

**QUESTIONNAIRE
REGARDING THE PROVISION OF THE INTER-AMERICAN CONVENTION
AGAINST CORRUPTION SELECTED FOR REVIEW IN THE FOURTH ROUND
AND FOR FOLLOW-UP OF THE RECOMMENDATIONS FORMULATED IN THE
FIRST ROUND**

Jamaica

Office of the Contractor General

Section I

C (i)– Objectives and Functions of the Office of the Contractor General

The objectives, functions and autonomy of the Office of the Contractor General (OCG) are outlined in Sections 4, 5, 15 and 16 of the Contractor General Act. Section 4 of the Act stipulates the primary functions and mandate of the OCG, whilst Section 15 details the discretionary investigative function with which the office is empowered.

Sections 4 states as follows:

4. (1) Subject to the provisions of this Act, it shall be the function of the Contractor-General, on behalf of Parliament –

- (a) to monitor the award and the implementation of government contracts with a view to ensuring that –
 - (i) such contracts are awarded impartially and on merit;
 - (ii) the circumstances in which each contract is awarded or, as the case may be; terminated, do not involve impropriety or irregularity;
 - (iii) without prejudice to the functions of any public body in relation to any contract, the implementation of each such contract conforms to the terms thereof; and

- (b) to monitor the grant, issue, suspension or revocation of any prescribed licence, with a view to ensuring that the circumstances of such grant, issue, suspension or revocation do not involve impropriety or irregularity and, where appropriate, to examine whether such licence is used in accordance with the terms and conditions thereof.

(2) For the purpose of the discharge of his functions under this Act a Contractor-General shall be entitled –

- (a) to be advised of the award and, where applicable, the variation of any government contract by the public body responsible for such contract;
- (b) subject to section 19, to have access to all books, records, documents, stores or other property belonging to government, whether in the possession of any officer of a public body or a contractor or any other person;
- (c) to have access to any premises or location where work on a government contract has been, is being or is to be carried out;
- (d) to have access to all books, records, documents or other property used in connection with the grant, issue, suspension or revocation of any prescribed licence whether in the possession of any public officer or any other person;
- (e) to have access to any premises or location where he has reason to believe that any such books, records, documents or other property as are referred to in paragraph (d) or any property which is the subject of a prescribed licence, may be found;
- (f) to enter any premises occupied by any person in order to make such enquires or to inspect such document, record or property as he considers necessary to any matter being investigated by him; and
- (g) without prejudice to the provisions of sections 18 and 19, to retain any such document, record or other property referred to in paragraph (f).

(3) For the purposes of subsection (2) the Contractor-General shall have power to require any public body to furnish in such manner and at such times as may be specified by the Contractor-General, information with regard to the award of any contract and such other information in relation thereto as the Contractor-General considers desirable.

(4) For the purposes of paragraphs (d) and (e) of sub-section (2), the Contractor-General shall have power to require any public officer or any other person to furnish in such manner and at such times as may be specified by the Contractor-General, information with regard to the grant, issue, suspension or revocation of any prescribed licence and such other information in relation thereto as the Contractor-General considers desirable.

The autonomy of the Contractor General to pursue his functions is prescribed in Section 5(1) of the Contractor General Act which provides as follows:

“5. Independence of Contractor General.

5. (1) In the exercise of the powers conferred upon him by this Act, a Contractor General shall not be subject to the direction or control of any other person or authority.”

C(ii) Scope of Functions

The Contractor General’s primary functions are three-fold. They are as follows:

1. To monitor the award and implementation of government contracts to ensure that:

- They are awarded impartially and on merit;
- The circumstances of their award or termination do not involve impropriety or irregularity;
- The implementation of contracts conforms to the terms thereof. **(Section 4.1.a)**

2. To monitor the grant, issue, suspension or revocation of prescribed government licences to ensure that:

- The circumstances of their grant, *inter alia*, do not involve impropriety or irregularity;
- They are used in accordance with their terms. **(Section 4.1.b)**

3. To conduct Investigations into any of the following:

- The registration of contractors, tender procedures, the award and implementation of government contracts, the circumstances of, *inter alia*, the grant or revocation of prescribed licences and the practices and procedures related thereto. **(Section 15)**
- It should be noted that in respect of his monitoring functions, a Contractor General is mandated to monitor contracts and licences, whereas in respect of his investigative functions, he has a discretionary power. **(Sections 4 and 15)**
- An investigation under the Act may be undertaken by a Contractor General upon his own initiative or as a result of representations which are made to him, but only if in his opinion such an investigation is warranted. **(Section 16)**

The Contractor General’s secondary functions are related to the National Contracts Commission (NCC). The OCG, through its Technical Services Department, acts as the NCC’s Secretariat in ensuring that all technical, administrative and human resource requirements of the NCC are fully satisfied to enable it to effectively and efficiently accomplish its objectives and mandates under the law. **(Section 23 J)**

The only restrictions to the functions and powers of the OCG are detailed in Section 19 (1) of the Contractor General Act which concern matters of national security and the defence of Jamaica. Same may be viewed at the following URL - <http://www.ocg.gov.jm/ocg/page/overview-commission-contractor-general-roles-and-responsibilities>

C(iii) – Manner in which Decisions are adopted

Decisions taken by the OCG are guided solely by the Contractor General, who, at his discretion, and in keeping with Section 5 and Section 17 of the Act, exercises his independence and may adopt whatever procedures he considers necessary to perform his functions under the Contractor General Act.

C (iv) – Selection of Senior Officers

The Contractor General is appointed by the Governor General pursuant to Section 3(2) of the Contractor General Act, for an initial term of seven (7) years with an option to renew for a further period of five (5) years.

All Senior Officers of the OCG are appointed by the Contractor General pursuant to Section 13 of the Contractor General Act. Senior Officers are appointed via three year contracts with an option to renew. The contracts of Senior Officers can be terminated by either party by giving three months written notice or pay in lieu thereof.

C(v) – Identification of Human Resource Needs, Selection of Personnel and Accountability

Personnel at the OCG are freely appointed by the Contractor General within the confines of the established and approved organizational framework. All appointments are by fixed term contract and, as such, the removal/dismissal of employees is governed by the terms and conditions of the contracts of employment.

All staff appointments are merit based and require varying education and professional qualifications contingent upon the post/job functions. Selection of personnel is governed by a tiered interview process which is preceded by either a public and/or internal advertisement as well as security vetting.

Importantly, one of the disciplinary measures and/or accountability mechanisms which is provided for in the Contractor General Act is the Oath of Secrecy (refer to Section 24(2) of the Act, which all employees are required to take prior to appointment, and the criminal sanctions which are applicable should the oath be violated (refer to Section 29(c) of the Contractor General Act.))

Further, the OCG has a documented Disciplinary Code which is in keeping with the Staff Orders and vetted by the Ministry of Labour and Social Security.

C(vi) and (vii) – Existence of Manuals or documents describing the function of personnel

The OCG has developed, and utilizes, documented Operational Manuals, and Job Descriptions and Functions which have been approved by the Cabinet Office to guide the functions of its personnel.

Internal and external training opportunities are afforded to all members of staff in keeping with their respective job functions and responsibilities. Each operating division within the OCG is allotted a training budget and further assistance for training is sought from both local and international agencies.

C(viii) – Manner in which the public is provided with information about objectives and functions

The OCG utilizes its Website, the publication of its Annual Report, Reports of Investigation, Media Releases, the Social Media and the Electronic Media to disseminate information to its varied stakeholders. In particular, the OCG's Website is updated at regular intervals with relevant information and/or activities affecting all stakeholders, inclusive of contact information, guides to the functions and services offered, amongst other things. (www.ocg.gov.jm)

C(ix) Mechanisms for internal control dealing with claims, complaints or allegations related to pursuit of objectives and to performance of their personnel

Internal controls currently include an Impropriety Hotline and a Web-based Impropriety Form which allows all stakeholders to discreetly and/or anonymously submit claims, complaints or allegations related to the pursuit of the OCG's objectives and the performance of personnel. Additionally, legal remedies and/or recourse can be sought through the Courts in the form of Judicial Review.

Additionally, the OCG has an internal Disciplinary Committee, Ethics Officer and aforementioned Disciplinary Code and Policy to treat with employee conduct and issues related to job performance.

Significantly, the OCG has an Enquiry Management Process which ensures that all complaints which are received by OCG are reviewed

C(x) The manner in which the budgetary needs are ensured.

The OCG receives its budgetary resources from the Ministry of Finance and Planning, through funds which are made available from the Consolidated Fund, in a manner similar to all other public bodies, which are not self-financing.

C(xi) Coordination mechanisms for, *inter alia*, harmonizing functions with those of other oversight agencies of public authorities

As a creature of statute, the OCG's relationship with other state agencies is bound by the Contractor General Act. In this regard, Sections 21 and 29 of the Act are pertinent in respect of the referral of evidence of misconduct and/or a breach of a duty on the part of a public official to the appropriate State Authorities.

C(xii) Accountability mechanisms applicable to the performance of duties

Section 28 of the Contractor General Act requires the Contractor General to publish an Annual Report detailing information relating to the discharge of his functions during the year and particulars of expenditure, inclusive of the particulars of the annual audit which is executed by the Auditor General. The annual Audit is required by Section 27(1) of the Contractor General Act. Further, the Contractor General Act stipulates certain reporting requirements as follows:

- a) Upon the completion of an Investigation, a Contractor-General shall, in writing, inform the principal officer of the public body concerned and the Minister having responsibility therefor of the result of that investigation and make such recommendations as he considers necessary in respect of the matter which was investigated. Where a Report of a Contractor-General reflects adversely upon any person, the Contractor-General is required to, so far as practicable, inform that person of the substance of the report. **(Refer to Section 20 of the Contractor General Act)**
- b) Where a Contractor-General finds, during the course of his Investigations or on the conclusion thereof that there is evidence of a breach of duty or misconduct or criminal offence on the part of an officer or member of a public body, he shall refer the matter to the person or persons competent to take such disciplinary or other proceeding as may be appropriate against that officer or member and, in all such cases, shall lay a special report before the Parliament of Jamaica. **(Refer to Section 21 of the Contractor General Act)**

Under Section 28 of the Contractor General Act:

- c) A Contractor-General may also, at any time, be required by Parliament to submit a report to Parliament in respect of any matter being investigated by him.
- d) A Contractor General shall submit to Parliament an Annual Report relating generally to the execution of his functions and may at any time submit a report relating to any particular matter or matters investigated, or being investigated, by him which, in his opinion, require the special attention of Parliament.
- e) A Contractor General may also, in the public interest, from time to time, publish in such manner as he thinks fit, reports relating to such matters as are mentioned in subsection (2) and any case which is the subject of a special report under Section 21, but no such report shall be published until after it has been laid pursuant to subsection (3) of the Contractor General Act.

D(i) - Actions taken in the past five (5) years to prevent acts of corruption

Though the OCG is not explicitly tasked with the prevention of corrupt acts, the Contractor General Act, requires, that in the performance of his functions under the Act, a Contractor General ensures that the award of government contracts is free from impropriety and irregularity. Given the very broad and encompassing definition of impropriety, which includes acts of corruption, the OCG has, *inter alia*, taken the following actions and/or implemented the below mentioned initiatives to aid in the prevention of corrupt acts associated with the award and/or termination of government contracts and prescribed licences.

1. Quarterly Contracts Award Reports;
2. Conduct of Statutory Investigations;
3. Enquiry Management and Procurement Audits;
4. Public Body Presentations;
5. The implementation of a Prescribed Licence Information Database;
6. Public Speeches by the Contractor General;
7. Involvement in the Public Private Partnership Oversight;
8. Establishment of targeted monitoring portfolios;
9. Audit of the Contractor Registration Process; and
10. Issuance of Media Releases on varying issues related to, amongst other things, corruption.

E – Difficulties encountered in preventing, detecting and punishing corrupt acts of relevance to the OCG

The challenges faced by the OCG are those related to the prevention and detection of corrupt acts relevant to the award and termination of government contracts. Whilst the OCG has wide and varied investigative powers, inclusive of the power to enter and seize information related to the award of contracts, there are still challenges to the OCG obtaining the compliance of persons/entities under investigation.

The OCG faces a challenge once the corrupt acts have been detected.

The Integrity Commission

Section I

C (i) and (ii) – Objectives and Scope of Functions of the Integrity Commission

Section 5 (1) of the Parliament (Integrity of Members) Act (hereinafter “the Act”) sets out the functions of the Integrity Commission. Those functions are:

- (a) to receive and keep on record statutory declarations furnished by Parliamentarians pursuant to the Act;
- (b) to examine such statutory declarations;
- (c) to request from a Parliamentarian any information relevant to a statutory declaration made by him, which in their opinion would assist the Commissioners in their examination;
- (d) to make such independent enquiries and investigations relating to a statutory declaration as the Commissioners think fit.
- (e) To receive and investigate any complaint against a Parliamentarian regarding an act of corruption within the meaning of section 14 of the Corruption Prevention Act.

Section 5(2) of the Act also grants the Commission the power to:

- (a) Summon witnesses;
- (b) require the production of documents; and
- (c) to do all such things as it considers necessary or expedient for the purpose of carrying out its functions.

C(iii) – Manner in which Decisions are adopted

The Commission examines statutory declarations furnished to it. Where it is of the opinion that further investigation is necessary, it may, in writing, request the Parliamentarian concerned to furnish such further documents, information, or otherwise as it may require, within such time as it may specify. The Commission may also in writing require the Parliamentarian to attend the Commission so that the Commission may conduct an inquiry.

Before making its decision, the Commission may conduct an oral examination of witnesses on oath.

Pursuant to section 15 of the First Schedule of the Act, a decision of the Commission shall be by a majority of votes and, in addition to the original vote, the Chairman shall have a casting vote in any case in which the voting is equal.

Enforcement

Where a Parliamentarian is guilty of an offence under the Act, he is liable on summary conviction in a Resident Magistrate's Court to a fine not exceeding two hundred thousand dollars or to imprisonment for a term not exceeding two years. **(Section 15(1))**

Where the offence involves the deliberate non-disclosure of a Parliamentarian's property the Court may, in addition to imposing a fine or term of imprisonment or both,

- (i) declare that it be forfeited to the Crown if the property involved is situated in the Island;
- (ii) order that an amount equivalent to the value of such property be paid by the Parliamentarian to the Crown, if the property involved is situated outside the Island.

Payment of any sum due to the Crown may be enforced in the same manner as a debt due to the Crown. **(Section 15(2))**

Proceedings for enforcement on behalf of the Crown may be taken summarily in a Resident Magistrate's Court without limit of amount.

C(iv) – Selection of Senior Officers

Senior Officers of the Commission are selected in accordance with section 2 of the First Schedule of the Act. Members are appointed by the Governor General upon consultation with the Prime Minister and the Leader of the Opposition. Members hold office for such period of not less than two years or no more than five years as the Governor General may direct by instrument of appointment. The Governor General appoints one (1) member to be chairman of the Commission.

C(v) – Identification of Human Resource Needs, Selection of Personnel and Accountability

In accordance with section 13 of the Schedule of the Act, the Commission shall appoint and employ a secretary and such other officers and servants as it thinks necessary for the proper carrying out of its work.

All appointments are by fixed term contract and, as such, the removal/dismissal of employees is governed by the terms and conditions of the contracts of employment.

All staff appointments are merit based and require varying education and professional qualifications contingent upon the post/job functions. Selection of personnel is governed by a tiered interview process which is preceded by either a public and/or internal advertisement as well as security vetting.

The Governor General may, subject to such conditions as he may impose, approve of the appointment of any officer in the service of the Government to any office with the Commission.

C(ix) Mechanism for internal control dealing with claims, complaints or allegations related to pursuit of objectives and to performance of their personnel

Complaints should be in writing and if at all possible be supported by documentary evidence.

C(x) The manner in which the budgetary needs are ensured.

The funds for the Commission consist of amounts provided for the execution of its work by Parliament or such other monies as may be lawfully paid to the Commission.

C(xi) Coordination mechanisms for, *inter alia*, harmonizing functions with those of other oversight agencies or public authorities

The work of the Commission is governed by statute, namely the Parliament (Integrity of Members) Act. The Commission therefore makes its decisions without the input of any other body or authority. The Commission, however, makes reports to Parliamentary Leaders and may send a copy of its reports to the Director of Public Prosecutions or the Commissioner of Police.

This duty is governed by section 12 of the Act.

Where a person fails to furnish the Commission with a statutory declaration, or where the Commission examines a statutory declaration and any related information or documents, or conduct an enquiry and are not satisfied with any aspect, the Commission must report the matter to the Prime Minister, the Leader of the Opposition, the Speaker of the House, and the President of the Senate (hereinafter referred to as “Parliamentary Leaders”) **(Section 12(1))**

Any Parliamentary Leader may refer the report to the Committee of Privileges of the House of Representatives or the Senate, as the case may be. **(Section 12(1) (a))**

The Commission may also send a copy of its report to the Director of Public Prosecutions or the Commissioner of Police who may take such action as he thinks appropriate in any particular case.

(Section 12(3))

The Commission is also obliged to report any act of Corruption to the Parliamentary Leaders and the Director of Public Prosecutions. **(Section 12(4))**

C(xii) Accountability mechanisms applicable to the performance of duties

Section 12(2) of the First Schedule of the Parliament (Integrity of Members) Act requires the Commission to submit to the Prime Minister an annual report relating generally to the execution of its functions.

Pursuant to section 12(3) of the First Schedule, the Prime Minister shall cause a copy of the report to be laid on the Table of the House of Representatives and of the Senate.

The Commission must also keep proper accounts of its receipts, assets and liabilities. Those accounts are required to be audited annually by an auditor appointed in each year by the Commission with the approval of the Prime Minister. (Section 11 of the First Schedule).

D(i) - Actions taken in the past five (5) years to prevent acts of corruption

Please see attached report of the Commission tabled in 2010. The current report has not yet been tabled in Parliament and therefore cannot be provided at this time.

The Commission for the Prevention of Corruption

Section I

C (i)– Objectives and Functions of the Commission for the Prevention of Corruption

The objective of the Commission is the reduction and prevention of corruption in the Public Sector. The functions of the Commission are set out in Section 5 of the Corruption Prevention Act (CPA). Those functions are:

- a) To receive and keep on record statutory declarations by public servants pursuant to the Act;
- b) To examine such statutory declarations and to request from a public servant any information relevant to a statutory declaration made by him, which in the Commission's opinion would assist it in its examination;
- c) To make such independent enquiries and investigations relating to a statutory declaration as the Commission thinks necessary;
- d) To receive and investigate any complaint regarding an act of corruption;

- e) To conduct an investigation into an act of corruption on its own initiative; if it is satisfied that there are reasonable grounds for such investigation.

The functions of the Commission are not delegated to any other agency or authority, save and except that generally the Jamaica Constabulary Force (JCF) can cause charges to be laid in respect of breaches of the Corruption Prevention Act.

C(ii) Scope of Functions

The functions of the Commission as listed above are wide. However, the Commission is not empowered to receive or examine statutory declarations of Parliamentarians. **(Section 4(3) (a) CPA)**. The Commission is also not empowered to receive and examine statutory declarations of public servants who are in receipt of total emoluments less than the prescribed amount. **(Section 4(3) (b) CPA)**.

Further, members of the Judiciary are also not covered by the provisions of the Corruption Prevention Act.

C(iii) – Manner in which decisions are adopted

Pursuant to section 15 (3) of the First Schedule of the CPA, a decision of the Commission shall be by a majority of votes and, in addition to an original vote, the Chairman shall have a casting vote in any case in which the voting is equal.

C (iv) – Selection of Senior Officers

Senior officers are selected on the basis of advertisement placed in the Press and by interview by the panel of Commission Members for senior staff and are accountable to them in the performance of their duties. Staff members serve on fixed terms/tenure removable by the Commission. A review of their performance is done on an annual basis.

C(v) – Identification of Human Resource Needs, Selection of Personnel and Accountability

The Cabinet Office is responsible for the creation of positions and manpower planning. All positions to be filled are filled on the basis of merit and after suitable background checks are completed.

C(vi) and (vii) – Existence of Manuals or documents describing the function of personnel

Manuals and/or documents, and on-going training are in place in respect of all positions.

C(viii) – Manner in which the public is provided with information about objective and functions

The general public is provided with information by way of presentations to Parliament of the Commission's Annual Report by the Honourable Minister, and in information sessions requested by

State Agencies on a regular basis.

C(x) The manner in which the budgetary needs are ensured.

Under section 10 of the First Schedule of the CPA, the funds of the Commission shall consist of funds as may from time to time be placed at their disposition for the purposes of the CPA by Parliament, and such other moneys as may be lawfully paid to the Commission.

C(xi) Coordination mechanisms for, *inter alia*, harmonizing functions with those of other oversight agencies of public authorities

The role of the Commission is determined by Statute. The Commission, every public servant and every other person having official duty under the CPA, or who is employed in the administration of the Act, must deal with as secret and confidential, all information, declarations, letters and other documents, and all other matters relating to a statutory declaration (section 6, CPA). The Commission therefore does not act in its investigative stage together with any other authority or agency. Except, however, that the Commission is required to report breaches of the CPA and any act of Corruption to the appropriate Service Commission, Board, Body or other Authority and to the Director of Public Prosecutions.

C(xii) Accountability mechanisms applicable to the performance of duties and the provision of information to the public.

Section 12(1) of the First Schedule of the CPA provides that the Commission shall in each year and at such time as the Minister shall direct, prepare and forward to the Minister a report of its activities during the preceding financial year including a statement of its accounts audited in accordance with paragraph 11.

Paragraph 11 provides that the Commission shall keep proper accounts of their receipts, payments, assets, and liabilities and such accounts shall be audited annually by an auditor appointed in each year by the Commission with the approval of the Minister.

The general public is provided with information by way of presentations to Parliament of the Commission's Annual Report by the Honourable Minister, and in information sessions requested by State Agencies on a regular basis.

Please see in addition, www.cpcpd.gov.jm for the Annual Reports of the Commission.

D (i)- Public education campaigns to publicize the consequences of corruption

Public Education Campaigns

| <u>2007</u> | <u>Agency</u> | <u>Attendees</u> |
|-------------|---------------|------------------|
| Sept | 4 | 55 |

| | | |
|------------|------------------|-------------------|
| <u>Oct</u> | <u>10</u> | <u>138</u> |
| <u>Nov</u> | <u>8</u> | <u>136</u> |
| <u>Dec</u> | <u>22</u> | <u>329</u> |
| | <u>44</u> | <u>658</u> |

2008

| | | |
|------------|-----------------|-------------------|
| <u>Jan</u> | <u>3</u> | <u>108</u> |
| <u>Feb</u> | <u>4</u> | <u>156</u> |
| <u>Mar</u> | <u>1</u> | <u>35</u> |
| | <u>8</u> | <u>299</u> |

2011

| | | |
|------------|------------------|-------------------|
| <u>Jan</u> | <u>2</u> | <u>75</u> |
| <u>Feb</u> | <u>9</u> | <u>320</u> |
| <u>Mar</u> | <u>4</u> | <u>81</u> |
| | <u>15</u> | <u>476</u> |

2013

| | | |
|------------|------------------|-------------------|
| <u>Jan</u> | <u>4</u> | <u>86</u> |
| <u>Feb</u> | <u>8</u> | <u>164</u> |
| <u>Mar</u> | <u>4</u> | <u>89</u> |
| | <u>16</u> | <u>339</u> |

D(iii) - Actions taken in the past five (5) years to detect acts of corruption

Statistics as at November 28, 2013

| Delinquency Cases | 2009 | 2010 | 2011 | 2012 | 2013 |
|---|--------------|--------------|----------------|----------------|----------------|
| Total Cases | 487 | 512 | 555 | 619 | 764 |
| Cases in Progress | 16 | 13 | 4 | 12 | |
| At Stage for Decision | | | | | |
| Referred to the Director of Public Prosecutions | 487 | 512 | 555 | 619 | 764 |
| Closed - no further action | 42 | 471 | 428 | 428 | 450 |
| Fines | \$300,000.00 | \$437,000.00 | \$1,407,000.00 | \$2,336,000.00 | \$3,946,500.00 |

The Auditor General

Section I

C (i)– Objectives and Functions of the Office of the Auditor General

The Office of the Auditor General is established pursuant to section 120 of the Constitution of Jamaica.

The audits conducted by the Auditor General are designed to provide reasonable assurance that the stewardship of Government accounts meets both the Government of Jamaica's and internationally accepted standards and practices. All audit activities are geared towards achieving the stated objectives. The Auditor General's Department aims, through its robust audits and reports, to facilitate transparency and accountability thereby improving the public's trust and perception of corruption, in government.

The vision and objectives of the Auditor General's Department are also in line with the National Development Plan - Vision 2030 and support National Outcome No.6 [Effective Governance]. In consideration of this outcome, there are two sub-outcomes that specifically relate to the Department and to which it has aligned its activities:

- To strengthen accountability and transparency mechanisms. [National Strategy 6-5].
- To strengthen public institutions to deliver efficient and effective public goods and services [National Strategy 6-7].

The functions of the Auditor General are prescribed in section 122 of the Constitution.

Under section 122 (1) of the Constitution, the functions of the Auditor General are to audit and report, at least once in every year, on the accounts of:

- (a) The Court of Appeal;
- (b) The Supreme Court;
- (c) The offices of the Clerks to the Senate and the House of Representatives;
- (d) The accounts of all departments and offices of the Government of Jamaica (including the offices of the Cabinet, the Judicial Service Commission, the Public Service Commission and the Police Service Commission but excluding the office of the Contractor General)

The autonomy and independence of the Auditor General are guaranteed by virtue of section 122(3) of the Constitution which provides that:

“122 (3) In the exercise of his functions under the provisions of subsections (1) and (2) of this section, the Auditor

General shall not be subject to the direction or control of any other person or authority.”

Pursuant to section 25 of the Financial Administration and Audit Act (FAA Act), the Auditor General, in performing her functions under section 122(1) of the Constitution, must ascertain whether in her opinion:

- (a) The accounts referred to in that section are being faithfully and properly kept;
- (b) The rules and procedures applied are sufficient to secure an effective check on the assessment, collection and proper allocation of the revenue on other receipts of the Government;
- (c) All money expended and charged to an appropriation account has been applied to the purpose for which the provision made by Parliament was intended and that any payment of public money conforms to the authority which governs it, and has been incurred with due regard to the avoidance of waste and extravagance;
- (d) Essential records are maintained and the rules and procedures framed and applied are sufficient to safeguard the control of Government property;
- (e) The provisions of this or any other enactment relating to the administration of public moneys and Government property have been complied with;
- (f) Satisfactory procedures have been established to measure and report on the effectiveness of programmes and services.

Section 25(3) of the FAA Act further sets out certain specific powers of the Auditor General.

C(ii) Scope of Functions

The Auditor General is not restricted in her functions to the conduct of audits and the preparation of reports in respect only of the bodies specified in section 122 (1) of the Constitution.

Section 122 (5) empowers the Auditor General to perform:

- (a) such other functions in relation to the accounts of the Government of Jamaica and the accounts of other public authorities and other bodies administering public funds in Jamaica as may be prescribed by or under any law in force in Jamaica; or
- (b) such other functions in relation to the supervision and control of expenditure from public funds in Jamaica as may be so prescribed;
- (c) such other functions in relation to the accounts of any other government as he may be empowered to perform by any authority competent in that behalf.

There is therefore nothing in law which limits the right of the Auditor General to audit the books of all Ministries, Departments and Agencies of Government.

The Auditor General is however prohibited by section 122 (4) of the Constitution from auditing the Accounts of her own department. The accounts of the Department of the Auditor General shall be audited and reported on for the Minister responsible for finance.

The law does not prohibit the possibility of collaboration with other stakeholders in conducting

investigations. There are no conflicts of jurisdiction that would arise with other authorities as the law grants the Auditor General the sole authority to conduct certain audits.

C(iii) – Manner in which Decisions are adopted

The Auditor General's Reports are submitted to the Speaker of the House who must cause them to be laid before the House of Representatives (Section 122 (2) of the Constitution). The audit findings are also discussed extensively with the respective entity being audited and recommendations are detailed in the reports. The entity is encouraged to adopt the recommendations. However, the Department does not have the power, legislative or otherwise to enforce the recommendations. The reports are also deliberated at the Public Accounts Committee (PAC) of Parliament and Parliamentarians may instruct entities to implement recommendations and provide reports on the ongoing implementation of those recommendations. The Department also makes recommendations for surcharges to be levied on persons who are responsible for losses of Government moneys. However, the Financial Secretary has discretion to vary the quantum. Section 20 of the FAA Act provides for the matter of Surcharges.

C (iv) – Selection of Senior Officers

Section 120(1) of the Constitution provides that the Auditor General shall be appointed by the Governor General on the recommendation of the Public Service Commission.

Under section 121 (1) of the Constitution, the Auditor General shall hold office until she attains the age of sixty years or until sixty five years if recommended by the Public Service Commission.

Under subsection 3 of section 121 of the Constitution, the Auditor General may be removed from office only for inability to discharge the functions thereof (whether arising from infirmity of body or mind or any other cause) or for misbehavior, and shall not be so removed except in accordance with subsection 4.

Subsection 4 provides that the auditor General shall be removed from office by the Governor General if the question of his removal from office has been referred to a tribunal appointed under subsection (5) and the tribunal has recommended to the Governor-General that she ought to be removed from office for inability as aforesaid or misbehavior.

The officers of the Department are public officers and are subject to the Public Service Staff Orders. There are no fixed terms for service and they are freely appointed and removed. The entity with responsibility for the appointment, removal of and exercise of disciplinary control over public officers is the Office of the Public Service Commission. However, the Auditor General has delegated responsibility for its human resources. However senior staff appointments are done by the Office of the Public Service Commission. The Auditor General may appoint officers up to FMG/AS3 (Government Salary Scale Financial Management Group).

The Public Service Staff Orders prescribes the regime of disqualification for employees.

C(v) – Identification of Human Resource Needs, Selection of Personnel and Accountability

The Department is required to hire staff for vacancies which exist within the public service establishment. Vacant posts are advertised both internally and externally and the selection is based on merit based competition. There are specific job descriptions for every post with the requisite competence, qualification and experience. The Public Service Staff Orders prescribes the regime of disqualification for employees.

C(vi) and (vii) – Existence of Manuals or documents describing the function of personnel

The Department has specific manuals for each operational unit. These include: audit manuals, accounts, and human resource manuals. These manuals prescribe the duties, responsibilities and mode of work for employees at all levels. The Department also has a 3 year rolling strategic Business plan which details the institutional strengthening and other initiatives being contemplated. The Department has recently contracted for the provision of an Audit Suite to automate the audit process. As part of this initiative, the Department is also in the process of automating the registry process. All audit staff are provided with a laptop and the Department is currently looking at ways to improve the processes with the use of ICT.

The Department has a training programme in which various training courses are offered to staff throughout the year. Training is conducted both internally and externally.

C(viii) – Manner in which the public is provided with information about objective and functions

The Reports of the Department, including all audit reports, are posted on the Department's website: www.auditorgeneral.gov.jm.

Information as to the role and function of the Department is also listed on the website. There is also a designated officer in house that handles all interaction with the public, questions, and queries.

C(ix) Mechanism for internal control dealing with claims, complaints or allegations related to pursuit of objectives and to performance of their personnel

The mechanism for internal control is detailed in the Department's audit manual (see attachment). The proposed structure of the Department also has a quality assurance unit which will have specific responsibilities in this area. The quality control mechanism currently is a robust one with several levels of review.

C(x) The manner in which budgetary needs are ensured.

The Department receives its budgetary resources from the Ministry of Finance and Planning, through funds which are made available from the Consolidated Fund, in a manner similar to all other Public Bodies, which are not self-financing.

C(xi) Coordination mechanisms for, *inter alia*, harmonizing functions with those of other oversight agencies of public authorities

The coordination mechanisms for harmonization are most apparent with the Public Accounts

Committee of Parliament (PAC). Reports are tabled in Parliament and are deliberated on at the sitting of the Committee.

C(xii) Accountability mechanisms applicable to the performance of duties

Section 29 (1) of the FAA Act provides that the Auditor-General shall report annually as soon as possible and not later than the 31st December following the end of each financial year the results of her examination. Provided that she may at any time if it appears to her to be desirable to prepare a special report on any matter incidental to her powers and duties under the FAA Act. Such reports must be addressed to the Speaker who shall lay them before the House of Representatives as soon as possible after their receipt by him.

Section 122(2) of the Constitution also provides that the Auditor General “*shall submit [her] reports to the Speaker who shall cause them to be laid before the House of Representative.*”

D(i) - Actions taken in the past five (5) years to prevent acts of corruption

The various reports of the Department are tabled in parliament and are published on the Department’s website. Reports are also made on CDs and these are made available to the public and entities on request. The reports often highlight issues of malfeasance and other corrupt acts. Officers are constantly exposed to various audit methodologies via training. Various audits of different activities are conducted yearly and these decisions are done with the ascertained risk profile assigned to the entity. The reports also detail the methodology, scope and constraints if any. The audit findings are accompanied by the relevant recommendations to correct these issues.

D(ii) Actions to detect corrupt acts

As a consequence of the audits, corrupt acts are often detected, these are referred to the relevant bodies for a decision to be made. The entity may also act on the information given prior to the publication of the report. The Public Accounts Committee also instructs the entity as to the appropriate action to be taken.

D(iv) Monetary sanctions imposed

The Department can only recommend surcharges which are subject to the discretion of the Financial Secretary who may vary or withdraw same.

E – Difficulties encountered in preventing, detecting and punishing corrupt acts of relevance to the OCG

Technical cooperation is required to provide training for staff in areas such as forensic auditing.

The Department, like many other Government entities, is constrained by insufficient resources and as a result suffers from both an insufficient staff complement and difficulty in attracting staff. These factors increase the risk that audits may fail to identify fraudulent activities, non-compliance with

Government guidelines, inefficiency of Government operations and misstatements of Government accounts.

Further, the human resources profile is restricted to what is provided for in the Establishment Order issued by the Minister of finance. The Department's inability to access specified skill and related experience has stymied its capacity to undertake certain activities.

F- Best practice

Please refer to pages 28-46 of the Auditor General Department's Audit Procedural Manual 2012. It details the best practice for conducting an audit thus ensuring that the information is comprehensive, accurate and relevant. It also ensures that the process is fair to the entity involved.

SECTION III

INFORMATION ON THE OFFICIAL RESPONSIBLE FOR COMPLETION OF THIS QUESTIONNAIRE

Please provide the following information:

SECTION III

INFORMATION ON THE OFFICIAL RESPONSIBLE FOR COMPLETION OF THIS QUESTIONNAIRE

Please provide the following information:

(a) State Party: Jamaica

(b) The official to be consulted regarding the responses to the questionnaire is:

() Mr. O'neil Francis

Title/position: Assistant Attorney General

Agency/office: Attorney General's Chambers

Address: NCB North Tower, 2 Oxford Road, Kingston 5

E-mail: ofrancis@agc.gov.jm

Tel.: 876-906-2414

Fax: 876-754-5158

(a) State Party: Jamaica

(b) The official to be consulted regarding the responses is:

() Mr. Hodine O. Williams

Title/position: Assistant to the Auditor General

Agency/office: Auditor General's Department

Address: 8 Waterloo Road, Kinston 10

E-mail: hodine.williams@auditorgeneral.gov.jm

Tel.: 876-906-1893, 876-926-8309 ext 268

Fax: 876-968-4690

(a) State Party : Jamaica
(b) Official to be Consulted: Mr. Maurice Barrett
Chief Investigator
Office of the Contractor General
1st Floor, PIOJ Building
16 Oxford Road, Kingston 5
Email: MBarrett@ocg.gov.jm
Tel: 876 – 929-0075/926-0038
Fax: 876- 929-2476

(a) State Party: Jamaica
(b) The official to be consulted regarding the responses is:
() Mr. David Grey
Title/position: Secretary Manager
Agency/office: Commission for the Prevention of Corruption
Address: Masonic Building, 2nd Floor, 45-47 Barbados Avenue, Kingston 5
Tel.: 876-968-6227
Fax: 876-960-5617

(a) State Party: Jamaica
(b) The official to be consulted regarding the responses is:
() Ms Joy Powell
Title/position:
Agency/office: Integrity Commission
Address: P.O. Box 170, Kingston 10
Tel.: 876-926-2288

ANNEX I

STANDARD FORMAT FOR JAMAICA TO PRESENT INFORMATION ON PROGRESS AND NEW INFORMATION AND DEVELOPMENTS^{1/} RELATED TO THE IMPLEMENTATION OF THE RECOMMENDATIONS FORMULATED IN THE COUNTRY REPORT IN THE FIRST ROUND OF REVIEW

Following the same structure as the First Round country report, the Secretariat shall transcribe each of the recommendations formulated for the country in question during the round that the Committee deemed to

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1. In accordance with the provisions of section VI of the methodology for the Fourth Round, it is understood that new information and developments relate to new provisions and/or measures adopted in regard to the topic addressed by the recommendations and measures suggested by the Committee, or provisions and/or measures unknown to or not taken into consideration by the Committee when those recommendations or measures were formulated, that could have an impact on their validity or that could lead to their restatement or reformulation. In the event that information of this kind was furnished in the progress reports referred to in Article 31 of the Committee's Rules of Procedure, reference may be made thereto.

require additional attention in the Second and Third Round reports.^{2/} Then, it will ask the country to provide information in connection with the corresponding recommendation and with the corresponding measures suggested by the Committee for implementation, and, if any, with the alternative measures adopted by the country to that end, as follows:

**1. STANDARDS OF CONDUCT AND MECHANISMS TO ENFORCE COMPLIANCE
(ARTICLE III, PARAGRAPHS 1 AND 2 OF THE CONVENTION)**

1.1. Standards of conduct intended to prevent conflicts of interest and enforcement mechanisms

RECOMMENDATION 1.1:

Strengthen the implementation of laws and regulatory systems related to conflicts of interest, ensuring that they are applicable to all public officials and employees, so as to permit practical and effective application of a public ethics system.

Measure a):

Establish or adapt and then implement standards of conduct for those offices that currently do not fall under the purview of any controls, including adequate sanctions for violations of those standards.

With respect to the foregoing measure, provide the following information:

- A) Please briefly describe the specific actions^{3/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question: _____

The Public Service Regulations, 1961 governs the standard of conduct for all public offices within central government and provide guidance for other public sector organizations. However, the regulation does not specify in its interpretation section to whom it applies. For clarity it is being proposed through the amendments to the said regulations, which are currently being discussed, that it must be clearly stated that the Public Service Regulations “apply to all public officers in central government; to public officers transferred to other public bodies in relation to any pension, gratuity and other retiring benefits; and (iii) to Executive Agencies.”

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration

2. These reports are available at: www.oas.org/juridico/english/mesicic_II_inf_jam_en.pdf and www.oas.org/juridico/english/mesicic3_jam_rep.pdf.

3. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

* Please provide copies of them or indicate the internet address where they may be accessed.

by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation:

Standards of conduct have been implemented in the Executive Agencies Act, the Executive Agencies (General) Regulations Resolution, 2010 (second Schedule) incorporating sections of the Public Service Regulations, 1961 with respect to provisions of the Public Service Regulations, 1961 to be included in the Code of Conduct and Human resource Manuals of Executive Agencies. These relate to breaches of discipline and the process of dismissals.

C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: _____

D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: _____

Measure b):

Establish written guidelines within the public service that require hiring on the basis of merit.

With respect to the foregoing measure, provide the following information:

A) Please briefly describe the specific actions⁴ that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question: _____

The Office of the Services Commissions' mission statement is "to uphold the principle of merit in the appointment, development and discipline of public servants through processes that are transparent and fair." In carrying out that mission, the Public Service Commission is guided by the written guidelines in The Public Service Regulations, 1961 (the PSR). Regulation 17 (1) of the PSR states " from time to time as vacancies occur the Commission shall consider the eligibility of all officers for promotion, and in respect of every such officer shall take into account not only his seniority, experience and educational qualifications but also his merit and ability." In regulation 17 (2) of the said PSR it is also outlined that " for promotion to a post involving work of a routine nature more weight may be given to

4. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

seniority than where the work involves greater responsibility and initiative. Merit and ability shall be given more weight progressively as the work involves a higher degree of responsibility and initiative.” Also in regulation 19 (2) of the PSR, requirements as it relates to the performance of the functions of the candidate to be interviewed, there must be certain criteria that should be fulfilled.

Furthermore, in upholding the mission statement and to ensure a system which is founded on meritocracy, the Public Service Commission has utilized assessment centers, use of different selection tools, case studies, and selection boards (panels) (Regulation 20 of the Public Service Regulations, 1961) that assist in ensuring that government hiring into the public service is based on the principle of merit.

It should be noted that current discussions are being held to amend the Public Service Regulations, 1961 to include other requirements for the Commission to consider, such as performance appraisal reports and letters of commendation in relation to special work done, when interviewing candidates for hiring.

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation:

The current review and amendments of the PSR will include other requirements such as performance appraisal reports and letters of commendation in relation to special work done, when interviewing candidates for hiring.

Ministries to which functions are delegated are audited to ensure that the principle of meritocracy is adhered to and where weaknesses are identified ameliorative actions are recommended/taken.

- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: _____

- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: _____

* Please provide copies of them or indicate the internet address where they may be accessed.

Measure c):

Develop, where appropriate, provisions that limit participation by former public servants in situations that could involve taking undue advantage of one's status as a former public servant for an appropriate period of time.

With respect to the foregoing measure, provide the following information:

- A) Please briefly describe the specific actions^{5/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question: _____

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____

- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: _____

- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: _____

Measure d):

Encourage the implementation of a code of ethics for Senators and Members of the House of Representatives, including sanction mechanisms for violations.

5. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.
* Please provide copies of them or indicate the internet address where they may be accessed.

With respect to the foregoing measure, provide the following information:

- A) Please briefly describe the specific actions^{6/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question: _____
- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____
- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: _____
- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: _____

Measure e):

Ensure that there are mechanisms in place that provide transparency and eliminate risks of conflict of interest in the cases where the Prime Minister allows a Minister to keep any relevant interest the latter is unable or unwilling to dispose.

With respect to the foregoing measure, provide the following information:

- A) Please briefly describe the specific actions^{7/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly

6. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

* Please provide copies of them or indicate the internet address where they may be accessed.

7. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

indicating the information of the web site in question: _____

B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____

C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: _____

D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: _____

1.2. Standards of conduct to ensure the proper conservation and use of resources entrusted to government officials in the performance of their functions and enforcement mechanisms

RECOMMENDATION 1.2.1:

Strengthen control systems within the public administration by improving written standards applicable to all public officials and employees establishing a duty to conserve and properly use of the resources entrusted or assigned to them.

With respect to the foregoing recommendation, provide the following information:

A) Please briefly describe the specific actions^{8/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question:

Section 127 of the Financial Management Regulations, 2011 provides that accountable officers shall ensure that there is no waste, extravagance or abuse in the use of Government

* Please provide copies of them or indicate the internet address where they may be accessed.

8. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

property under the custody or control of their department. The Regulations also generally provide for a duty to conserve and properly use Government resources.

B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____

C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: _____

D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: The

The Ministry of Finance and Planning has responsibility for the implementation of the above measure.

RECOMMENDATION 1.2.2:

Adopt measures to ensure the timely delivery by government agencies of appropriation accounts to the Auditor General and encourage greater accountability in instances where some agencies exceed expenditures approved by Parliament.

With respect to the foregoing recommendation, provide the following information:

A) Please briefly describe the specific actions^{9/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question:

This recommendation has been fully complied with in the recently adopted Financial Administration and Audit Act, Financial Management Regulations 2011.

* Please provide copies of them or indicate the internet address where they may be accessed.

9. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

Sections 69-71 of the Regulations state as follows:

“69 The Financial Secretary shall prescribe guidelines for preparation and presentation of monthly, quarterly, annual and other financial reports to be submitted by Principal Receivers of Revenue to the Auditor-General and the Financial Secretary.

70 The deadlines for the submission of financial statements shall be as follows-

- (a) Annual financial statements, four months following the end of the financial year;**
- (b) Quarterly financial statements, within fourteen working days of the subsequent quarter;
and**
- (c) Monthly financial statements within fourteen working days of the subsequent month.**

71- (1) Accounting officers Principal Receivers of Revenue and accountable officers shall take appropriate disciplinary proceedings in accordance with the Public Service Regulations against officers responsible for the delay in the timely submission of financial statements.

(2) Action shall be immediately reported to the Auditor-General and the Financial Secretary

(3) The Financial Secretary shall report to the Minister any accounting officer or principal receiver of revenue whose financial statements are consistently late in submission and are in arrears.

Section 21(2)(c) of the Financial Administration and Audit Act, Financial Management Regulations 2011 also states that “no expenditure shall-

- (i) Be reallocated to any new service not provided for by the Appropriation Act; or**
- (ii) Exceed the aggregate sums provided for such services.**

B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that

* Please provide copies of them or indicate the internet address where they may be accessed.

recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____

- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question:

The accounts of some Government entities may on occasion not be up to date.

- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question:

The Principal technical cooperation need is the need for training.

1.3. Standards of conduct and mechanisms concerning measures and systems requiring government officials to report to appropriate authorities acts of corruption in the performance of public functions of which they are aware

RECOMMENDATION 1.3:

Develop, where appropriate, and strengthen mechanisms requiring public officials to report to appropriate authorities, acts of corruption in the performance of public functions of which they are aware.

Measure a):

Establish reporting obligations for those public officials and employees who are currently not required to report to appropriate authorities, acts of corruption in the performance of public functions of which they are aware.

With respect to the foregoing measure, provide the following information:

- A) Please briefly describe the specific actions^{10/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question:

10. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

The Protected Disclosures Act (whistleblower legislation) was passed in 2011. The Act, facilitates and encourages the making of disclosures of improper conduct, in the public interest. Section 20 of the Act also provides that any provision of an agreement will be void and of no effect if the provision precludes an employee from making a protected disclosure.

B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____

C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: _____

D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: _____

Measure b):

Adopt and implement measures of protection for public officials who report acts of corruption in good faith in order to protect them from the threats or reprisals that they may be subject as a result of carrying out this obligation.

With respect to the foregoing measure, provide the following information:

A) Please briefly describe the specific actions^{11/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question:

The Protected Disclosures Act (whistleblower legislation) was passed in 2011. The object of the Bill is to encourage and facilitate the making by employees of specified disclosures of improper conduct, in the public interest; to regulate the receiving, investigating or

* Please provide copies of them or indicate the internet address where they may be accessed.

11. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

otherwise dealing with disclosures of improper conduct; to protect employees who make specified disclosures from being subject to occupational detriment; and for related matters.

B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____

C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: _____

D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: _____

Measure c):

Provide appropriate training to officials and employees concerning the requirement and the processes to report acts of corruption and the protection mechanisms in favor of those who report.

With respect to the foregoing measure, provide the following information:

A) Please briefly describe the specific actions^{12/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question: _____

B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that

* Please provide copies of them or indicate the internet address where they may be accessed.

12. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

* Please provide copies of them or indicate the internet address where they may be accessed.

recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____

C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: _____

D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: _____

2. SYSTEMS FOR REGISTERING INCOME, ASSETS, AND LIABILITIES (ARTICLE III, PARAGRAPH 4, OF THE CONVENTION)

RECOMMENDATION:

Strengthen the systems for registration of income, assets, and liabilities.

Measure a):

Maximize the use of the systems for analyzing the contents of the declarations, and adopt the appropriate measures so that they can also be used to help detect and prevent conflicts of interest and detect cases of illicit enrichment, using modern technologies, when possible, to expedite the filing of declarations and also as a means of improving systems, analysis and case investigations.

With respect to the foregoing measure, provide the following information:

A) Please briefly describe the specific actions^{13/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question:

The Commission for the Prevention of Corruption updates on an annual basis the database of Public Servants required to submit a Statutory Declaration of Assets, Liabilities and Income. This database is used as a tool in tracking and making enquiries of delinquent Public Servants. The Second Schedule to the Corruption (Prevention) Act prescribes the Form on which Public Servants are required to make their Declarations. The Law specifies

13. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

that the Declaration must be accompanied by bank statement(s) or letter(s) from banks confirming the balance(s) reported. The Commission has advised all Government Agencies and Departments that it is prepared to accept photo-copies of bank pass books, Automated Transaction Machine Slips and Electronic Banking (e-banking) statements with a view to expediting the filing of declarations.

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____

- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: _____

- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: _____

Measure b):

Regulate the conditions, procedures, and other aspects relating to the public disclosure, as appropriate, of declarations of income, assets and liabilities, subject to the Constitution and fundamental principles of Law.

With respect to the foregoing measure, provide the following information:

- A) Please briefly describe the specific actions^{14/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question: _____

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing

* Please provide copies of them or indicate the internet address where they may be accessed.

14. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____

C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: _____

D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: _____

Measure c):

Intensify awareness campaigns and provide training for public officials on their legal and ethical duty to furnish their declarations of income, assets and liabilities, as well as for officials in charge of enforcing the obligation to file declarations.

With respect to the foregoing measure, provide the following information:

A) Please briefly describe the specific actions^{15/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question: _____

The Office of the Services Commissions has intensified awareness campaigns and has provided training for the staff on their legal and ethical duty to furnish their statutory declarations. The office has encouraged compliance through meetings and circulars and has indicated to the staff the importance of obeying the provisions of The Corruption (Prevention) Act and the Corruption (Prevention) Act Regulations. The office has also provided the staff with forms to facilitate the filing of statutory declarations to the Corruption Prevention Commission and has notified them of the deadline.

The Office of the Services Commission by its Circular No. 123 dated 26th September 2012, drew the attention of all Permanent Secretaries and Heads of Departments and Chief

* Please provide copies of them or indicate the internet address where they may be accessed.

15. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

Executive Officers of the need for all officers in their ministries and Departments to whom the Corruption (Prevention) Act applies to furnish to the Corruption Prevention Commission a statutory declaration of his/her assets, liabilities and income as set out in the Required Form in the Act for the period specified.

The Clerk of the Houses of Parliament has arranged sessions with parliamentarians and the Integrity Commission was asked to give a brief talk concerning the requirements under the Parliament (Integrity of Members) Act. Parliamentarians were sensitized to the provisions of the Act and were reminded of their obligation to complete their declarations accurately and present same with the necessary supporting documents in a timely manner.

The Corruption Prevention Commission has conducted on-going localized training and education programmes as outlined above. The Commission's sensitization sessions with Public Agencies focus on the process of complying with the Provisions of the Corruption Prevention Act.

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____
- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: _____
- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: _____

Measure d):

Strengthen the bodies responsible for overseeing the compliance of public officials to furnish their declarations of income, assets and liabilities, as well as consider strengthening the Office of the Director of Public Prosecutions, as necessary, to ensure that these bodies have the material and human resources needed to enforce the law and prosecute those who fail to submit their declarations, those who provide a statement with false information, or those who commit the offence of illicit enrichment.

* Please provide copies of them or indicate the internet address where they may be accessed.

With respect to the foregoing measure, provide the following information:

- A) Please briefly describe the specific actions^{16/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question:

The full complement of staff at the Office of the Director of Public Prosecutions (DPP) has been increased from thirty (30) to forty-three (43) between 2008 and present. The Office however, remains short of the number required to satisfactorily handle its general workload. An additional ten (10) to fifteen (15) attorneys are needed to effectively undertake the increasing number of criminal matters.

Anti-corruption cases are often treated with some urgency, and matters specially noted to be urgent are usually returned within one (1) to three (3) days.

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____

- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question:

The Integrity Commission faces certain budgetary constraints which prevent the employment of additional staff. The Commission has requested approval from the Ministry of Finance and Planning for two additional posts;

- 1. one (1) Investigating Officer; and**
- 2. one (1) Financial Analyst.**

The request has not yet been approved. With additional staff, the Integrity Commission would be in a position to conduct more investigations and more meaningful analyses of declarations and financial statements.

- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question:

16. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

* Please provide copies of them or indicate the internet address where they may be accessed.

3. OVERSIGHT BODIES FOR THE SELECTED PROVISIONS (ARTICLE III, PARAGRAPHS 1, 2, 4 AND 11, OF THE CONVENTION)

RECOMMENDATION 3.1:

Establish bodies, or provide additional authority to an existing body, in charge of overseeing those offices that currently do not fall under the purview of any controls.

With respect to the foregoing recommendation, provide the following information:

- A) Please briefly describe the specific actions^{17/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question: _____

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____

- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: _____

- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: _____

RECOMMENDATION 3.2:

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17. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.
- * Please provide copies of them or indicate the internet address where they may be accessed.

Strengthen oversight bodies in their functions related to the enforcement of Article III, Paragraphs 1, 2, 4 and 11 of the Convention, in order to ensure that such control is effective; give them greater support and the resources necessary to carry out their functions; and establish mechanisms that allow for the institutional coordination of their activities, as appropriate, and their continuous evaluation and monitoring.

With respect to the foregoing recommendation, provide the following information:

- A) Please briefly describe the specific actions^{18/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question: _____

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____

- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: _____

- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: _____

RECOMMENDATION 3.3:

Have the oversight bodies keep and systematize information for the purpose of performing an objective evaluation of the results of the legal framework and other measures.

With respect to the foregoing recommendation, provide the following information:

18. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.
- * Please provide copies of them or indicate the internet address where they may be accessed.

- A) Please briefly describe the specific actions^{19/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question: _____
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- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____
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- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: _____
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- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: _____
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4. MECHANISMS TO ENCOURAGE PARTICIPATION BY CIVIL SOCIETY AND NONGOVERNMENTAL ORGANIZATIONS IN EFFORTS TO PREVENT CORRUPTION (ARTICLE III, PARAGRAPH 11 OF THE CONVENTION)

4.1. General participation mechanisms

The Committee did not formulate a recommendation in this section.

4.2. Mechanisms for access to information

RECOMMENDATION 4.2:

Strengthen the mechanisms for ensuring public access to information.

19. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

* Please provide copies of them or indicate the internet address where they may be accessed.

Measure a):

Review and if necessary modify the provisions under the Access to Information Act which allows the Minister of Information to exclude any statutory body or authority from the application of the Act.

With respect to the foregoing measure, provide the following information:

- A) Please briefly describe the specific actions^{20/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question:

Jamaica has reviewed this measure and is of the view that it is not necessary to modify the provision under section 5(6) (d) of the Access to Information Act which allows the Minister to exclude from the application of the Act “any statutory body or authority as the Minister may specify by order subject to affirmative resolution. The power of the Minister under this section is subject to strict Parliamentary scrutiny and therefore any order made by the Minister must be approved by Parliament. The Minister therefore does not have complete authority to exclude a statutory body from the application of the Act without Parliamentary oversight. This allows for effective control of the Minister’s action. This is a stringent form of parliamentary control since the instrument or order must receive parliamentary approval before it can come into force. The ministerial powers in section 5 (3) of the Act are also progressive as they give the Minister the power to broaden the application to more bodies and organizations not currently defined as “public authorities” in section 3 of the Act subject to adjustments approved by Parliament.

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____

- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: _____

- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure

20. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

* Please provide copies of them or indicate the internet address where they may be accessed.

suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question:

Measure b):

The Committee took note of the satisfactory consideration of this measure and therefore the country under review is not required to provide information.

Measure c):

Continue the preparation of quarterly reports on the access to information requests presented to public authorities, including more detailed information on the status of such requests (e.g., average time taken for completion).

With respect to the foregoing measure, provide the following information:

- A) Please briefly describe the specific actions^{21/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question:

The Access to Information Unit reviewed the reporting standards to enhance and strengthen the reporting system (including Quarterly Reports). A Statistical Notice was published and issued in July 2012 (available on: www.ati.gov.jm). This Notice reminded public authorities on their reporting obligations and provided guidance on the new reporting standards and forms developed by the Access to Information Unit. Public Authorities were also advised of a new Three Tier monitoring Regime (Tier-1 (High Risk), Tier-2 (Medium Risk), Tier-3 (Low Risk). The new reporting standards and Forms are required from all public authorities with effect from January 1, 2013 after a transition period. Please see link below:

<http://www.ati.gov.jm/sites/default/files/Documents/ATI%20Statistical%20Reporting%20Notice%20No%201%20of%202012.pdf>. The new monitoring framework, reporting standards and forms have improved the monitoring of the status of requests.

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that

21. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

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recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____

C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: _____

D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: _____

Measure d):

Take the appropriate measures to ensure that requests to access to information are responded to within the time-frame established by the Access to Information Act.

With respect to the foregoing measure, provide the following information:

A) Please briefly describe the specific actions^{22/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question:

On-going training in this area has continued and the Access to Information Unit has increased monitoring of response and processing times for access to information requests including those from the media based on complaints received;

The Unit has also improved its complaints review and ‘follow up’ procedures with public authorities by e-mail and telephone. This includes its early intervention process once an applicant contacts the Unit. The Unit continues to provide guidance and advice to public authorities on this and other areas through its training programme.

B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions

22. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

* Please provide copies of them or indicate the internet address where they may be accessed.

and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____

C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: _____

D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: _____

4.3. Mechanisms for consultation

RECOMMENDATION 4.3:

Strengthen the existing mechanisms of consultation.

Measure:

Continue implementing consultation mechanisms with interested sectors of civil society and non-governmental organizations regarding the design of public policies and the legislative process in efforts to prevent corruption.

With respect to the foregoing measure, provide the following information:

A) Please briefly describe the specific actions^{23/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question: _____

B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions

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and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____

C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: _____

D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: _____

4.4. Mechanisms to encourage participation in public administration

RECOMMENDATION 4.4:

Strengthen and continue to implement mechanisms that encourage civil society and nongovernmental organizations to participate in public administration.

Measure a):

Establish additional mechanisms to encourage civil society and nongovernmental organizations to participate in efforts to prevent corruption.

With respect to the foregoing measure, provide the following information:

A) Please briefly describe the specific actions^{24/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question: _____

B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions

24. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

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and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____

C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: _____

D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: _____

Measure b):

Promote public awareness of available corruption prevention mechanisms.

With respect to the foregoing measure, provide the following information:

A) Please briefly describe the specific actions^{25/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question: _____

B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____

C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained,

25. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

* Please provide copies of them or indicate the internet address where they may be accessed.

clearly indicating the information of the web site in question: _____

- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question:

4.5. Mechanisms for participation in the follow up of public administration

RECOMMENDATION 4.5:

Strengthen and continue implementing mechanisms to encourage civil society and nongovernmental organizations to participate in the follow up of public administration and generate opinions and proposals to be taken into account in preventing, detecting, investigating and punishing corruption.

Measure a):

Promote additional methods, where appropriate, to allow, facilitate, and assist civil society and nongovernmental organizations in developing activities in the follow up of public administration and the prevention of corruption.

With respect to the foregoing measure, provide the following information:

- A) Please briefly describe the specific actions^{26/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question: _____

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____

26. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

* Please provide copies of them or indicate the internet address where they may be accessed.

C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: _____

D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: _____

Measure b):

Design and implement specific programs to publicize the mechanisms for encouraging participation in the follow up of public administration.

With respect to the foregoing measure, provide the following information:

A) Please briefly describe the specific actions^{27/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question: _____

B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____

C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: _____

D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its

27. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

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implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question:

5. ASSISTANCE AND COOPERATION (ARTICLE XIV OF THE CONVENTION)

RECOMMENDATION 5.1:

Review comprehensively the specific areas in which Jamaica might need or could usefully receive mutual technical cooperation to prevent, detect, investigate, and punish acts of corruption; and based on this review, design and implement a comprehensive strategy that would permit Jamaica to approach other States Parties and non-parties to the Convention and institutions or financial agencies engaged in international cooperation to seek the technical cooperation it needs.

With respect to the foregoing recommendation, provide the following information:

- A) Please briefly describe the specific actions^{28/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question: _____
- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____
- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: _____
- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question:

28. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

* Please provide copies of them or indicate the internet address where they may be accessed.

RECOMMENDATION 5.2:

Continue the efforts of technical cooperation exchange with other State Parties on the effective ways and methods to prevent, detect, investigate and punish acts of corruption.

With respect to the foregoing recommendation, provide the following information:

- A) Please briefly describe the specific actions^{29/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question: _____
- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____
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- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: _____

6. CENTRAL AUTHORITIES (ARTICLE XVIII OF THE CONVENTION)

RECOMMENDATION:

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29. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.
- * Please provide copies of them or indicate the internet address where they may be accessed.

Jamaica has complied with Article XVIII of the Convention, by designating the Minister responsible for Justice and the Director of Public Prosecutions as the central authority for the purposes of international assistance and cooperation under the Convention, as indicated in Chapter II, Section 6, of this report.

In light of the comments made in this section, the Committee suggests that Jamaica ensure that the aforementioned central authority has the necessary human and technical resources to ensure adequate performance of its functions.

With respect to the foregoing recommendation, provide the following information:

- A) Please briefly describe the specific actions^{30/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question: _____

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____

- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: _____

- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: _____

7. GENERAL RECOMMENDATIONS

RECOMMENDATION 7.1:

30. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

* Please provide copies of them or indicate the internet address where they may be accessed.

Design and implement, as appropriate, training programs for public servants in charge of applying the systems, standards, measures and mechanisms considered in this report, with the objective of guaranteeing adequate knowledge, handling and implementation of the above.

With respect to the foregoing recommendation, provide the following information:

- A) Please briefly describe the specific actions^{31/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question: _____

- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____

- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: _____

- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: _____

RECOMMENDATION 7.2:

Select and develop procedures and indicators, as appropriate, which enable verification of the follow-up to the recommendations contained in this report, and communicate the results of this follow-up to the Committee through the Technical Secretariat. With this in mind, consider taking into account the list of more general indicators applicable within the inter-American system that were available for the selection indicated by the State under review and posted on the OAS website by the Technical Secretariat of the Committee; as well, consider information derived from the review of the mechanisms developed in accordance with recommendation 7.3 below.

31. If these actions involve the adoption of provisions and/or measures, please provide copies of them or indicate the internet address where they may be accessed.

* Please provide copies of them or indicate the internet address where they may be accessed.

With respect to the foregoing recommendation, provide the following information:

- A) Please briefly describe the specific actions^{32/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly indicating the information of the web site in question: _____
- B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____
- C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: _____
- D) If deemed appropriate, please indicate which internal agencies or other organizations have participated in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee, and identify specific technical cooperation needs related to its implementation. In addition, if deemed relevant, please also indicate the web page dealing in greater detail with these issues, clearly indicating the information of the web site in question: _____

RECOMMENDATION 7.3:

Develop, as appropriate and where they do not yet exist, procedures designed to analyze the mechanisms mentioned in this report, and the recommendations contained in it.

With respect to the foregoing recommendation, provide the following information:

- A) Please briefly describe the specific actions^{33/} that have been carried out to implement the above recommendation, or the above measure suggested by the Committee for implementation, or the alternative measure(s) adopted by the country to that end. If deemed appropriate, please indicate the web page on which more detailed information on those actions can be obtained, clearly

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B) If applicable, indicate the new information and developments related to the subject matter of the above recommendation or corresponding measure suggested by the Committee, briefly describing the new provisions and/or measures adopted in connection with the subject,* or the provisions and/or measures unknown to or not taken into consideration by the Committee when that recommendation or measure was formulated,* indicating whether they are deemed to have an impact on the validity of that recommendation or measure or whether they could lead to its restatement or reformulation: _____

C) Please briefly indicate the possible difficulties seen in the implementation of the foregoing recommendation or corresponding measure suggested by the Committee. If deemed appropriate, please indicate the web page on which more detailed information on them can be obtained, clearly indicating the information of the web site in question: _____

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