



# COMMISSION FOR THE PREVENTION OF CORRUPTION

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## INSTRUCTIONS FOR FILING STATUTORY DECLARATION OF ASSETS, LIABILITIES AND INCOME

Section 15(2) of the Corruption Prevention Act, 2000 requires certain public servants to file a statutory declaration with the Commission for the Prevention of Corruption disclosing their assets, liabilities and income.

Any intentional violation of the provisions of the Act, including, but not limited to, failure to file, failure to include assets, liabilities and income or misstatements of these assets, liabilities and income is an offence punishable by imprisonment for not more than two years or by a fine not to exceed \$200,000.00, or by both imprisonment and fine.

### WHO SHOULD FILE?

All public servants who fall outside of the Parliamentary (Integrity of Members) Act whose total emoluments are Two Million Dollars or above, or those whose posts are listed in the regulations to file statutory declarations. Also any public servant or category of public servants, which the Commission requests in writing or by notice published in the gazette.

### WHEN TO FILE?

All statutory declarations become due three months after the Regulations come into effect, or three months after the date of appointment of the public servant to a post, which requires the filing of a declaration. Also within three months after a public servant's emoluments increase to Two Million dollars or more.

**N.B. The Regulation became effective 31<sup>st</sup> JANUARY 2003.**

Each successive declaration should cover the year ending 31<sup>st</sup> December and must be filed by the 31<sup>st</sup> March of the following year.

A statutory declaration is also required whenever a public servant demits office. This is due at the end of twelve months from the last day in office.

### WHERE TO FILE?

All declarations must be delivered to the Office of the Commission during normal office hours.

Declarations may also be submitted by registered mail, post dated before the final filing date.

## WHAT TO FILE?

The statutory declarations should include information on all assets, liabilities and income of the declarant, his/her spouse and children if they live with the declarant at any time during the period of declaration and should include all assets whether held locally or abroad.

The declaration should not include information in relation to any gift received from relatives of the declarant, valuing less than \$20,000.00.

## GENERAL INSTRUCTIONS

**To ensure that you complete this form fully and accurately, it is necessary that you carefully read all instructions. You are responsible for providing all information requested by each question and for complying with all instructions.**

You must answer each question completely, in block capitals, typed or in ink. If a question does not apply to you, please write “none” across the response area provided.

If you need more space to answer any question, a separate sheet of paper may be added and signed by the declarant.

Each page must be signed by the declarant and the last page signed in ink in the presence of a Justice of the Peace.

## DEFINITIONS

“**Spouse**” means the husband or wife of the reporting individual, unless not living with the declarant at any time during the period in relation to which the declaration is made.

“**Child**” means son or daughter married or unmarried, and living with the declarant.

## INDEX OF QUESTIONS

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Declaration Date

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QUESTION 1 - Particulars of assets held by declarant, spouse and children – bank accounts

QUESTION 2 - Cash in excess of five hundred thousand dollars held other than in bank by declarant, spouse and children.

- QUESTION 3 - Bonds, stocks, shares and similar investments including any such property over which a right of disposition resides in the declarant, spouse and children.
- QUESTION 4 - Immovable property (e.g. house, land and farm buildings) held by declarant, spouse and children.
- QUESTION 5 - Monies invested in mortgages or business ventures (including crops and livestock) by declarant, spouse and children.
- QUESTION 6 - Particulars of motor vehicles owned by, or on hire for any period to, or on loan for a period in excess of two months to the declarant, spouse or children.
- QUESTION 7 - Values held in safety deposit boxes by declarant, spouse and children.
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- QUESTION 10 - Other property owned by declarant, spouse and children, being held by a person other than owner, whether in trust or otherwise.
- QUESTION 11 - Particulars of income from all sources, of declarant, spouse and children (including perquisites such as house, entertainment, allowances, rentals, etc.)
- QUESTION 12 - Particulars of liabilities (including guarantees) of declarant, spouse and children.
- QUESTION 13 - Particulars of any property acquired or disposed of by declarant, spouse and children (during period of 12 months or other period where appropriate) ending on the date of the declaration.

## **INSTRUCTIONS FOR COVER PAGE**

### **DECLARATION DATE**

The declaration date is 31<sup>st</sup> JANUARY 2003 but the declarant is allowed a period of 3 months to file the declaration. The declaration should include all assets and liabilities as at 31<sup>st</sup> January 2003 and income should cover the period of 12 months prior to that date.

Where a public servant is appointed to a post which emoluments are equal to or greater than two million dollars, or where the emoluments reach or are more than two million dollars, the declaration date is the date of the appointment to the post or when

the emoluments reach the threshold. The income filed should cover the twelve months period prior to that date.

For all subsequent declarations the declaration date must be December 31<sup>st</sup> of each year and income filed covering the period January to December of that year.

The declaration filed at the end of the year of an initial declaration, should include the income earned from the declaration date of the initial declaration to December 31<sup>st</sup> of that year.

## **PERSONAL DATA**

Under “**Name of Declarant**” and “**Name of Declarant’s Spouse**” the full name of these persons should be included.

Under “**Declarant’s Employer**” in the event of employers with multiple branches/divisions the name and address of the present location of the declarant should be included.

## **PARTICULAR OF DECLARANT’S CHILDREN**

The declarant should list the names, dates of birth and addresses of all his children, even if the child is not living with him/her.

## **INSTRUCTIONS FOR QUESTION 1**

Include balances on all accounts held in banks, building societies and credit unions (locally and abroad).

**Bank statements or letter from the banks, building societies and credit unions confirming the balances of the declarant his/her spouse and children must be submitted with the completed declarations.**

The balances should include balances held on foreign exchange, fixed/time/certificate of deposits or any other accounts held in a bank or financial institution by the declarant his/her spouse and children.

## **INSTRUCTIONS FOR QUESTION 2**

Include cash in excess of \$500,000.00 held other than in banks, credit unions or building societies. This includes cash administered by others on behalf of declarant’s, his/her spouse and children.

Under column “**where Held**”, include the name and address of the institution or person.

## **INSTRUCTIONS FOR QUESTION 3**

Include all bonds, stocks, shares and similar investments including any such property over which a right of disposition resides in the declarant, spouse and children.

Under **“No. and Description”** if the investment is in shares, state the number held and type; ordinary or preference shares. If the investment is in bonds or stocks, under description state, ‘bonds’ or ‘stocks’.

Under **“Cost of Acquisition Where Known or Market Value”** state whether the amount included is cost (c) or market value (mv).

#### **INSTRUCTIONS FOR QUESTION 4**

Include immovable property (e.g. house, land and farm buildings) held by declarant, spouse and children.

Under **“Description/General”** state whether the property is land, dwelling house, farm building, commercial property or any other suitable descriptions.

#### **INSTRUCTIONS FOR QUESTION 5**

Include Monies invested in mortgages or business ventures (including crops and livestock) by declarant, spouse and children.

Under **“Type of Investment”** state whether investment in mortgage, business venture, crops or livestock.

Under **“Term”** in the case of investment in mortgages state the period of the mortgage in years.

#### **INSTRUCTIONS FOR QUESTION 6**

Include particulars of motor vehicles owned by, or on hire for any period to, or on loan for a period in excess of two months to the declarant, spouse or children.

Under **“description”** state the make, model and type of vehicle, example ‘Toyota Corolla – Car’ or ‘Ford Explorer – Truck.’

Under **“Terms of Hireage”** state the period of hireage and the type of hire; whether rental or lease.

#### **INSTRUCTIONS FOR QUESTION 7**

Include values held in safety deposit boxes by declarant, spouse and children.

Under **“Contents”** give a brief description of each item, for example 18k Rolex Watch, Diamond Brooch etc.

#### **INSTRUCTIONS FOR QUESTION 8**

Include Insurance policies held by declarant, spouse and children.

Under **“Type of Policy”** state whether the policy is whole life or investment.

## **INSTRUCTIONS FOR QUESTION 9**

Include any other property owned by declarant, spouse and children.

Under “**Description**” give a brief description of the property, for example if the property is a boat/yacht or aircraft state the make; Yamaha – Boat, Cessna – Aircraft.

## **INSTRUCTIONS FOR QUESTION 10**

Include other property owned by declarant, spouse and children, being held by a person other than owner, whether in trust or otherwise.

Under “**Description**” give a brief description of the property, for example for shares held in trust, state the number of shares and the company; 5000 shares - Cable & Wireless.

Under “**In What Capacity Being Held**” state whether trustee or otherwise.

## **INSTRUCTIONS FOR QUESTION 11**

Include particulars of income from all sources, of declarant, spouse and children (including perquisites such as house, entertainment, allowances, rentals, etc.)

Under “**Type of Income**” state whether the source of income is salary, rental, lease, business etc.

Under “**Source**” state whether income is from employment or investment.

## **INSTRUCTIONS FOR QUESTION 12**

Include particulars of liabilities (including guarantees) of declarant, spouse and children.

**Certificate from creditor or party to which guarantee given, should be provided.**

Under “**Nature of Liability**” state whether mortgage, motor car loan, motorcar lease, education loan etc.

## **INSTRUCTIONS FOR QUESTION 13**

Include particulars of any property acquired or disposed of by declarant, spouse and children (during period of 12 months or other period where appropriate) ending on the date of the declaration.

Under “**Description of Property**” in the event of motor vehicles state the year, make, model and type of vehicle, for example 1999 Toyota Corolla – motor car. In the event of the property being a house or land, under description state the address.