

THE OFFICIAL GAZETTE 13TH JUNE, 2017

LEGAL SUPPLEMENT – B

GUYANA

No. 10 of 2017

ORDER

Made Under

THE INTEGRITY COMMISSION ACT

(Cap. 26:01)

IN EXERCISE OF THE POWERS CONFERRED UPON ME BY SECTION 36 OF THE INTEGRITY COMMISSION ACT, I MAKE THE FOLLOWING ORDER:-

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| Citation. | 1. This Order may be cited as the Integrity Commission (Amendment of Code of Conduct) Order 2017. |
| Amendment of Schedule II to the Principal Act. | 2. Schedule II to the Principal Act is amended by substituting for Schedule II the following Schedule as Schedule II-. |

“SCHEDULE II

CODE OF CONDUCT

In observance of the Code of Conduct these are the guiding principles-

The Ten Principles of Public Life

Accountability: A person in public life shall be accountable to the public for his or her decisions and actions and shall submit himself or herself to scrutiny and criticism.

Dignity: A person in public life shall, in the execution of his or her official functions, conduct themselves in a manner which engenders the respect of their peers and the public.

Diligence: A person in public life is expected to be effective, efficient and reliable in the performance of their duties.

Duty: A person in public life owes a duty to the public and shall

consider themselves servants of the people.

Honour: Members of Parliament shall regard it as an honour to serve in the nation's highest legislative forum. They have a moral responsibility to preserve the reputation of their office.

Integrity: A person in public life and members of his family shall upon assumption of office declare their private interests relating to the duties of the public official, and assets as required by the Integrity Commission Act and any other law.

Loyalty: A person in public life shall display allegiance to the State and shall demonstrate concern for the well-being of the people of Guyana.

Objectivity: A person in public life, in executing public business, shall make decisions based on merit when making public appointments, awarding contracts, or recommending individuals for rewards and benefits.

Responsibility: A person in public life shall have a basic responsibility to take decisions solely in the national interest without any benefit of personal gain, or material benefit for themselves, their family, friends and associates.

Transparency: A person in public life shall exercise his or her public decisions and actions with full and frank disclosure and shall provide when demanded by the public an explanation for his or her actions and decisions.

Article 1

Bribes

No person in public life shall in return for anything done, or to be done, or omitted to be done in the execution of his or her duties, ask for or accept for himself or herself or any person, any money, property, benefit or favour of any kind over and above that which he or she is lawfully entitled to receive for the performance of his or her duties.

Article 2

Discrimination

No person in public life shall in the course of the performance of his or her official functions discriminate against any person with respect to terms, conditions and privileges of employment or other official matters because of such person's race, place of origin, political opinion, colour, creed, age, disability, marital status, sex, gender, language, birth, social class, pregnancy, religion, conscience, belief or culture.

Article 3

Gifts

No person in public life shall for himself or herself or for anyone else accept any gift, benefit or advantage from anyone, save personal gifts from a relative or friend, or personal gifts given otherwise than as a motive or reward for doing or forbearing to do anything in the performance of his or her official functions or causing any other person from doing or forbearing to do anything:

Provided that this provision shall not apply to gifts received on behalf of the State by any person in public life in the course of the performance of his or her official functions.

Article 4

Conflict of Interest

(1) No person in public life shall

- (a) allow private interest to conflict with his or her public duties or improperly influence his or her conduct in the performance of his or her public duties;
- (b) allow the pursuit of his or her private interests to interfere with the proper discharge of his or her public duties:

Provided that any such conflict that tends to interfere with the proper discharge of his or her public duties shall be reported to the Integrity Commission for guidance on a resolution as soon as practicable in favour of the official duties of the person in public life.

- (2) For the purposes of this Code, a conflict of interest arises where a public official makes or participates in the making of a decision in the execution of his or her office and at the same time knows or ought reasonably to have known, that in the making of that decision, there is a material beneficial opportunity either directly or indirectly to further his or her private interests or that of a member of his or her family or any other person or entity.
- (3) A person in public life shall—
- (a) in order to protect and uphold the public interest, take reasonable steps to avoid, resolve and disclose any material conflict of interest, financial or non-financial, that arises or is likely to arise, between his or her personal interests and his or her official duties;
 - (b) declare any conflict of interest in writing to the relevant authority as soon as possible after becoming aware of the conflict of interest;
 - (c) refuse or relinquish any outside employment, shareholdings or directorships which creates or is likely to create a conflict of interest.

Article 5

Use of official influence

No person in public life shall use his or her official influence in support of any scheme or in furtherance of any contract or proposed contract or other matter in regard to which he or she has an interest.

Article 6

Handling of classified or proprietary information

- (1) No person in public life shall—
- (a) for his or her personal advantage, benefit or gain, make use of, or communicate to anyone except in the performance of his or her official duties, the contents of any document, or any information or matter acquired in the course of his or her official duties which are not available to the public;
 - (b) disclose to any unauthorised person or entity any information that is classified as privileged, confidential or otherwise

protected from unauthorised disclosure, dissemination or distribution.

- (2) A person in public life shall provide and implement adequate safeguards to prevent the abuse, misuse and unauthorised release of information.

Article 7

Use of public property

- (1) No person in public life shall use or allow the use of public property (including money), equipment, supplies or services for any purpose other than for officially approved purposes.
- (2) A person in public life shall use and manage public resources in accordance with any rules and guidelines regarding the use of those resources.

Article 8

Sexual misconduct

No person in public life shall –

- (1) pursue a course of conduct which amounts to offensive sexual comments, gestures or physical contact or such conduct of a criminal nature under the Sexual Offences Act.
- (2) in the course of the performance of his or her official duties pursue a course of conduct by which he or she exploits his or her position or authority for sexual gratification;

Article 9

Entertainment

- (1) No person in public life shall accept lavish or frequent entertainment from persons or entities with whom the Government has, or is likely to have official dealings.
- (2) For the purposes of this Article entertainment includes invitation to sporting events and concerts.

Article 10**Use of office in an improper manner**

No person in public life shall-

- (1) use their office in an improper manner to gain a direct or indirect personal advantage for themselves or any person or entity not enjoyed by the general public but rather shall maintain appropriate confidentiality of the information they receive in the official course of their duties and this obligation continues subsequent to their resignation, retirement or dismissal;
- (2) use information obtained in the course of their official duties to gain a direct or indirect personal advantage for themselves or any other person or entity and this includes insider information of any activity in any public or private entity;
- (3) in the course of the performance of his or her official duties, aid, abet, counsel, procure or command any other person to commit a breach of any of the provision of this Code of Conduct.

Article 11**Outside Employment**

No person in public life except with the written consent of the relevant authority shall engage in outside employment.

Made this day 12th of June, 2017.



Hon. Moses Nagamootoo, MP

Prime Minister