

S.I. 79 of 2008

PUBLIC OFFICERS' ETHICS ACT, 2008

(Act 14 of 2008)

Public Officers' Ethics Regulations, 2008

In exercise of the powers conferred by section 36 of the Public Officers' Ethics Act, 2008 the President hereby makes the following Regulations—

1. These Regulations may be cited as the Public Officers' Ethics Regulations, 2008.

Citation

2. In these Regulations—

Interpretation

“the Act” means the Public Officers' Ethics Act, 2008;

“Commission” means the Public Officers' Ethics Commission;

“declaration” means a declaration of income; assets and liabilities.

3. Pursuant to section 26(e) of the Act, all public officers holding posts ranked at the equivalent of Director (SP54-59 in the public sector salary scale) and above, by whichever name their positions are known in their relevant organisations, shall be public officers for the purposes of making declarations of income, assets and liabilities under the Act;

Officers to
make
declaration

4. Any organisation prescribed by regulations made under the Act, shall provide the Commission with a list of its public officers at the commencement of the Act and

Duty of
organisations

thereafter promptly inform the Commission each time a person leaves the public service or becomes a public officer to whom the Act applies.

Duty to provide
feedback within
prescribed time

5. An appropriate body or person to whom the Commission has referred a case of contravention of the Code of Conduct and Ethics, shall within the time prescribed by the Commission, provide a feedback of disciplinary action taken.

Time frame for
making
declarations

6.(1) The first declaration required under section 27(1) of the Act shall be made—

- (a) within three months after the commencement of the Act; or
- b) for a person who becomes a person to whom the Act applies on a later date, within three months of such later date.

(2) Declaration of income, assets and liabilities held both in Seychelles and abroad shall be made on the form specified in the Schedule.

(3) Any person who is required to make a declaration under the Act, shall after the first declaration make such declaration on or before the 31st December of every year.

Retention

7. Any declaration made to the Commission shall be retained for five years after which it shall be returned to the person who made the declaration in the sealed envelope.

Destruction of
uncollected
declarations

8. Any declaration not collected, after reasonable notice is given to the person who made the declaration to do so, shall be destroyed in its sealed state in a manner considered most appropriate by the Commission.

[illegible]

- 1.3 PRIVATE BUSINESS INTERESTS;** Please give below details of interests that you may have in any private business - both locally and abroad. (Provide similar details in case of more than 3 businesses).

Particulars	Business 1	Business 2	Business 3
Business Name or Reference			
Status of Public Officer (e.g. Partner, Sole Proprietor, Shareholder, Board Director/Member or Other (please state)			
Amount Invested	SR.	SR.	SR.
Number or proportion of shares heldshares % shares % shares %
Income derived from business during the last financial year	SR.	SR.	SR.
Remarks			

1.4 OTHER EMPLOYMENT OF PUBLIC OFFICER:

If you are engaged in any employment other than the employment paragraphs 1.1 to 1.3 above please give details below: (This includes any part-time employment, and employment from which you may currently be on leave of absence).

Name of Employer		
Nature of occupation or services rendered		
Period of Employment	From:..... To:.....	Any relevant comments:.....
Approximate income from this activity during the last financial year	SR.....	

1.5 OTHER SOURCES OF INCOME:

Please indicate any local or overseas sources of income that you may have, e.g. receipts of rent, interests from bills, bonds and other investments where annual receipts from individual activities exceeds R25000

Description of income (e.g rent, interests, etc.)	Annual income from this source (SR)

[PART TWO]

ASSETS AND LIABILITIES

[Both in Seychelles and abroad]

2.1 DETAILS OF BANK ACCOUNTS:

Name and Address of Bank(s)	Account Number(s)	Type of Account(s)	Balance on declaration date (state relevant currency)

2.2 MONEY LENT BY PUBLIC OFFICER TO OTHERS: (All amounts in excess of SR25,000 should be declared).

To whom lent (with dates)	Amount lent (state relevant currency)

2.3 DETAILS OF MOVEABLE PROPERTY USED FOR TRANSPORTATION:

Registration Number(s)	Description (e.g. car, pickup, boat)	Date Purchased	Purchase Price (SR)

2.4 OTHER MOVEABLE PROPERTY: (e.g. items of property with individual value exceeding R25,000)

Description	Date purchased or acquired	Price or estimated value (SR)

2.5 INSURANCE POLICIES:

Name of Insurance Company	Type of Policy	Maturity Date	Insured Amount

2.6 BILLS, BONDS AND OTHER SECURITIES:

Details of Securities	Maturity Date	Amount

2.7 DETAILS OF IMMOVEABLE PROPERTY: (e.g. house, business premises, property etc.)

Type of Property	Where situated	Title Number if applicable	Date of Acquisition	Purchase Price	Estimated market value

2.8 OTHER PROPERTY, INCLUDING LEASEHOLD INTERESTS OWNED BY THE PUBLIC OFFICER AND HELD BY ANOTHER PERSON;

Description of property	By whom being held	In what capacity being held	Estimated market value of property (SR)

NOTE: ITEMS 2.9 & 2.10 DOES NOT APPLY TO THE FIRST DECLARATION UNDER THE ACT.

2.9 GIFTS RECEIVED SINCE THE LAST DECLARATION: (Gift items with individual value exceeding R25,000)

Description of Gifts	Date Received (dd mm yy)	Price or Estimated Value (SR)

2.14 STATEMENT OF RECEIVING OFFICER/WITNESS TO THE DECLARATION:

I confirm that this declaration was signed and sealed before me on the date stated below.

.....
Name of Witness/Receiving Officer

.....
Signature of Witness/Receiving Officer

Dated this day of 2008.

(REF.:)

[Note: The declaration is to be folded on the following dotted line and handed to the Receiving Officer with the above facing upwards]

MADE this 22nd day of October, 2008.

J. A. MICHEL
PRESIDENT