



INTEGRITY IN PUBLIC LIFE

INTRODUCTION

For the information of the public the Integrity Commission will be circulating facts related to its establishment, functioning and operations in Parts. Part One of this series is now presented.

The Commission is taking steps to ensure that the confidential and sensitive information contained in documents entrusted to the Commission by declarants are securely managed.

The incoming Commission thanks the outgoing Commission for its input, with regard to the initial establishment of the Office of the Integrity Commission.

PART ONE:

Q. What is the Integrity Commission?

A. The Integrity Commission is an independent body established by the Integrity in Public Life Act (Act No.24 of 2013), which authorizes the Commission to oversee the provisions of the Integrity in Public Life Act and the Prevention of Corruption Act (the Acts). The Integrity in Public Life Act became effective October 03, 2013.

The Commission comprises of seven persons: a Chairperson, a Deputy Chairperson and five other members. Members are appointed for a period not exceeding three years and are eligible for re-appointment.

The Commission is constituted as follows:

- a. A Chairperson, who shall be a retired Judge, an attorney-at-law of at least fifteen years standing, or a citizen of Grenada who is a person of good standing in the community;
- b. A certified or chartered accountant;
- b. An attorney-at-law of at least seven years standing;
- c. One person appointed on the recommendation of the Prime Minister;
- c. One person appointed on the recommendation of the Leader of the Opposition;
- d. Two persons appointed after consultations by the Governor General with faith-based organizations.

Q. *Why was this Commission established?*

- A. The Commission was established to ensure that public officials uphold high standards of integrity in the performance of their public functions and also to give effect to the provisions of The Inter-American Convention against Corruption. It will assist in improving the standards of good governance, transparency and accountability in government.

The law provides for the Integrity Commission to receive and verify the accuracy of declarations of financial affairs from public officials; to investigate complaints of impropriety, corruption and misconduct by public officials; and for prosecution of persons found guilty of crimes according to the Acts.

Q. *What qualifies persons to be members of this Commission?*

- A. Persons appointed to the Commission are to be persons of high integrity who are capable of exercising competence, diligence, sound judgment, confidentiality and impartiality in fulfilling their duties under the Acts.

Further, these persons:

- a. must not *be affected by bankruptcy action*;

- b. must not have been convicted of an indictable offence;
- a. must not have been convicted of an offence pursuant to the provisions of the Acts;
- c. must not be a person in public life other than as a member of the Commission;
- b. must not be a member of the House of Representatives or of the Senate;
- c. must not during the three years preceding appointment, have held office in a political party;
- d. must not be otherwise disqualified to be a member of the House of Representatives.

Q. *What are the functions of the Commission?*

A. Its functions are to:

- a. carry out those functions and exercise the powers pursuant to the provisions of the Integrity in Public Life and the Prevention of Corruption Acts;
- b. receive, examine and retain all filed declarations.

- c. make such inquiries as it considers necessary in order to verify or determine the accuracy of a filed declaration.
- d. receive and investigate complaints regarding any alleged breaches of the provisions of the Integrity in Public Life Act or the commission of any suspected offence under the provisions of the Prevention of Corruption Act;
- e. investigate the conduct of any person falling under the purview of the Commission which, in the opinion of the Commission, may be dishonest or conducive to corruption;
- f. examine the practices and procedures of public bodies for the purpose of identifying areas where there is potential for the occurrence of dishonesty or corruption;

- g. instruct, advise and assist the heads of public bodies with respect to changes in practices or procedures which may be necessary to reduce the occurrence of corrupt practices;
- h. carry out programmes of public education intended to foster an understanding of the standard of integrity expected of public officials; and
- i. perform other functions and exercise powers as may be required pursuant to the provisions of the Acts.

Q. What are the powers of the Commission?

- A. The Commission has:
- a. the power to authorise investigations, summon witnesses, require the production of any reports, documents or other relevant information, issue requests to witnesses abroad: and to do all things as it considers necessary or expedient for the purpose of carrying out its functions;
 - b. the same powers, rights and privileges as a commission of inquiry appointed pursuant to the provisions of the Commission of Inquiry Act;
 - c. the powers to make use of the services or draw upon the expertise of any law enforcement agency or the Public Service.

Q. How does a person vacate office?

- A. A member other than the Chairperson, may resign in writing through the Chairperson to the Governor General and from the date indicated, that person ceases to be a member of the Commission.

The Chairperson may resign in writing to the Governor General and from the date so indicated, that person ceases to be a member of the Commission.

A member of the Commission is taken to have vacated office if the member:

- a. resigns the position on the Commission;
- b. cannot continue as a member of that Commission having become disqualified as earlier set out;
- c. is absent without the permission of the Commission, from three consecutive meetings of the Commission and has not given due notice;
- d. dies;
- e. is appointed as a public officer;
- f. takes up an appointment in a political party;
- g. is nominated for election as a representative in the House of Representatives or in the Senate.

Q. *How is a person removed from the Commission?*

A. A person may be removed from the Commission for inability to exercise functions under the Acts, whether from infirmity of mind or body or any other cause or for misbehaviour.

To remove a person, the Governor General, after consultations with the Prime Minister and the Leader of the Opposition, appoints a Disciplinary Tribunal to conduct an inquiry into the matter and report and recommend to the Governor General.

Q. *Who controls the Commission?*

A. The Commission, in the exercise of its duties under the Acts is not subject to the direction or control of any person or authority.

END OF PART ONE