

# **REGULATIONS FOR THE ADMINISTRATION, MONITORING, RECEIVING AND IMPLEMENTATION OF THE ASSET DECLARATION IN ACCORDANCE WITH THE NATIONAL CODE OF CONDUCT FOR ALL PUBLIC OFFICIALS AND EMPLOYEES OF GOVERNMENT OF THE REPUBLIC OF LIBERIA**

WHEREAS, Chapter XI, Article 90 (c) of the Constitution of Liberia, empowers the National Legislature to Prescribe a Code of Conduct for all Public Officials and Employees Stipulating the acts which constitute conflict of Interest or against public Policy and penalties for violation thereof;

WHEREAS, Pursuant to this Constitutional Provision and mandate, on March 31, 2014, the National Legislature enacted into law the National Code of Conduct for all Public Officials and Employees of Government of the Republic of Liberia;

WHEREAS, Part X of the National Code of Conduct (NCoC) for all Public Officials and Employees of Government of the Republic of Liberia requires that every Public Official and employee of Government involved in making decision affecting contracting, tendering or procurement and issuance of licenses of various types shall sign performance or financial bonds and shall in addition declare his or her income, assets and liabilities prior to taking office and thereafter at the end of every three years, on promotion or progression from one level to another, upon transfer to another public office and upon retirement or resignation. Appointed officials must submit a copy of a completed, signed and notarized Asset Declaration form thirty (30) days after taking office and thereafter in any position enumerated in section 10.1 of the NCoC.

WHEREAS, section 4.1(g) of the Liberia Anti-Corruption (LACC) Act of 2022 empowers the LACC to lead the implementation of the Anti-Corruption Strategy of Liberia, including the Code of Conduct for Public Servants;

AND whereas, there is a need to regulate the implementation of section 10.1 and section 10.2(h) of the NCoC;

NOW THEREFORE, these regulations are issued pursuant to section 10.1 NCoC and section 10.2(h) as amended.

## **i. Obligation to file Asset Declaration Statement**

The LACC shall issue Asset Declaration (AD) forms that shall be completed, signed, notarized, and filed in accordance with Section 10.1 and 10.2 (h) of the NCoC by all persons occupying the following public positions

### **1.1 Legislature**

1. Members of the House of Representatives
2. Members of the Senate
3. Secretary of the senate
4. Chief Clerk of the House of Representatives
5. Comptrollers, Procurement Officers, Departmental Directors, and Project Managers



## **1.2 Judiciary**

1. Chief Justice and Associate Justices of the Supreme Court
2. Judges of Circuit Courts and Circuit-level Specialized Courts
3. Stipendiary and Associate Magistrates
4. Clerks of the Supreme Court, Circuit courts and Circuit-level Specialized Courts
5. Court Administrator, Comptroller, Procurement Officers, Departmental Directors and Project Managers

## **1.3 Executive**

1. President of the Republic of Liberia
2. Vice President of the Republic of Liberia
3. Cabinet Ministers, Deputy Ministers, and Assistant Ministers
4. Comptrollers, Procurement Officers, Custom Officers, Internal Revenue Agents, Departmental Directors, Project Managers, and Persons making decision affecting Contracting, Tendering or procurement, and issuance of licenses of Various types
5. Members of the Board of directors, Heads, Deputy Heads, and Department Heads of Autonomous Agencies
6. members of the Board of Directors, Heads, Deputy Heads and Department Heads of State-Owned Enterprises
7. Chairperson, Commissioners, Deputy Heads and Department Heads of Independent Commissions
8. Ambassador-At-Large, Ambassadors, Consul Generals, Consular Officers: Heads and Deputy Heads of Department and Heads of Foreign Missions, Institutions and Organizations
9. Heads, Deputies, Department Heads, and Top -ranking Officer (from the rank of Captain where applicable) of Law Enforcement and Investigation Agencies including but not limited to Liberia National Police, Liberia Immigration Service Immigration Services, Drug Enforcement Agency, National Security Agency etc.
10. Chief of Staff, Deputy Chief of Staff, and Commissioned officers of the Arm Forces of Liberia (AFL).
11. Custom Officers of Liberia Revenue Authority (LRA)

Such public officials and employees of the three branches of government shall deposit a copy of their Asset Declaration forms with the relevant authority at the LACC as provided for in section 5.2 (o) of the new LACC Act of 2022.

### **ii. Newly Hired Officials and Employees**

1. All public Officials and Employees of Government must submit a copy of a completed, signed and notarized Asset Declaration form prior to taking office and thereafter in any position enumerated in section 10.1 of the NCoC. This provision is applicable only to elected and other officials hired (not those appointed by the president) but by the Government of Liberia.





2. Appointed officials must submit a copy of a completed, signed, and notarized Asset Declaration form thirty (30) days after taking office and thereafter in any position enumerated in section 10.1 of the NCoC.
3. All Public Officials are required to declare their assets after every three years.
4. Public Officials who exit public office by means of retirement, resignation, dismissal, etc. are also required to submit a copy of completed, signed, and notarized Asset Declaration form immediately prior to exit. This provision is applicable to all public officials- elected, appointed, and hired.
5. All official standardized Asset Declaration Form shall be obtained from the website of the LACC, and the Executive Mansion or from the Asset Declaration and Verification Unit at the Head Office of the LACC.

**iii Infringement:** Refusal to declare asset as per these regulations shall be deemed a violation of Section 4.2 of the NCoC and shall be punishable under section 10.3 and section 15.1 of the NCoC including the following manners:

- a. Dismissal.
- b. Removal from office in public interest.
- c. Reprimand.
- d. Fine or making good of the loss or damage of public property/assets.
- e. Demotion (reduction in rank).
- f. Seizure and forfeiture to the State of any property acquired from abuse of office; and
- g. Interdiction/suspension from duty with half pay.

An immediate suspension from office until full compliance is obtained. Salary, reimbursement of expenses, per diem, bonus, awards or other fees will not be paid to any official or concerned public employee until a completed, signed and notarized Asset Declaration form is filed with the LACC that will confirm receipt of the completed form.

Payment of salary, reimbursement of expenses, per diem, bonus, award or other fees to any official or employees who occupied position hereinabove listed and as prescribed in section 10.1 and section 10.2 (h) of the NCoC who has not submitted his/her declaration form in keeping with the deadline as prescribed shall be suspended until a completed, signed and notarized declaration form is received and validated by the LACC.

**For the Executive, Judiciary and the Legislature,** the LACC will advise the Office of the President of Liberia on violations and enforcement measures in keeping with section 14.1 of the NCoC; and collaborate with relevant heads and officials of ministries, agency and commission responsible for approving and executing payment to implement effective system to ensure suspension of payment from the state budget to officials and relevant public employees who have not filed Asset Declaration form in compliance with these regulations.

#### **IV. Administration of Asset Declaration System**

The national filing deadline of asset declaration forms for all public officials shall be the last working day in **JULY** of each filing year where applicable. LACC shall publicly announce the



annual Asset Declaration filing deadline date not less than two months in advance of such deadline.

## **V. Processing and Management of Asset Declaration Forms**

Compliance status, and those providing false or in-complete information on Asset Declaration forms shall be subject to administrative or criminal penalties depending on the facts indicating the intentional or inadvertent nature of the violation.

In the event the nature, facts and circumstances relating to the inaccurately reporting or missing information appears to be an honest mistake, the LACC may require immediate correction by provision of sufficient data and documentation, as well as issue a warning notice and/or recommend administrative penalties in cases where factual circumstances indicate a degree of seriousness of the error.

In the event the LACC discovers inaccurate or missing information on an Asset Declaration form that appears upon examination and/or investigation to be intentional, the official will be subject to summary dismissal and criminal prosecution pursuant to relevant criminal laws and procedures in furtherance of the NCoC part 10.3.

The LACC may request information from other government agencies or foreign counterpart agencies as necessary to verify and analyze assets reported in the Asset Declaration form, as well as share information and data reported on ad form with national or foreign agencies on a confidential need-to-know basis with the aim of preventing and detecting corrupt activities.

The LACC shall design monitoring and evaluation criteria and compile data to measure effectiveness, compliance, cost, result efficiency as well as recommendation for improvement of the Asset Declaration system on an annual basis. This information shall be contained in quarterly and annual reports compiled by the LACC and submitted to the Office of the President and to the Legislature and shall be publicly disseminated and posted on the websites of anti-graft institutions.

In conclusion, let us remember that asset declaration is not just a legal requirement, but a moral obligation that reinforces our commitment to transparency, accountability, and public trust. By adhering to these guidelines with integrity and diligence, we not only fulfill our responsibilities as public servants but also contribute to the strengthening of our democratic institutions and the advancement of our society. Thank you for your cooperation and dedication to upholding the highest standards of governance."

