

MECHANISM FOR FOLLOW-UP ON THE
IMPLEMENTATION OF THE INTER-AMERICAN
CONVENTION AGAINST CORRUPTION
Fourteenth Meeting of the Committee of Experts
December 8 to 12, 2008
Washington, DC.

OEA/Ser.L
SG/MESICIC/doc.229/08 rev. 2
12 December 2008
Original: Spanish

QUESTIONNAIRE
ON THE PROVISIONS OF THE INTER-AMERICAN CONVENTION AGAINST
CORRUPTION SELECTED IN THE THIRD ROUND AND FOR FOLLOW-UP ON THE
RECOMMENDATIONS FORMULATED IN THE PREVIOUS ROUNDS

INTRODUCTION

The Report of Buenos Aires and the Rules of Procedure and Other Provisions of the Committee of Experts on the Mechanism for Follow-up on the Implementation of the Inter-American Convention against Corruption (hereinafter, as applicable, *Report of Buenos Aires, Rules, Committee, Mechanism, and Convention*) provide that the Committee shall adopt a questionnaire on the selected provisions to be reviewed in each round.

At its thirteenth meeting, held from June 23 to 27, 2008, the Committee decided that during the third round it would review implementation by States Parties of the following provisions of the Convention: Article III, paragraphs 7 and 10; and Articles VIII, IX, X, and XIII.

Furthermore, the first paragraph of Article 29 of the Rules provides that “At the start of a new round, there shall be included within the questionnaire a section on “Follow-up on Recommendations” to enable the review of progress made in implementing the recommendations included in its country report adopted in previous rounds,’ and that ‘to that end, each State Party shall submit the appropriate information in the standard format that the Committee shall provide as an Annex to the Questionnaire.’ The aforesaid Article also provides in its second paragraph that “with respect to the implementation of recommendations, the State Party shall refer to any difficulties that may have arisen in the process,” and that, “should it deem it to be appropriate, the State Party may also identify the domestic agencies that have participated in implementing the recommendations, as well as identify specific technical assistance or other needs connected with the implementation of the recommendations.”

In light of the above, this document contains the questions that comprise the questionnaire adopted by the Committee.

The responses given to the questionnaire shall be reviewed in accordance with the methodology adopted by the Committee, which is annexed to this document and may also be consulted on the OAS Webpage at: http://www.oas.org/juridico/english/mesicic_method_IIIround.pdf

In accordance with Article 21 of the Rules, the State Party shall forward the response to the questionnaire through its Permanent Mission to the OAS, in an electronic format, along with the corresponding supporting documents, within the time period established by the Committee.

To this effect, the OAS General Secretariat's e-mail, to which the response to the questionnaire should be sent and to which queries may be addressed in order to clarify any doubts that arise, is the following: LegalCooperation@oas.org.

In completing this questionnaire, States Parties should keep in mind the deadlines set by the Committee in the schedule for the Third Round as well as the recommendation contained therein that responses to the questionnaire not exceed 35 pages.

SECTION I

QUESTIONS ON IMPLEMENTATION OF THE CONVENTION PROVISIONS SELECTED FOR REVIEW IN THE THIRD ROUND

CHAPTER ONE

DENIAL OR PREVENTION OF FAVORABLE TAX TREATMENT FOR EXPENDITURES MADE IN VIOLATION OF THE ANTICORRUPTION LAWS (ARTICLE III (7) OF THE CONVENTION)

- a) Describe the laws, rules and/or measures that expressly deny or prevent favorable tax treatment for any individual or corporation for expenditures made in violation of the anticorruption laws of your country. Please attach a copy of the relevant provisions and documents.

Section 42 of the Integrity in Public Life Act Chap.22:01 provides as follows;

“For the purpose of the Income Tax Act, all outgoing expenses reasonably incurred in the year of income by a person in public life in connection with the preparation of a statutory declaration required to be furnished by him for the purposes of this Act are deemed to be incurred by him wholly, exclusively and necessarily in the production of his income for that year of income”.

Trinidad and Tobago has a wide range of tax laws that seek to regulate the tax obligations of individuals and corporations and prevent illegal activity.

The regulatory tax regime in Trinidad and Tobago consists of an amalgam of pieces of legislation such as The Income Tax Act Chap. 75:01; the Rates and Charges Recovery Act; the Corporation Tax Act; and the Tax Exemption Act.

These pieces of legislation are attached to this document.

- b) Describe the means or mechanisms to enforce the respective laws, rules and/or measures taken to prevent, investigate and/or sanction those who obtain favorable tax treatment for expenditures made in violation of the anticorruption laws of your country.

Section 9 of the Prevention of Corruption Act Chap. 11:11 enables a court to grant to a senior police officer, from the rank of Inspector and above, an order to inspect financial records of a person suspected of having committed an offence under the Act.

In addition to the investigative capacity of the Anti-Corruption Bureau, which falls within the office of the Attorney General, the establishment of a special administrative unit comprising

auditors from within the Revenue Department of the Republic of Trinidad and Tobago has enabled the Department to investigate individuals or corporations when necessary.

- c) Briefly mention the objective results that have been obtained in applying the respective laws, rules and/or measures, providing any relevant statistical data available in your country, if possible for the last two years.

No data is available at this time.

CHAPTER TWO

PREVENTION OF BRIBERY OF DOMESTIC AND FOREIGN GOVERNMENT OFFICIALS (ARTICLE III (10) OF THE CONVENTION)

- a) Are there laws and/or other measures in your country to deter or impede bribery of domestic and foreign government officials, such as mechanisms to ensure that publicly held companies and other types of associations maintain books and records which, in reasonable detail, accurately reflect the acquisition and disposition of assets, and have sufficient internal accounting controls to enable their officers to detect corrupt acts? If so, please specify what they are, briefly describe them, and list and attach a copy of the related provisions and documents, referring in particular to the following aspects:
- i. Publicly held companies and other types of associations required to maintain accounting records of their operations in accordance with the accounting standards in force in your country.
 - ii. Rules regarding how these accounting records are to be maintained, indicating what length of time they must be kept; if they must be kept in books of account or any other medium that affords suitable protection for their contents; if said records are required to state all cash or in-kind expenditure, payments, or contributions, as well as specify their reason or purpose, and precisely identify their recipients; and if they must be substantiated with supporting documents containing the necessary information to confirm their veracity.
 - iii. Mechanisms to enforce the respective laws and/or other measures, such as the prohibitions against the establishment of accounts or operations without recording them on the books; registration of fictional expenditures or misstatement of the purpose thereof; adulteration of accounting records; use of false documents to support accounting records, and destruction of accounting documents before their prescribed custody period expires; as well as criminal, financial, or other penalties for those who infringe these prohibitions, and organs and agencies responsible for prevention and/or investigation of their violation and for imposing the appropriate punishment.

Section 116 of the Constitution of the Republic of Trinidad and Tobago establishes the office of the Auditor General and requires the public accounts of Trinidad and Tobago and all officers, courts and authorities to be audited and reported to the Auditor General. The section gives power to the Auditor General or any one authorized by him/her to have access to all books, records, returns, and other documents relating to the accounts of these public authorities and companies. The Auditor general therefore has wide ranging powers and broad access to the accounts and documents of all public companies in Trinidad and Tobago. The Auditor general, in the exercises of his/her duties shall not be subject to the direction and control of any one.

Section 117 of the Constitution gives details as to the method of appointment of the Auditor General. Section 119 establishes the Public Accounts Committee in parliament chaired by a member of the opposition in the house to enquire into the appropriation of moneys spent out of sums granted by Parliament to meet public expenditure. This section also establishes the Public Accounts Enterprises Committee, which is empowered to consider and report to the House of representatives on audited accounts, balance sheets and other financial statements of all enterprises that are owned by the state.

To complement the constitutional power, the Auditor General is further empowered by the Exchequer and Audit Act Chap. 69:01 which provides the Auditor General with wide ranging powers to examine, inquire into and audit accounts as follows:

7. *The Auditor General shall not be capable while holding the said office of holding any other office of emolument in the service of the State.*

8. (1) *Save as is otherwise provided in the Constitution the provisions of the law and regulations in force relating to the public service shall apply to the Auditor General.*

(2) *Where the Auditor General is removed from office under the Constitution the Minister shall make a full statement of the reasons therefore at the first opportunity to Parliament.*

9. (1) *The Auditor General shall examine, inquire into and audit the accounts of all accounting officers and receivers of revenue and all persons entrusted with the assessment of, collection, receipt, custody, issue or payment of public moneys, or with the receipt, custody, issue, sale, transfer or delivery of any stamps, securities, stores or other State property.*

(2) *The Auditor General shall satisfy himself that—*

(a) *all reasonable precautions have been taken to safeguard the collection of public moneys and that the laws, directions and instructions relating thereto have been duly observed;*

(b) *all issues and payments were made in accordance with proper authority and that all payments were properly chargeable and are supported by sufficient vouchers or proof of payment;*

(c) *all money expended has been applied to the purpose or purposes for which the same was granted by Parliament and that such expenditure 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 stores and other State property.*

(3) *Notwithstanding the provisions of subsections (1) and (2) the Auditor General may, after satisfying himself that the vouchers have been examined and certified as correct by the accounting department, in his discretion and having regard to the character of the departmental examination, in any particular case admit the sums so certified in support of the charges to which they relate without further examination; but if the Minister desires the vouchers or any of them to be examined in greater detail the Auditor General shall take action accordingly.*

(4) *Where a voucher has been lost or destroyed, or where an existing voucher is defective in any respect, the Auditor General, is satisfied with the explanation given by the responsible officer, may dispense with the production of a voucher, or in the case of a defective voucher, accept such voucher.*

(5) *If the Auditor General is required by the Minister to ascertain whether any expenditure included in any appropriation account is supported by the authority of the Treasury, he shall examine that expenditure with that object, and shall report to the Minister any expenditure which appears upon the examination to have been incurred without the authority, and any such unauthorized expenditure shall, unless sanctioned by the Minister, be regarded as not being properly chargeable to a grant of Parliament, and shall be so reported to Parliament.*

10. (1) *In the exercise of his duties under this Act the Auditor General shall be entitled—*

(a) *to call upon any officer for any explanations and information which the Auditor General may require in order to enable him to discharge his duties;*

(b) to authorize any officer on his behalf to conduct any inquiry, examination or audit, and such officer shall report thereon to the Auditor General;

(c) to send for and have the custody of any books, accounts, vouchers or papers under the control of any officer relating to or in any wise concerning the public accounts, and to keep such books, accounts, vouchers or papers for such time as he may require them;

(d) to require any department concerned to furnish him from time to time or at regular periods with accounts of the transactions of such department up to such date as he may specify;

(e) without payment of any fee, to cause search to be made in and extracts to be taken from any book, document or record in any public office;

(f) to lay before the Attorney General a case in writing as to any question regarding the interpretation of any written law concerning the powers of the Auditor General or the discharge of his duties, and the Attorney General shall give a written opinion upon such case;

(g) to require every person employed in his office who has to examine the accounts of a department to comply with any security requirements applicable thereto and to take any oath of secrecy required to be taken by persons employed in that department.

(2) In the exercise of his duties under this Act the Auditor General, or any person duly authorized by him in writing, shall have access to all records, books, vouchers, documents, cash, stamps, securities, stores or other State property in the possession of any officer.

11. (1) There shall be appointed from time to time such numbers of officers and servants as may be necessary for the purposes of this Act.

(2) Anything which, under the authority of this Act, is directed to be done by the Auditor General, other than the certifying and reporting of accounts required by this Act or the Constitution to be laid before the House, may be done by any officer of his staff so authorized by him”.

Further guidance may be obtained from the Auditor General’s website at www.auditorgeneral.gov.tt

- b) In relation to question a), briefly mention the objective results that have been obtained in enforcing the respective laws and/or other measures to which it refers, such as steps taken to prevent or investigate their infringement and penalties imposed in that regard, providing any relevant statistical data available in your country, if possible for the last two years.

No data is available at this time.

- c) If there are no laws and/or other measures such as those mentioned in question a), briefly indicate how your State has considered the applicability within your own institutional system of the provisions contained in Article III (10) of the Convention.

CHAPTER THREE

TRANSNATIONAL BRIBERY (ARTICLE VIII OF THE CONVENTION)

1. Criminalization of transnational bribery

- a) Does your State prohibit and punish, subject to its Constitution and the fundamental principles of its legal system, the offering or granting, directly or indirectly, by its nationals, persons having their habitual residence in its territory, and businesses domiciled there, to a government official of another State, of any article of monetary value, or other benefit, such as a gift, favor, promise or advantage, in connection with any economic or commercial transaction in exchange for any act or omission in the performance of that official's public functions? If so, please indicate if in your country it is considered an act of corruption for the purposes of the Convention, and describe briefly the laws and/or other measures regarding them, indicating what penalties they provide, and attach a copy of them.

Section 3(1) of the Prevention of Corruption Act 1987 Chap. 11:11 states that “Every person who, by himself or by or in conjunction with any other person, corruptly solicits or receives, or agrees to receive, for himself or for any other person, any gift, loan, fee, reward, or advantage whatsoever as an inducement to, or reward for, or otherwise on account of, any agent doing or forbearing to do anything in respect of any matter or transaction whatsoever, actual or proposed, in which the state or a public body is concerned, is guilty of an offence”

Subsection (2) further states, “ Every person who, by himself or by or in conjunction with any other person, corruptly gives, promises or offers any gift, loan, fee, reward, or advantage whatsoever, to any person, whether for the benefit of that person or another person, as an inducement to or reward for, or otherwise on account of , an agent doing or forbearing to do anything in respect of any matter or transaction whatsoever, actual or proposed, in which the State or a public body is concerned, is guilty of an offence”.

Section 4. States: “Any person who— (a) being an agent, corruptly accepts or obtains, or agrees to accept or attempts to obtain, from any person, for himself or for any other person, any gift or consideration as an inducement or reward for doing or forbearing to do, or for having after the commencement of this Act done or forborne to do, any act in relation to his principal’s affairs or business, or for showing or forbearing to show favour or disfavour to any person in relation to his principal’s affairs or business; (b) corruptly gives or agrees to give or offers any gift or consideration to any agent as an inducement or reward for doing or forbearing to do, or for having after the commencement of this Act done or forborne to do, any act in relation to his principal’s affairs or business, or for showing or forbearing to show favour or disfavour to any person in relation to his principal’s affairs or business; or (c) knowingly gives to an agent, or

being an agent knowingly uses, with intent to deceive his principal, any receipt, account, or other document, in respect of which the principal is interested, and which contains any statement which is false or erroneous or defective in any material particular, and which to his knowledge is intended to mislead the principal, is guilty of an offence”.

Section 5. states “(1) Any person who being an agent— (a) corruptly uses official information for the purpose of obtaining any gift, loan, fee, reward or advantage whatsoever for himself or any other person, or (b) corruptly communicates official information to any other person with a view of enabling any person to obtain any gift, loan, fee, reward or advantage whatsoever, is guilty of an offence.

(2) For the purposes of this section “official information” means any fact or document which comes to a person’s knowledge or into his possession by virtue of his position as a person serving under the State or being a member of a public body or holding any other public office”.

Section 6 states “(1) A person who commits an offence under section 3, 4 or 5, notwithstanding section 100(5) of the Summary Courts Act, is liable, whether upon summary conviction or upon conviction on indictment, to a fine of five hundred thousand dollars and to imprisonment for ten years and, in addition, shall be ordered to pay to such public body and in such manner as the Court directs, the amount or value of any gift, loan, fee, or reward received by him. Such person shall also be adjudged forever incapable of being elected or appointed as a member of a public body or of holding any other public office and shall forfeit any such office held by him at the time of his conviction.

(2) In the event of a second conviction for a like offence such person shall, in addition to the foregoing penalties, notwithstanding section 15 of the Representation of the People Act, be adjudged to be incapable for seven years of being registered as an elector, or voting at any election of members of any public body.

(3) If such person is an officer or servant in the employ of any public body, upon such conviction, he shall at the discretion of the Court be liable to forfeit his right to claim to any compensation or pension to which he would otherwise have been entitled”.

Section 7 states “Where, in any proceedings against a person for an offence under this Act, it is proved that any money, gift, or other consideration has been paid or given to or received by an agent by or from a person, or his representative, holding or seeking to obtain a contract from the State or any Government department or public body, and that such money, gift, or other consideration has been paid or given and received corruptly, as such inducement or reward as is mentioned in this Act, unless the contrary is proved”.

Agent is defined to include any person employed by or acting for another or any person serving under the state or other public body or holding public office.

Trinidad and Tobago wishes to present for the consideration of the Committee that despite the absence of the specific words “directly or indirectly” within the text of the laws, as appears in Article VIII of the convention, the Prevention of corruption Act 1987 Chap. 11:11 is sufficiently robust to enable the state Party of Trinidad and Tobago to fulfill its obligations under that Convention.

Nonetheless, consideration is being given, to the inclusion of the term “directly or indirectly” by way of amendment to remove all doubt.

- b) If your State has criminalized transnational bribery, briefly mention the objective results that have been obtained in that regard, such as judicial proceedings undertaken and their outcome. The above information should refer, as far as possible, to the last five years.

This information is currently unavailable.

- c) If your State has not criminalized transnational bribery, briefly mention if your country has taken any steps to do so.

This matter is currently under consideration by the Ministry of the Attorney General.

2. Assistance and cooperation in the case of States Parties that have not criminalized transnational bribery

- a) If your State has not criminalized transnational bribery, does it, insofar as its laws permit, provide assistance and cooperation with respect to this offense as provided in the Convention.

Please see State response at Chapter 4 subsection 2. Assistance rendered by the Central Authority of Trinidad and Tobago, located at the Ministry of the Attorney General, is equally applicable to the fight against Transnational Bribery.

- b) If so, briefly mention the objective results that have been obtained in that regard. The above information should refer, as far as possible, to the last five years.

This information is currently unavailable.

CHAPTER FOUR

ILLICIT ENRICHMENT (ARTICLE IX OF THE CONVENTION)

1. Criminalization of illicit enrichment

- a) Has your State established as an offense, subject to its Constitution and the fundamental principles of its legal system, a significant increase in the assets of a government official that he cannot reasonably explain in relation to his lawful earnings during the performance of his functions? If so, please indicate if in your country it is considered an act of corruption for the purposes of the Convention, and describe briefly the laws and/or other measures regarding them, indicating what sanctions they provide, and attach a copy of them.

Trinidad and Tobago has not as yet established the offence of illicit enrichment within its legal system.

- b) If your State has criminalized illicit enrichment, briefly mention the objective results that have been obtained in that regard, such as judicial proceedings undertaken and their outcome. The above information should refer, as far as possible, to the last five years.

- c) If your State has not criminalized illicit enrichment, briefly mention if your country has taken any steps to do so.

The establishment of the offence of illicit enrichment is under consideration by the State and represents just one of a number of measures under consideration as part of a comprehensive criminal justice reform initiative embarked upon by the Ministry of the Attorney General.

2. Assistance and cooperation in the case of States Parties that have not criminalized illicit enrichment.

- a) If your State has not criminalized illicit enrichment, does it, insofar as its laws permit, provide assistance and cooperation with respect to this offense as provided in the Convention?

The Trinidad and Tobago Government has ratified the Inter-American Convention on Mutual Assistance in Criminal Matters. The Mutual Assistance in Criminal Matters Act, 1997, enables a Commonwealth country, upon compliance with the conditions set out in the First Schedule to the Act to request and receive assistance in the investigation of criminal matters. For non-Commonwealth countries, once a treaty has been entered into between that country and Trinidad and Tobago for the provision of mutual assistance in a criminal matter, then upon the application of that country for assistance, the Attorney-General of Trinidad and Tobago may, by Order, subject to negative resolution of Parliament, declare that country to be a country to which this Act applies. In order to facilitate the widest measure of mutual legal assistance in investigations, prosecutions and judicial proceedings in relation to criminal offences, the Government of Trinidad and Tobago has signed agreements with the Governments of the United States of America, Canada and the United Kingdom. Draft treaties have also been forwarded to the relevant authorities for a number of countries such as: Argentina, Costa Rica, United States of Mexico, the Ukraine Republic and Columbia.

To facilitate and ensure the enforcement of the Act the Central Authority has been established and is located at the Ministry of the Attorney General, Cabildo Chambers #23-27 St. Vincent Street, Port of Spain. The Central Authority meets Trinidad and Tobago's international obligations, under existing treaties, to send and receive requests for mutual legal assistance in criminal matters.

The Central Authority under the current legal system, can facilitate the execution of requests from another State with respect to mutual assistance matters in the following areas; sending notifications on decisions, documents and measures related to trials; obtaining statements and documents from witnesses; transferring persons under arrest to assist in an investigation or hearing or other scientific tests and examining articles and locations.

The Central authority has been provided with the necessary human and technological resources, including training to effectively, efficiently, and expeditiously perform its functions. The State has also facilitated the use of direct communication channels and

ongoing contact and technical cooperation between the local Central Authority and other countries.

In order to reduce delays, the Central Authority has established a checklist to ensure that other States requesting assistance are provided with all necessary - information, especially adequate information necessary to establish a link between a probable crime and the requested investigation measure. Further, the Central Authority has taken steps to prioritize the handling of requests for mutual assistance in criminal matters when it is so warranted, in particular as regards requests related to transnational organized crime, money laundering, and terrorism. Finally the Central Authority has established systems to archive the files related to the request for mutual assistance in criminal matters and to facilitate follow-up on such files.

- b) If so, briefly mention the objective results that have been obtained in that regard. The above information should refer, as far as possible, to the last five years.

Information in this regard is currently unavailable.

CHAPTER FIVE

NOTIFICATION OF CRIMINALIZATION OF TRANSNATIONAL BRIBERY AND ILLICIT ENRICHMENT (ARTICLE X OF THE CONVENTION)

If, subsequent to its ratification of the Convention, your State has criminalized transnational bribery and/or illicit enrichment, as provided at Articles VIII (1) and IX (1) of said Convention, please indicate if it has notified the Secretary General of the OAS.

Trinidad and Tobago has not as yet criminalized transnational bribery and illicit enrichment as is provided in Article VIII and IX of the Inter-American Convention against Corruption.

CHAPTER SIX

EXTRADITION (ARTICLE XIII OF THE CONVENTION)

- a) Bearing in mind the provisions contained in Article XIII (1, 2, 3, and 4) of the Convention, under your country's legal framework, may this Convention be considered the legal basis for extradition in connection with the offenses it has criminalized in accordance therewith? If so, briefly describe any existing laws and/or other measures that allow as much, and attach a copy thereof.

Trinidad and Tobago has enacted the Extradition (Commonwealth and Foreign Territories) Act Cha. 12:04, which covers extradition to and from foreign territories.

The following are the relevant sections of the Act:

“5. (1) A person found in Trinidad and Tobago— (a) who is accused of an extraditable offence; or (b) who is alleged to be unlawfully at large after conviction of an extraditable offence, in a declared Commonwealth territory, or in a declared foreign territory, may, subject to and in accordance with the provisions of this Act, be arrested and returned to the declared Commonwealth territory or the declared foreign territory, as the case may be.

(2) For greater certainty, a person may be returned under this Act whether or not the conduct on which the declared Commonwealth or foreign territory bases its request occurred in territory over which it has jurisdiction.

6. (1) For the purpose of this Act, an offence in respect of which a person is accused or has been convicted in a declared Commonwealth territory, or a declared foreign territory, is an extraditable offence if— (a) it is an offence against the law of that territory which is punishable under the law with death or imprisonment for a term of not less than twelve months; (b) the conduct of the person would constitute an offence against the law of Trinidad and Tobago if it took place in Trinidad and Tobago, or in the case of an extra-territorial offence, if it took place in corresponding circumstances outside Trinidad and Tobago, and would be punishable under the law of Trinidad and Tobago with death or imprisonment for a term of not less than twelve months; and (c) in the case of a declared foreign territory, extradition for that offence is provided for by a treaty between Trinidad and Tobago and that territory. (2) For the purpose of this section, in determining whether an offence against the law of a declared Commonwealth territory, or a declared foreign territory, is an offence against the law of Trinidad and Tobago, any special intent, state of mind or special circumstances of aggravation which may be necessary to constitute that offence under the law of Trinidad and Tobago shall be disregarded. (3) For greater certainty, it is not relevant whether the conduct referred to in subsection (1) is named, defined or characterised by the declared Commonwealth territory, or the declared foreign territory, in the same way as it is in Trinidad and Tobago. (4) An offence constituted by conduct, whether in Trinidad and Tobago or not, that is of a kind over which Contracting States to an international Convention to which Trinidad and Tobago is a party are required by that Convention to establish jurisdiction, and which jurisdiction Trinidad and Tobago has so established, is an extraditable offence for the purpose of this Act.

7. For greater certainty, the discharge of a person under this Act does not preclude further proceedings, whether or not they are based on the same conduct, with a view to the return of the person under this Act unless the High Court is of the opinion that those further proceedings would be an abuse of process.

8. (1) A person shall not be returned under this Act, other than under section 11, to a declared Commonwealth territory or a declared foreign territory, or committed to or kept in custody for the purposes of the return, if it appears to the Attorney General, to

the Magistrate on proceedings under section 12, to the High Court on an application for *habeas corpus* or under section 14 for review of an order, or to the Court of Appeal on the hearing of an appeal under section 15— (a) that the offence in respect of which that person is accused or was convicted is an offence of a political character; (b) that the request for his return (though purporting to be made on account of an extraditable offence) is in fact made for the purpose of prosecuting or, punishing him on account of his race, religion, gender, sexual preference, nationality or political opinions; or (c) that he might, if returned, be prejudiced at his trial or punished, detained or restricted in his personal liberty by reason of his race, religion, gender, sexual preference, nationality or political opinions.

(2) A person accused of an offence shall not be returned under this Act, other than under section 11, to a declared Commonwealth or foreign territory, or committed to or kept in custody for the purposes of the return, if it appears as aforesaid that if charged with that offence in Trinidad and Tobago he would be entitled to be discharged under any rule of law relating to previous acquittal or conviction.

(3) A person shall not be returned under this Act to a declared Commonwealth or foreign territory, or committed to or kept in custody for the purposes of the return, unless provision is made by the law of that territory, or by an arrangement made with that territory, that he will not, until he has left or has been free to leave that territory, be dealt with in that territory for or in respect of any offence committed before his return under this

Act other than—(a) the offence in respect of which he is returned; (b) any lesser offence proved by the facts proved before the Magistrate on proceedings under section 12; or (c) any other offence being an extraditable offence in respect of which the Attorney General may consent to his being so dealt with.

(4) The Attorney General shall not give his consent under subsection (3)(c) if he has reasonable grounds for believing that the offence to which the request for consent relates could have been charged prior to return if due diligence had been exercised.

(5) Any such arrangement as is mentioned in subsection (3) may be an arrangement made for the particular case or an arrangement of a more general nature; and for the purposes of that subsection a certificate issued by or under the authority of the Attorney General confirming the existence of an arrangement with any territory and stating its terms is conclusive evidence of the matters contained in the certificate.

(6) A person's return, under this Act, to a declared Commonwealth or foreign territory shall not be debarred by reason only of the fact that the person will be sent from that territory to another territory for or in respect of any offence committed before his return under this Act.

(7) The reference in this section to an offence of a political character does not include— (a) an offence against the life or person of a Head of State, Head of Government, or Minister of

Government, or of his spouse, or of any dependant relative of his; (b) an act declared, under any multilateral international convention having the force of law in Trinidad and Tobago, to constitute an offence for which a person may be returned under this

Act to a declared Commonwealth or foreign territory, notwithstanding the political character or motivation of such act.

(8) For the purposes of this Act, an offence against a declared Commonwealth or foreign territory may be regarded as being an offence of a political character notwithstanding that there are not competing political parties in that territory.

8A. (1) A person accused of an offence under the Taking of Hostages Act shall not be returned under this Act to a declared Commonwealth territory or a declared foreign territory, which is party to the Convention, or committed to or kept in custody for the purposes of the return, if it appears to the Attorney General, to the Magistrate on proceedings under section 12, or to the High Court on an application for *habeas corpus* or under section 14 for review of an order, or to the Court of Appeal on the hearing of an appeal under section 15—

(a) that that person might, if returned, be prejudiced at his trial by reason of the impossibility of effecting communications between him and the appropriate authorities of the State entitled to exercise rights of protection in relation to him; and (b) that the facts constituting the offence of which he has been acquitted or convicted also constitute an offence under section 3 of the Taking of Hostages Act.

(2) Where the Minister certifies that a territory is a party to the Convention the certificate shall, in any proceedings under this Act, be conclusive evidence of that fact.

(3) In this section “the Convention” means the Convention referred to in section 2 of the Taking of Hostages Act.

9. (1) Subject to the provisions of this Act relating to provisional warrants, a person shall not be dealt with thereunder except in pursuance of an order of the Attorney General (hereafter

referred to as an authority to proceed), issued in pursuance of a request made to the Attorney General by or on behalf of the Government of the declared Commonwealth territory, or the declared foreign territory, in which the person to be returned is accused or was convicted.

(2) There shall be furnished with any request made for the purposes of this section on behalf of any territory a record of the case which shall include— (a) in the case of a person accused of an extraditable offence, a warrant for his arrest issued in that territory and a document summarising the evidence available to that territory for use in the prosecution of the person;

(b) in the case of a person unlawfully at large after conviction of an extraditable offence, a certificate of the conviction and sentence in that territory, and a statement of the amount, if any, of that sentence which has been served; together in each case with— (c) particulars of the person whose return is requested; (d) particulars of the facts upon which and the law under which he is accused or was convicted; (e) evidence that provision is made by the law of that territory for the specialty rule provided for by section 8(3), where the specialty rule is not made by an arrangement with that territory; and (f) evidence sufficient to justify the issue of a warrant for his arrest under section 10. (3) On receipt of a request made for the purposes of this section on behalf of any territory, the Attorney General may, in the form set out in Form 1 in the

Second Schedule, issue an authority to proceed signifying to a Magistrate that a request has been made and requiring him to proceed with the case in accordance with the provisions of this Act.

(4) The Attorney General may receive supplementary evidence to the record of the case and re-issue an authority to proceed to replace one issued under subsection (3) or this subsection

at any time before proceedings under section 12 begin, and all previous documents issued and orders made by the Magistrate apply in respect of a re-issued authority to proceed, unless the Magistrate, on application of the person or the Attorney General, orders otherwise.

(5) Where the Attorney General re-issues an authority to proceed under subsection (4) and the person applies for another date to be set for the beginning of proceedings under section 12, in order to give the person an opportunity to examine the re-issued authority to proceed, the Magistrate may set another date for the hearing.

(6) The Attorney General may amend the authority to proceed after the hearing has begun in accordance with the evidence that is produced during the hearing.

(7) The Attorney General may not issue an authority to proceed or may withdraw one already issued if it appears to him that an order for the return of the person concerned could not lawfully be made, or would not in fact be made, in accordance with the provisions of this Act.

- b) If your State may refuse extradition for the above offenses solely on the basis of the nationality of the person sought, or because it deems that it has jurisdiction over the offense, please indicate, when this occurs, if it submits the case to the competent authorities for the purpose of prosecution and reports the final outcome to the requesting State in due course. If so, briefly describe the existing laws and/or other measures in that regard and attach a copy thereof.

There is in Trinidad and Tobago no restriction on the Extradition of a person on the basis of nationality, either solely or at all. Subject to the restrictions of section 8 of the Extradition Act, Trinidad and Tobago nationals are subject to extradition and so are nationals of all Commonwealth Territories or nationals of Declared Foreign Territories or nationals of territories with whom Trinidad and Tobago has no extradition agreement or treaty. The only restrictions on the extradition of a person from Trinidad and Tobago are to be found at section 8 of the Act as follows:

8. (1) A person shall not be returned under this Act, other than under section 11, to a declared Commonwealth territory or a declared foreign territory, or committed to or kept in custody for the purposes of the return, if it appears to the Attorney General, to the Magistrate on proceedings under section 12, to the High Court on an application for *habeas corpus* or under section 14 for review of an order, or to the Court of Appeal on the hearing of an appeal under section 15— (a) that the offence in respect of which that person is accused or was convicted is an offence of a political character; (b) that

the request for his return (though purporting to be made on account of an extraditable offence) is in fact made for the purpose of prosecuting or, punishing him on account of his race, religion, gender, sexual preference, nationality or political opinions; or (c) that he might, if returned, be prejudiced at his trial or punished, detained or restricted in his personal liberty by reason of his race, religion, gender, sexual preference, nationality or political opinions.

(2) A person accused of an offence shall not be returned under this Act, other than under section 11, to a declared Commonwealth or foreign territory, or committed to or kept in custody for the purposes of the return, if it appears as aforesaid that if charged with that offence in Trinidad and Tobago he would be entitled to be discharged under any rule of law relating to previous acquittal or conviction.

(3) A person shall not be returned under this Act to a declared Commonwealth or foreign territory, or committed to or kept in custody for the purposes of the return, unless provision is made by the law of that territory, or by an arrangement made with that territory, that he will not, until he has left or has been free to leave that territory, be dealt with in that territory for or in respect of any offence committed before his return under this

Act other than—(a) the offence in respect of which he is returned; (b) any lesser offence proved by the facts proved before the Magistrate on proceedings under section 12; or (c) any other offence being an extraditable offence in respect of which the Attorney General may consent to his being so dealt with.

(4) The Attorney General shall not give his consent under subsection (3)(c) if he has reasonable grounds for believing that the offence to which the request for consent relates could have been charged prior to return if due diligence had been exercised.

(5) Any such arrangement as is mentioned in subsection (3) may be an arrangement made for the particular case or an arrangement of a more general nature; and for the purposes of that subsection a certificate issued by or under the authority of the Attorney General confirming the existence of an arrangement with any territory and stating its terms is conclusive evidence of the matters contained in the certificate.

(6) A person's return, under this Act, to a declared Commonwealth or foreign territory shall not be debarred by reason only of the fact that the person will be sent from that territory to another territory for or in respect of any offence committed before his return under this Act.

(7) The reference in this section to an offence of a political character does not include—(a) an offence against the life or person of a Head of State, Head of Government, or Minister of

Government, or of his spouse, or of any dependant relative of his; (b) an act declared, under any multilateral international convention having the force of law in Trinidad and Tobago, to constitute an offence for which a person may be returned under this Act to a declared Commonwealth or foreign territory, notwithstanding the political character or motivation of such act.

(8) For the purposes of this Act, an offence against a declared Commonwealth or foreign territory may be regarded as being an offence of a political character notwithstanding that there are not competing political parties in that territory.

8A. (1) A person accused of an offence under the Taking of Hostages Act shall not be returned under this Act to a declared Commonwealth territory or a declared foreign territory, which is party to the Convention, or committed to or kept in custody for the purposes of the return, if it appears to the Attorney General, to the Magistrate on proceedings under section 12, or to the High Court on an application for *habeas corpus* or under section 14 for review of an order, or to the Court of Appeal on the hearing of an appeal under section 15—

(a) that that person might, if returned, be prejudiced at his trial by reason of the impossibility of effecting communications between him and the appropriate authorities of the State entitled to exercise rights of protection in relation to him; and (b) that the facts constituting the offence of which he has been acquitted or convicted also constitute an offence under section 3 of the Taking of Hostages Act.

(2) Where the Minister certifies that a territory is a party to the Convention the certificate shall, in any proceedings under this Act, be conclusive evidence of that fact.

(3) In this section “the Convention” means the Convention referred to in section 2 of the Taking of Hostages Act.

- c) Please indicate if, subject to the provisions of its domestic law and its extradition treaties, your State, upon being satisfied that the circumstances so warrant and are urgent, and at the request of another State Party to the Convention, takes into custody the person whose extradition is sought and who is present in its territory, or takes other appropriate measures to ensure their presence at extradition proceedings. If so, briefly describe the existing laws and/or other measures in that regard and attach a copy thereof.

9. (1) Subject to the provisions of this Act relating to provisional warrants, a person shall not be dealt with thereunder except in pursuance of an order of the Attorney General (hereafter referred to as an authority to proceed), issued in pursuance of a request made to the Attorney General by or on behalf of the Government of the declared Commonwealth territory, or the declared foreign territory, in which the person to be returned is accused or was convicted.

(2) There shall be furnished with any request made for the purposes of this section on behalf of any territory a record of the case which shall include— (a) in the case of a person accused of an extraditable offence, a warrant for his arrest issued in that territory and a document summarising the evidence available to that territory for use in the prosecution of the person;

(b) in the case of a person unlawfully at large after conviction of an extraditable offence, a certificate of the conviction and sentence in that territory, and a statement of the amount, if any, of that sentence which has been served; together in each case with— (c) particulars of the person whose return is requested; (d) particulars of the facts upon which and the law under which he is accused or was convicted; (e) evidence that

provision is made by the law of that territory for the specialty rule provided for by section 8(3), where the specialty rule is not made by an arrangement with that territory; and *(f)* evidence sufficient to justify the issue of a warrant for his arrest under section 10. (3) On receipt of a request made for the purposes of this section on behalf of any territory, the Attorney General may, in the form set out in Form 1 in the Second Schedule, issue an authority to proceed signifying to a Magistrate that a request has been made and requiring him to proceed with the case in accordance with the provisions of this Act.

(4) The Attorney General may receive supplementary evidence to the record of the case and re-issue an authority to proceed to replace one issued under subsection (3) or this subsection

at any time before proceedings under section 12 begin, and all previous documents issued and orders made by the Magistrate apply in respect of a re-issued authority to proceed, unless the Magistrate, on application of the person or the Attorney General, orders otherwise.

(5) Where the Attorney General re-issues an authority to proceed under subsection (4) and the person applies for another date to be set for the beginning of proceedings under section 12, in order to give the person an opportunity to examine the re-issued authority to proceed, the Magistrate may set another date for the hearing.

(6) The Attorney General may amend the authority to proceed after the hearing has begun in accordance with the evidence that is produced during the hearing.

(7) The Attorney General may not issue an authority to proceed or may withdraw one already issued if it appears to him that an order for the return of the person concerned could not lawfully be made, or would not in fact be made, in accordance with the provisions of this Act.

(8) Where the Attorney General withdraws an authority to proceed after proceedings under section 12 have begun, the Magistrate shall discharge the person and set aside any order made with respect to the remand of the person in custody or on bail.

10. (1) A warrant for the arrest of a person accused of an extraditable offence, or alleged to be unlawfully at large after conviction of an extraditable offence, may be issued by

a Magistrate— *(a)* in the form set out in Form 2 in the Second Schedule, on the receipt of an *(b)* in the form set out in Form 3 in the Second Schedule, without an authority to proceed, upon information that the said person is or is believed to be in or on his way to Trinidad and Tobago, and any warrant issued by virtue of paragraph *(b)* is in this Act referred to as a provisional warrant.

(2) A warrant of arrest under this section may be issued upon such evidence as would, in the opinion of the Magistrate, justify the issue of a warrant for the arrest of a person accused of committing a corresponding offence or, as the case may be, of a person alleged to be unlawfully at large after conviction of an offence, if the offence had been committed or the offender convicted in Trinidad and Tobago; and for the purposes of the issue of a provisional warrant, there may be received in evidence any document which purports to bear the seal of the International Criminal Police Organisation

(generally referred to as Interpol) and was issued to the Commissioner of Police for the purpose of requesting the assistance of the Commissioner in the ascertainment of the location of a person accused of an extraditable offence, or alleged to be unlawfully at large after conviction of an extraditable offence, in a declared Commonwealth or foreign territory.

(3) Where a provisional warrant is issued, the Magistrate by whom it is issued shall forthwith give notice to the Attorney General, and transmit to him the information and evidence, or certified copies of the information and evidence, upon which it was issued; and the Attorney General shall, if he decides not to issue an authority to proceed in respect of the person to whom the warrant relates, or may in any other case, by order cancel the warrant and, if that person has been arrested thereunder, discharge him from custody.

(4) A warrant of arrest issued under this section may be executed in any part of Trinidad and Tobago and may be so executed by any person to whom it is directed or by any constable.

(5) Where a warrant is issued under this section for the arrest of a person accused of an offence of stealing or receiving stolen property or any other offence in respect of property, a Magistrate in any part of Trinidad and Tobago shall have the like power to issue a warrant to search for the property as if the offence had been committed within the jurisdiction of the Magistrate.

11. (1) Where the return of any person is requested under this Part by a declared Commonwealth territory or a declared foreign territory and such person is arrested in pursuance of a warrant under section 10, such person may request the Attorney General to order his return without any proceedings before a Magistrate under section 12.

(2) Where the Attorney General consents to the request made by such person under subsection (1) and is satisfied that such person understands the consequences of the request, the Attorney General shall, without any proceedings before a Magistrate under section 12, in the form set out in Form 4 in the Second Schedule, order such person to be committed to custody, there to be kept for the purposes of the return unless admitted to bail; and at any time thereafter the Attorney General shall, with the consent of such person, by warrant in the form set out in Form 5 in the Second Schedule, order him to be returned to the territory by which the request for his return was made.

(3) Where a person whose return has been ordered under subsection (2) withdraws his consent to the order before his departure from Trinidad and Tobago, he shall be brought as soon as practicable before a Magistrate for the purposes of proceedings under section 12, and thereupon shall be dealt with as if the Attorney General had not made the order.

(4) The provisions of sections 8(3), (4), (5) and (6) apply to the return of any person under this section unless the contrary is expressly requested by that person.

12. (1) A person arrested in pursuance of a warrant issued under section 10 and in respect of whom no order under section 11(2) has been made shall [unless previously discharged under section 10(3)], be brought as soon as practicable before a Magistrate.

(2) For the purposes of proceedings under this section a Magistrate shall have the like jurisdiction and powers, as nearly as may be, including power to adjourn the case and meanwhile to remand the person arrested under the warrant either in custody or on bail, as when the Magistrate is acting at a preliminary enquiry.

(3) Where any person is arrested and in custody by virtue of a provisional warrant but no authority to proceed has been received in respect of him, the Magistrate may fix a reasonable period (of which the Magistrate shall give notice to the Attorney General) after which the person will be discharged from custody unless the authority to proceed has been received.

(4) Where an authority to proceed has been issued in respect of the person arrested and the Magistrate is satisfied, after hearing any evidence tendered in support of the request for the return of that person or on behalf of that person, that the offence to which the authority to proceed relates is an extraditable offence and is further satisfied— (a) where the person is accused of the offence, that— (i) there is evidence admissible under this Act of conduct that, had it occurred in Trinidad and Tobago, would justify committal for trial in Trinidad and Tobago for the offence set out in the authority to proceed; and (ii) the person is the person sought by the declared Commonwealth or foreign territory; or (b) where the person is alleged to be unlawfully at large after conviction of the offence, that— (i) the conviction was in respect of conduct that corresponds to the offence set out in the authority to proceed; (ii) the person is the person who was convicted; and (iii) the person appears to be unlawfully at large, the Magistrate shall, unless his committal is prohibited by any other provision of this Act, commit him to custody by warrant in the form set out in Form 6 in the Second Schedule to await the warrant of the Attorney General for his return; but if the Magistrate is not so satisfied or if the committal of that person is so prohibited, the Magistrate shall discharge him from custody.

- d) Briefly state the objective results that have been obtained in enforcing the existing rules and/or other measures on extradition for the aforementioned offenses, such as extradition requests made to other States Parties for the purpose of investigating or prosecuting those offenses and procedures initiated by your State to attend to requests received by it from other States Parties with the same purpose, as well as the results thereof. The above information should refer, as far as possible, to the last five years.

Though records are kept, data is not available at this time.

SECTION II

FOLLOW-UP ON THE RECOMMENDATIONS FORMULATED IN THE NATIONAL REPORTS IN PREVIOUS REVIEW ROUNDS

1. First Round

In accordance with Article 29 of the *Rules*, please provide information, in the standard format attached to this questionnaire (Annex I), on progress on each of the recommendations made to your State in the First Round, on which your country did not supply information with regard to progress in their implementation in its response to Section II of the Questionnaire for the Second Round, or on those that it supplied information but which the Committee considered in Section IV of your country's report for that round that they needed additional attention.

2. Second Round

In accordance with Article 29 of the *Rules*, please provide information, in the standard format attached to this questionnaire (Annex II), on progress in implementation of the recommendations formulated in the report adopted by the Committee with respect to your country in the framework of the Second Review Round.

SECTION III

INFORMATION ON THE OFFICIAL RESPONSIBLE FOR COMPLETION OF THIS QUESTIONNAIRE

Please provide the following information:

- (a) State Party: _____
- (b) The official to be consulted regarding the responses to the questionnaire is:
 - () Mr.: _____
 - () Ms.: _____
- Title/position: _____
- Agency/office: _____

Address: _____

Telephone number: _____

Fax number: _____

E-mail address: _____

ANNEX I

STANDARD FORMAT FOR PRESENTATION OF INFORMATION ON PROGRESS IN IMPLEMENTATION OF RECOMMENDATIONS FORMULATED IN THE NATIONAL REPORT IN THE FIRST REVIEW ROUND

Instructions: Following the same structure as the country report,^{1/} kindly supply the following information on each of the recommendations made to your State in the First Round, on which your country did not supply information with regard to progress in their implementation in its response to Section II of the Questionnaire for the Second Round, or on those that it supplied information but which the Committee considered in Section IV of your State's country report for that round that they needed further attention:

I. RECOMMENDATION: (Please transcribe the text of the recommendation made to your State by the Committee in the country report, on which this report contains information as regards progress.)

A) Please mention the measure or measures suggested by the Committee, or the alternative measure or measures, that have been adopted to implement the above recommendation; and briefly describe the concrete steps that have been taken in connection with the measures adopted. As appropriate, please indicate the Internet web site where information may be obtained in greater detail on the measures adopted and steps taken to implement the foregoing recommendation, precisely identifying the relevant information at that site:

B) Briefly mention any difficulties observed in the process of implementing the above recommendation. As appropriate, please also mention the Internet web site where information may be obtained in greater detail in that regard, precisely identifying the relevant information at that site:

C) Where appropriate, please mention which domestic agencies have participated in implementing the recommendations and identify concrete technical assistance and other needs that you may have in connection with the implementation of the above recommendation. Furthermore, as appropriate, also mention the Internet web site that describes in greater detail the aspects mentioned herein, precisely identifying the relevant information at that site:

1. By way of a guide, below, this standard format sets out that structure in connection with the issues covered in the First Review Round.

II. RECOMMENDATION: (Please transcribe the text of the recommendation made to your State by the Committee in the country report, on which this report contains information as regards progress.)

NOTE: Please repeat the process for paragraphs A), B), and C) above for each of the other recommendations covered in the progress report.

STRUCTURE OF COUNTRY REPORTS IN THE FIRST ROUND

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
 - 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
 - 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
2. SYSTEMS FOR REGISTERING INCOME, ASSETS, AND LIABILITIES (ARTICLE III, PARAGRAPH 4, OF THE CONVENTION)
3. OVERSIGHT BODIES FOR THE SELECTED PROVISIONS (ARTICLE III, PARAGRAPHS 1, 2, 4 AND 11, OF THE CONVENTION)
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
 - 4.2. Mechanisms for access to information
 - 4.3. Mechanisms for consultation
 - 4.4. Mechanisms to encourage participation in public administration
 - 4.5. Mechanisms for participation in the follow up of public administration
5. ASSISTANCE AND COOPERATION (ARTICLE XIV OF THE CONVENTION)
6. CENTRAL AUTHORITIES (ARTICLE XVIII OF THE CONVENTION)
7. GENERAL RECOMMENDATIONS

ANNEX II

STANDARD FORMAT FOR PRESENTATION OF INFORMATION ON PROGRESS IN IMPLEMENTATION OF RECOMMENDATIONS FORMULATED IN THE NATIONAL REPORT IN THE SECOND REVIEW ROUND

Instructions: Following the same structure as the country report,^{2/} kindly supply the following information on each of the recommendations mentioned in this progress report which were formulated to your State in the Second Round:

- I. RECOMMENDATION: (Please transcribe the text of the recommendation made to your State by the Committee in the country report, on which this report contains information as regards progress.)
-
-

A) Please mention the measure or measures suggested by the Committee, or the alternative measure or measures, that have been adopted to implement the above recommendation; and briefly describe the concrete steps that have been taken in connection with the measures adopted. As appropriate, please indicate the Internet web site where information may be obtained in greater detail on the measures adopted and steps taken to implement the foregoing recommendation, precisely identifying the relevant information at that site:

B) Briefly mention any difficulties observed in the process of implementing the above recommendation. As appropriate, please also mention the Internet web site where information may be obtained in greater detail in that regard, precisely identifying the relevant information at that site:

C) Where appropriate, please mention which domestic agencies have participated in implementing the recommendations and identify concrete technical assistance and other needs that you may have in connection with the implementation of the above recommendation. Furthermore, as appropriate, also mention the Internet web site that describes in greater detail the aspects mentioned herein, precisely identifying the relevant information at that site:

2. By way of a guide, below, this standard format sets out that structure in connection with the issues covered in the Second Review Round.

II. RECOMMENDATION: (Please transcribe the text of the recommendation made to your State by the Committee in the country report, on which this report contains information as regards progress.)

NOTE: Please repeat the process for paragraphs A), B), and C) above for each of the other recommendations covered in the progress report.

STRUCTURE OF COUNTRY REPORTS IN THE SECOND ROUND

1. SYSTEMS OF GOVERNMENT HIRING AND PROCUREMENT OF GOODS AND SERVICES (ARTICLE III (5) OF THE CONVENTION)
 - 1.1. Government hiring systems
 - 1.2. Government systems for procurement of goods and services
2. SYSTEMS FOR PROTECTING PUBLIC SERVANTS AND PRIVATE CITIZENS WHO, IN GOOD FAITH, REPORT ACTS OF CORRUPTION (ARTICLE III (8) OF THE CONVENTION)
3. ACTS OF CORRUPTION (ARTICLE VI OF THE CONVENTION)
4. GENERAL RECOMMENDATIONS