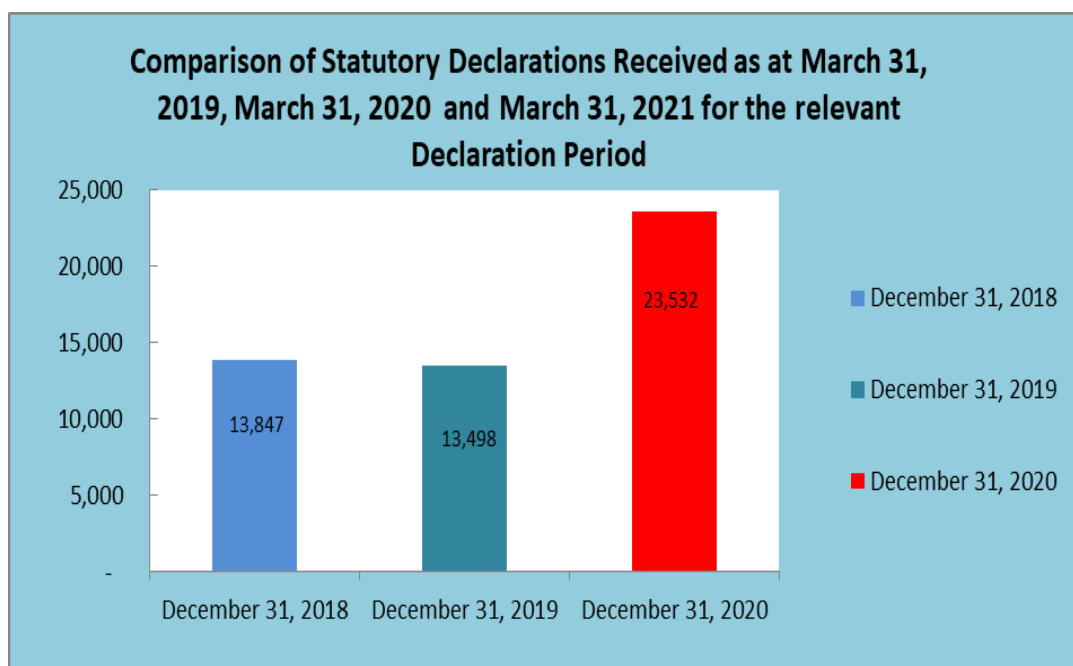
The ongoing COVID19 Pandemic caused the Division to decentralize its collection process for statutory declarations; secured boxes/large envelopes and security seals were distributed to Public Bodies. The initiative was geared towards ensuring compliance with the Disaster Risk Management Act, 2020 and preserving public health and safety.

The initiative could not have been undertaken without the kind assistance of the Cabinet Secretary, Permanent Secretaries and Heads of Entities, and

their Corporate Services, Internal Audit, Finance and Human Resources Departments.

All Public Bodies submitted their list of declarants for the years 2019 and 2020. This will now enable the Division to refer all outstanding declarants for prosecution in a timely and systematic manner, commencing June 2021.

There have been movements in the number of Statutory Declarations received for the respective declaration periods ended December 31, 2018, December 31, 2019 and December 31, 2020. Please see below:



At March 31, 2020, Statutory Declarations received for the year 2019 reflected a three percent (3%) decrease when compared to the number of statutory declarations received for 2018 as at March 31, 2019. Whilst, at March 31, 2021, a seventy-four percent (74%) increase was achieved regarding the number of statutory declarations received for December 31, 2020.

The marked increase could be attributed to the targeted public relations campaign, the partnership and relationship building initiative and the Zero Tolerance Policy, which were implemented during the period.

Compliance Rates

Though the number of statutory declarations received as at March 31, 2021 increased significantly over that of the prior period, the number of Statutory Declarations estimated⁴ for submission also increased for the period ended December 31, 2020.

The Table overleaf summarizes the compliance rates for the collection periods ended March 31, 2020 and March 31, 2021.

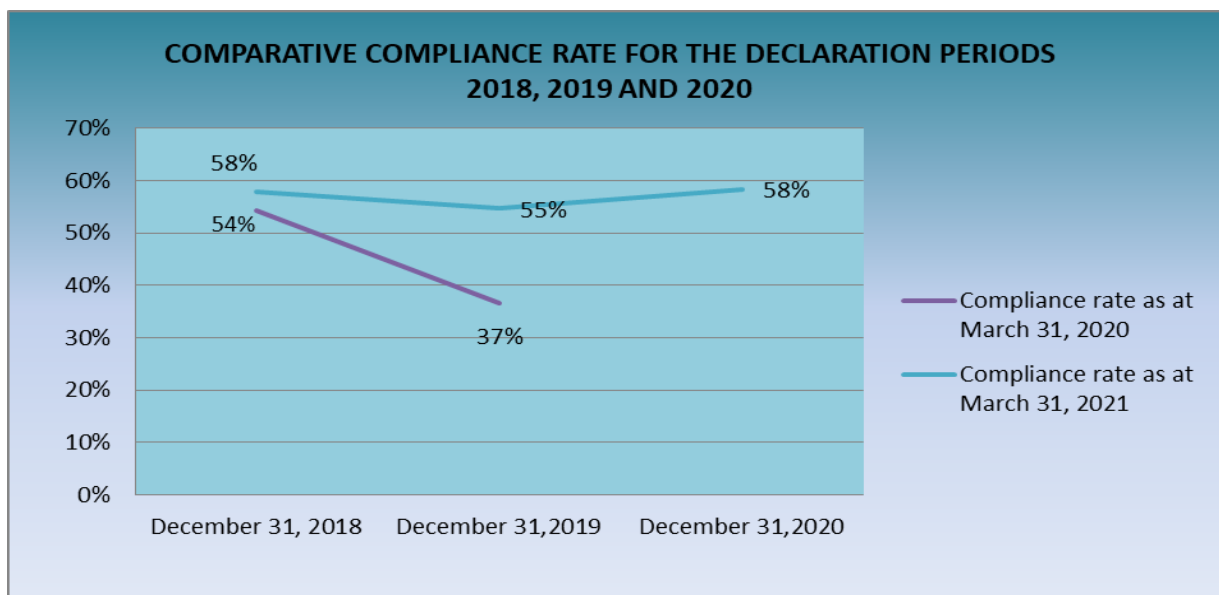
⁴ The estimated number of Statutory Declarations is based on the Declarant's List provided by Ministries, Departments and Agencies. All Declarants' Lists were received for 2019 & 2020. The estimate of 2018 figures is informed by the 2019 Declarant's List.

INTEGRITY COMMISSION



Declaration Period	Number of Statutory Declarations Required for Submission	Number of Statutory Declarations Received as at March 31, 2020	Number of Statutory Declarations Received as at March 31, 2021	Statutory Declarations received during period April 1, 2020 and March 31, 2021	Compliance Rate as at March 31, 2020	Compliance Rate as at March 31, 2021
Ended December 31, 2018	35,000	18,970	20,253	1,283	54%	58%
Ended December 31, 2019	36,919	13,498	20,187	6,689	37%	55%
Ended December 31, 2020	40,313	-	23,532	23,532		58%

Compliance rates, though modest, reflected an increase for all periods. The Graph below demonstrates the increase in compliance from the period ended March 31, 2020, when compared to March 31, 2021.



Compliance Rates for Public Officials

Compliance rates of Statutory Declarations for Public Officials were aggregated in varied leadership categories. The Table below represents the compliance rates of Public Officials:

Category of Public Officials	Number of Statutory Declarations required for submission for the period ended December 31, 2020	Statutory Declarations received as at March 31, 2021	Compliance Rate
Judiciary Officers	120	81	68%
Councillors	219	151	69%
Permanent Secretaries	15	11	73%
Heads of Entities	176	138	78%
Other Public Officials	39,761	23,136	58%



The above table demonstrates a commitment on the part of most public officials in leadership to comply with the requirement to submit statutory declarations. It should be noted that at the time of preparing this report, additional submissions were received from Public Officials in these categories which positively impacted the compliance rates.

The average compliance rate with respect to other public officials is fifty-eight percent (58%). However, there are Ministries, Departments and Agencies which have implemented campaigns and administrative processes that yielded positive results with respect to their compliance rates.

The Division will continue to requisition declarants, on an entity by entity basis, to comply with the requirement to submit all outstanding statutory declarations. The foregoing approach yielded a measure of result during the reporting period, and it is anticipated that with sensitization and continued strategic partnerships, compliance rates will improve.

Requisition for outstanding Statutory Declarations

The Division implemented its Zero Tolerance Policy with respect to non-compliance regarding Statutory Declarations. The Policy provided guidance consistent with the Integrity Commission Act, 2017,

in particular, with respect to measures for failure to submit a Statutory Declaration.

The Division applied varied methods to encourage compliance:

1. Two-week letters

Five hundred and nine (509) two week demand letters, were sent to declarants requiring the submission of outstanding statutory declaration.

2. 30-Day Statutory Notice

Three hundred and fifty-five (355) Statutory Notices were sent to declarants requesting that they submit their outstanding statutory declarations within thirty (30) days or face the possibility of prosecution.

3. Discharge of Liability

In approximately twenty-seven (27) instances, Notices for discharge of liability were prepared and served on Declarants for failure to provide a statutory declaration. These Notices offered Declarants the opportunity to discharge liability through the payment of a sum of two hundred and fifty thousand dollars (\$250,000.00), along with the submission of the outstanding statutory declaration(s) within the twenty-one (21) day notice period.

Compliance – Zero Tolerance Policy

Number of letters extending two-weeks for the submission of outstanding Statutory Declarations	Number of 30-Day Statutory Notice	Number of Referral for Discharge of Liability	Number of Discharge of Liability Issued
509	355	27	20



Data Entry Project

Under the Data Entry Project, the Information and Complaints Division recruited thirteen (13) persons as temporary Data Entry Officers in an effort to alleviate the backlog in the posting of Statutory Declarations to the Electronic Declaration System.

The Data Entry Projects' assumption is that the Data Entry Officers would have been posting consistently

throughout the year and the Electronic Declaration System would have been launched in the last quarter of 2020 to facilitate the submission of electronic statutory declarations for the 2020 Statutory Declarations Intake. However, both variables did not materialize.

Under this initiative, the Data Entry Officers have completed entries in the following areas:

(a) Personal Biographical Data Registration (Data Entry Project)

Number of Personal Biographical Data Registered for the period April 1 st , 2020 to March 31 st , 2021	Number of Registration Outstanding as at March 31 st , 2021
19,529	Nil

(b) Posting of Details from Statutory Declarations (Data Entry Project)

Number of Statutory Declarations Posted for the period April 1 st , 2020 to March 31 st , 2021	Number of Statutory Declarations Postings Outstanding as at March 31 st , 2021
29,985	107,015

Registration involves the entering of biographical data of declarants, recording the receipt of a Statutory Declaration, generating an electronic receipt and confirming the receipt of statutory declarations via email to the Declarant. Whilst, posting of a Statutory Declaration involves the entering of information provided in Sections 1 to 15 of a Statutory Declaration Form.

Registration is a short transaction which requires an estimated two minutes to be completed, while posting of details from statutory declarations takes substantively more time, and varies according to information provided on the Statutory Declaration Form.

With the support of the temporary Data Entry Officers, the Division completed registration of statutory declarations received for the 2019 Statutory Declaration period in the month of August 2020, and maintained timely registration throughout the reporting period.

Registration of Statutory Declarations received during the 2020 Statutory Declarations Intake period is slated for completion in May 2021.

Due to the COVID-19 pandemic, the Data Entry Project ceased in November 2020, and the Data Entry Officers were reassigned to provide support to the decentralized collection intake process for the 2020 Statutory Declarations.

The 2020 Statutory Declaration intake has increased the number of Statutory Declarations which will now require posting. Accordingly, the Data Entry Project will to be re-calibrated to facilitate the posting of all statutory declarations received by the Integrity Commission.

Examination

The recruitment of additional staff, development of the Electronic Declaration System and acquisition of analytical software have all substantively improved the Division's capacity to effectively examine



statutory declarations. The Division will commence the programme to assess and certify all statutory declarations received during the 2021/2022 financial year.

Requests for Status Letters

The Division received and processed two hundred and thirteen (213) requests for status letters during the period.

Statutory Declarations Initiatives

During the reporting period, the Division undertook several initiatives geared towards improving compliance as well as the Statutory Declarations operating processes.

2020 Statutory Declarations Intake

The Division decentralized the process of collecting Statutory Declarations for the period ended December 31st, 2020. January 5th, 2021 marked the beginning of the 2020 Statutory Declarations Intake period. Given the risks presented by the COVID-19 Pandemic, a decision was taken to decentralize the collection of Statutory Declarations.

Ministries, Departments and Agencies (MDAs) were sensitized by way of letter sent in November 2020 of the Integrity Commission's decision to decentralize the collection process and were informed of their roles in the process. In December 2020, MDAs were provided with further details regarding the precise collection modality which would be implemented regarding their organization based on the number of declarants required to submit Statutory Declarations.

The Division, in January 2021, successfully delivered customized envelopes, tamper proof seals, log sheets and sealed containers to collection points established throughout MDAs island-wide.

Declarants were duly notified of the Integrity Commission's decentralized collection approach through the public relations campaign undertaken by the Jamaica Information Service (JIS). Additionally, notifications were also sent via email to declarants

from the Integrity Commission as well as their place of employment.

The decentralized collection approach was well received by many declarants and Public Bodies. The modality is being considered for inclusion as an option for subsequent collection periods, as the Electronic Declaration System transitions.

Zero Tolerance Policy

The Division developed its Zero Tolerance Policy with the intent to fulfil the objective to achieve 100% compliance with respect to the submission of Statutory Declarations.

The Policy was operationalised during the reporting period, and was revised in the last quarter of the Financial Year, to be more stringent in its application and intent. The Division will be increasing its compliance and enforcement drive in the 2021/2022 Financial Year.

Statutory Declarations Compliance List

Annually, the Division requests the submission of the list of declarants required to file a statutory declaration from each Public Body to inform the compilation of the Division's Statutory Declarations Compliance List. The Division, through its Partnership and Relationship Building Initiative, informed Public Bodies of the importance of the timely submission of their declarants' list to facilitate the Division's Annual Statutory Declarations Intake Process.

The Division achieved full compliance with respect to the submission of the 2019 and 2020 Declarants' List from all Public Bodies.

The early submission of the 2020 Declarants' Lists, which was received prior to the end of the intake period, assisted the Division to better plan. The Division, through this means, was able to provide adequate resources to Public Bodies to support the decentralized collection modality that was implemented in 2021.



Additionally, the details provided in the Declarants' List facilitated communication with declarants prior to the March 31, 2021 deadline for submission of Statutory Declarations.

Statutory Declaration Public Relations Campaign

The Statutory Declaration Public Relations Campaign organised by the Jamaica Information Service (JIS) commenced as scheduled on the January 18th, 2021. The following products were created under the PR Campaign:

- Time Signal Announcement;
- Thirty (30) Second Public Service Announcement;

- Placement of Advertisements on the Integrity Commission's and JIS Websites;
- Print Media Advertisement;
- Get the Facts Interview; and
- Instructional Videos.

Financial Analysis

Section 32(1)(b) of the Integrity Commission Act, 2017 sets out the function of making enquiries in order to certify or determine the accuracy of a statutory declaration.

During the reporting period, the Division initiated sixty-four (64) cases and completed twenty-one (21) Reports.

Financial Analysis Cases Initiated for the Financial Year 2020/2021

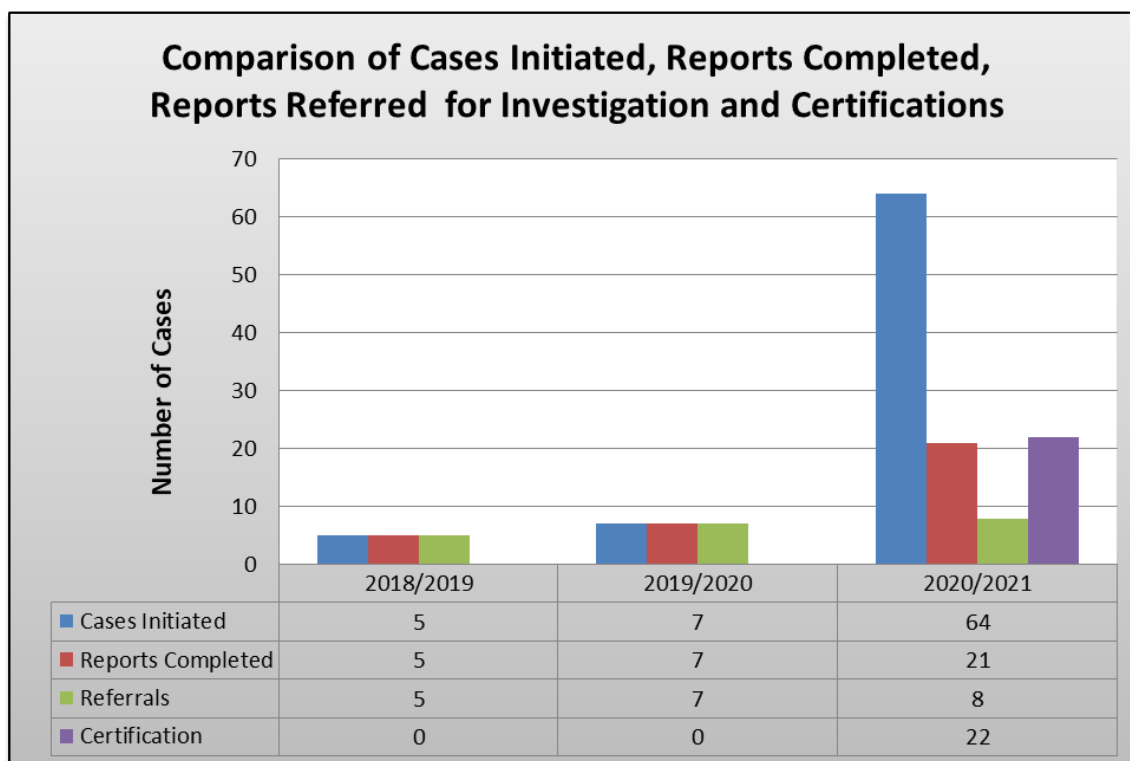
Cases Initiated for the period April 1, 2020 to March 31, 2021	Request for outstanding Statutory Declarations	Request for additional information	Reports completed	Statutory Declarations Certified	Referred to Information and Complaints Committee	Referrals for Investigation
64	52	63	21	22 ⁵	9 ⁶	8 ⁷

The Graph below shows a three year comparison of cases initiated, reports completed, reports referred for investigations and certification:

⁵ The 22 Statutory Declarations for Eleven (11) Public Officials were certified for the two years 2018 and 2019.

⁶ As at 31st March 2021, one case was still being reviewed by the Information and Complaints Committee.

⁷ These matters were referred by the Information and Complaints Committee.



Financial Analysis Initiatives

During the reporting period, the Division undertook several initiatives geared at improving the Financial Analysis Process.

Framework for selecting Declarants

The Division developed a Financial Analysis Risk Based Annual Audit Framework to guide the selection of Declarants that will be subjected to a 'deeper' analysis of their statutory declarations. The broad risk categories identified were; Political Governance, Accountability, Public Order, Revenue and Random Sampling. The Framework will be operationalised in the financial year 2021/2022.

Research on Asset Concealment Schemes

The Division undertook rigorous research on the various asset concealment schemes, including global practices to combat money laundering. The research thereafter informed the third party verification engagement programme and the review

of the Third Schedule of the Integrity Commission Act, 2017.

Data Analysis Software

The Integrity Commission procured Data Analysis software to aid in the analysis of data from multiple third-party sources to assist with the Financial Analysis process. The Software will be fully operationalised in the Financial Year 2021/2022.

Financial Analysis Report – Net Worth Analysis

A Net Worth Analysis Report was developed to guide the decision making process for the Information and Complaints Committee meetings for assessing Net Worth Statements. The Report illustrates Comparative and Trend Analysis for five (5) Statutory Declaration periods in the first instance and a longer horizon for others. It further highlights total Assets, Liabilities, Net Worth, Change in Net Worth, and the percentage of the change over the periods.



Financial Analysis Report: Illicit Enrichment

A Template was developed to guide the preparation of reports to be submitted to the Information and Complaints Committee which identifies a *prima facie* case of illicit enrichment. The Template includes preparation of an initial Net Worth statement, results

of third-party verifications and the requirement to request a Statutory Declaration pursuant to Section 41(2)(a) of the Integrity Commission Act, 2017, along with other information. The Division also prepared Interview guidelines which will guide the conduct of interviews with Declarants and other persons of interest.



INVESTIGATION DIVISION

Contract Monitoring Units

Monitoring of the award, implementation and termination of Government Contracts falls within the remit of the Contracts Monitoring Unit of the Investigation Division. The Contract Monitoring Unit is composed of two (2) sub-units; namely, (i) the Construction Contracts Inspectorate (CCI) sub-unit and (ii) the Non-Construction Contracts Inspectorate (NCCI) sub-unit. The activities of the respective sub-units over the reporting period follow.

Monitoring Of Construction Contracts

The Construction Contracts Inspectorate (CCI) monitors the award and implementation of Government Construction Contracts/Projects. It also provides support services to the various Departments of the Organization as required.

The categories of projects that are monitored include Infrastructure, Housing, Mechanical and Electrical contracts/projects being implemented by various Government of Jamaica (GOJ) Departments, Agencies or any authorized personnel acting on behalf of the GOJ. Additionally, the unit provides advice on procurement matters to these entities.

Monitoring of a project may commence at the pre or post contract phase. Generally, however, it commences when GOJ entities place advertisements in the various news media after which an Inspector is assigned to monitor the project until final completion. On average, each Inspector monitors just over one hundred (100) projects.

The monitoring process includes the attendance of CCI representatives at tender openings, site meetings/visits and the compiling of monitoring reports. In circumstances where an issue is identified during the pre or post contract phase of a project, the procuring entity is engaged on the matter either verbally or by way of a formal letter in

order for a resolution to be found at the earliest stage of the process, in keeping with the applicable procurement and contract guidelines, policies and legislation.

During the period April 1, 2020 to March 31, 2021, the Construction Contracts Inspectorate monitored the Pre and/or Post Contract phases of five hundred and thirty-six (536) contracts. The cumulative value of the construction contracts that were monitored was J\$89,695,766,740.51 and US\$518,720,399.15.

During the same period, the Construction Inspectors attended six (6) Tender Openings and made a total of two hundred and sixteen (216) site visits.

The Construction Contracts Inspectors attended fifty seven (57) site meetings and were involved in the monitoring of three (3) Practical Completion Inspections. At the end of the reporting period, the Inspectors would have travelled a total of 58,194 kilometres in accomplishing their monitoring duties island-wide.

Monitoring of Other Commissions/Committees

In addition to the monitoring Construction Contracts, the Construction Contracts Inspectorate played the role of an Observer for the Integrity Commission at the monthly meetings for the Technical Review Committee (TRC) at the National Environment and Planning Agency (NEPA). A member from the CCI also represented the Integrity Commission at the weekly meetings of the Public Procurement Commission (PPC) as an Observer.

The table below details the statistics relating to the performance and activities of the CCI for the reporting period.

Construction Contracts Unit Performance

Data April 1, 2020 – March 31, 2021	
Activity/Item	Total
Number of Public Procurement Commission (PPC) meetings attended	38
Number of Technical Review Committee (NEPA) meetings attended	6
Number of Man hours of training/presentation delivered to Public Bodies – Ministry of Transport and Mining	152 MH
Number of monthly Construction Unit meetings held	12
Number of training sessions organized by Construction Unit (with external presenters)	4
Number of Construction Projects monitored	536
Number of Tender Openings attended	6
Number of Site meetings attended	57
Number of site visits attended	216
Number of Practical Completion inspection attended	3
Cumulative Value of Construction Contracts monitored, awarded in Jamaican Dollar (J\$)	J\$89,695,766,740.51
Cumulative Value of Construction Contracts monitored, awarded in United States Dollar (US\$)	US\$518,720,399.15
Total distance travelled by Inspectors	58,194 Km

Monitoring Of Non-Construction Contracts

The Non-Construction Contracts Inspectorate (NCCI), pursuant to Section 6(1)(f) of the Integrity Commission Act, 2017, monitors the award, implementation and termination of Goods and Services Contracts. During the course of the NCCI's monitoring activities, Inspectors are expected to attend, where required, Tender Opening Ceremonies and procurement-related meetings and also to conduct verifications of procured items.

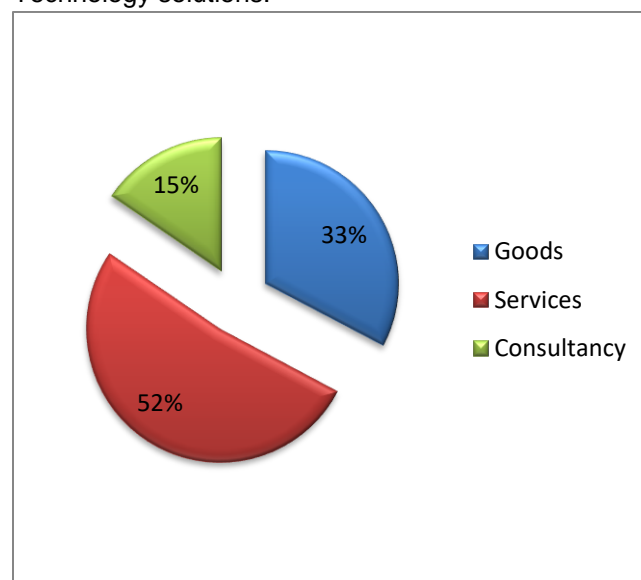
The NCCI is further tasked with the management/monitoring of several critical portfolios and where required, provides guidance to Public Bodies, with respect to the procurement process.

The structure of the NCCI allows for a complement of four (4) Inspectors, two (2) Senior Inspectors, whose role is Supervisory, an Administrative Assistant and a Manager. The NCCI, however, operated with only three (3) Inspectors, one (1) Senior Inspector, and had no assigned Administrative Assistant over the reporting period.

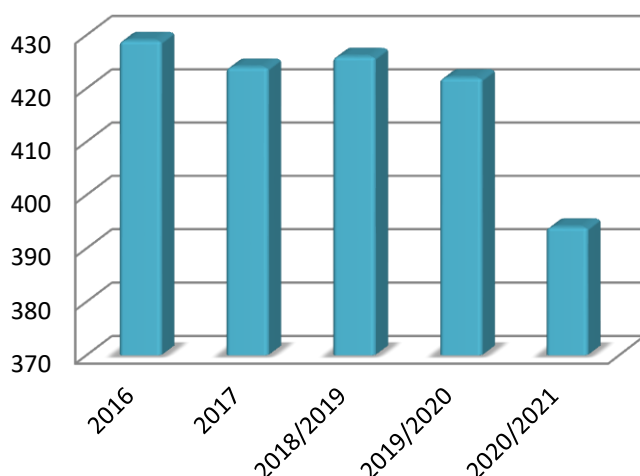
The NCCI monitored three hundred and ninety-four (394) procurement opportunities/contracts during the period April 1, 2020 to March 31, 2021. The value of the contracts monitored, which were at varying stages of the procurement process, was approximately Thirty-seven Billion Jamaican Dollars (J\$37B).

Fifty-two percent (52%) of the contracts monitored by the NCCI were service-related, such as Security and Janitorial services. The NCCI monitored one hundred and twenty-nine (129) 'goods' type contracts, which were comprised of, among other things, procurement of furniture, motor vehicles, information and communications technologies (ICT) equipment, etc.

Consultancy type contracts represented fifteen percent (15%) of the projects monitored, and included consultancies related to the provision of construction-related services and Information Technology solutions.



Comparison of Procurement/Contracts Monitored



During the period, Inspectors within the NCCI were assigned one hundred and twenty-one (121) new procurement opportunities for monitoring. The remaining two hundred and seventy-three (273) projects were carried forward from previous years. One hundred and twenty-four (124) of the projects which were being monitored either concluded or were aborted during the year.

Asset Divestment & Public Private Partnership

In July 2020, an Order was handed down in the Supreme Court of Judicature of Jamaica in the Civil Division in the matter *Gorstew Limited and Hon. Gordon Stewart O.J. vs. The Contractor-General*.

The Order stated that “... on a proper construction of the Contractor General Act, the Contractor-General is not permitted to initiate an investigation and/or special investigation in relation to a contract for sale or purchase of real estate to or from a public body as defined by the Contractor-General Act”.

The NCCI maintained a Privatisation of Government Assets Portfolio, which monitored the divestments of Government assets against the Government of Jamaica Policy Framework and Procedures Manual for the Privatisation of Government Assets; as well as the Policy and Institutional Framework for the Implementation of a Public-Private Partnership Programme for the Government of Jamaica: The PPP Policy.

Based upon the foregoing Supreme Court Order, it was ruled that the Contractor General acted *ultra vires* in the monitoring of privatization matters. Accordingly, the Integrity Commission discontinued its monitoring of twenty five (25) projects that were initiated by the then Office of the Contractor General. By virtue of Sections 2, 6 and 33 of the Integrity Commission Act, the Integrity Commission has jurisdiction to monitor and investigate matters relating to the acquisition and divestment of GOJ assets.

The NCCI, during the reporting period monitored nine (9) Asset Divestment and Public Private Partnership (PPP) transactions, which continued from the previous financial year. No new Asset or PPP projects were assigned to the NCCI. A full some overview of the activities relating to the monitoring of Asset and PPP projects is provided further in this Report.

Enquiry Management

During the reporting period April 1, 2020 to March 31, 2021, the NCCI received twenty-one (21) new complaints. The following table represents the status of complaints addressed during the period:

Table 1

Management of Enquires	
Number of complaints brought forward from the previous year	121
Complaints received during April 1, 2020 to March 31, 2021	21
Total complaints which were within the Commission's remit and were concluded	2
Complaints which were submitted to the Board of Commissioners through the Executive Director	0
Complaints not within the Commission's remit, vague or withdrawn	1
Ongoing Enquires	139

Quarterly Contract Awards (QCA) Reports

The Integrity Commission, in keeping with the provisions of Section 6(1)(f) of the Integrity Commission Act, requires Procuring Entities, on a quarterly basis, to provide the particulars of contracts awarded above valuing five hundred thousand dollars (J\$500,000.00), within one (1) calendar month following the ending of the quarter to which they relate. Approximately one hundred and ninety two (192) Public Bodies are requisitioned to prepare and submit Quarterly Contract Awards (QCA) Reports to the Commission.

For the reporting period April 1, 2020 to March 31, 2021, the Commission recorded an average compliance rate of 97%. The reduction in the compliance rate is partly as a result of work from



home orders and restrictions imposed by the Government of Jamaica in light of the persisting coronavirus pandemic.

Contract Award Data

The Commission's web portal recorded a total of twenty one thousand, two hundred and fourteen (21,214) contracts awarded for the period of April 1, 2020 through to March 31, 2021.

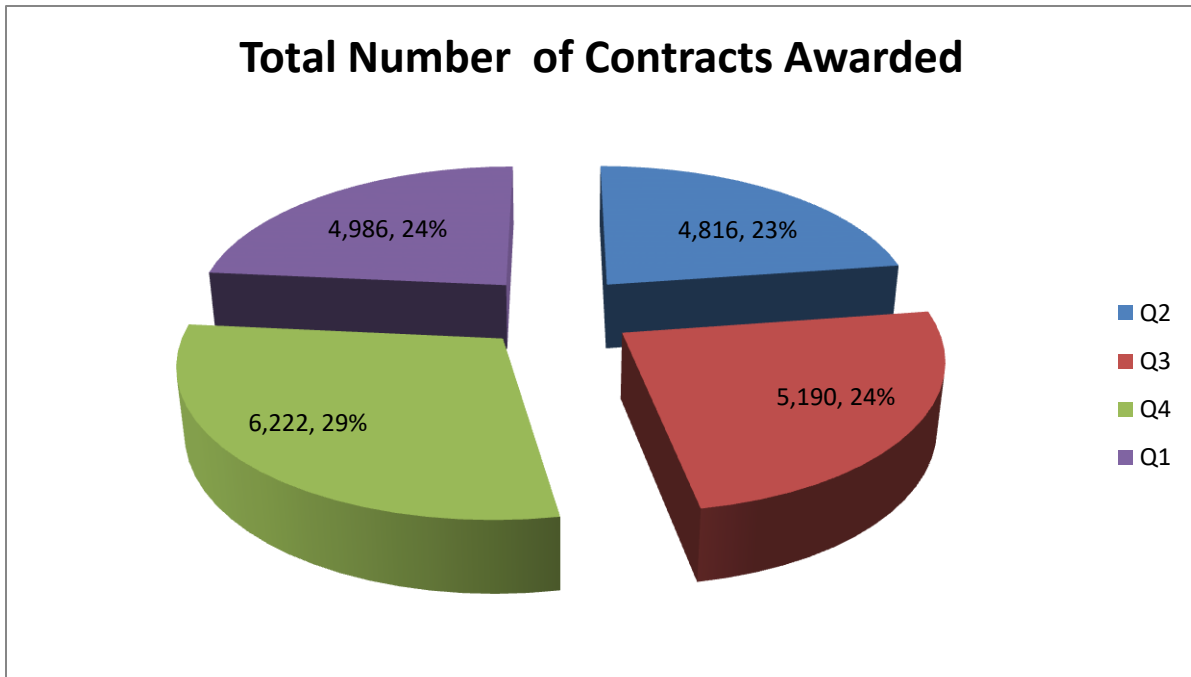
The total value of contracts awarded for the period was J\$167,074,462,675.311. The value of contracts for Goods and Services, inclusive of Consulting and Insurance Placement Services, was J\$138,342,654,423.04, while the value of Works contracts was J\$28,731,808,252.27.

Summaries of the information collated are represented below:

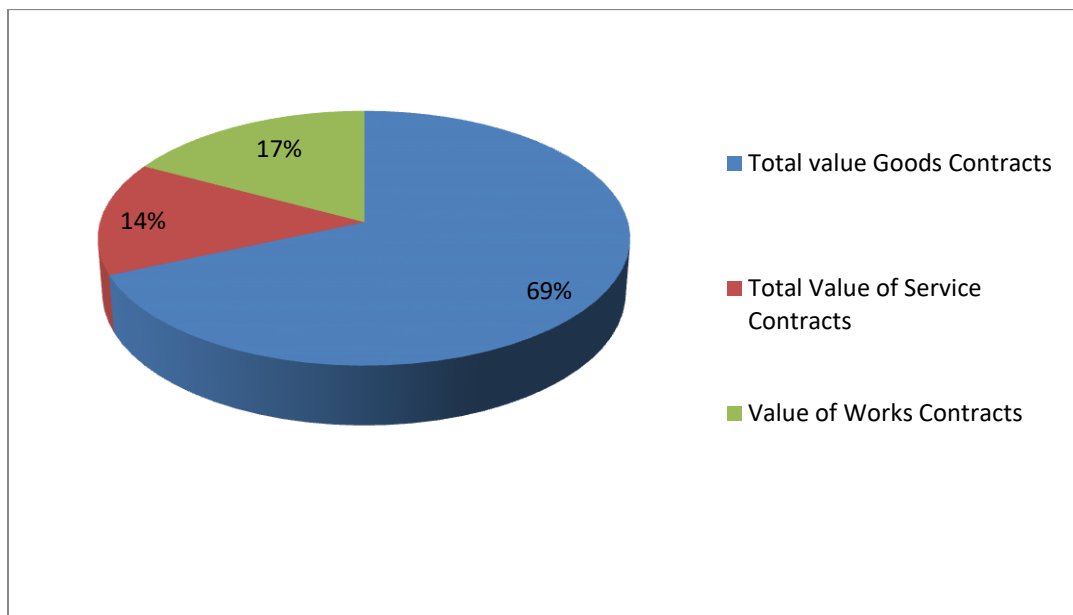
Summary of Contracts Awarded

Quarter	Total # of Contracts Awarded	Total value Goods Contracts	Total Value of Service Contracts	Value of Works Contracts	Total Value of Contracts
Q2	4,816	\$14,012,584,106.14	\$6,126,380,802.48	\$13,350,791,469.41	\$33,489,756,378.03
Q3	5,190	\$36,812,507,460.98	\$4,748,257,676.02	\$5,284,103,270.89	\$46,844,868,407.89
Q4	6,222	\$29,722,430,963.30	\$7,020,460,718.98	\$5,583,856,182.95	\$42,326,747,865.23
Q1	4,986	\$33,751,916,551.34	\$6,148,116,143.80	\$4,513,057,329.02	\$44,413,090,024.16
<u>Total</u>	21,214	\$114,299,439,081.76	\$24,043,215,341.28	\$28,731,808,252.27	\$167,074,462,675.31

Total number of Contracts Awarded



Number of Goods, Works and Services Contracts Awarded



Parliamentary Exemptions

Section 41 of the Constitution of Jamaica, provides, *inter alia*, that save for such circumstances in which an exemption is granted by the House of Parliament to a Member of Parliament, the seat of a Member of either House shall become vacant, if (a) the Member becomes a party to any contract with the Government of Jamaica, (b) the Member is a partner in a firm or a director or manager of a company which becomes a party to such a contract, or (c) the member becomes a partner in a firm or director or manager of a company which is itself a party to such a contract.

The Integrity Commission, in its continued effort of securing greater transparency and probity in the award and implementation of all Government contracts to Parliamentarians, requested from the Clerk to the Houses of Parliament information on the Exempted Motions which were moved and approved in respect of Parliamentarians during the financial year 2020/2021.

The following represents the twenty (20) Exemption Motions which were granted as advised by the Clerk to the Houses of Parliament:

1. Member of Parliament for Westmoreland, Western, Mr. Morland Wilson, March 09, 2021:

The exemption which was granted in respect of Mr. Morland Wilson, on March 9, 2021, recognized that the Member of Parliament for Westmoreland, Western, is a director in the following entities:

- Prestige Logistics Limited, a limited liability company involved in training, logistics and motor vehicle import and sales;
- Hedge Fund Limited, a private limited liability financial strategy and management company;
- Western Caribbean Meat and Spices, a private limited liability distributor of meat, food items,

spices and farming equipment and supplies; and

- Horushire, a private limited liability business technology company.

These companies may from time to time enter into contracts with the Government of Jamaica and its affiliated agencies.

2. Member of Parliament for St. Thomas, Eastern, Dr. Michelle Charles, January 26, 2021:

The exemption which was granted in respect of Dr. Michelle Charles, on January 26, 2021, recognized that the Member of Parliament for St. Thomas, Eastern, is a Director of the following entities:

- Mishalz Enterprises Jamaica, Ltd., which provides medical, dental, spa, clothing and real estate development services;
- Jamie's Investments Company, which provides medical, dental, and real estate development services;
- Luchey Land FarmHers, which is involved in the farming, product retail, manufacturing, agriculture and processing industries;
- Jamaica Conduit, which provides finance, employment and consultancy services; and
- Posh Party Coordinators, which provides events planning services and coordinates charity events.

These companies may from time to time enter into contracts with the Government of Jamaica and its affiliated agencies;

3. Member of Parliament for Kingston Eastern, and Port Royal, Mr., Phillip Paulwell January 26, 2021:

The exemption which was granted in respect of Mr. Phillip Paulwell, on January 26, 2021, recognized that the Member of Parliament for



Kingston Eastern and Port Royal is a partner in the following entity:

- Paulwell Frazer Binns and Associates (a law firm).

This company may from time to time enter into contracts with the Government of Jamaica and its affiliated agencies.

4. Member of Parliament for Clarendon, North Western, Mr. Phillip Henriquez, January 12, 2021:

The exemption which was granted in respect of Mr. Philip Henriquez, on January 12, 2021, recognized that the Member of Parliament for Clarendon, North Western, is a *Director in the following entity*:

- Letrak Limited, which is involved in the construction industry.

This company may from time to time enter into contracts with the Government of Jamaica and its affiliated agencies.

5. Member of Parliament for Manchester, Southern, Mr. Robert Chin, December 08, 2020:

The exemption which was granted in respect of Mr. Robert Chin, on December 08, 2020, recognized that the Member of Parliament Manchester, Southern, is:

- The Managing Director of Asura Security Company Limited, which provides private security services;
- A Director of WFIO Business Consulting Limited, which provides consultancy in procurement, strategic planning, risk management, project management and business services;
- A Director of Li Shen Ka Distributors Limited, a wholesaler and retailer of food items; and

- The General Manager of Active Gear Limited, which supplies uniforms and uniform accessories to military and paramilitary organisations and provides electronic gadgets and identification services.

These entities may from time to time enter into contracts with the Government of Jamaica and its affiliated agencies.

6. Member of Parliament for Westmoreland, Eastern, Mr. Daniel Lawrence, December 08, 2020:

The exemption which was granted in respect of Mr. Daniel Lawrence, on December 08, 2020, recognized that the Member of Parliament for Westmoreland, Eastern, is a Director and Shareholder in the following company:

- Dan Star Transport Company Limited, a provider of transport services.

This company may from time to time enter into contracts with the Government of Jamaica and its affiliated agencies.

7. Member of Parliament for St. James, Southern, Mr. Homer Davis, December 01, 2020:

The exemption which was granted in respect of Mr. Homer Davis, on December 01, 2020, recognized that the Member of Parliament for St. James, Southern, is:

- Managing Director of Efficient Haulage, Hardware and Equipment Company Limited, a dealer in hardware and equipment rental; and
- Company Secretary for Pembroke Trucking Limited, a dealer in cement distribution and haulage.

These companies may from time to time enter into contracts with the Government of Jamaica and its affiliated agencies.

8. Member of Parliament for St. Mary, South Eastern, Dr. Norman Dunn, December 01, 2020:

The exemption which was granted in respect of Dr. Norman Dunn, on December 01, 2020, recognized that the Member of Parliament for St. Mary, South Eastern, is a Director of the following entities:

- Noraldu Limited, Medpro Jamaica Limited and Supermed Hardware.

These companies may from time to time enter into contracts with the Government of Jamaica and its affiliated agencies.

9. Member of Parliament for St. Catherine, South Eastern, Mr. Robert Miller, November 24, 2020:

The exemption which was granted in respect of Mr. Robert Miller, on November 24, 2020, recognized that the Member of Parliament for St. Catherine, South Eastern is:

- A Director at Armoset Security Services Limited;
- A Director at Benmil Transport Limited;
- A Director at LaSierra Farms; and
- Company Secretary at Kaelyn Distributors Limited, a supplier of cosmetics and pharmaceuticals.

These companies may from time to time enter into contracts with the Government of Jamaica and its affiliated agencies.

10. Member of Parliament for St. Ann, North Eastern, Miss Marsha Smith, November 24, 2020:

The exemption which was granted in respect of Miss Marsha Smith, on November 24, 2020, recognized that the Member of Parliament for St. Ann, North Eastern is:

- A Partner at the law firm Ernest A. Smith and Company, Attorneys-at-Law.

This company may from time to time enter into contracts with the Government of Jamaica and its affiliated agencies.

11. Member of Parliament for St. Catherine, North Western, Mr. Hugh Graham, November 24, 2020:

The exemption which was granted in respect of Mr. Hugh Graham, on November 24, 2020, recognized that the Member of Parliament for St. Catherine, North Western is a Director at the following entities:

- Paramount Trading, a distributor of chemical raw materials;
- Mainevents Entertainment, an event management, digital signage and promotions service; and
- Xaymaca International, an entertainment company.

These companies may from time to time enter into contracts with the Government of Jamaica and its affiliated agencies.

12. Member of Parliament for Clarendon, Northern, Mr. Dwight Sibbles, November 17, 2020:

The exemption which was granted in respect of Mr. Dwight Sibbles, on November 17, 2020, recognized that the Member of Parliament for Clarendon, Northern is contracted to the University of Technology,



Jamaica, as the Chief Internal Auditor and is a Partner at the following entity:

- Sibbles and Associates, Attorneys-at-Law.

This company may from time to time enter into contracts with the Government of Jamaica and its affiliated agencies.

13. Member of Parliament for St. Elizabeth, North Eastern, Mr. Delroy Sloley, November 17, 2020 and December 01, 2020:

The exemption which was granted in respect of Mr. Delroy Sloley, on November 17, 2020, recognized that the Member of Parliament for St. Elizabeth, North Eastern is:

- The Managing Director and sole shareholder of True Bargain Hardware and Construction Company Limited, a dealer in hardware and building supplies.

Further, on December 01, 2020, an exemption was granted in respect of the Member of Parliament for St. Elizabeth, North Eastern, which recognized that Mr. Sloley is:

- Company Secretary for Zee Wireless Company, a dealer in cellular phones and accessories and computer related products.

This company may from time to time enter into contracts with the Government of Jamaica and its affiliated agencies.

14. Member of Parliament for St. Andrew, Southern, Mr. Mark Golding, November 17, 2020:

The exemption which was granted in respect of Mr. Mark Golding, on November 17, 2020,

recognized that the Member of Parliament for St. Andrew, Southern is:

- A Partner in the law firm Hart Muirhead Fatta;
- A Director at Mona Rehabilitation Foundation; and
- A Director at Monex Limited.

These companies may from time to time enter into contracts with the Government of Jamaica and its affiliated agencies.

15. Member of Parliament for Clarendon Central, Mr. Lester Henry, November 10, 2020:

The exemption which was granted in respect of Mr. Lester Henry, on November 10, 2020, recognized that the Member of Parliament is the Chairman of the following:

- LMH Publishing Limited, which is engaged in the book publishing and distribution industry;
- LMH Retail Limited, a retail concessionaire; and
- LMH Distributors limited, trading as The Book Nest, a supplier of books, stationery and school supplies.

These entities may from time to time enter into contracts with the Government of Jamaica and its affiliated agencies.

16. Member of Parliament for Trelawny, Southern, Mrs. Marisa Dalrymple-Philibert, November 10, 2020:

The exemption which was granted in respect of Mrs. Marisa Dalrymple-Philibert, on November 10, 2020, recognized that the Member of Parliament is:

- A Director of SKDP Haulage and Distribution Limited;
- A Director of GSGP Marketing and Production Company Limited; and



- A Partner in the firm Grayson and Company, Attorneys-at-Law;

These entities may from time to time enter into contracts with the Government of Jamaica and its affiliated agencies.

17. Senator Donald Wehby, October 16, 2020:

The exemption which was granted in respect of Senator Donald Wehby, on October 16, 2020, recognized that the Senator is:

- The Group Chief Executive Officer of GraceKennedy Limited and a Director of its Board. GraceKennedy Limited owns and operates subsidiaries, which include, among others, First Global Bank, GraceKennedy Money Services Caribbean SRL, Allied Insurance Brokers, GraceKennedy Insurance and the GraceKennedy Food Division.

These companies may from time to time enter into contracts with the Government of Jamaica and its affiliated agencies.

18. Senator Donna Scott Mottley, October 16, 2020:

The exemption which was granted in respect of Senator Donna Scott Mottley, on October 16, 2020, recognized that the Senator is:

- A Director and Shareholder of Toby Heights Development Company Limited.

This company may from time to time enter into contracts with the Government of Jamaica and its affiliated agencies.

19. Senator Sherene Golding Campbell, October 16, 2020:

The exemption which was granted in respect of Senator Sherene Golding Campbell, on October 16, 2020, recognized that the Senator is:

- Principal of the firm Golding Campbell & Associates.

This company may from time to time enter into contracts with the Government of Jamaica and its affiliated agencies.

20. Senator Sophia Frazer Binns, October 16, 2020:

The exemption which was granted in respect of Senator Sophia Frazer Binns, on October 16, 2020, recognized that the Senator is:

- The Managing Partner in the law firm Paulwell Frazer Binns and Associates, Attorneys-at-Law.

This company may from time to time enter into contracts with the Government of Jamaica and its affiliated agencies.

Licence And Asset Divestment/Acquisition Unit

The Integrity Commission, in an effort to expand its monitoring capacity, established the Licence and Asset Divestment/Acquisition (LADA) Unit into July 2020. This Unit has responsibility to monitor and investigate the award, revocation and suspension of prescribed licences, the divestment/acquisition of Assets inclusive of land and other assets acquired/divested under Public Private Partnerships,

pursuant to Sections 6 and 33 of the Integrity Commission Act, 2017.

Prior to the Unit's establishment, activities relating to land, asset divestment and Private and Public Partnership were undertaken by the Commission's Non-Construction Unit. The Table below shows a summary of the LADA Unit's monitoring activity for the period under review:

Licence and Permits Monitoring Activity July 1, 2020 - March 31, 2021			
Activity	Licence	Land	Asset Divestment
Number of Projects Monitored	154	107	12
Complaints received	3	-	-
Enquiries Management	6	4	- ⁸
Number of Tender Opening attended	1	13	-
Number of Site Visits	-	4	
Number of Land Divestment Policy Framework Meetings Attended		11	
Number of Land Divestments Advisory Committee (LADC) Meetings Attended	N/A	5	N/A
Number of SCJ Holdings Limited Land Divestment Committee Meetings Attended		3	
Number of Meetings held with Public Bodies	2		

⁸ Five procurement related enquiries are ongoing.

As at March 31, 2020 the Unit is comprised of one (1) Manager, one (1) Senior Inspector and three (3) Inspectors. It is anticipated that the Unit will expand to include two (2) additional members, one (1) Senior Inspector and one (1) Inspector within the 2021/2022 Financial Year, with the result that the Unit would have a full staff complement of six (6) members.

The Unit has, since its inception in July 2020, initiated the development of two (2) major processes for the monitoring of 1) Prescribed Licences and 2) Land and Asset Divestment/Acquisition, which will involve the establishment of database platforms. The Licence and Permits database system is currently in its developmental stage and it is anticipated that the Integrity Commission will be in a position to launch the Software Program within the 2021/2022 Financial Year. This program will facilitate a systematic approach to the monitoring of licences and permits and will allow for the recording of licences issued by the various Public Bodies.

Similarly, the development of a comprehensive Software Program for the recording and monitoring of land and asset divestment/acquisition activities is in the inception stage. The implementation of this system will allow for the recording and monitoring of the divestment/acquisition of all Crown lands and other Government-owned lands on one platform and will also store information regarding Public Private Partnerships undertaken by the Government of Jamaica.

Prescribed Licences And Permits

During the period under review, the LADA Unit actively monitored a total of one hundred and fifty four (154) licences and permits in the following across sectors:

Sector	No Monitored
Telecommunication and Spectrum	13
Air Service	6
Water Abstraction and Well Drilling	78
Mining	17
Transportation	1
Spirit Licences	1
Game Bird Shooting	1
Removal of "Limited" – Charitable Organizations	36
Utilities - Sewerage	1
Total	154

In the conduct of its monitoring activities, the LADA Unit is guided by the relevant legislation governing the respective Public Bodies engaged in the issuance of licences and permits. Reference is also made to existing internal policies and procedures of the entities authorized to grant licences to ascertain whether the licences so issued/revoked or suspended were in compliance with the applicable legislation and governing policies

Land Divestment

The Integrity Commission continued its monitoring of the divestment of Government-owned lands for the reporting period in keeping with the Policy Framework and Procedures Manual for the Divestment of Government-Owned Lands, 2015.

A total of one hundred and seven (107) GOJ land divestment processes were monitored by the Unit, inclusive of a number of divestments that were previously being monitored but were re-advertised. The Unit commenced the monitoring of twenty (20) new divestment opportunities during the period under review. Notwithstanding, several divestment opportunities still await re-advertisements due to lack of offers or lack of responsive offers.

The Land Divestment Advisory Committee (LDAC)

The Land Divestment Advisory Committee (LDAC) plays an advisory role to the Ministry of Economic Growth and Job Creation as it relates to the divestment of Government-owned lands. The Committee is ably supported by the Land Administration and Management Division, within the Ministry of Economic Growth and Job Creation.

The LDAC is comprised of fourteen (14) members, including a Chairman, appointed from the Public and Private Sectors. Committee members are appointed by the portfolio Minister, for a period not exceeding three (3) years.

The Committee that was appointed on September 9, 2019 was terminated subsequent to the installment

of the new administration, following the September 2020 General Election. A new Committee was appointed on January 25, 2021 for a period of three (3) years. Further changes were made, by way of Cabinet Decision No. 14/12, with respect to the membership of two (2) ex-officio members. A representative from the LADA attends the meetings as an Observer on behalf of the Integrity Commission.

Six (6) meetings were convened by the LDAC for the reporting period, which facilitated the review and recommendation of Applications. Only one (1) meeting was held by the current Committee.

For the Reporting period the LDAC deliberated on sixty-nine (69) Applications, sixty-seven (67) of which were submitted to the Portfolio Minister for approval. The recommended Applications included two (2) Applications for transfer, two (2) requests for rent review due to the prevailing Covid-19 pandemic and two (2) requests for extension to the term of leases. One Application was withdrawn and the other deferred during the reporting period.

Applications recommended for lease had an expected revenue of \$5,439,000.00, while Applications recommended for sale were valued at \$336,730,430.00. As at March 31, 2021, the Portfolio Minister approved fifty-nine (59) of the sixty-seven (67) Applications which had an estimated revenue of \$330,698,430.00. The tables below illustrate the use of the lands recommended for sale and lease.

Applications Recommended for Lease by Land Use and Value for the 2020 – 2021 Financial Year

Land Use	No. of Applications	Value (\$)
Residential	Nil	Nil
Agricultural	13	2,610,000
Residential & Agricultural	3	101,000
Commercial/Industrial	11	2,632,000
Institutional	3	96,000
Other⁹	Nil	Nil
Total	30	5,439,000.00

Applications Recommended for Sale by Land Use and Value for the 2020 – 2021 Financial Year

Land Use	No. of Applications	Value (\$)
Residential	15	39,531,430
Agricultural	9	38,619,000
Residential & Agricultural	9	23,080,000
Commercial/Industrial	2	228,000,000
Institutional	Nil	Nil
Other¹⁰	2	7,500,000.00
Total	37	336,730,430.00

The Tables below illustrate the Approvals by the Portfolio Minister for Sale and Lease by Land Use and Value for the Financial Year.

⁹ Resort, recreational, community development and easement

¹⁰ Resort, recreational, community development and easement

Applications Approved for Sale/Lease for the 2020-2021 Financial Year

Applications Approved by the Portfolio Minister		
	No. of Applications	Value
Sale	35	\$326,150,430.00
Lease	24	\$4,548,000.00
Total	59	\$330,698,430.00

The National Land Agency (NLA), under the leadership of the Commissioner of Lands, continued to perform the necessary due diligence in relation to the processing of Applications, prior to submission to the Committee for deliberation. The NLA is to be commended for its efforts, as should the LDAC Secretariat for duties performed and support extended to the Committee.

SCJ Holding Limited Land Divestment and Monitoring Committee Meeting

The SCJ Holdings Limited (SCJH) is wholly owned by the Government of Jamaica and manages sugar lands owned by the Government of Jamaica. The SCJH is tasked with putting its land assets to use by attracting investors in areas such as mining, housing and agriculture. Proposals received by the company are submitted to its Land Divestment and Monitoring Committee for review and approval. The Committee, for the period April 1, 2020 to May 31, 2020, was comprised of five (5) members with Mr. Danville Walker as the Chairman. During the period June 1, 2020 to December 31, 2020 the full Board reviewed land divestment matters since no new committee had been appointed. Subsequently, a new committee was appointed on February 4, 2021 and consists of four (4) members, with Mr. Cleveland Allen as Chairman. A representative from the

Integrity Commission attends these meetings as an Observer.

For the reporting period April 1, 2020 to March 31, 2021, the SCJH Land Divestment and Monitoring Committee and the Board of Directors, held a total of five (5) meetings. The Commission was represented at three (3) meetings. The Committee deliberated on 225 submissions for the reporting period with six (6) submissions relating to sale of land, and 88 pertained to lease of lands. The remaining submissions were related to applications for license, option to lease and regularization of farmers. Draft Cabinet submissions were prepared for two applications for sale.

Evaluation And Review Of The Policy Framework And Procedures Manual For The Divestment Of Government-Owned Lands 2015.

During the reporting year, the Ministry of Economic Growth and Job Creation undertook to evaluate and review the Policy Framework and Procedures Manual for the Divestment of Government-Owned Lands, 2015. In this regard, the Ministry commenced Policy Review meetings with the relevant stakeholders. A representative from the Unit attended eleven (11) Policy Review meetings.

Enquiry Management

Pursuant to Section 52 of the Integrity Commission Act, the Director of Investigation initiated several enquiries based upon allegations made in the public domain. During the period, enquiries were conducted into fourteen (14) matters as follows:

No.	Portfolio	No. of Enquiries
1	Land	5
2	Licence	4
3	Asset	0
4	Procurement	5
	Total	14

As at March 31, 2021, the above-mentioned matters are ongoing and are at varying stages of the Enquiry Management Process.

Complaints Assigned To Lada Unit By The Director Of Investigation

During the reporting period the Director of Investigation assigned three (3) complaints to the LADA Unit from the Information and Complaints Division as follows:

Portfolio	No. of Complaints	Breakdown of Complaints	Status
Prescribed Licences	1	Mining	Complete
	2	Building Permit	In progress
Land	0		
Asset	0		
Total	3		

A preliminary enquiry was launch by the Director of Investigation pursuant to Section 47 of the Integrity Act, 2017 in respect of the Mining related complaint to determine whether the matter required escalation to a full investigation. The matter was reviewed and a preliminary report completed. Reviews in respect of the remaining two (2) complaints are on-going.

Other Activities

As part of the Integrity Commission's Good Governance sensitization series, the Unit conducted a PowerPoint Presentation entitled *The Integrity Commission's Contract Monitoring Process - Fostering Good Governance in Procurement* to one hundred and twenty- two (122) persons at the Ministry of Transport and Mining and its twenty-Two (22) Departments via a virtual conference held on March 4, 2021.

Areas of Impact – Contract Monitoring/ Licences and Asset Divestment/Acquisition

Construction Contracts

No.	Date of Recommendation	Public Body/Entity	Project Title	Observation	Recommendation	Action Taken by PB
1	January 5, 2021	Construction of the RADA Office Building, Hanover	Construction of the RADA Office Building, Hanover	The project experienced issues with the engagement of the M & E Consultant which negatively impacted the progress of the works	Letter written dated January 5, 2021, outlining the concerns and sought information on the measures to be taken by the RADA to resolve the issues	The RADA responded in letter dated January 28, 2021 and assured the IC that their monitoring of the project would be increased in order to mitigate further delays
2	October 29, 2020	1. Construction of 0.8km of Concrete Drain at Pitfour, Granville, St. James 2. Rehabilitation of 1.5km Parochial Roads, Vaughsfield Housing Scheme, Maroon Town, St. James	1. Construction of 0.8km of Concrete Drain at Pitfour, Granville, St. James 2. Rehabilitation of 1.5km Parochial Roads, Vaughsfield Housing Scheme, Maroon Town, St. James	1. Pertinent information missing from the Tender advertisement	1. Tender Advertisement to be amended and re-advertised.	Tender Advertisement amended and re-issued.
3	November 23, 2021	1. Grange Hill Primary School Expansion-Westmoreland – (#073604); and 2. Albion Primary School Special Education Block Construction - Manchester – (#073679).	1. Grange Hill Primary School Expansion-Westmoreland – (#073604); and 2. Albion Primary School Special Education Block Construction - Manchester – (#073679).	1. Pertinent information missing from the Tender advertisement. Specific Tender Box not indicated for separate tender opportunities and the advertisement included an ambiguous scope of works.	1.Tender advertisement to be amended. Specify whether one or two tender opening ceremonies would be held. Notify bidders of the changes.	1.The Entity advised that the Tender process was cancelled because of ambiguity in the scope of works. Tender opportunities were re-advertised.
4	July 7, 2020	Construction of the Portmore Municipal Building	Construction of the Portmore Municipal Building	The AC concrete plinths did not receive waterproofing membrane.	To waterproof the AC plinth to prevent leaking of the roof slab.	The Ministry advise that membraning of the plinth would be undertaken under Phase 2 of the contract.
5	December 31, 2020	Ministry of National Security (MNS)	Emergency Works to the National Police College of Jamaica (NPCJ) Phase 1 - Road Reconstruction and surfacing	The Commission noted the MNS's assertion in its letter dated November 16, 2020, that "Bonds & Insurances were not submitted by the Contractor, based on the Emergency Procurement Methodology." The Commission	For future procurements of a similar nature, the Ministry should include in the contract document, the requirement for the provision of Bonds and Insurances by the contractor.	The MNS accepted the recommendation and advised that it would include the requirement for Bonds and Insurances for future procurement opportunities.

INTEGRITY COMMISSION



				advised that notwithstanding the nature that gave rise to the use of the emergency procurement methodology, the Ministry exposed itself to unforeseen liabilities that the project could have incurred during its implementation.		
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Non-Construction Contracts

No.	Date of Recommendation	Public Body/ Entity	Project Title	Observation	Recommendation	Action Taken by PB
1	May 12, 2020	Jamaica Fire Brigade	Procurement of Fire Fighters' Protective Clothing	Procurement Notice published outside of the GOJ Public Procurement Page	Ensure there is no recurrence of same	Acknowledged and noted
2	June 9, 2020	Ministry of Industry, Commerce, Agriculture and Fisheries	Procurement of Rubber Wheel Farm Trackers	The entity wanted to use both hard copy and the Government of Jamaica Electronic Procurement (GOJEP) System to solicit bids	Consult with the Office of the Public Procurement Policy in the MOF to use both methods.	Tender was aborted based upon advice from the OPPP.
3	June 23, 2020	Development Bank of Jamaica	EOI-Transaction Advisory Services for the Proposed Integrated Solid Waste Management PPP Project in Jamaica	Evaluation Criteria was open to subjectivity	Revise each criterion to illustrate how points will be allotted to ensure objectivity in the evaluation process	Point system developed and process retendered.
4	July 6, 2020	Excelsior Community College	Provision of Security Services	Extension to bid validity period expired and no recommendation for award made	Abort and Retender	Recommendation accepted
5	July 10, 2020	Nutrition Products Limited	Provision of Janitorial Services	Out-dated Standard Bidding Document Utilised.	Abort and consult with OPPP re tender options since contract was already issued	Public Body (PB) wrote to the OPPP regarding same.

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6	July 13, 2020	Ministry of Labour and Social Security	Procurement of 150 Computer Tablets	Extensive time given for Standstill period	Standstill period should be revised	Recommendation accepted and addendum issued to Bidders to reflect change
7	August 11, 2020	SCJ Holdings Ltd.	Public Education and Awareness Campaign	The Evaluation and Procurement Committee consisted of the same members.	Recommendation was made to separate same.	The entity committed to ensure the committees are independent.
8	September 10, 2020	Universal Service Fund	Provision of IS Asset Development	Bid Security requested as percentage of Bid Sum	Revise request for Bid Security which is to be expressed as percentage of internal estimate.	Recommendation accepted, however, project was aborted.
9	September 23, 2020	University Hospital of the West	Procurement of Customs Brokerage Services	Protracted time to retender opportunity	Contact be made with the Office of the Public Procurement Policy regarding the time taken to retender the opportunity	Recommendation accepted
10	September 23, 2020	University Hospital of the West	Procurement of Concessionaire Services	Protracted time to retender opportunity	Contact be made with the Office of the Public Procurement Policy regarding the time taken to retender the opportunity	Recommendation accepted
11	October 9, 2020	Tax Administration Jamaica	Procurement of Laptop Computers, Towers Servers, Desktop Computers and Network Storage	Elements of subjectivity in the evaluation criteria observed	Reconsider how points are to be allotted to ensure objectivity in the process	Evaluation criteria amended by way of Addendum prior to the close of tender
12	October 22, 2020	St. Ann Municipal Corporation	Provision of Janitorial Services	Notice was not published for the prescribed 14 day period	The deadline for bid submission be extended in keeping with guideline	The submission deadline extended from October 23, 2020 to November 20, 2020.

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13	October 27, 2020	Sugar Industry Authority	Provision of Security Services	<p>Observations made at the Tender Opening:</p> <ul style="list-style-type: none"> (i) Multiple procurement opportunities were scheduled for closing; (ii) Bids for more than one procurement opportunity were stored in one Tender Box; (iii) The Tender Opening Ceremony appears to be chaired by the Chairman of the Procurement Committee (iv) Multiple issues with facilitating the Zoom platform for the tender opening 	<ul style="list-style-type: none"> (i) Each Opening Ceremony is treated with a unique meeting invitation; (ii) All bids received shall be designated a Tender Box specific to the tender; (iii) The Tender Opening exercise should be conducted by a Tender Officer; (iv) The Procuring Entity should contact the Office of the Public Procurement Policy within the Ministry of Finance to request E-GP procedures 	Recommendation was accepted
14	October 30, 2020	St. Ann Municipal Corporation	Provision of Janitorial Services	Tender Document issued was not a Standard Bidding Document	Re-issue Tender Document in keeping with guidelines based on the estimated value of the service being procured	The Municipality verbally advised that they are in the process of revising same.
15	November 12, 2020	MIND	Procurement of the Provision of Security Services	Tender Document issued had a error in respect to the intended completion date.	PB to amend the error	Error amended
15	November 26, 2020	Banana Board	Canteen Concessionaire Services	The Procuring Entity (PE) advertised outside the GoJ procurement page.	The PE was directed to the relevant circular	The recommendation was accepted
16	November 30, 2020	National Irrigation Commission Limited	Request for Expression of Interest - Consultant Librarian	Procurement notice was not advertised through the GOJ Public Procurement Page.	PB be guided accordingly to the MOFPS Circular No. 33	The recommendation was accepted
18	December 12, 2020	Jamaica Custom Agency (JCA)	Supply & Delivery of Motor Vehicles to JCA	The Procurement Notice did not have any specific category listed in the Public Procurement Commission registration.	Recommended that the Procuring Entity adjust the necessary matter	Procuring entity to make the necessary adjustments

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19	January 21, 2021	National Irrigation Commission Limited	Supply of GIS Equipment	i) The Procurement notice stated that Bidders shall submit their bids electronically as well as by hard copy; (ii) There was no category enlisted on the procurement notice for eligible local entities being registered with PPC	i) There should not be two (2) modes of submission; bids should be received either in hard copy or electronically, using the GOJEP platform. (ii) The Procuring Entity extend their bid submission deadline and consult with the Office of Public Procurement Policy in the MOFPS regarding the use of both methods	(i) Bid Submission extended. (ii) Entity committed to seek the requisite guidance from the MOFPS as it relates to the project being registered on GOJEP. (iii) Entity had extensive discussions with the PPC in respect of identifying a suitable category for which suppliers should be registered for Drones and GPS supplies. Further to same, there was no single category best suited for the procurement activity. The PPC advised the NICL that they could utilize at least three (3) or more categories ranging from Photography to Computer Supplies. As a result of this, the NICL will proceed with this procurement activity and adapt the recommendation for all future procurement activities
20	January 22, 2021	Post & Telecommunications	Supply of Delivery of Motor Vehicles	i) The procurement notice was not advertised on GOJ Procurement page; ii) The Incorrect day for return and opening of tenders was stated.	i) No Procuring Entity is to advertise procurement opportunities outside of the JIS procurement page; (ii) The Procuring Entity to amend the incorrect date	(i) Entity advised that the correct day is in the Tender Document. The Entity noted the days to advertise for future procurement opportunities.
21	January 22, 2021	Post & Telecommunications	Supply & Delivery of Desktop Computers and Laptop Computers	The procurement notice was not advertised on GOJ Procurement page	i) No Procuring Entity is to advertise procurement opportunities outside of the JIS	Entity noted the particular days to advertise for future procurement

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					procurement page.	opportunities.
22	February 5, 2021	National Family Planning Board	Procurement for the Development of a Mass Media Campaign	1. Tender notice not advertised through the GOJ Procurement page. 2. Requested PPC registration for a Consultant. 3. Procurement notice did not state time and place of opening. 4. Eligibility criteria inadequate. 5. Contradictory information in the Bid Data Sheet	PB issues and addendum to rectify the anomalies.	Recommendation accepted by the PB.
23	February 8, 2021	Bank of Jamaica	Supply of Training Room Furniture	Entity opted to utilise both hard and electronic opening procedures.	The entity choose either the electronic or hard copy procedures as the current guidelines do not facilitate the use of both methods concurrently	Recommendation accepted
24	February 26, 2021	Jamaica Agricultural Commodities Regulatory Authority/CIB	Procurement for the Installation of a Fire Suppression/Annunciation System – CIB Export Warehouse Renovation Phase 2	Initial tender process failed due to proposed prices being above the allowed +/- 15% variance. The Entity was considering splitting the procurement in an effort to reduce the overall cost of the project.	Advised that splitting the project may be misconstrued as splintering and recommended that they conduct market research to arrive at a realistic budget.	Recommendation accepted.
25	March 4, 2021	Dept of Correctional Services	Security Services	The Evaluation Criteria provided was inadequate.	The Evaluation Criteria be revised to include a further breakdown of scores	The PE provided a copy of the revised Evaluation Criteria in their response letter.
26	March 12, 2021	Factories Corporation of Jamaica Limited	Provision of Private Security Guard Services (Unarmed) and Panic Alarm System 2021-2023 at Garmex Free Zone	The Tender Notice stated that the process would be conducted using the Local Competitive Bidding Methodology as outlined the GOJ Handbook (2014)	The Entity was advised to be guided by the latest procurement procedures as outlined in the Public Procurement Act (2015) and its Amendment (2018) and its Regulations (2018).	The Entity accepted the Commission's recommendation and issued an addendum.

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27	March 23, 2021	Tourism Enhancement Fund	Supply, Delivery, Installation and Commissioning of Generator	The TEF included the option for the signed letter of quotation and price schedule to be submitted subsequent to the bid submission deadline.	The signed letter of quotation and price schedule form part of the list of mandatory items at the time of submission for transparency.	The recommendation was accepted and addenda regarding same issued to Bidders.
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Licences and Asset Divestment/Acquisition

No	Date of Recommendation	Public Body/ Entity	Project Title	Observation	Recommendation	Action Taken by PB
1	July 29, 2020	Ministry of Economic Growth and Job Creation –	Revision of the Policy Framework and Procedures Manual for the Divestment of Government Owned Lands	<ul style="list-style-type: none"> The existing policy does not provide clear guidelines for Public Bodies undertaking Government to Government land divestment activities. No clear guideline provided in Manual for the undertaking of cost benefit analyses. The Policy indicates that Lands may be divested on “humanitarian grounds”, however, no clear definition is provided. 	<ol style="list-style-type: none"> The Revised Policy should provide clear instructions. Cost benefit analysis is to be undertaken for divestment for strategic purposes where the land is being divested below market value. The term “humanitarian grounds” should be clearly defined to prevent questionable and dubious claims. Further, beneficiaries obtaining properties under this arrangement must be required to advise the Government of Jamaica of intention to sell. 	<p>Recommendation noted and agreed upon by the Review Committee</p> <ul style="list-style-type: none"> Recommendation noted and agreed upon by the Review Committee Recommendation noted and agreed upon by the Review Committee
2	August 12, 2020	Ministry of Economic Growth and Job Creation –	Revision of the Policy Framework and Procedures Manual for the Divestment of Government Owned Lands	<ul style="list-style-type: none"> As it relates to Government-owned lands, with the exception of Crown lands, the existing land divestment policy does not indicate the 	<ul style="list-style-type: none"> The Review Team should include a definitive requirement that all Public Bodies owning Government lands seek the approval of Cabinet for 	<ul style="list-style-type: none"> Recommendation was noted and agreed upon by the Review Committee

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				value of land that must be submitted to Cabinet for approval.	land valuing \$60M and over. • All Government-owned lands valuing in excess of \$30M should be reported to Cabinet on a bi-annual basis.	
3	November 9, 2020	Ministry of Economic Growth and Job Creation –	Revision of the Policy Framework and Procedures Manual for the Divestment of Government Owned Lands	<ul style="list-style-type: none"> The existing Policy Framework does not provide guidance on: <ol style="list-style-type: none"> Information to be included in the Request for Offer to Purchase or Lease /Request for Proposal; The Tender Opening Process; and Information to be included in the Evaluation Report Detailed steps on each modality of divestment are required in order to adequately guide Public Bodies. The Evaluation Reports with respect to Land Divestments are in some cases deficient and generally skeletal in nature. The existing Land Divestment policy provides inadequate guidance, in respect of applicable best practices relating tender processes. 	<ul style="list-style-type: none"> The Request for Offer to Purchase/Lease “RFOLP” and Request for Proposal “RFP” modes of divestment should include as a minimum the components stated in our letter dated November 9, 2020 to guide bidders on the requirements to place a bid and the selection/evaluation process; Best Practice procedures to be incorporated in the revised Land Divestment Policy with regard to the Tender Opening Process/ conduct of the Tender Opening Ceremony; Utilization of a standardized format for the preparation of Evaluation Reports; Tender Processes should be subjected to a Public 	<ul style="list-style-type: none"> Recommendations reviewed and taken under consideration include the proposal for the inclusion of specific guidelines for the execution of tendering and bid opening processes, the establishment of a standardized format for the preparation of Evaluation Reports, the need for the provision of detailed steps on each modality of divestment and the use of the Swiss Challenge process for the treatment of unsolicited bids. In respect of the IC’s recommendation for amendment of the interpretation of the exchange of land, the Committee has indicated that whilst it agrees with the interpretation as suggested, rather than placement of that



					<p>Opening;</p> <ul style="list-style-type: none"> • The Swiss Challenge method should be utilized in treating with Unsolicited Bids; • The need for the interpretation of "Land being exchanged" under Section 5.2.5 "Divestment in Special Cases" of the Policy Manual to include that the nature of the exchange may be "Land" for "Land" or, where the cash value of one exceeds the other, an exchange of land and cash to ensure an equitable exchange; and <p>On request, guidance was provided on the treatment of "Tied Bids". Two options were recommended :</p> <ol style="list-style-type: none"> 1. Step-wise approach using existing evaluation criteria ordered according to their relative priority (ranking). 2. Where cost is the only factor considered in the Evaluation of bids, each proposer of the tied-bids is invited to tender a further bid 	<p>interpretation in the Section for Special Cases, the statement will be placed in another section of the manual and treated as a general rule.</p> <ul style="list-style-type: none"> • The Committee indicated that in some Special Cases, there are justifiable reasons why the value being exchanged would not be the same, hence the need for the flexibility in respect of Special Cases. • The Committee reviewed the recommendations made by the Integrity Commission and has taken under consideration the IC's recommendation for the treatment of "Tied Bid".
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					which exceeds their existing bid sum.	
4	December 10, 2021	Urban Development Corporation	Lease of Property – Closed Harbour Beach Park	<p>Anomalies noted at Tender Opening exercise –</p> <ul style="list-style-type: none"> • Bid deposited in tender box with no record of receipt made on the Tender Receipt Form. • Instructions for bid submission provided in the information document were ambiguous. A requirement was stated in the Appendix and not in the body of the Instruction to Bidders/Bid Data Sheet. Bidders were not made aware of the particular envelope (Technical or Financial) to submit the Bank Guarantee document. • During the tender Opening process it was on the request of the bidder that a second search was conducted on bid received and the required document found. 	<ul style="list-style-type: none"> • Clear and concise instructions regarding all bid requirements be included in the Information Document to Bidders and that there is consistency between the Bid Document, Evaluation Report and other supporting documents. • Thorough searches be conducted for required documents at future Tenders opening ceremonies. • All bids received are duly recorded on the Bid Receipt Form 	<ul style="list-style-type: none"> • The Corporation implemented the recommended suggestions in its subsequent tender.
5	December 16, 2020	Development Bank of Jamaica	Sale of Residential Lots in Silver Sands Estate	<p>Anomalies observed at Tender Opening exercise:</p> <ol style="list-style-type: none"> 1. The bid offer sums were not announced at the Tender Opening 2. Whereas the Bid Documents indicated the requirement for the submission of a Tax Compliance 	<ul style="list-style-type: none"> • Best practice indicates that for transparency, the bid prices should be announced and recorded at the Bid Opening Ceremony except in the instance where a two stage process is employed. 	<p>The DBJ in letter dated December 28, 2020 noted the recommendations made and expressed its appreciation that the relevant matters were brought to its attention.</p>

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				<p>Documents and Certificate of Incorporation in instances where the bid is submitted by a company; during the Ceremony these documents were not indicated as having been received. Only documents common to both a company and an individual were announced.</p> <p>3. A general comment was made regarding the validity of the bids received.</p>	<ul style="list-style-type: none">• An announcement should have been made verbally and the information documented on the Tender Opening Form regarding the existence or lack thereof of the TCC and Registration Certificate for a company submitting a bid.• The usual best practice indicates that Tender Officers should refrain from commenting on the validity/eligibility of bids during the Tender Opening Ceremony	
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CORRUPTION PROSECUTION DIVISION

1. Legal Opinions

Under section 34(b) of the Integrity Commission Act, 2017, the Director of Corruption Prosecution is tasked with providing legal advice to the Commission on matters concerning acts of corruption and offences committed under the *Integrity Commission Act, 2017*.

For the reporting period, the Director of Corruption Prosecution was asked to provide several opinions, with some notable areas as follows:

- Initiating proceedings and evaluating the powers of arrest, charge and the conduct of prosecutions as stipulated under the Integrity Commission Act, 2017, with specific consideration being given to the processes to be employed by the Corruption Prosecution Division in the laying of charges to commence the prosecution of matters at Court;
- Continued publication by the Commission of the particulars of GOJ contract awards via the Commission's QCA online portal and possible breach of section 56(1) of the Integrity Commission Act, 2017;
- Proposed legislative reform and amendment to the Integrity Commission Act or other relevant statutory enactment;
- The absence in law of named offences of 'nepotism' and 'cronyism', and whether the Integrity Commission Act, 2017 made provision for such offences to be criminalized.

Legal support and guidance was also provided to the Legal Office in the review of Draft Regulations, Director Codes of Conduct and other protocols to guide operational processes under the Integrity

Commission Act, 2017, in addition to finalizing Memoranda of Understanding with competent authorities as provided under section 7 of the Act.

2. Proceedings Initiated

Toward the close of the reporting period, the Investigation Division was asked to facilitate the service of summonses on Information, prepared by the Corruption Prosecution Division in two (2) legacy Financial Investigation matters referred to the Division for ruling. The relevant public servants in both matters were determined to be in breach of requirements under the *Corruption Prevention Act* and charging documents were prepared to reflect those offences, in accordance with the procedural framework developed for the purposes. The relevant documents were prepared for filing and the related processes issued for service through the Investigation Division. This marks the first prosecutions to commence under the new Commission and the matters are set to be heard on a date within the next period.

3. Technological Infrastructure

As a newly created Division under the Integrity Commission Act, 2017, an assessment of the specific technological needs of the CPD was undertaken in collaboration with the Information Systems Division (ISD), and attempts made to expeditiously meet those needs. During the period, all members of the Division were provisioned access to the JustisOne Database, a feature-driven online research platform with increased research capabilities and a larger compilation of cases from Commonwealth jurisdictions. Additionally, given legislative enactments with respect to Special Measures now being utilized by the courts, an assessment of the organization's capabilities for the provisioning of those services was commissioned, to ensure

efficiency in the conduct of court proceedings, while also serving to minimize possible exposure of witnesses.

4. **Training**

Throughout the period, members of the Corruption Prosecution Division were continuously engaged in various training sessions. New recruits benefitted from orientation training facilitated through the Investigation Division, conducted in modules over a weeklong period, in critical areas of functionality and expertise building. The Division was also represented at the National Workshop for the Development & Implementation of a National Anti-Corruption Strategy in Jamaica.

Members of the Unit also participated in the Jamaica Bar Association's (JAMBAR) Annual Conference, which served not only to extend the knowledge base of the members of the team, but also satisfied requirements for accreditation in accordance with Continuing Legal Professional Development (CLPD). Additionally, two (2) training sessions organized by the Office of the Director of Public Prosecutions (DPP), as part of their Prosecutor Empowerment Programme (P.E.P.), were delivered by means of online interactive sessions. Both sessions were accredited through the General Legal Council and also count towards CLPD requirements.

The Director of Corruption Prosecution, was also among staff members selected for participation in a weeklong Professional Certificate Course facilitated by the Financial Investigation Division (FID) through the International Center for Parliamentary Studies, on the topic of *'Tackling Financial Corruption'*, which proves of specific relevance to her statutory mandate under section 34(1)(c) of the *Integrity Commission Act*, relating to the seizure, restraint, forfeiture or recovery of any property relating

to acts of corruption, in collaboration with the Asset Recovery Agency.

In addition, as part of the wider thrust toward digitization of the organization's processes, two members of the Division participated in a workshop, hosted by the eGov Agile Centre of Excellence intended to sensitize government Ministries, Departments and Agencies on the importance of transforming Jamaica into a Digital Society.

Similarly, all the Prosecutors within the Division attended a Training/Sensitization Workshop on Procurement hosted by the Ministry of Finance and the Public Service, which dealt summarily with the Fundamentals of Public Procurement Law, and one of the Division's Prosecutors also participated in a Workshop facilitated by the United Nations Office on Drugs and Crime (UNODC) on *'Basic Investigative Techniques for Corruption Cases'*.

The Division was also invited to and participated in the virtual launch of the "Digital Policing" (Criminal Investigations in the Technological Era) Training Video, conducted by the Cybercrimes and Digital Forensics Unit within the Office of the DPP, in collaboration with the Jamaica Constabulary Force.

5. **Stakeholder Engagement**

In keeping with the Commission's mandate under Section 7 of the Integrity Commission Act, 2017, to work in co-operation with other bodies as deemed appropriate and, specifically, to establish formal arrangements particularly with respect to information sharing with noted competent authorities, the Corruption Prosecution Division has worked throughout the period as a part of the Commission's team to establish, review and implement the necessary protocols and processes around such relationships.

Of particular importance, engagement with the Major Organised Crime and Anti-Corruption Agency (MOCA) was specifically required with respect to noted prosecutions for acts of corruption initiated by that Agency, and collaboration between the organizations was facilitated to ensure best practices were utilized and proper protocols followed.

The Corruption Prosecution Division was also asked to lead the Integrity Commission in offering support to an initiative spearheaded by the Jamaica Constabulary Force (JCF) in collaboration with the Pan American Development Foundation, on a project to produce, publish and implement a 'Points to Prove and Definitions Booklet', a digital product intended to provide guidance on the key elements of over one hundred (100) criminal offences, with supplementary guidance on related legal terms. The booklet is also intended to serve as a single professionally published resource for related legislation and case law, to include indexing and hyperlinks, with intended enabling of periodic updates of the content.

A review of the draft document was conducted by members of the Commission with necessary feedback, suggested content and amendments, and the Corruption Prosecution Division subsequently compiled the reviewed document for resubmission, with particular focus on content and recommendations concerning offences under the *Integrity Commission Act, 2017*, *Corruption Prevention Act* and other relevant provisions.

6. Sensitization Workshop for the Cabinet of the Government of Jamaica

As organized through the Executive Office, the Corruption Prosecution Division participated in the conduct of the Anti-Corruption and Good Governance Sensitization Workshop specifically designed for the Cabinet of the Government

of Jamaica, for which the presentation of modules was conducted weekly through a virtual link with Members of the Cabinet.

The predetermined modules were presented by the relevant Director with responsibility for the noted areas, and in particular, Modules 10 and 11: *Prosecuting Allegations of Corruption* and *An Overview of Corruption Offences in Jamaica*, respectively, were delivered by the Director of Corruption Prosecution.

7. Anti-Corruption Day

International Anti-Corruption Day was recognized under the theme: “**Recover with Integrity**”, with focus on measures to reduce the risks of mismanagement and corruption without compromising the speed and flexibility demanded by the crisis of the pandemic, while ensuring an inclusive recovery. Representatives from the Division worked as part of a broader Committee to identify effective ways in which the objective of the celebrations could be met, and subsequently, material was prepared and developed for media presentation: television, radio and print, to capture the purpose, objectives and the functions of the organization against the background of the noted theme.

8. Staffing

For a significant part of the period under review the Corruption Prosecution Division was staffed solely by the Director of Corruption Prosecution. Staffing the Unit was therefore undertaken with particular urgency throughout the remainder of the period and the conduct of interviews and subsequent selection of candidates for the posts of Senior Prosecutor, Prosecutor, Legal Secretary and Paralegal were given primary focus. At the close of the period, appointed within the Division were two (2) Senior Prosecutors, a Prosecutor at the junior level, and a Paralegal, constituting fifty



percent (50%) of the approved complement of legal persons, to include the Director of Corruption Prosecution, and a third of the proposed number of support staff members for the Unit.

CONVICTIONS, ACQUITTALS AND TIME TAKEN TO DISPOSE OF EACH MATTER WHERE A CHARGE IS LAID

For the reporting period, there have been no convictions and/or acquittals in the matters for which charges were initiated. However, further details with respect to the status of those matters are provided under the previous section detailing "Number of Matters Investigated by the Commission which have Resulted in Prosecutions or Disciplinary Action in that Year".

PERFORMANCE OF SUPPORT DIVISIONS

LEGAL DEPARTMENT

The Legal Department is headed by a Legal Counsel who reports directly to the Executive Director.

Court Proceedings – Reporting Year April 1, 2020 to March 31, 2021

During the reporting year, April 1, 2020 to March 31, 2021, the Commission continued to pursue legal matters which were before the Courts, involving the Commission directly or in relation to legacy Commissions, pursuant to Section 63 of the Integrity Commission Act.

Detailed hereunder are the particulars of the ongoing Court proceedings involving the Integrity Commission (IC):

1. Application for Judicial Review Initiated by Cenitech Engineering Solutions v National Contracts Commission and Contractor General et al:

The Matter concerns an Application for Judicial Review of the decision to deregister Cenitech Engineering Solutions as a Works Contractor with the National Contracts Commission (NCC). The reliefs sought also included damages in excess of Three Hundred Million Dollars (\$300,000,000) and an injunction/stay of the Office of the Contractor General's (OCG)'s internal hearings.

Status: Concluded. On the 29th of April 2014, Mrs. Justice M. McDonald-Bishop granted Cenitech's application for a stay of our internal hearings and an injunction restraining the OCG from launching any further investigation or hearings in relation to Cenitech's registration with the NCC.

Additionally, subsequent to several days of submission from Counsel for all parties, the following Orders were made on March 26, 2021, by way of decision read by Mr. Justice David Batts:

1. It is declared that the NCC acted in breach of the principles of natural justice when it revoked and/or cancelled Cenitech's registration.
 2. Certiorari will issue to quash NCC's decision, to cancel and/or revoked Cenitech's registration.
 3. Damages to be assessed in favour of Cenitech and against the NCC and the Attorney General by a judge alone in open court.
 4. Costs will go to Cenitech, the Integrity Commission and the Ministry of Agriculture against the NCC (now Public Procurement Commission) and the Attorney General.
2. Application for Judicial Review initiated by Gorstew Ltd. and the Hon. Gordon Stewart, OJ. v. The Contractor-General

The matter concerned the jurisdiction of the then OCG to investigate the divestment of the Sandals Whitehouse Hotel, specifically the interpretation and applicability of the term 'government contract'.

Status: Concluded. On July 22, 2020, the decision in this matter was delivered by a panel of three Judges, read by Fraser J. In essence, the decision found that the then Contractor General did not possess the jurisdiction to investigate the sale of government land, chattel and/or goods used in connection with the Sandals Whitehouse Hotel, as the sale agreement for same was not a "government contract" for the purposes of the Contractor-General Act. Costs was

awarded to the Claimants to be agreed or taxed.

3. Dirk Harrison (Contractor General) v Abraham Dabdoub et al:

By way of Form of Application Against an Attorney-at-Law, (1)Mr. Abraham Dabdoub and (2) Dr. Raymond Clough, Mr. Dirk Harrison filed a complaint with the General Legal Council on the 7th day of December, 2015, in relation to the actions of Mr. Dabdoub and Dr. Clough. Briefly, the allegation is that Abraham Dabdoub and Raymond Clough, both Attorneys-at-Law, conducted themselves in a manner unbecoming of an Attorney-at-Law based on certain observations and facts. Dr Clough has since deceased and the GLC by letter dated December 19, 2019, confirmed that the matter against him has therefore ended.

Status: Concluded. On November 27, 2020, the Integrity Commission made an application to withdraw the complaint in relation to Mr. Dabdoub, with no order as to costs. This application was granted without objection from Mr. Dabdoub. The matter is therefore at an end.

4. Andrew Wheatley v Integrity Commission:

By way of Application for Administrative Orders [Application for Leave to Apply for Judicial Review] filed July 7, 2020, Dr. Wheatley sought judicial review in relation to certain conclusions and recommendations contained in an Integrity Commission Special Report of Investigation conducted into certain allegations concerning donations made by Petrojam Limited to Organisations and Causes for the period April 2016 to March 2018.

The reliefs sought are summarized below:

- (i) To review the lawfulness and fairness of conclusions about Dr. Wheatley and the recommendations made in the Special

Report of Investigation into Petrojam, in particular, the conclusions that:

- a) Dr. Wheatley was less than truthful and dishonest when he described Sophia Deer as his technical assistant;
- b) Dr. Wheatley's representation that he divested all matters pertaining to donations within his constituency to the late Councilor Palmer; and
- c) The suggestion that the strategic placement of individuals at Petrojam was a corruption enabling mechanism.

- (ii) In relation to the conclusions, recommendations and findings of the Commission:

- a) An order for Mandamus requiring the Director of Investigations to recommend to the Commission to publicly exonerate Dr. Wheatley of allegations concerning acts of impropriety and nepotism; and
- b) Certiorari quashing adverse conclusions and recommendations made against Dr. Wheatley.

Status: Concluded. The matter was heard on July 31, 2020. On September 22, 2020, the following decision/Orders were made by Justice Wolfe-Reece:

- 1. Application for Leave to Seek Judicial Review is denied;
- 2. No leave is required in respect of an application for declarations; and
- 3. No Order as to costs.

5. Ian Hayles et al v Contractor General:

The matter concerns an Application for Judicial Review and injunction restraining publication of Investigation Report. Status: Ongoing- As at the end of the Reporting

year, the parties were still awaiting a new hearing date for the proceedings.

6. Clava Mantock Snr et al v Dirk Harrison et al (SU2020CV02765):

On July 27, 2020, Clava Mantock Snr (and others) filed a claim against Dirk Harrison *et al* joint and/or severally, seeking “...damages for false imprisonment and malicious prosecution for that on or about the 27th of July 2014, Mr. Harrison and Mr. Simms caused the Claimants, maliciously and without reasonable and probable cause, to be arrested, imprisoned and falsely charged with forgery, uttering forged documents and conspiracy”.

This claim relates to an NCC Application which was submitted by the Claimants as Directors of Cenitech Engineering Solutions and which Mr. Harrison, then Contractor General, based on review, deemed to have contained forged documents and inaccurate information and upon that basis, made a referral to MOCA. Detective Simms, employee of MOCA, executed the warrant in relation to the referenced charges and the prosecution was conducted by the Office of the Director of Public Prosecutions.

The Claimants have sought the following:
General damages for false imprisonment and malicious prosecution;
Special damages of \$14,500,000;
Aggravated damages for false imprisonment and malicious prosecution; and
Exemplary damages for false imprisonment and malicious prosecution

Status: Ongoing. An Acknowledgement of Service of Claim Form was filed on behalf of Mr. Harrison on September 8, 2020, and served on the other parties to the claim. A Defence was filed on behalf of Mr. Harrison on October 27, 2020. We await a date for Case Management Conference.

Costs Awarded by the Court For/Against the Contractor-General/Integrity Commission:

1. Danville Walker v Contractor General:

Recovery of costs in the amount of \$3,761,188.20 at the Supreme Court and \$910,132.05 at the Court of Appeal, which was awarded to then Contractor General. As at September 28, 2020, an agreement was arrived at and the sum of \$5,000,000 was paid by Mr. Walker in settlement of costs plus interest thereon. The matter is therefore now at an end.

2. Construction Solutions Limited and Vincent Taylor v The Contractor General:

Recovery of costs awarded to the Contractor General. Bill of Costs totaling \$1,392,171.15 at the Supreme Court and \$575,670.50 at the Court of Appeal were filed and served on August 13, 2020, on the Claimants’ Attorney. The Claimants have not sought to respond to the Bill of Costs with the result that the Commission will proceed to file Default Costs Certificates and pursue the matters thereafter by way of Judgment Summons.

3. Dwight Reid et al v Contractor General:

Recovery of costs in the amount of \$3,295,198, which is the sum total of costs awarded to the Contractor General at the Supreme Court and Court of Appeal. To date, the debtors have paid \$2,123,259.37. The total of \$1,171,938.63 remains outstanding.

As at September 29, 2020, the Commission was informally made aware of the death of one of the debtors. An effort to contact the sole remaining debtor has been unsuccessful. As at the end of the Reporting period, the Commission is considering the way forward.

4. Cenitech Engineering Solutions Ltd. v Contractor General et al:

Recovery of costs awarded to the OCG/Integrity Commission- The OCG was awarded costs on an interim application on July 18, 2014, as well as costs in the claim at the conclusion of the Judicial Review for which judgment was delivered on March 26, 2021. These costs will be assessed and taxed, if not agreed. This process has not commenced.

5. Judicial Review Initiated by Gorstew Ltd. and the Hon. Gordon Stewart, OJ. v. The Contractor-General:

The Claimants were awarded costs to be agreed or taxed. This process has not commenced.

Legal Assistance Provided to Other Divisions: Reporting Year April 1, 2020 to March 31, 2021

The Legal Counsel provides general legal advice to the Commission, specifically its statutory and non-statutory divisions. The nature of the matters varies and concerns the following primary areas of law: contract, employment, administrative, procurement and corruption.

The following provides a general overview of the legal support which was provided by the Legal Counsel for the Reporting Year:

Executive Office:

- (a) Provided general legal advice to the Executive Director.
- (b) Drafted Memorandum of Understanding with each Competent Authority as permitted by Section 7(12) of the Integrity Commission Act, with a view to increasing the collaboration between the IC and Competent Authorities in relation to the prevention, detection and investigation of an act of corruption

(c) Managed the process in relation to the preparation of the Drafting instructions for the Regulations to the Integrity Commission Act. It is expected that the Drafting Instructions will be submitted to the Chief Parliamentary Council in short order.

(d) Reviewed the Foreign, Commonwealth and Development Office (FCDO) contract through which the IC has secured the commitment from the British government to provide financing to support varying activities of the Commission, to include obtaining Case Management Software and other related software, to enhance the operation of the Commission.

(e) Updated Job Descriptions for Statutory Directors to ensure cohesiveness and compliance with requirements of the Integrity Commission Act, with a view to ensuring that the Commission's objectives are achieved.

(f) Initiated the process in relation to clarifying the status of the Integrity Commission as the Designated Authority for the purposes of the Protected Disclosures Act. As reflected in Gazette dated January 25, 2021, the Integrity Commission has now been ascribed as the Designated Authority pursuant to Section 21 of the Protected Disclosures Act.

(g) Prepared and presented to Cabinet a module in the Commission's Anti-Corruption and Good Governance Sensitization Workshop Series, in relation to "the Anti-Corruption Framework in Jamaica: a focus on the Integrity Commission".

(h) Assisted with providing appropriate responses to media enquiries.

(i) Assisted with the preparation of the Integrity Commission's response/input to international anti-corruption surveys.



- (j) Assisted with the preparation for and did attend the Integrity Commission's Parliament Oversight Committee meeting in July 2020, at Gordon House.
- (k) Drafted the Inter-Divisional Protocol which outlines the framework agreement between the statutory Divisions of the Commission, to ensure the realization of the individual and collective mandates and functions of the Statutory Directors.

Corporate Services

- (a) Provided general legal advice to Corporate Services.
- (b) Assisted with the negotiation of Lease and related agreements.
- (c) Drafted and amended several policies and procedures for the Human Resource Department to guide the operation of the Commission in relation to staff affairs, processes and procedures.
- (d) Provided legal opinions and drafted documentation in relation to matters concerning redundancy and transition of legacy staff members into the Commission's new Organization Structure.
- (e) Assisted the Procurement Unit with the review of certain bidding documents and related contracts arising therefrom.

Investigation Division

- (a) Provided general legal advice to the Investigation Division.

- (b) Acted as Registrar in several judicial hearings being conducted by the Director of Investigation.
- (c) Assisted with case reviews to determine the way forward on special investigations.
- (d) Participated in the due diligence process through which special reports of investigation are reviewed and edited.
- (e) Assisted in the drafting of Special Reports of Investigation.

Information and Complaints

- (a) Provided general legal advice to the Information and Complaints Division.
- (b) Initiated and assisted the process to secure amendments to the Third Schedule of the Integrity Commission Act, which is the Statutory Declarations Form. It is expected that the referenced Regulation will be Gazetted early in the next financial year.
- (c) Initiated and assisted the process to secure the promulgation of the Electronic Transactions (Electronic Form of Statutory Declaration Under the Third Schedule of the Integrity Commission Act) Regulations, 2021, which will ultimately facilitate the electronic filing of the Statutory Declaration Form by parliamentarians and public officials. It is expected that the referenced Regulation will be Gazetted early in the next financial year.

INFORMATION SYSTEMS AND BUSINESS DIVISION

The Information Systems and Business Division is headed by a Director, who reports directly to the Executive Director.

The Information Technology and Business Processes (ITBP) Division is resolute in its mission of servicing the digital requirements of the Integrity Commission and looks forward to embracing the enterprise business process analysis role. The ITBP currently has two teams, Systems and Software, focused on the Information Technology (IT) aspect of the division. A third team, Business Analysis, is to be established when the organization acquires more office space. For this reporting year, the main focus of the Systems Team was the bolstering of IT Infrastructure. The Software Team focused on the finalization of the Electronic Statutory Declaration (eDS) software and the development of new software for the Investigation Division. The major projects had a positive impact on the organization's efficiency and embraced the emerging business processes of the Integrity Commission as it transforms to achieve its mandate. These projects were complemented by the usual tasks of maintaining and expanding internally developed software, supporting existing business processes and general users assistance.

Infrastructure Upgrade Project

The ITBP completed the configuration of the network devices purchased in the previous fiscal year. This resulted in:

- Site to Site Communications – network communication between the Oxford Road and Barbados Avenue offices was established allowing the sharing of network resources such as the intranet and other internally developed database applications
- Greater network capacity – the ability of the network was increased to support more devices communicating at a high transmission rate,
- Improved stability – greater fault tolerance was introduced in the network with increased uptime

- Greater security – the network was configured to modern standards resulting in greater security built into the fabric and design of the infrastructure
- Redundancy – several single points of failure were eliminated from the network infrastructure

Support of Strategic Portfolios

Electronic Declaration System (eDS)

The ITBP continued development based upon requirements received from the Information and Complaints Division. Functionality for in-house users has expanded as well as the implementation of user-friendly features for external stakeholders. Data from the legacy Statutory Declaration application was extracted, transformed and loaded into the new electronic Declaration System. This allowed internal users of the system to have access to historic data previously captured. The system is in its final stages of testing and porting to a live environment after which it will be launched.

The Integrity Commission and Contracts Websites

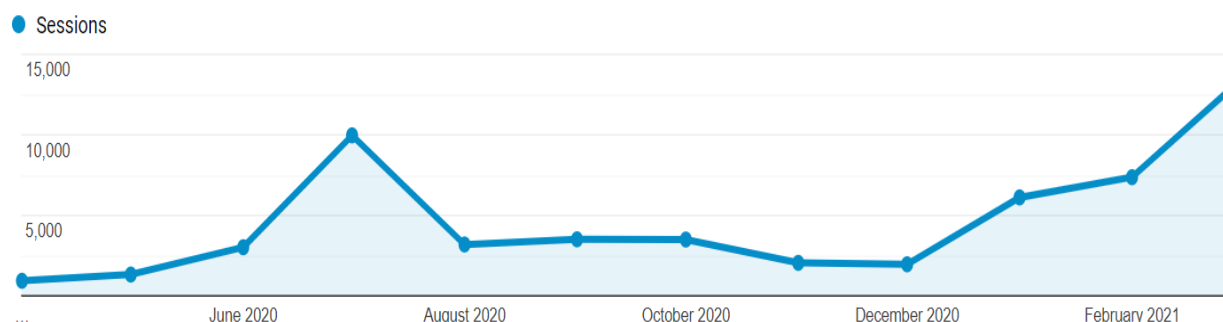
The Integrity Commission utilises and maintains the following two (3) websites:

- The Integrity Commission's website – www.integrity.gov.jm
- Quarterly Contract Awards Portal – qca.integrity.gov.jm
- Contract Cost Overrun and Variation Portal – ccov.integrity.gov.jm

The Integrity Commission's website provides pertinent information on matters which relate to the work of the Integrity Commission. The layout of the Integrity Commission's website has been revamped to ensure ease of use and navigation by viewers. The primary purpose of the website is to provide a medium that promotes standards of ethical conduct

among parliamentarians, public officials and other persons while promoting transparency in the Government of Jamaica's (GOJ's) Procurement and Contract Award Processes. The website also seeks to ensure that useful and timely information, which relates to the activities and work of the Integrity Commission, is easily accessible to all stakeholders.

Graph showing www.integrity.gov.jm website visits over the period April 2020 to March 2021



From April 2020 to March 2021, the site had 108,698 pages being viewed.

Table showing the top five (5) most visited pages on www.integrity.gov.jm, for the reporting period

Page Views / % of total	PAGE	DESCRIPTION
36,825/ 33.88%	Home page	This is the landing page for the website, the official welcome to the IC webspace.
22,101/ 20.33%	Vacancies	Provides a list of available job vacancies at the Integrity Commission
16,773/15.43%	Statutory Declaration Form	Provides a form for Statutory Declaration of Assets, Liabilities and Income of Parliamentarians and Public Officials
4,873 /4.48%	Contact Us	Provides contact information for the Integrity Commission
2,426/2.23%	About Us	Provides information about the Integrity Commission

Quarterly Contract Awards (QCA) Portal

The Quarterly Contract Awards Portal was developed to advance the receipt, consolidation and assessment of contract awards that were made by Public Bodies. The system was launched in the third (3rd) quarter of 2012 and facilitated an expansion in the scope of the QCA Regime. Public Bodies are now required to report on all contracts awarded over J\$500,000.00, which would include contracts that required the endorsement of the NCC.

Public Bodies' contract award information submitted via the QCA Portal is published on the Integrity Commission's website and may be accessed via the URL <https://integrity.gov.jm/qca-consol> or by scanning the following graphic with a mobile device.



Contract Cost Overruns and Variations (CCOV)Portal

The Quarterly Contract Awards (QCA) facilitates the collection of data on contracts entered into by public bodies above a value of five hundred thousand Jamaican dollars (J\$500,000.00). If there are cost overruns or variations in the contract, these details are entered using the Contract Costs Overruns and Variations (CCOV) interface. This data is utilized in the organization's contract monitoring business process.



CORPORATE SERVICES DIVISION

The Corporate Services Division is headed by a Director who reports directly to the Executive Director.

The Corporate Services Division (CSD) is composed of the Human Resource Management Department, Office Services Department, the Procurement Department and the Registry. The Division had a staff complement of twenty (20) persons across the two (2) locations of the Commission, at the end of the reporting period. The approved staff complement for the Division is twenty-seven (27). Private security personnel also fall under the Division but are not counted as staff.

During the reporting period, the CSD gave priority to staff recruitment, staff welfare, to include training and development and also to procurement.

With the Human Resources Department falling under the CSD, the Division continued with the administrative aspect of the amalgamation process of the Integrity Commission. Critical to the merger activities also, were the Accounting and Office Management functions across the two (2) locations.

Operationalisation of the Finance and Accounts Division

The Corporate Services Division under the establishment of the former Office of the Contractor General (OCG), included the then Accounts Department and had a staff complement of four (4), with the most senior Officer being the Chief Accountant. Upon the review of the Organisational Structure however, it was determined that the Department would be established as a Division, to be led by a Director, Finance and Accounts.

At the end of the reporting period, however, due to physical office space constraints the Division has not yet been established nor was its additional staff recruited. Consequently, and in the interim, the Corporate Services Director has been assigned continuing oversight management and leadership responsibility for the Finance and Accounts Division.

Human Resource Management

Staffing Situation – General

At the end of the Financial Year ending March 31, 2021, the Integrity Commission had a staff complement of eighty-one (81).

During the reporting period, the Commission welcomed twenty-two (22) new staff members, whilst thirteen (13) of our colleagues separated from the organisation.

Temporary Data Entry Officers

The Integrity Commission, during the reporting year, engaged the services of fourteen (14) Data Entry Officers. The Officers were assigned to the Information and Complaints Division to assist in clearing the backlog of Statutory Declarations to be posted to the Commission's Statutory Declaration Database, *inter alia*.

The number of Temporary Data Entry Officers as at March 31, 2021, was thirteen (13). One (1) member of that group was successfully transitioned into being a member of staff, upon applying and subsequently interviewing for the position of Data Verification Officer.

Appointment of the Directors of the Integrity Commission

Section 28 of the Integrity Commission Act, provides that the Executive Director of the Commission “*shall be appointed by the Governor-General, acting on the recommendation of the Commission.*”

Further, Section 30 of the said Act, states that the Commission shall carry out its functions through three (3) named Divisions, each of which shall be headed by a Director who “*shall be appointed by the Governor-General, acting on the recommendation of the Commission.*” The Divisions established, in accordance with the Act, are as follows:

- i. The Information and Complaints Division
- ii. The Investigation Division
- iii. The Corruption Prosecution Division

In the foregoing regard, Directors of the Commission, as allowed for in the Act, were appointed during the reporting period, as follows:

- The Director of Corruption Prosecution, Miss Keisha Prince, was sworn into Office on March 27, 2020, with an effective date of April 1, 2020. Miss Prince originally joined the Commission in December 2019, on Secondment from the Office of the Director of Public Prosecution (ODPP). The secondment arrangement was for a period of six (6) months.
- The Executive Director, Mr. Greg Christie, was sworn into Office on May 18, 2020.
- The Director of Investigation, Mr. Kevon Stephenson, was sworn into Office on May 18, 2020.
- The Director of Information and Complaints, Mr. Craig Beresford, was sworn into Office on July 14, 2020.

The appointment of Mr. Beresford completed the appointment of all Directors at the Integrity Commission, pursuant to the dictates of the Integrity Commission Act, 2017.

It is to be noted, however, that prior to the appointment of the named Directors, the posts were held on an interim basis, as follows:

- a. Interim Executive Director
Colonel Daniel Pryce
- b. Interim Director of Information & Complaints
Ms. Joy Powell
- c. Interim Director of Investigation
Mr. David Grey

Miss Keisha Prince was previously the Interim Director of Corruption Prosecution, having been seconded from the ODPP for what was to be a 6-month period.

Employment Status of Staff from the Legacy Entities

The Annual Report for the 2019/2020 Financial Year outlined in detail, the varied staffing peculiarities presented by the merger of the legacy entities.

Of note, however, is that Section 62 of the Integrity Commission Act, 2017, provides for the transition of permanent and contracted employees into the newly-established Commission, upon the amalgamation of the three (3) legacy entities.

Given the provisions of the Act, where employment contracts expired, the Commission previously opted to extend said contracts for an initial period of six (6) months and when expired, those contracts were further extended by an additional six (6) months.

Revision of Organisational Structure

One of the deficiencies identified upon interrogating the legislated functions and comparing it to the previously-approved structure of the Commission, was that, while there were clear indications of positions established to treat with breaches of the Integrity Commission Act, there was no clear path to treat with corruption-prevention and stakeholder engagement, among other things. In this regard, the recommendation was made for the establishment of a fourth (4th) Statutory Division (Corruption Prevention, Stakeholder Engagement and Anti-Corruption Strategy Division), headed by a Director, to be appointed by the Governor-General, acting on the recommendation of the Commission, as allowed for under Section 30(d) of the Integrity Commission Act.

The addition of the new Division, along with the revision of the structure of the other Divisions, resulted in a newly-proposed Organisational Structure, with an expanded staff complement of one hundred and seventy (170). Ministry approval of the revised structure was obtained in November 2020 and final approval by the Section 35 Committee, obtained in December 2020.

The staff complement was further increased to one hundred and seventy-two (172), with the establishment of a 3-person Audit Unit, instead of a



single Internal Auditor, as was previously approved. The Internal Audit Unit was proposed by the Commissioners, and comprises three (3) Officers; namely, a Chief Audit Executive, a Senior Auditor and an Assistant Auditor.

The revised Organisational Structure of 172 was approved by the Ministry of Finance and the Public Service on January 4, 2020, and by the Parliamentary Section 35 Committee on March 11, 2021.

The previously-approved staff complement, prior to the appointment of the Directors was one hundred and thirty-two (132).

Transitioning of Staff from Legacy Positions and Short-Term Employment Contracts

Upon the appointment of the Executive Director, he sought to, as a matter of priority, reduce the uncertainty and related anxiety among staff, around their security of tenure and thus commenced the process of transitioning staff away from legacy positions, into Integrity Commission staff positions that were previously approved and would remain unchanged with any subsequent revision.

Further, and as an interim measure, staff members whose employment contracts were being extended by six (6) months, upon expiration, were transitioned from 6-month into 12-month contracts, pending receipt of approval for staff appointments to long-term contracts.

This secondary exercise was undertaken with the full appreciation that staff would be transitioned into 3-year contracts, upon approval of the revised structure and related salary packages.

Establishment of 3-Year Contract Platform and Transitioning of Staff from Legacy Positions

The Commission subsequently secured approval of 3-year renewable contracts for all staff employed to or transitioned into the establishment of the new Integrity Commission, irrespective of the legacy institutions to which they were previously attached

and the related employment status, whether contractual or permanent.

Upon receipt of the requisite approval, the process to transition staff to 3-year employment contracts commenced.

The number of staff transitioned into the Integrity Commission's structure as at March 31, 2021, was fifty-five (55). Of note is that all staff members contracted to the Commission on 3-year Contracts, are placed on 3 months' probation.

Six (6) staff members were yet to be transitioned and therefore still held legacy positions, at the end of the reporting period.

Staffing Support for the Public Procurement Commission

It was reported in the Commission's Annual Report of 2019/2020, that the National Contracts Commission (NCC), to which the former Office of the Contractor (OCG) (and subsequently the new Integrity Commission) provided Secretariat services, had effectively been abolished and the Public Procurement Commission (PPC) established in its place, as a public body, with effect from on April 1, 2019. The PPC, as established, provides the same services as did the former NCC.

Notwithstanding the establishment of the PPC, the staff of the Integrity Commission, through its then Technical Services Division (TSD) (legacy Division under the OCG), continued to provide support to the PPC, as the building identified to house that organisation was not ready for occupancy at the end of the 2019/2020 Financial Year.

Further, staff had not yet been identified for that entity, to allow for continuation of the services provided. Accordingly, the Ministry of Finance and the Public Service had requested the Integrity Commission's continued support, to ensure the continued operation of the PPC, given the critical services provided by that entity to Government Contractors and those desirous of becoming Government Contractors.

The Commission continued to provide support to the PPC, which subsequently moved into its new Office space in July 2020. Four (4) members of the TSD Team, who were previously employed to the legacy OCG, opted to remain with the Integrity Commission, while five (5) staff members separated from the Integrity Commission, opting to be employed to the PPC.

See Schedule detailing Staff Situation 2021, provides further details in relation to staffing.

Staff Training

The Integrity Commission remains committed to providing an environment in which its staff members develop professional best practices, through both external and internal training.

The Commission, over the reporting period, registered one hundred and seven (107) participants in eleven (11) internal and external training programmes, seminars, workshops and/or conferences, locally.

It is to be noted that in several instances, the training opportunities were sponsored by stakeholders, thus were at no significant/no expense to the Commission.

Details of the training opportunities afforded to staff over the reporting period, are documented in the Schedule of Staff Training.

The Human Resource Management Department remains committed to identifying quality training opportunities aimed at enhancing the human resource asset of the Commission and thus, increasing its capacity to discharge its mandate in a more effective and efficient manner.

Staff Welfare Programmes

Miscellaneous Loan Facility

The Ministry of Finance and the Public Service, in 2014, granted its approval for the then Office of the Contractor General (OCG) to establish and maintain a One Million Dollar (\$1,000,000.00) revolving miscellaneous loan fund for the benefit of staff. Consequently, a Bank account was established for this purpose and loans are disbursed to staff at a rate of 3%, under the strictures of an approved Loans Policy, for the purpose of tuition fees, computer loans, emergencies and other unforeseen miscellaneous purposes. The Commission, during the period under review, continued to maintain this facility.

Motor Vehicle Revolving Loan Facility

The former Commission for the Prevention of Corruption (CPC), in 2007, with approval from the Ministry of Finance and the Public Service, established and operated a Motor Vehicle Revolving Loan Scheme, to assist Travelling Officers to purchase reliable motor vehicles for the performance of their duties. A Bank Account was established for this specific purpose and loans are disbursed to staff at a rate of 0%, under the strictures of the relevant policy, as established by the Ministry of Finance and the Public Service. The Commission continued to maintain this loan facility during the reporting period. It is anticipated that both loan facilities will eventually be expanded and the thresholds increased; and thus made available to the significantly increased staff complement of the Integrity Commission.

Staff Awards and Recognition

The Commission, in December 2021, had planned to host a virtual Staff Recognition and Awards Ceremony, which would have formed part of the Commission's Christmas Luncheon/Year-end celebrations. Eleven (11) staff members were selected to be recognised to be awarded for going above and beyond in carrying out their daily activities.

However, the Commission became aware of a communiqué from the Cabinet Secretary, prohibiting staff functions with Public Sector entities, during the Christmas Season. Consequently, the Executive Director, by way of electronic mail, advised staff that, in light of the directive from the Cabinet Secretary, the Commission would cancel the events scheduled for Friday, December 18, 2020. The communiqué from the Cabinet Secretary was in keeping with the Government's measures to curb the spread of COVID-19.

Awardees were, therefore, each presented with their awards in the presence of a few select persons, to include the Director of the respective Division, the Executive Director and a representative from the Human Resources Department.

The Social Activities Club

The Social Activities Club (SAC) has the responsibility of promoting social interaction and maintaining an environment of camaraderie amongst staff. The SAC is led by an Executive Committee, whose members are nominated by staff and on which all Divisions are represented. Each Committee member serves for a two-year period, with a staggered membership, to allow for continuity, as against the terms of all Committee members coming to an end *en bloc*.

The Club is funded through monthly voluntary contributions from staff members, as well as through fundraising efforts spearheaded by the Committee. It is to be noted that activities planned for the period were significantly scaled back when compared to former years, owing primarily to restrictions due to COVID-19.

The tenure of the Executive Team of the SAC was due to come to an end on March 31, 2021, with a new team identified to take Office on April 1, 2021.

Procurement Department

Section 20 of the Public Procurement Policy, requires that the *"head of every procuring entity shall have overall procuring responsibility for the conduct*

of all processes connected with procurement for that entity and, in particular, shall—

- a. *develop an annual procurement plan for the procuring entity;*
- b. *establish a specialist procurement unit staffed by persons competent and adequately trained to manage and execute the procurement proceedings engaged in by the procuring entity."*

To ensure that the Commission was fully-compliant with the Government's dictates and is equipped to execute procurements in a timely, efficient and cost-effective manner, and to prepare the Commission for the imminent expansion, a Procurement Unit was established in December 2020, comprising 2 highly-competent procurement professionals, with prior experience in the Public Sector. The procurement of furniture, equipment (electronic and other forms) and Software and Licences, to support the operations of each Division/Department has been the focus of the Unit, along with other recurring everyday items, as required.

The Procurement Unit, upon being operationalised, quickly registered the Commission on the Government of Jamaica Electronic Procurement (GOJEP) Platform to conduct procurement undertakings.

The Team also revised the Commission's Internal Procurement Policy, the use of which has since been implemented.

The Procurement Unit has also developed a Public Procurement Training Programme for the Commission's Officers. There are Theoretical and Practical Modules. It is anticipated that the course will commence by the Second Quarter of the 2021/2022 financial year.

The Team has accomplished much, under challenging circumstances, in the short time that they have taken up the procurement mantle. Of note, is that the procurement function had previously fallen under the Office Services Department but had become challenging due to changes in staffing for

that Unit and the increase in staff complement and related staffing needs.

The Procurement Unit aims to continue improving the scope of usage of the Government of Jamaica Electronic Procurement Platform (GOJEP) in streamlining Procurement Activities.

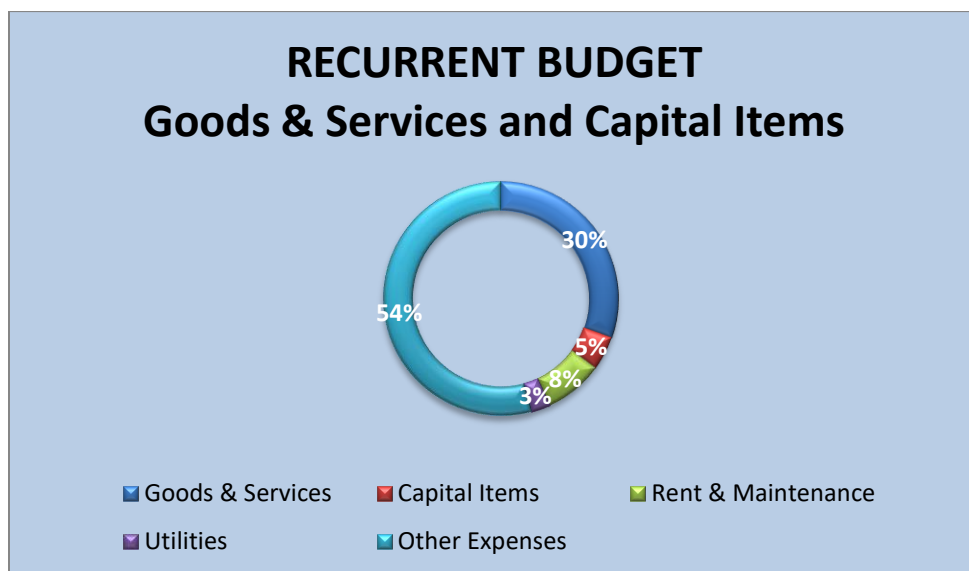
Capital items and equipment acquired by the Commission during the reporting period are documented in Schedule– Capital Items Acquired – April 2020 to March 2021.

Office Services Department

The Office Services Department has direct responsibility for the procurement and management of all assets, as well as property management and maintenance.

The Department purchased capital items and other goods and services in the Financial Year 2020/2021; largely from the Commission's 2020/2021 Recurrent Budget. It is important to note however, that upon the engagement of the Senior Public Procurement Officer and the Public Procurement Officer in December 2020, the purchasing function was transferred to the Procurement Unit.

The Commission's Recurrent Budget of Eight Hundred and Forty Million Nine Hundred Thousand Dollars (\$840,900,000.00), provided for purchase of other goods and services and capital expenditure, capped at Two Hundred and Fifty-six Million One Hundred and Seventy-five Thousand Dollars (\$256,175,000.00) and Thirty-nine Million Two Hundred and Fifty Thousand Dollars (\$39,250,000.00), respectively. In the foregoing regard, only 30.46% and 4.66% of the total Recurrent Budget Allocation provided for the purchase of goods and services and capital items, respectively. The remainder of the Budget, provided for the rental of property, utilities and staff-related expenses.



Rental of Office Space

The Integrity Commission currently leases and occupies two (2) office spaces, which are located on the First Floor of the PIOJ Building, at 16 Oxford Road, and on the Second Floor of the Masonic Building, at 45-47 Barbados Avenue, respectively. The Oxford Road Office, which is the location of the former Office of the Contractor General (OCG), measures 13,062 Square Feet, while the Office at Barbados Avenue, which is the location of the former Commission for the Prevention of Corruption (CPC), measures 6,307.94 Square Feet.

Rental and Maintenance of Property – Oxford Road

The current Lease Agreement between the Planning Institute of Jamaica (PIOJ) and the Integrity Commission for the Office space at Oxford Road, came into effect on January 1, 2018, for a period of five (5) years, to end on December 31, 2022.

The Rental charges for April 2020 to March 2021, amounted to Thirty One Million Four Hundred and Eighty-eight Thousand Two Hundred and Thirty Dollars (\$31,488,230.00).

Maintenance charges for April 2020 to March 2021, amounted to Twenty Million Eight Hundred and Ninety-nine Thousand Two Hundred Dollars (\$20,899,200.00), which was paid in full.

Rental and Maintenance of Property – Barbados Avenue

The Barbados Avenue location of the Commission had been occupied by the former Commission for the Prevention of Corruption (CPC) since 2003. The Lease Agreement for the Barbados Avenue office space, at the time of the merger, was for a three (3) year period, from June 1, 2017, through to May 31, 2020. The Agreement was between the Freemasons Association (Jamaica) Limited (FMAJ) and the National Land Agency, on behalf of the then CPC.

The period of the Lease Agreement came to an end on May 31, 2020. The period of the Lease was subsequently renewed for one (1) year, with effect from June 1, 2020, but with a six (6) month termination notice requirement, pending identification of new Office space.

Having not met with any success in identifying Office space during 2020, the Commission wrote to FMAJ in January 2021, giving notice of its intent to lease the property for an additional year, with effect from June 1, 2021, but with a three (3) month termination notice requirement. The FMAJ subsequently communicated its agreement to renewing the Lease for the period requested.

The Rental charges for April 2020 to March 2021, amounted to Six Million Two Hundred and Fifty-eight Thousand Three Hundred and Thirty-six Dollars and Three Cents (\$6,258,336.03).

Maintenance charges for April 2020 – March 2021, amounted to Nine Million One Hundred Sixty-five Thousand, Two Hundred and Sixty-one Dollars and Forty-one Cents (\$9,165,261.41), which was paid in full.

The combined expenditure for Rent and Maintenance at both properties for the reporting period was Sixty Seven Million, Eight Hundred and Eleven Thousand and Twenty-seven Dollars and Forty-four Cents (\$67,811,027.44), which accounted for 8.06% of the total Recurrent Budget Allocation.

Identification of Additional Office Space

The Commission's current Office locations are not adequate to accommodate the approved staff complement. This unfortunate reality has limited the Commission's ability to perform at its optimum level, as it is unable to hire all staff required.

In an effort to remedy the problem, the Commission, during the financial year embarked upon two comprehensive market assessments which resulted in the identification of two prospective office opportunities. However, successive negotiations regarding the two properties were discontinued after the parties failed to reach mutually agreed terms for the settlement of a lease.

After the conclusion of the Financial Year, at the direction of the Commission, two other properties were comparatively assessed, following which the Commission gave its approval for formal negotiations to be commenced to conclude a lease with respect to one of the properties.

As at the time of the writing of this Report, the negotiations were completed and a mutually agreed lease executed between the parties.

It is anticipated that the Commission will take occupation of this new office space before the end of the calendar year. It is the Commission's plan to retain its Oxford Road Office and discontinue its lease at the Barbados Avenue Office.

Parking

Oxford Road

Under the Lease Agreement with the PIOJ, seven (7) parking spaces are provided in the Basement of the PIOJ Building for Integrity Commission, Oxford Road, which is situated on the First Floor of said building. Payment for the seven (7) parking spaces is thus included in the monthly charges and is not a separate charge. A few of the Commission's staff members park at PIOJ's Main Car Park located at 9 Oxford Road, at no additional cost.

The Commission also has a Licence Agreement with the National Water Commission (NWC) for the provision of thirty-six (36) spaces at its Car Park located at 18 Oxford Road, Kingston 5. The Agreement was renewed in May 2020 for a period of two (2) years.

Based upon the current Agreement, the payments due to the NWC on a monthly basis for the life of the Agreements, are as follows:

– Licence Fee:	\$261,900.00
– Maintenance Fee:	\$9,000.00
– Security Fee:	\$91,145.00

Barbados Avenue

Staff parking for the Barbados Avenue location of the Commission, is by way of a contract between the Freemasons Association (Jamaica) Limited, which are the Landlords of that building and Victoria Mutual Pensions Management Limited. However, based upon the Licence Agreement, the Licensor has appointed Jamaica Property Company Limited *"to manage the car park and to act as the Licensor's agent in relation to all aspects of the Licence."* The agreement allocates to the Landlords, twenty-nine (29) parking spaces, twelve (12) of which have been reserved for the Commission, at a rate of Nine Thousand One Hundred and Seventy-three Dollars (\$9,173.00) per vehicle, per month.

The Agreement, dated January 1, 2018, states, *inter alia*, that said Agreement *"will renew ANNUALLY on January 1st, if the Licensee is deemed to be in good standing with all its other obligations by the Licensor."* The subject Agreement will expire on December 31, 2021.

Utilities

Water Consumption

The Oxford Road location of the Commission does not have an individually-assigned water metre. Water charges are recovered under the terms outlined in the Lease Agreement (PIOJ/IC), which was made effective in January 2018 for a 5-year period.

Similarly, water consumption for the Barbados Avenue location of the Commission, forms part of what is termed 'Additional Rent' in the Lease Agreement (Freemasons Association/IC), which came into effect in June 2020 for a 1-year period. The monthly bill amount is apportioned based upon space occupied, in accordance with the terms of the Lease Agreement and is included in the Maintenance charges.

Electricity Consumption

Electricity charge for the Oxford Road location of the Commission is billed by the PIOJ on a monthly basis. There is a separate Electricity Metre for the First Floor, which is occupied entirely by the Integrity Commission. For the period under review, the charges for electricity amounted to an average monthly payment of Four Hundred and Fifty-seven Thousand Nine Hundred and Seventy-one Dollars and Sixty-nine Cents (\$457,971.69).

Similarly, the monthly electricity charges for the Barbados Avenue office is billed by the Freemasons Association on a monthly basis. There is a separate Electricity Metre for the Second Floor, which is occupied entirely by the Integrity Commission. For the period under review, electricity charges amounted to an average of Five Hundred and Forty-six Thousand Four Hundred and Eleven Dollars and Ninety Cents (\$546,411.90) per month.

Telephone Usage

The average monthly payment for telephone services at both Office locations, is Three Hundred and Thirty-one Thousand Three Hundred and Ninety Dollars and Ninety-nine cents (\$331,390.99).

The Commission maintained the Closed User Group (CUG) plans from both the legacy OCG and CPC. The average monthly payment for service under the plans, was One Hundred and Twenty-eight Thousand Five Hundred and Ninety-nine Dollars Seventy-four Cents (\$128,599.74).

The Commission continued its honour system, where staff members are billed for personal calls and the amounts recovered from their salaries on a monthly basis.

Altogether, utility charges accounted for 2.64% of the total Recurrent Budget Allocation.

The Registry

The Registry at the Oxford Road location of the Commission has direct responsibility for document management for that office, with a majority of the files for which it has custody, belonging to the Investigation Division. As the custodian of files for the Integrity Commission, the Registry is experiencing significant challenges with respect to availability of space for the storage of files.

Along with the Information Technology and Business Processes Division and the Accounts and Finance Division, the Registry is considered a 'sterile area'. As such, files storage areas are accessible only to the staff of the Registry and select members of staff in leadership.

Custody of files located at the Barbados Avenue office lies with the Director of Information and Complaints. Owing to the sensitive nature of the files held at that location, which are related to the statutory declarations of Public Servants, access to file storage areas is limited to select staff members.

As it pertains to the declaration records of Parliamentarians, access protocol is elevated and as such, limited to only select senior staff members. Availability of space for the storage of files is also a challenge at that location and is of great concern.

Memorandum of Understanding with the Foreign, Commonwealth and Development Office

The Commission, on July 7, 2020, submitted a proposal for the "*Integrity Commission DFID Support: Needs Assessment & Plan*" to the then Department for International Development (DFID), in an effort to obtain funding support for certain

projects and items critical to its effective operations. Of note, however, is that DFID, under cover of letter dated August 24, 2020, informed the Commission, that DFID had been merged with the Foreign and Commonwealth Office (FCO) and would become the Foreign, Commonwealth and Development Office (FCDO), with effect from September 2, 2020.

Subsequently, the Government of Jamaica, entered into a Memorandum of Understanding (MOU) with the FCDO in October 2020, to provide capacity building support to the Integrity Commission, under its Serious Organised Crime and Anti-Corruption Programme (SOCAP). The period of the MOU is October 26, 2020 through to March 31, 2022 and the related Grant amount is Five Hundred and Fifty Thousand Pounds Sterling (£550,000.00).

The Official Signing Ceremony for the MOU was held at the Oxford Road location of the Commission on November 23, 2020. The Team from the FCDO was led by the British High Commissioner to Jamaica and The Bahamas, Ambassador Asif Ahmad, and the Integrity Commission's Team was led by Chairman of the Commission, The Hon. Mr. Justice (Ret'd) Seymour Panton.

Under the Agreement, all disbursements are made to the Pound Sterling Bank Account at the Bank of Nova Scotia (BNS), which was established exclusively for disbursement of funds under the MOU. The Grant amount is to be disbursed in six (6) tranches over the period of the MOU, as follows:

No.	DISBURSEMENT PERIOD	DISBURSEMENT AMOUNT
1	November 2020	£150,000.00
2	January 2021	£100,000.00
3	April 2021	£100,000.00
4	July 2021	£75,000.00
5	October 2021	£75,000.00
6	January 2022	£50,000.00
TOTAL		£550,000.00

Disbursement of First Tranche Funding & Adjustment to Acquisition Schedule

Disbursement of the first tranche of funds under the MOU, in the amount of One Hundred and Fifty Thousand Pounds Sterling (£150,000.00), was received by the Commission on December 15, 2020. There was no expenditure during December 2020.

The Second Tranche Disbursement of One Hundred Thousand Pounds Sterling (£100,000.00), was received by the Commission on March 2, 2021.

However, in approaching the end of the Financial Year, the Commission was informed by the Ministry of Finance and the Public Service that there spending from Donor Funds should cease after March 12, 2021. Spending could however resume in the first week of April 2021, which is the beginning of the new Financial Year (2021/2022).

As at March 31, 2021, the expended amount under the MOU was One Hundred Thousand Five Hundred and Twenty-six Pounds and Eighty-one Pence (£100,526.81).

Some of the activities to be undertaken by the Commission, under the MOU, are as follows:

No.	ACTIVITY
1	Training and Legal Database Subscription
2	Interview Equipment
3	Data Analysis Software and Training
4	Integrated Case Management System and Analytical Application
5	Legal Bags
6	Software Licence
7	Training
8	National Anti-Corruption Strategy

The support extended to the Integrity Commission by the Foreign, Commonwealth and Development Office (FCDO) for its programmes and capacity building ideals, is a welcome boost to the Commission's commitment to the people of Jamaica. The Commission is grateful that FCDO has

recognised the important work of the organisation and in acknowledgement of this, has included the Commission among its programmes for funding support.

A review of the Commission's Serious Organised Crime and Anti-Corruption Programme (SOCAP) was conducted by the FCDO and based upon feedback to date, the outcome was favourable.

COVID-19 and the Commission's Response

Like all other establishments, the Commission was impacted by the COVID-19 pandemic during the Financial Year.

Internal COVID-19 Measures

COVID-19 necessitated the installation of Hand Sanitization Stations by the Commission, at strategic locations and the implementation of a COVID-19 Policy, to be observed by all staff at both locations. Office protocols regarding staff responsibility in light of the virus were established and constantly shared with staff, to include, actions to be taken should a staff member, someone in their household or a close contact, contract the virus.

The PIOJ, the Commission's Landlord at its Oxford Road Office space, also implemented strict COVID-19 measures, to include temperature testing before entering the building and installation of Hand Sanitisation Stations in public areas on all floors. There were similar but unenforced measures established at the Barbados Avenue location. However, the Commission found it necessary to implement its own measures at that location, as the measures established were not consistently applied.

Among other things, the Commission has taken the requisite steps to ensure that all staff workstations are appropriately distanced or otherwise separated, inclusive of the installation of glass workstation partitions, where they were required. Further, the Commission has instituted regular sanitisation of frequently-touched surfaces throughout the day.

Only one (1) member of staff returned a positive result for the virus during the reporting period. All

necessary steps were taken to guard against any other team member being affected.

COVID-19 and the Filing of Statutory Declarations

The effect the virus would have had on the Commission's staff and Public Officials alike, was considered by the Commission, with respect to the submission of Statutory Declarations. Accordingly, through internal consultation and brainstorming, the Information and Complaints Division (ICD), under the leadership of its Director, established new declaration submission protocol, which saw the submission of Statutory Declarations by Public Officers being decentralised, with the Commission partnering with Public Bodies to facilitate their Officers submitting declarations through the entity to which they were employed, instead of directly to the Commission individually.

The response was overwhelming, as the Commission saw an exponential increase in the number of submissions made. More importantly, there was no crowding of Public Officials at the Commission's Barbados Avenue location, attempting to submit declarations over the final few days before the submission deadline.

Exemption from COVID-19 Enforcement Measures, under the Disaster Risk Management Act

The Integrity Commission sought and was granted exemption from COVID-19 Enforcement Measures, under the Disaster Risk Management Act (DRMA), which was instituted by the Government of Jamaica. This exemption was sought, taking the nature of the Commission's work as a critical Anti-Corruption body, into consideration.

Work-From-Home Policy

In spite of the exemption being granted however, the Commission instituted a *Work-From-Home Policy*, which closely mirrored the provisions of the *Government of Jamaica, Circular No. 4 - "Guidelines for Public Sector Work From Home"*, dated March 17, 2020, which was issued by the Ministry of Finance and the Public Service.

However, the Commission's policy was significantly more constrained because of the need to secure the confidentiality of the Commission's documents, records and data.

Finance & Accounting Division

Subsequent to the merger of the three (3) Anti-Corruption organisations (the former Office of the Contractor General (OCG), the former Commission for the Prevention of Corruption (CPC) and the former Integrity Commission (IC)) in February 2018, the finance and accounting functions of all three (3) legacy organisations were officially merged, commencing February 1, 2019 and was thus centralised at the Oxford Road location of the Commission, through the Finance and Accounting Department of the former Office of the Contractor General (OCG).

It is to be noted that prior to the merger, the OCG managed its finances by way of Appropriation Accounting, while both the CPC and IC utilised Accrual Accounting. As directed by the Ministry, the accounting platform adopted for the Commission was Appropriation Accounting. However, Section 20(1) of the Integrity Commission Act, 2017, directs that Accrual Accounting should be employed, thus both Accounting systems are utilised by the Commission.

During the reporting period, the Finance and Accounting Division continued to support the

Commission. The Division ensured that through proper fiscal planning and management, the functions and operations of the Commission were executed in an efficient, compliant and effective manner.

The Accounting Period April 2020 - March 2021

The Approved Budget for the Commission, for the period April 2020 to March 2021 was Nine Hundred Thirty-six Million One Hundred and Sixty-four Thousand Dollars (\$936,164,000.00), which included Statutory expenditure estimates of Thirty-four Million Dollars (\$34,000,000.00) and Appropriation-In-Aid (AIA) of Sixty-one Million Two Hundred and Sixty-four Thousand Dollars (\$61,264,000.00).

At the end of the Fiscal Period ending March 2021, Five Hundred and Eighty-five Million Nine Hundred and Sixty-three Thousand Dollars (\$585,963,000.00) was warranted for Recurrent Expenditure.

Of the warranted amount, Forty-seven Million One Hundred and Fifty-five Thousand Two Hundred and Forty-eight Dollars and Forty-seven Cents (\$47,155,248.47) was surrendered to the Consolidated Fund at the Financial Year-end for Recurrent Expenditure. The amount surrendered represented funds which were not utilised, primarily due to Commission not identifying new Office space for which the sums were allocated.

RECURRENT EXPENDITURE			
Financial Year	Amount Approved	Amount Warranted	Amount Surrendered to Consolidated Fund
2019/2020	\$694,740,000.00	\$573,770,000.00	\$63,384,444.24
2020/2021	\$840,900,000.00	\$585,963,000.00	\$47,155,248.47

Estimates of Expenditure for the Period April 2020 to March 2021

The Commission's Estimate of Expenditure Proposals for the Financial Year 2020/2021 was drafted and submitted to the Ministry of Finance and the Public Service on January 28, 2021. The Draft Estimates was One Billion and Fifty-eight Million Four and Hundred and Sixty-one Thousand One Hundred and Five Dollars (\$1,058,461,105.00), which was *above* the Ministry's proposed Budgetary Ceiling of Seven Hundred and Seventy-six Thousand Three Hundred and Twenty-two Thousand Dollars (\$776,322,000).

Supplementary Budget

The Ministry of Finance and the Public Service issued a call for the Second Supplementary Estimates - 2020/2021 in September 2020, and the

Recurrent Budget was increased by \$104,151,000.00.

Warrant Allocation as at March 2021

The Warrant Allocation as at March 31, 2021, for recurrent expenditure, was Five Hundred and Eighty-five Million Nine Hundred and Sixty-three Thousand Dollars (\$585,963,000.00) and Statutory Expenditure Estimates of Thirty-three Million Two Hundred and Twenty-five Thousand Dollars (\$33,225,000.00).

At the end of the Fiscal Period ending March 2021, Six Hundred and Nineteen Million One Hundred and Eighty-eight Thousand Dollars (\$619,188,000.00) was therefore warranted to the Commission for Recurrent and Statutory Expenditure combined.

The audited financial reports of the Commission are appended to this Report.

SCHEDULE OF DETAILS PERTAINING TO STAFF EMPLOYED OVER THE REPORTING PERIOD

No.	Position	Division	Date of Employment
1	Director of Corruption Prosecution	Corruption Prosecution	1-Apr-20
2	Executive Director	Executive Office	18-May-20
3	Director of Investigation	Investigation	18-May-20
4	Director of Information & Complaints	Information & Complaints	14-Jul-20
5	Administrative Assistant to Director of Investigation	Investigation	23-Sep-20
6	Senior Prosecutor	Corruption Prosecution	28-Sep-20
7	Prosecutor	Corruption Prosecution	28-Sep-20
8	Inspector, Licensing, Land Divestment/Acquisition	Investigation	30-Sep-20
9	Legal Secretary	Corruption Prosecution	5-Oct-20
10	Paralegal	Corruption Prosecution	5-Oct-20
11	Investigating Officer, Contracts, Procurement & Corruption	Investigation	5-Oct-20
12	Investigating Officer, Contracts, Procurement & Corruption	Investigation	5-Oct-20
13	Inspector, Licensing, Land Divestment/Acquisition	Investigation	20-Oct-20
14	Administrative Assistant, Corporate Services	Corporate Services	6-Nov-21
15	Senior Public Procurement Officer	Corporate Services	7-Dec-20
16	Public Procurement Officer	Corporate Services	7-Dec-20
17	Manager, Office Services	Corporate Services	4-Jan-21
18	Senior Prosecutor	Corruption Prosecution	11-Jan-21
19	Investigating Officer, Contracts, Procurement & Corruption	Investigation	1-Mar-21
20	Data Verification Officer	Information & Complaints	8-Mar-21
21	Declarations Verification Officer	Information & Complaints	15-Mar-21
22	Declarations Verification Officer	Information & Complaints	15-Mar-21

INTEGRITY COMMISSION



INTEGRITY COMMISSION			
As at March 31, 2021			
Schedule of Staff Positions Filled/Vacant			
No.	Post Names	Filled	Vacant
1	Executive Director	Filled	
2	Programme Coordinator	Filled	
3	Legal Counsel	Filled	
4	Administrative Assistant		Vacant
5	Legal Officer		Vacant
6	Communications Officer		Vacant
7	Chief Risk and Compliance Officer		Vacant
8	Chief Strategy Officer		Vacant
9	Chief Audit Executive		Vacant
10	Senior Auditor		Vacant
11	Audit Assistant		Vacant
12	Board Secretary	Filled	
13	Stenographer		Vacant
14	Stenographer		Vacant
15	Communications Officer		Vacant
16	Director Finance & Accounts		Vacant
17	Chief Accountant	Filled	
18	Financial Accountant	Filled	
19	Senior Payroll Officer	Filled	
20	Senior Accounting Officer	Filled	
21	Payroll Officer		Vacant

INTEGRITY COMMISSION



22	Management Accountant		Vacant
23	Director of Information Technology and Business Processes	Filled	
24	Business Analyst		Vacant
25	Manager, Systems & Network Administration		Vacant
26	Network & Security Officer	Filled	
27	Senior Systems Administrator	Filled	
28	Systems Administrator		Vacant
29	User Support Officer		Vacant
30	Manager, Application Development		Vacant
31	Systems Analyst	Filled	
32	Programmer/ Web Developer	Filled	
33	Programmer/ Web Developer		Vacant
34	Programmer/ Web Developer		Vacant
35	Director, Corporate Services	Filled	
36	Administrative Assistant, Corporate Services		Vacant
37	Administrative Assistant, Corporate Services		Vacant
38	Senior Public Procurement Officer	Filled	
39	Public Procurement Officer	Filled	
40	Manager Office Services	Filled	
41	Administrative Services Officer	Filled	
42	Maintenance Officer	Filled	
43	Maintenance Officer		Vacant
44	Process Server/Driver	Filled	

INTEGRITY COMMISSION



45	Driver	Filled	
46	Driver	Filled	
47	Receptionist/Telephone Operator	Filled	
48	Receptionist/Telephone Operator		Vacant
49	Office Attendant	Filled	
50	Office Attendant	Filled	
51	Office Attendant	Filled	
52	Office Attendant	Filled	
53	Manager Human Resource	Filled	
54	Human Resource Officer	Filled	
55	Human Resource Officer	Filled	
56	Performance Management Officer		Vacant
57	Registrar		Vacant
58	Senior Registry Officer		Vacant
59	Registry Officer	Filled	
60	Registry Officer	Filled	
61	Registry Officer	Filled	
62	Director of Corruption Prevention, Stakeholder Engagement & Anti-Corruption Strategy		Vacant
63	Administrative Assistant		Vacant
64	Manager, Anti-Corruption Outreach and Education		Vacant
65	Publications and Content Management Officer		Vacant
66	Public Relations Officer		Vacant
67	Outreach Officer		Vacant
68	Outreach Officer		Vacant
69	Ethics & Codes of Conduct Officer		Vacant
70	Project Coordinator		Vacant

INTEGRITY COMMISSION



71	Parliamentary & Public Sector Liaison Officer		Vacant
72	Private Sector Liaison Officer		Vacant
73	Manager, Anti-Corruption Policy & Strategic Engagement		Vacant
74	Economist/ Statistician		Vacant
75	Senior Corruption Prevention Officer		Vacant
76	Corruption Prevention Officer		Vacant
77	Corruption Prevention Officer		Vacant
78	Corruption Prevention Officer		Vacant
79	Anti-Corruption Research & Data Analyst		Vacant
80	Anti-Corruption Research & Data Analyst		Vacant
81	Director, Investigations	Filled	
82	Administrative Assistant	Filled	
83	Administrative Assistant	Filled	
84	Administrative Assistant		Vacant
85	Manager Declarations & Financial Investigations	Filled	
86	Senior Financial Investigator	Filled	
87	Senior Financial Investigator		Vacant
88	Financial Investigator	Filled	
89	Financial Investigator		Vacant
90	Financial Investigator		Vacant
91	Financial Investigator		Vacant
92	Financial Investigator		Vacant
93	Financial Investigator		Vacant
94	Financial Investigator		Vacant
95	Financial Investigator		Vacant
96	Manager, Contract Monitoring		Vacant
97	Senior Inspector, Contract Monitoring	Filled	

INTEGRITY COMMISSION



98	Senior Inspector, Contract Monitoring	Filled	
99	Inspector	Filled	
100	Inspector	Filled	
101	Inspector	Filled	
102	Inspector	Filled	
103	Inspector	Filled	
104	Inspector	Filled	
105	Inspector	Filled	
106	Inspector	Filled	
107	Manager Contracts Procurement & Corruption Investigations	Filled	
108	Senior Investigating Officer	Filled	
109	Senior Investigating Officer		Vacant
110	Investigating Officer, Contract Procurement and Corruption	Filled	
111	Investigating Officer, Contract Procurement and Corruption	Filled	
112	Investigating Officer, Contract Procurement and Corruption	Filled	
113	Investigating Officer, Contract Procurement and Corruption	Filled	
114	Investigating Officer, Contract Procurement and Corruption	Filled	
115	Investigating Officer, Contract Procurement and Corruption		Vacant
116	Investigating Officer, Contract Procurement and Corruption		Vacant
117	Investigating Officer, Contract Procurement and Corruption		Vacant
118	Manager, Forensics & Audit Unit		Vacant
119	Forensic Accountant		Vacant

INTEGRITY COMMISSION



120	Senior Cyber Accounting Officer		Vacant
121	Cyber Accounting Officer		Vacant
122	Senior Contract Auditor		Vacant
123	Contract Auditor		Vacant
124	Contract Auditor		Vacant
125	Manager Licensing & Asset Divestment/Acquisition	Filled	
126	Senior Inspector, Licensing and Asset Divestment/Acquisition	Filled	
127	Senior Inspector, Licensing and Asset Divestment/Acquisition		Vacant
128	Inspector, Licensing and Asset Divestment/Acquisition	Filled	
129	Inspector, Licensing and Asset Divestment/Acquisition	Filled	
130	Inspector, Licensing and Asset Divestment/Acquisition	Filled	
131	Inspector, Licensing and Asset Divestment/Acquisition		Vacant
132	Manager, Intelligence & Witness Management		Vacant
133	Crime Analyst		Vacant
134	Intelligence Officer		Vacant
135	Witness & Court Liaison Officer		Vacant
136	Director, Corruption Prosecution	Filled	
137	Legal Secretary	Filled	
138	Senior Prosecutor	Filled	
139	Senior Prosecutor	Filled	
140	Prosecutor	Filled	
141	Prosecutor		Vacant
142	Prosecutor		Vacant
143	Prosecutor		Vacant
144	Prosecutor		Vacant
145	Paralegal	Filled	
146	Paralegal		Vacant
147	Director Information & Complaints	Filled	

INTEGRITY COMMISSION



148	Reporting & Compliance Officer	Filled	
149	Administrative Assistant	Filled	
150	Administrative Assistant		Vacant
151	Manager Financial Analysis	Filled	
152	Manager Complaints & Protected Disclosure	Filled	
153	Manager Declarations	Filled	
154	Senior Financial Analyst	Filled	
155	Senior Financial Analyst		Vacant
156	Financial Analyst	Filled	
157	Financial Analyst	Filled	
158	Financial Analyst	Filled	
159	Financial Analyst	Filled	
160	Financial Analyst		Vacant
161	Financial Analyst		Vacant
162	Senior Complaints Review Officer		vacant
163	Complaints Review Officer		Vacant
164	Complaints Review Officer		Vacant
165	Complaints Review Officer		Vacant
166	Manager Declarations	Filled	
167	Data Verification Officer	Filled	
168	Data Verification Officer	Filled	
169	Data Verification Officer		Vacant
170	Senior Declarations verification Officer		Vacant
171	Declarations verification Officer	Filled	
172	Declarations verification Officer	Filled	

INTEGRITY COMMISSION



Integrity Commission – Schedule of Staff Training April 2020 – March 2021

START DATE	OFFICER	ORGANISATION/ LOCATION	COURSE/SEMINAR	DURATION
November 2020	<ol style="list-style-type: none"> 1. Director of Corruption Prosecution 2. Legal Counsel 3. Senior Prosecutor 4. Investigator 5. Prosecutor 6. Paralegal 7. Investigator 	The Jamaica Bar Association.	JAMBAR Association November Virtual Conference	November 13, 2020 – December 2, 2020
December 2020	<ol style="list-style-type: none"> 1. Manager, Licensing & Asset Divestment/Land Acquisition 2. Manager, Contracts, Procurement & Corruption Investigations 3. Senior Investigating Officer 4. Senior Financial Investigating Officer 5. Investigating Officer 6. Senior Inspector Land Divestment 7. Investigating Officer (4) 8. Inspector Contract Monitoring 9. Inspector Land Divestment (3) 10. Temporary Data Entry Officer 11. Financial Analyst 12. Senior Prosecutor 13. Paralegal 	<p>Integrity Commission In House Staff Training Session</p> <p>Venue: Main Board Room/ Meeting Room #2</p>	<p>An exploration of Investigation methodologies, and developing an objective understanding of the Investigative processes.</p> <p>A Investigative Interviewing</p> <p>b) Proving Corruption Offence</p> <p>c) Case File Compilation</p> <p>d) Witness Canvassing</p> <p>e) Passive Data Analysis</p> <p>f) Conducting Investigations & Investigation Policies</p> <p>g) Treating with vulnerable Witnesses & Maintaining contact with Witnesses</p>	On December 7, 2020 to December 11, 2020

INTEGRITY COMMISSION



			h) Statement Taking i) Evidence Gathering	
January 2021	<ol style="list-style-type: none"> 1. Inspector, Contract Monitoring (8) 2. Director Non-Construction Contracts 3. Senior Investigating Officer 4. Senior Inspector Contract Monitoring (2) 5. Director Construction Contracts 6. Manager Contracts, Procurement & Corruption Investigations 7. Manager Office Services 8. Procurement Officer 9. Senior Public Procurement Officer 10. Senior Prosecutor (2) 	Integrity Commission's Main Conference Room	<p>Procurement Sensitization Workshop. facilitated by Mr. Andrei Bennett,</p> <p>Chief Public Procurement Policy Officer, Ministry of Finance and the Public Service,</p>	Friday, January 29, 2021
January 2021	<ol style="list-style-type: none"> 1. Systems Administrator 2. Manager Licensing & Asset Divestment/Land Acquisition 3. Investigating Officer 4. Inspector Contract Monitoring (4) 5. Legal Counsel 6. Manager Contracts, Procurement & Corruption Investigations 7. Financial Analyst 	The International Procurement Institute	(INPRI) Training Level 1	January 11-15, 202 and January 25-29 2021
February 2021	Director Non Construction Contracts	The Bureau of Standards Jamaica	Invitation to Participate in NMC ISO/TC 309 Governance of Organization: Review of ISO 37001 Anti-bribery Managements-requirements for use	Friday, 12 February
February 2021	<ol style="list-style-type: none"> 1. Senior Financial Analyst 2. Manager Declarations & Financial Investigations 3. Director Corruption Prosecution 4. Senior Financial Investigator 5. Investigating Officer (Contracts Procurement & Corruption Investigations) 6. Financial Analyst 	Financial Investigations Division	Tackling Financial Corruption	<p>February 1-5, 2021</p> <p>February 8-12, 2021</p>

INTEGRITY COMMISSION



February 2021	<ol style="list-style-type: none"> 1. Inspector, Contract Monitoring (2) 2. Legal Counsel 3. Manager Contracts, Procurement & Corruption Investigations 4. Financial Analyst 	The International Procurement Institute (INPRI)	Level 2	February 1-5 2021
February 2021	<ol style="list-style-type: none"> 1. Senior Systems Administrator 2. Investigating Officer (Contracts Procurement & Corruption Investigations) 3. Manager Licensing & Asset Divestment/Land Acquisition 4. Inspector, Contract Monitoring (2) 	The International Procurement Institute (INPRI)	Level 2	February 22- 26 , 2021
March 2021	<ol style="list-style-type: none"> 1. Manager, Declarations & Financial Investigations 2. Director Non-Construction Contracts 3. Senior Investigating Officer 4. Director Information Systems 5. Paralegal 6. Manager Licensing & Asset Divestment/Land Acquisition 7. Investigating Officer (Contracts Procurement & Corruption Investigations)(2) 8. Inspector, Contract Monitoring (3) 9. Programmer/Web Developer (2) 10. Inspector Land Divestment 11. Manager Contracts, Procurement & Corruption Investigations 12. Director Information & Complaints 13. Senior Financial Analyst 14. Reporting & Compliance Officer 15. Manager Complaints & Protected Disclosures 16. Administrative Assistant 17. Data Verification Officer 18. Manager Declarations 19. Financial Analyst (2) 20. Manager Financial Analysis 	IDEA Caseware's Data Analysis Software	Statistical Software Online Training Sessions	March 15, 2021 - March 23, 2021
March 2021	<ol style="list-style-type: none"> 1. Inspector, Contract Monitoring (2) 2. Legal Counsel 3. Manager Contracts, Procurement & Corruption Investigations 4. Financial Analyst 	The International Procurement Institute (INPRI)	Level 3	March 1-5 2021
March 2021	<ol style="list-style-type: none"> 5. Senior Systems Administrator 6. Investigating Officer (Contracts Procurement & Corruption Investigations) 7. Manager Licensing & Asset Divestment/Land Acquisition 8. Inspector, Contract Monitoring (2) 	The International Procurement Institute (INPRI)	Level 3	March 22- 26 , 2021



AUDITED FINANCIAL STATEMENTS

INTEGRITY COMMISSION
FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2021

**INTEGRITY COMMISSION
FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2021**

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INDEPENDENT AUDITOR'S REPORT

To the members of
Integrity Commission

Report on the Audit of the Financial Statements

Opinion

We have audited the accompanying financial statements of the Integrity Commission (the “Commission”), set out on pages 4 to 24 which comprise the statement of financial position as at March 31, 2021, the statement of financial performance, the statement of changes in net assets, and the statement of cash flows for the year then ended and a summary of significant accounting policies and other explanatory notes.

Basis for opinion

We conducted our audit in accordance with International Standards on Auditing (ISAs). Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of the Commission in accordance with the International Ethics Standards Board for Accountants Code of Ethics for Professional Accountants including International Independence Standards (IESBA Code) and we have fulfilled our other ethical responsibilities in accordance with the IESBA Code. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Key audit matters

Key audit matters are those matters that, in our professional judgment, were of most significance in our audit of the financial statements of the current period. These matters were addressed in the context of our audit of the financial statements as a whole, and in forming our opinion thereon, and we do not provide a separate opinion on these matters.

No key audit matters were identified that require disclosure during the process of the audit.

Cont. /2

Independent Auditor's Report (cont'd)

To the members of Integrity Commission

Responsibilities of management and those charged with governance for the Financial Statements

Management is responsible for the preparation of financial statements that give a true and fair view in accordance with International Public Sector Accounting Standards, International Financial Reporting Standards and the Acts, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error. In preparing the financial statements, management is responsible for assessing the Commission's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management intends to liquidate the Commission or to cease operations, or has no realistic alternative but to do so.

The Commissioners are responsible for overseeing the Commission's financial reporting process.

Auditor's responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with ISAs, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Commission's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.

Independent Auditor's Report (cont'd)

**To the members of
Integrity Commission**

Auditor's responsibilities for the audit of the financial statements (cont'd)

- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Commissions' ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Commission to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that presents a true and fair view.

We communicated with the Commissioners regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Report on additional matters as required by the Acts

We have obtained all the information and explanations which, to the best of our knowledge and belief, were necessary for the purposes of our audit. In our opinion, proper accounting records have been maintained, so far as appears from our examination of those records, and the financial statements, which are in agreement therewith, give the information required by the Acts, in the manner required.

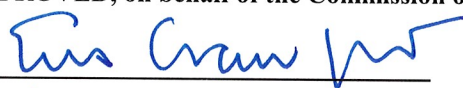

Crichton Mullings & Associates
Chartered Accountants

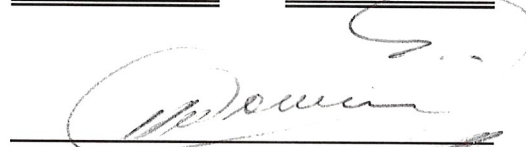
Kingston Jamaica
June 28, 2021

INTEGRITY COMMISSION
STATEMENT OF FINANCIAL POSITION
AS AT MARCH 31, 2021

	Note	2021 \$	2020 \$
ASSETS			
Non-current Assets			
Plant and equipment	6	98,243,820	81,245,309
Right-of-use assets	7	46,024,648	67,777,761
Intangible assets	8	4,478,689	5,090,219
Long-term receivables	9	1,604,725	1,571,747
		<u>150,351,882</u>	<u>155,685,036</u>
Current Assets			
Current portion of long-term receivables	9	635,090	635,090
Prepayments and deposits	9	40,417,803	24,284,552
Cash and bank balances	10	35,566,740	17,448,318
		<u>76,619,633</u>	<u>42,367,960</u>
TOTAL ASSETS		<u><u>226,971,515</u></u>	<u><u>198,052,996</u></u>
RESERVES AND LIABILITIES			
Reserves			
Transferred assets	11	2,033,606	9,920,831 *
Accumulated surplus		44,853,479	13,517,257
		<u>46,887,085</u>	<u>23,438,088</u>
Non-current Liability			
Non-current portion of lease liabilities	7	30,598,034	50,307,519
Deferred income	12	107,070,485	74,017,299 *
		<u>137,668,519</u>	<u>124,324,818</u>
Current Liabilities			
Current portion of lease liabilities	7	23,376,849	23,376,849
Payables and accruals	13	12,909,236	24,696,743
Due to consolidated fund	14	6,129,826	2,216,498
		<u>42,415,911</u>	<u>50,290,090</u>
TOTAL RESERVES AND LIABILITIES		<u><u>226,971,515</u></u>	<u><u>198,052,996</u></u>

APPROVED, on behalf of the Commission on


 for Chairman


Commissioner

* - Restated to conform to current year presentation

The accompanying notes form an integral part of the financial statements

INTEGRITY COMMISSION
STATEMENT OF FINANCIAL PERFORMANCE
YEAR ENDED MARCH 31, 2021

	Note	2021 \$	2020 \$
Subvention	4	523,878,026	526,525,720 *
Deferred income amortised	12	33,562,715	21,635,731 *
		557,440,741	548,161,451
Administrative and general expenses	15	507,888,505	520,982,640
Depreciation charge on plant, equipment and intangibles		33,562,715	21,635,731
		<u>541,451,220</u>	<u>542,618,371</u>
		15,989,521	5,543,080
Other income			
Grant	5	30,067,000	34,407,500
Direct expenses	5	(14,742,915)	(34,407,500)
		15,324,085	-
Interest income		<u>22,616</u>	<u>46,725</u>
		<u>15,346,701</u>	<u>46,725</u>
Net surplus for the year, being total financial performance	16	<u><u>31,336,222</u></u>	<u><u>5,589,805</u></u>

* - Restated to conform to current year presentation

The accompanying notes form an integral part of the financial statements

INTEGRITY COMMISSION
STATEMENT OF CHANGES IN NET ASSETS
YEAR ENDED MARCH 31, 2021

	Note	Transferred Assets \$	Accumulated Surplus \$	Total \$
Balance at March 31, 2019		34,946,910	7,927,452	42,874,362
Transfer to the consolidated fund	11	(5,464,249)	-	(5,464,249)
Prior year adjustments of plant and equipment	11	823,234	-	823,234
Reversal of bank account balance	11	(3,383,071)	-	(3,383,071)
Increase in petty cash	11	100,000	-	100,000
Net surplus, being total financial performance for the year		<u>-</u>	<u>5,589,805</u>	<u>5,589,805</u>
Balance at March 31, 2020		27,022,824	13,517,257	40,540,081
Depreciation charge on legacy assets:				
Prior years		(8,796,781)	-	(8,796,781)
Current year		<u>(8,305,212)</u>	<u>-</u>	<u>(8,305,212)</u>
Balance at April 1, 2020		9,920,831 *	13,517,257	23,438,088
Depreciation charge on legacy assets		(7,887,225)	-	(7,887,225)
Net surplus, being total financial performance for the year		<u>-</u>	<u>31,336,222</u>	<u>31,336,222</u>
Balance at March 31, 2021		<u>2,033,606</u>	<u>44,853,479</u>	<u>46,887,085</u>

* - Restated to conform to current year presentation

The accompanying notes form an integral part of the financial statements

**INTEGRITY COMMISSION
STATEMENT OF CASH FLOWS
YEAR ENDED MARCH 31, 2021**

	Note	2021 \$	2020 \$
CASH FLOWS FROM OPERATING ACTIVITIES:			
Net surplus for the year		31,336,222	5,589,805 *
Adjustments for items not affecting cash resources:			
Lease interest expense	15	5,098,226	6,544,205
Depreciation charge on right-of-use asset	15	28,159,646	29,755,786
Depreciation on plant and equipment	6	29,528,956	19,094,437 *
Amortisation charge on intangible assets	8	4,033,759	2,541,294 *
Deferred income amortised	12	(33,562,715)	(21,635,731)
		64,594,094	41,889,796
(Increase) / Decrease in operating assets:			
Long-term receivables		(32,978)	689,024
Prepayment		(16,133,251)	(15,057,461)
(Decrease) / increase in operating liabilities:			
Payables and accruals		(11,787,507)	5,349,376
Due to consolidated fund		3,913,328	(38,314,980)
Net cash provided by / (used in) operating activities		40,553,686	(5,444,245)
CASH FLOWS FROM INVESTING ACTIVITIES			
Prior year adjustments of plant and equipment		-	(858,393)
Acquisition of plant and equipment	6	(54,414,692)	(73,852,689)
Acquisition of intangible asset	8	(3,422,229)	(7,631,513)
Net cash used in investing activities		(57,836,921)	(82,342,595)
CASH FLOWS FROM FINANCING ACTIVITIES			
Lease payments, net		(31,214,244)	(30,393,384)
Transferred assets, net		-	(7,924,086)
Deferred income	12	66,615,901	89,102,104
Net cash provided by financing activities		35,401,657	50,784,634
NET INCREASE / (DECREASE) IN CASH AND BANK BALANCES		18,118,422	(37,002,206)
CASH AND BANK BALANCES - Beginning of the year		17,448,318	54,450,524
CASH AND BANK BALANCES - End of the year		35,566,740	17,448,318
REPRESENTED BY:			
Cash and bank balances	10	35,566,740	17,448,318

* - Restated to conform to current year presentation

The accompanying notes form an integral part of the financial statements

INTEGRITY COMMISSION
NOTES TO THE FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2021

1. IDENTIFICATION

The Integrity Commission (the "Commission") was established under the Integrity Commission Act (2017) (the "Act"). The Commission is domiciled in Jamaica.

The functions of the Commission are as follows:

- (a) To determine effective measures for the prevention and detection of corruption within public bodies;
- (b) Prepare codes of conduct and other advisory material relating to corruption and guide public bodies in respect of matters within the purview of this Act;
- (c) Collaborate or co-operate 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;
- (d) Advise the Minister on such legislative reform as the Commission considers necessary to reduce the likelihood or the occurrence of acts of corruption; and
- (e) Compile and publish statistics relating to the investigation, prosecution and conviction of offences relating to acts of corruption.

2. STATEMENT OF COMPLIANCE AND BASIS OF PREPARATION

(a) Statement of Compliance

The Commission's financial statements have been prepared in accordance and comply with International Public Sector Accounting Standards (IPSAS) for the accrual basis accounting; International Financial Reporting Standards (IFRS) and their interpretations issued by the International Accounting Standards Board and the relevant requirements of the Act.

The financial statements have been prepared under the historical cost basis and are expressed in Jamaican dollars, unless otherwise indicated.

The preparation of financial statements in conformity with IPSAS, IFRS and the Acts requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses for the year then ended. Actual results could differ from these estimates.

The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognized in the period in which the estimate is revised, if the revision affects only that period, or in the period of revision and future periods, if the revision affects both current and future periods.

There are no significant assumptions and judgements applied in these financial statements that carry a risk of material adjustment in the next financial year.

INTEGRITY COMMISSION
NOTES TO THE FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2021

2. STATEMENT OF COMPLIANCE AND BASIS OF PREPARATION (CONT'D)

(b) Changes in accounting standards and interpretations

Certain new standards, interpretations and amendments to existing standards have been published that became effective during the current financial year. The Commission has assessed the relevance of all such new standards, interpretations and amendments and has concluded that the following interpretations and amendments are relevant to its operations:

- *IAS 1 'Presentation of Financial Statements - Amendment', issued October 2018*
Effective for periods commencing on or after 1 January 2020
- *IAS 8 'Changes in Accounting Estimates and Errors - Amendment', issued October 2018*
Effective for periods commencing on or after 1 January 2020
- *IFRS 9 'Financial Instruments - Amendment', issued September 2019*
Effective for periods commencing on or after 1 January 2020
- *References to Conceptual Framework in IFRS Standards - Amendment, issued March 2018*
Effective for periods commencing on or after 1 January 2020

The following new standards, amendments and interpretations, which are not yet effective and have not been adopted early in these financial statements, will or may have an effect on the Commission's future financial statements:

- *IAS 16 'Property, Plant and Equipment - Amendment', issued May 2020*
Effective for periods commencing on or after 1 January 2022
- *IFRS 16 'Leases - Amendment', issued May 2020*
Effective for periods commencing on or after 1 June 2020
- *IFRS 16 'Leases - Amendment', issued August 2020*
Effective for periods commencing on or after 1 January 2021
- *IAS 1 'Presentation of Financial Statements - Amendment', issued January 2020*
Effective for periods commencing on or after 1 January 2022

The Commissioners anticipate that the adoption of the standards, amendments and interpretations, which are relevant to the Commission in future periods is unlikely to have any material impact on the financial statements.

INTEGRITY COMMISSION
NOTES TO THE FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2021

2. STATEMENT OF COMPLIANCE AND BASIS OF PREPARATION (CONT'D)

(c) Use of estimates and judgements:

The preparation of the financial statements in conformity with IPSAS, IFRS and the Acts, requires management to make judgements, estimates and assumptions that affect the application of policies and the reported amounts of, and disclosures related to, assets, liabilities, contingent assets and contingent liabilities at the reporting date and the income and expenses for the period then ended. Actual amounts could differ from these estimates.

The estimates and associated assumptions are based on historical experience and/or various other factors that are believed to be reasonable under the circumstances, the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources.

Critical judgements in applying the Commission's accounting policies:

Critical judgements used in applying the Commission's accounting policies that have a significant risk of material adjustment in the next financial year relate to the estimated useful lives and residual values of plant and equipment, leases and other post-employment benefits.

(a) Depreciable assets

Estimates of the useful life and the residual value of plant and equipment are required in order to apply an adequate rate of transferring the economic benefits embodied in these assets in the relevant periods. The Commission applies a variety of methods in an effort to arrive at these estimates from which actual results may vary. Actual variations in estimated useful lives and residual values are reflected in profit or loss through impairment or adjusted depreciation provisions.

(b) Leases - estimating the incremental borrowing rate

If the Commission cannot readily determine the interest rate implicit in the lease, it uses its incremental borrowing rate (IBR) to measure lease liabilities. The IBR is the rate of interest that the Commission would have to pay to borrow over a similar term, and with a similar security, the funds necessary to obtain an asset of a similar value to the right-of-use asset in a similar economic environment. The IBR therefore reflects what the Commission 'would have to pay', which requires estimation when no observable rates are available or when they need to be adjusted to reflect the terms and conditions of the lease.

The Commission estimates the IBR using observable inputs (such as market interest rates) when available and is required to make certain entity-specific estimates (such as stand-alone credit rating).

INTEGRITY COMMISSION
NOTES TO THE FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2021

3. SIGNIFICANT ACCOUNTING POLICIES

(a) Property and equipment

All property and equipment held for administrative purposes, are recorded at historical or deemed cost, less any subsequent accumulated depreciation and subsequent accumulated impairment losses.

Cost includes expenditure that are directly attributable to the acquisition of the asset. The cost of replacing part of an item of property, plant and equipment is recognized in the carrying amount of the item if it is probable that the future economic benefits embodied in the part will flow to the Commission and its cost can be reliably measured.

The cost of day-to-day servicing of property and equipment is recognized in the statement of comprehensive income as incurred.

Depreciation is calculated on the straight-line basis over the estimated useful lives of such assets. The rates of depreciation in use are:

Computers	25%
Furniture, fixtures & equipment	10%
Motor vehicles	20%
Leasehold improvements	20%
Software	33.33%

(b) Long-term receivables

Long-term receivables are recognized at amortized cost. Appropriate allowances for estimated irrecoverable amounts are recognized in the statement of comprehensive income when there is objective evidence that the assets are impaired.

(c) Accounts payable

Accounts payable is stated at amortized cost.

(d) Cash and bank balances

Cash and bank balances comprise cash in hand and cash with banks.

(e) Leases

The Commission applies a single recognition and measurement approach for all leases, except for short term leases and leases of low value assets. The Commission recognizes lease liabilities to make lease payments and right-of-use assets representing the right to use the underlying assets.

The Commission recognizes right-of-use assets at the commencement date of the lease (i.e., the date the underlying assets is available for use). The right-of-use assets are measured at cost, less any accumulated depreciation and impairment losses, and adjusted for any remeasurement of lease liabilities. The cost of right-of-use assets includes the amount of the initial lease liabilities recognized, initial direct costs incurred, and lease payments made on or before the commencement date less any lease incentives received. Right-of-use assets are depreciated on a straight-line basis over the shorter of the lease term and the estimated useful lives of the assets.

INTEGRITY COMMISSION
NOTES TO THE FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2021

3. SIGNIFICANT ACCOUNTING POLICIES (CONT'D)

(f) Subvention recognition

Income comprises recurrent subvention received from the Government of Jamaica ("GOJ") and interest income. Subvention from GOJ is recognized when it is received while interest income is recognized when it is earned.

(g) Provisions

Provisions are recognized when the Commission has a present legal or constructive obligation as a result of past events and it is probable that an outflow of resources will be required to settle the obligation. Provisions are measured at the management's best estimate of the expenditure required to settle the obligation at the reporting date and are discounted to present value where the effect is material.

(h) Financial instruments

Financial instruments include transactions that give rise to both financial assets and financial liabilities. Financial assets and liabilities are recognised on the Commission's statement of financial position when the Commission becomes a party to the contractual provisions of the instrument.

Financial liabilities and equity instruments issued by the Commission are classified according to the substance of the contractual arrangements entered into and the definitions of a financial liability and an equity instrument. An equity instrument is any contract that evidences a residual interest in the assets of the Commission after deducting all of its liabilities.

Financial assets include cash and bank deposits, accounts receivable, long-term receivables and other current assets except inventories and any prepayments.

The fair values of the financial instruments are discussed in Note 19.

(i) Comparative information

Where necessary, comparative figures have been reclassified and or restated to conform to changes in the current year.

(j) Employee benefits

Employee benefits are all forms of consideration given by the Commission in exchange for service rendered by employees. These include current or short-term benefits such as salaries, statutory contributions, vacation leave, non-monetary benefits such as medical care; post-employment benefits such as pensions; and other long-term employee benefits such as termination benefits.

Employee benefits that are earned as a result of past or current service are recognized in the following manner:

- Short-term employee benefits are recognized as a liability, net of payments made, and charged to expense. The expected cost of vacation leave that accumulates is recognized when the employee becomes entitled to the leave.

INTEGRITY COMMISSION
NOTES TO THE FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2021

3. SIGNIFICANT ACCOUNTING POLICIES (CONT'D)

(k) Foreign currencies

The financial statements are presented in the currency of the primary economic environment in which the Commission operates (its functional currency).

In preparing the financial statements of the Commission, transactions in currencies other than the Commission's functional currency, the Jamaican dollar, are recorded at the rates of exchange prevailing on the dates of the transactions. At each reporting date, monetary items denominated in foreign currencies are retranslated at the rates prevailing on the reporting date. Non-monetary items that are measured in terms of historical cost in a foreign currency are not retranslated.

Exchange differences arising on the settlement of monetary items and on the retranslation of monetary items, are included in the statement of comprehensive income for the period.

(l) Related party identification

A party is related to the Commission if:

- (i) directly or indirectly the party:
 - controls, is controlled by, or is under common control with the Commission;
 - has an interest in the Commission that gives it significant influence over the Commission; or
 - has joint control over the Commission
- (ii) the party is an associate of the Commission
- (iii) the party is a joint venture in which the Commission is a venturer;
- (iv) the party is a member of the key management personnel of the Commission
- (v) the party is a close member of the family of an individual referred to in (i) or (iv) above
- (vi) the party is an entity that is controlled, jointly controlled or significantly influenced by, or for which significant voting power in such entity resides with, directly or indirectly, any individual referred to in (iv) or (v) above
- (vii) the party is a post-employment benefit plan for the benefit of employees of the Commission, or of any company that is a related party of the Commission.

A related party transaction is a transfer of resources, services or obligations between related parties, regardless of whether a price is charged.

(m) Grants

Grants are recognized when there is reasonable assurance that the Commission will comply with the conditions attached to the grants and that the grants will be received.

Grants are recognised in profit or loss on a systematic basis over the periods in which the Commission recognises as expenses the related costs for which the grants are intended to compensate. Specifically, grants whose primary condition is that the Commission should purchase or otherwise acquire noncurrent assets are recognised as deferred income in the statement of financial position and transferred to profit or loss on a systematic and rational basis over the useful lives of the related assets.

INTEGRITY COMMISSION
NOTES TO FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2021

4. SUBVENTION

Income represents subvention from the Government of Jamaica from the annual national budget as well as periodic allocations. Other income represents interest earned on the Commission's cash and bank balances during the year.

The Commission's income is exempt from income tax under section 12(b) of the Income Tax Act.

	2021	2020
	\$	\$
Subvention	571,810,927	615,627,824
Deferred income	(47,932,901)	(89,102,104)
	<u>523,878,026</u>	<u>526,525,720</u>

5. GRANT

This represents a grant received from The Government of the United Kingdom of Great Britain and Northern Ireland acting through the Foreign, Commonwealth and Development Office (FCDO).

	2021	2020
	\$	\$
Appropriations-In-Aid	48,750,000	34,407,500
Deferred income (included in plant, equipment and intangible assets [Note 6 & 8])	(18,683,000)	-
	<u>30,067,000</u>	<u>34,407,500</u>

Direct expenses:

Compensation and travel allowances	-	10,752,500
Purchase of goods and services	1,632,000	23,655,000
Consultancy services	1,300,812	-
	2,932,812	34,407,500
Unused funds returned to donor	<u>11,810,103</u>	<u>-</u>
	14,742,915	34,407,500
	<u>14,742,915</u>	<u>34,407,500</u>

INTEGRITY COMMISSION
NOTES TO FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2021

6. PLANT AND EQUIPMENT

	<u>Leasehold Improvements</u>	<u>Furniture, Fixtures and Equipment</u>	<u>Computers</u>	<u>Motor Vehicles</u>	<u>Total</u>
	<u>\$</u>	<u>\$</u>	<u>\$</u>	<u>\$</u>	<u>\$</u>
At Cost/Valuation:					
Balance at March 31, 2019	3,013,626	21,902,527	42,154,329	13,789,202	80,859,684
Additions	-	429,201	43,659,663	29,763,825	73,852,689
Prior year adjustments	-	10,387,312	8,242,031	-	18,629,343
Balance at March 31, 2020	3,013,626	32,719,040	94,056,023	43,553,027	173,341,716
Additions	-	18,782,117	35,632,575	-	54,414,692
Balance at March 31, 2021	3,013,626	51,501,157	129,688,598	43,553,027	227,756,408
Accumulated Depreciation:					
Balance at March 31, 2019	3,013,626	19,381,559	14,434,664	10,095,959	46,925,808
Charge for year	-	2,200,634	17,838,250	7,360,765	27,399,649 *
Prior year adjustments	-	6,149,535	11,621,415	-	17,770,950
Balance at March 31, 2020	3,013,626	27,731,728	43,894,329	17,456,724	92,096,407
Charge for year	-	3,629,336	26,682,747	7,104,098	37,416,181 *
Balance at March 31, 2021	3,013,626	31,361,064	70,577,076	24,560,822	129,512,588
Net Book Value:					
At March 31, 2019	-	2,520,968	27,719,665	3,693,243	33,933,876
At March 31, 2020	-	4,987,312	50,161,694	26,096,303	81,245,309
At March 31, 2021	-	20,140,093	59,111,522	18,992,205	98,243,820
				2021	2020
				\$	\$
* Depreciation Charge:					
Transferred assets				7,887,225	8,305,212
Acquired assets				29,528,956	19,094,437
				37,416,181	27,399,649

INTEGRITY COMMISSION
NOTES TO FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2021

7. RIGHT-OF-USE ASSETS / LEASE LIABILITIES

	2021	2020
	<u>\$</u>	<u>\$</u>
Recognition of right of use asset on initial application of IFRS 16	-	97,533,547
Balance at the beginning of the year	97,533,547	-
Additions	6,406,533	-
	<u>103,940,080</u>	<u>97,533,547</u>
Depreciation charge of right-of use assets		
Recognition of right of use asset on initial application of IFRS 16	-	(29,755,786)
Balance at the beginning of the year	(29,755,786)	-
Charge for the year	(28,159,646)	-
	<u>(57,915,432)</u>	<u>(29,755,786)</u>
Closing balance at year end	<u>46,024,648</u>	<u>67,777,761</u>
Lease Liabilities		
	2021	2020
	<u>\$</u>	<u>\$</u>
Non-current	<u>30,598,034</u>	<u>50,307,519</u>
Current	<u>23,376,849</u>	<u>23,376,849</u>

8 INTANGIBLE ASSETS

Intangible assets represent licensing and software with an estimated useful life of three (3) years.

Intangible assets in the statement of financial position were determined as follows:

	2021	2020
	<u>\$</u>	<u>\$</u>
Balance at the beginning of the year	7,631,513	-
Additions	3,422,229	7,631,513
	<u>11,053,742</u>	<u>7,631,513</u>
Accumulated Amortisation		
Balance at the beginning of the year	(2,541,294)	-
Current year	(4,033,759)	(2,541,294)
	<u>(6,575,053)</u>	<u>(2,541,294)</u>
Closing balance, net of amortisation	<u>4,478,689</u>	<u>5,090,219</u>

Intangible assets are being amortised at 33 1/3% for the license and software, unless there is significant impairment during the year.

INTEGRITY COMMISSION
NOTES TO FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2021

9. LONG-TERM RECEIVABLES, PREPAYMENTS AND DEPOSITS

	2021	2020
	\$	\$
Staff loan:		
Long-term	1,604,725	1,571,747
Current	635,090	635,090
	2,239,815	2,206,837
Prepaid rent	4,170,963	4,672,627
Prepaid insurance	1,055,398	286,228.94
Other prepayments	4,781,903	7,827,147
Security deposit	7,184,100	2,511,473
Deposit on fixed asset	23,225,439	8,987,076
	<u>40,417,803</u>	<u>24,284,552</u>

The Commission has a motor vehicle revolving loan scheme to assist travelling officers to purchase reliable motor vehicles to be used in the performance of their official duties.

Guidelines for administering the loan include:

- (i) The loan amount for new vehicles should not exceed \$2,500,000 and for used vehicles the amount should not exceed \$1,500,000.
- (ii) An interest rate of 3% on the reducing balance is charged, if loans exceed the minimum amount of \$1,500,000 for new vehicles and \$1,000,00 for used vehicles.
- (iii) Loans should be repaid over a seven (7) year period for new vehicles and six (6) years for used vehicles
- (iv) Only one loan is permitted within a five (5) year period to each employee
- (v) The motor vehicle purchased should not be older than five (5) years
- (vi) All loans should be recovered by salary deduction.

10. CASH AND BANK BALANCES

Cash and bank balances included in the statement of financial position and statement of cash flows comprise of the following:

	2021	2020
	\$	\$
Petty cash	200,000	200,000
Cash in transit	105,848	211,696
Cash in savings accounts	5,377,034	5,408,494
Cash in foreign currency account	29,883,858	11,628,128
	<u>35,566,740</u>	<u>17,448,318</u>

INTEGRITY COMMISSION
NOTES TO FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2021

11. TRANSFERRED ASSETS

This represents net assets of the three legacy entities merged:

	2021	2020
	\$	\$
Office of the Contractor General	33,010,640	33,010,640
Commission for the Prevention for Corruption	(4,702,646)	(4,702,646)
Integrity Commission (Legacy)	6,638,916	6,638,916
	<u>34,946,910</u>	<u>34,946,910</u>
Opening balance	9,920,831	34,946,910
Surrender of bank account to consolidated fund	-	(5,464,249)
Prior year adjustments of plant and equipment	-	823,234
Increase in petty cash	-	100,000
Reversal of bank account balance	-	(3,383,071)
Depreciation charge on legacy assets:		
Prior years	-	(8,796,781)
Current year	<u>(7,887,225)</u>	<u>(8,305,212)</u>
Closing balance	<u>2,033,606</u>	<u>9,920,831</u>

12. DEFERRED INCOME

This represents cash received under object thirty-two (32) to acquire intangible assets, plant and equipment less accumulated depreciation and amortisation.

	2021	2020
	\$	\$
Opening balance	74,017,299	6,550,926
Add: Cash received during the year	66,615,901	89,102,104
Less: Amortization of assets being used	<u>(33,562,715)</u>	<u>(21,635,731)</u>
Closing balance	<u>107,070,485</u>	<u>74,017,299</u>

13. PAYABLES AND ACCRUALS

	2021	2020
	\$	\$
Statutory liabilities	33,274	-
Accrued vacation leave	8,383,691	11,770,220
Retroactive salary payable	-	9,568,029
Accruals	3,505,871	2,459,494
Accrued audit fees	986,400	899,000
	<u>12,909,236</u>	<u>24,696,743</u>

INTEGRITY COMMISSION
NOTES TO FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2021

14. DUE TO CONSOLIDATED FUND

	2021	2020
	\$	\$
General Consumption Tax payable	6,129,826	2,216,498
	6,129,826	2,216,498

15. ADMINISTRATIVE AND GENERAL EXPENSES

	2021	2020
	\$	\$
Salaries, wages and related costs	217,587,343	214,131,069
Employer's statutory contributions	9,856,887	7,823,901
Gratuity payments	43,152,423	36,681,733
Legal and professional fees	5,074,570	16,261,217
Computer maintenance and related expenses	9,069,235	4,665,701
Medical supplies	295,548	298,122
Staff welfare	745,896	1,124,479
Security	3,016,510	3,928,780
Janitorial	3,283,383	2,348,267
Dues and subscription	706,169	364,978
Insurance	1,763,785	1,457,369
Supplies and services	357,345	331,015
Motor vehicle expense	1,138,454	1,826,083
Travelling and subsistence	59,718,373	61,665,979
Rental of office spaces	6,010,244	-
Maintenance of rental properties and parking lot	36,769,200	36,781,377
Utilities and communication	22,236,450	15,990,445
Repairs and maintenance	3,252,404	3,011,755
Commissioners' fees	33,003,176	63,533,062
Meals and entertainment	1,253,216	1,954,491
Postage and delivery	47,665	40,750
Printing and stationery	4,242,439	2,477,208
Audit fees	986,400	899,000
Advertising and promotion	8,033,202	1,021,362
Bank charges	126,947	92,517
Foreign exchange (gain) / loss	(2,931,645)	613,115
Lease interest expense	5,098,226	6,544,205
Depreciation charge on right-of-use asset	28,159,646	29,755,786
Low value assets	1,676,411	972,659
General office expenses	4,158,604	4,386,218
	507,888,505	520,982,640

INTEGRITY COMMISSION
NOTES TO FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2021

16. RECONCILIATION OF CASH-BASIS TO ACCRUAL BASIS

Net surplus for the year, being total financial performance		<u><u>31,336,222</u></u>
Subvention	571,810,927	
Appropriations-In-Aid	48,750,000	
Total cash received		620,560,927
Cash spent on administrative and general expenses	(526,810,707)	
Deferred income	(47,932,901)	
		<u><u>(574,743,608)</u></u>
		45,817,319
Accrual-basis adjustments:		
Accrued vacation leave, net	(3,386,528)	
Reversal of retroactive salaries	(9,568,028)	
Prepayments, net	121,433	
General Consumption Tax irrecoverable, net	2,530,600	
Lease interest expense	5,098,226	
Depreciation charge on right-of-use asset	28,159,646	
Depreciation charge on plant, equipment and intangibles	33,562,715	
Deferred income amortised	(33,562,715)	
Reversal of rental expense	(31,214,247)	
Bank charges	126,947	
Foreign exchange gain	(2,931,645)	
Interest income	(22,616)	
Accruals, net	1,167,049	
Low value assets	(6,092,842)	
		16,012,006
Grant:		
Unused funds returned to donor	(11,810,103)	
Deferred income	(18,683,000)	
		<u><u>(30,493,103)</u></u>
		<u><u>31,336,222</u></u>

INTEGRITY COMMISSION
NOTES TO FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2021

17. SOURCE AND USES OF FUNDS

The comparative details between budgeted and actual income and expenditure for financial year 2020/2021 are as follows:

	Budget \$	Actual \$	Variance Favourable/ (Unfavourable) \$
Income	807,650,000	571,810,927	(235,839,073)
Appropriations-In-Aid	<u>61,264,000</u>	<u>48,750,000</u>	<u>(12,514,000)</u>
	<u>868,914,000</u>	<u>620,560,927</u>	<u>(248,353,073)</u>
Expenditure:			
Personnel emoluments	312,725,000	262,827,010	49,897,990
Travelling and subsistence	71,245,000	59,728,803	11,516,197
Other operating and general expense	289,439,000	65,401,232	224,037,768
Retirement benefits	50,000,000	43,152,423	6,847,577
Rental of office space and parking lot	113,965,000	73,486,203	40,478,797
Utilities	<u>31,540,000</u>	<u>22,215,036</u>	<u>9,324,964</u>
	<u>868,914,000</u>	<u>526,810,707</u>	<u>342,103,293</u>
Surplus		93,750,220	93,750,220
Capital:			
Fixed assets / capital goods	67,250,000	(47,932,901)	19,317,099
Capital goods purchased from donor funds	<u>-</u>	<u>(18,683,000)</u>	<u>(18,683,000)</u>
	<u>67,250,000</u>	<u>(66,615,901)</u>	<u>634,099</u>
TOTAL	<u><u>936,164,000</u></u>	<u><u>27,134,319</u></u>	<u><u>94,384,319</u></u>

18. STAFF COSTS

The number of employees at the end of the year was as follows:

	2021	2020
Temporary	<u>13</u>	<u>9</u>
Permanent	<u>79</u>	<u>78</u>
	<u><u>92</u></u>	<u><u>87</u></u>

INTEGRITY COMMISSION
NOTES TO FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2021

18. STAFF COSTS (CONT'D)

The aggregate payroll costs for these persons were as follows:

	2021	2020
	\$	\$
Salaries and other related costs	217,587,343	214,131,069
Gratuity payments	43,152,423	36,681,733
Statutory contributions	9,856,887	7,823,901
	<u>270,596,654</u>	<u>258,636,702</u>

19. RELATED PARTIES

The Commission's statement of financial performance includes the following transactions, undertaken with related parties in the ordinary course of business:

	2021	2020
	\$	\$
Transactions with Commissioners:		
Commissioners' fees	33,003,176	63,533,062
Remuneration for key management personnel:		
Executive Director	10,439,529	-
Director of Information and Complaints	5,798,770	5,535,036
Director of Prosecution	8,450,967	13,487,132
Director of Investigation	7,056,703	7,389,352
Director - Corporate Services	2,987,117	2,998,995
Chief Financial Investigator	4,785,698	3,670,598
Senior Financial Analyst	3,028,853	2,912,608
	<u>75,550,813</u>	<u>99,526,782</u>

20. FINANCIAL INSTRUMENTS**(a) Fair value**

Fair value is the amount for which an asset could be exchanged, or a liability settled, between knowledgeable, willing parties in an arm's length transaction. A market price, where an active market (such as a recognized stock exchange) exists, is the best evidence of the fair value of a financial instrument. Market prices are not available for some of the financial assets and liabilities of the Commission. Fair values in the financial statements have therefore been presented using various estimation techniques based on market conditions existing at reporting date.

Generally, considerable judgement is necessarily required in interpreting market data to develop estimates of fair value. Accordingly, the estimates presented in these financial statements are not necessarily indicative of the amounts that the Commission would realise in a current market exchange.

The amounts included in the financial statements for cash and bank deposits, receivables and payables, reflect the approximate fair values because of short-term maturity of these instruments.

INTEGRITY COMMISSION
NOTES TO FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2021

20. FINANCIAL INSTRUMENTS (CONT'D)

(b) Financial risk management

The Commission has exposure to the following risks from its use of financial instruments:

- Credit risk
- Liquidity risk
- Market risk
- Cash flow risk

The Commissioners, together with senior management has overall responsibility for the establishment and oversight of the Commission's risk management framework.

The Commission's risk management policies are established to identify and analyse the risks faced by the commission in order to set appropriate risk limits and controls, and to monitor risks and adherence to limits. Risk management policies and systems are reviewed regularly to reflect changes in market conditions and the Commission's activities.

(i) Credit risk

Credit risk is the risk that one party to a financial instrument will fail to discharge an obligation and cause the other party to incur a financial loss. The Commission's principal financial assets are cash and bank deposits; and receivables and prepayments.

Cash and bank balances

The credit risk on cash and bank deposits is limited as they are held with financial institutions with high credit rating.

At reporting date, there were no significant concentrations of credit risk and the maximum exposure to credit risk is represented by the carrying amount of each financial asset.

	2021	2020
	\$	\$
Cash and bank balances	<u>35,566,740</u>	<u>17,448,318</u>

(ii) Liquidity risk

Liquidity risk is the risk that the Commission will not meet its financial obligations as they fall due. The Commission's approach to managing liquidity is to ensure, as far as possible, that it will always have sufficient liquidity to meet its liability when due, under both normal and stressed conditions, without incurring unacceptable losses or risking damage to the Commission.

INTEGRITY COMMISSION
NOTES TO FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2021

20. FINANCIAL INSTRUMENTS (CONT'D)

(b) Financial risk management (cont'd):

(ii) Liquidity risk (cont'd)

Management aims at maintaining sufficient cash and the availability of funding through an amount of committed facilities. The management maintains an adequate amount of its financial assets in liquid form to meet contractual obligations and other recurring payments.

The following are the contractual maturities of the non-derivative financial liabilities, including interest payments and excluding the impact of netting agreements.

	Carrying amount	Contractual cash flow	Less than 1 year
March 31, 2021:			
Accounts payable	12,909,236	12,909,236	12,909,236
March 31, 2020:			
Accounts payable	24,696,743	24,696,743	24,696,743

(iii) Market risk

Market risk is the risk that changes in market prices, such as interest rates will affect the Commission's income or the value of its holding of financial instruments. The objective is to manage and control market risk exposures within acceptable parameters, while optimising the return.

Interest rate risk:

Interest rate risk is the risk that the value of a financial instrument will fluctuate due to changes in market interest rates.

The Commission materially contracts financial liabilities at fixed interest rates for the duration of the term. When utilised, bank overdrafts are subject to fixed interest rates which may be varied by appropriate notice by the lender. At March 31, 2021 and March 31, 2020, there were no financial liabilities subject to variable interest rate risk.

Interest-bearing financial assets comprises of bank deposits, which have been contracted at fixed interest rates for the duration of their terms.

Fair value sensitivity analysis for fixed rate instruments

The Commission does not hold any fixed rate financial assets that are subject to material changes in fair value through profit or loss. Therefore, a change in interest rates at the reporting dates would not affect profit or equity.

21. LITIGATIONS

The Commission is a party to various claims and legal actions in the normal course of its activities. Although the ultimate result of legal proceedings cannot be predicted with certainty, it is the opinion of the Commission's management that the outcome of any claim which is pending, either individually or on a combined basis, will not have a material effect on the financial position of the Commission.