



# LESOTHO

## Government Gazette

Vol. 66

Friday – 29th October, 2021

No. 99

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**Published by the Authority of His Majesty the King**  
Price: M78.00



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LEGAL NOTICE NO. 122 OF 2021

**Prevention of Corruption and Economic Offences Regulations, 2021**

Pursuant to section 53 of the Prevention of Corruption and Economic Offences Act 1999<sup>1</sup>, I,

**LEKHETHO RAKUOANE**

Minister responsible for law and justice make the following regulations -

**PART I - PRELIMINARY**

**Citation and commencement**

1. These regulations may be cited as the Prevention of Corruption and Economic Offences Regulations, 2021 and shall come into operation on the date of publication in the Gazette.

**Interpretation**

2. In these regulations, unless the context otherwise requires -

“the Act” means the Prevention of Corruption and Economic Offences Act.

**PART II - APPOINTMENTS, TERMINATION AND RETIREMENTS**

**The Directorate**

3. The following levels of positions shall apply within the Directorate -

- (a) Director-General;
- (b) Deputy Director-General;
- (c) Director;
- (d) Chief Officer;
- (e) Principal Officer; and
- (f) Support staff.

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**The Director-General**

4. (1) The Director-General of the Directorate shall be responsible for -
- (a) the deployment of staff within the Directorate, in consultation with the Board with regard to operational staff;
  - (b) the maintenance of discipline of support staff and shall seek approval of the Board to discipline operational staff;
  - (c) the general conduct of the Directorate officers; and
  - (d) the development and the implementation of sound management systems within the Directorate.
- (2) The Director-General may -
- (a) issue such Standing Orders for the general control and the administration of the Directorate; and
  - (b) from time to time issue such instructions to Deputy Directors and other officers of the Directorate and the latter shall be obliged to comply with such instructions in as far as they are within the law.

**Declaration by Director-General and Deputy Director-General**

5. After appointment, the Director General and the Deputy Director General shall make a declaration before the Commissioner of Oaths as set out in Schedule 1.

**Acting positions**

6. (1) The Director-General shall, in consultation with the Board appoint an officer for a period not exceeding three months, in a post that is in his direct line of promotion in the event that the holder of the post is granted leave of absence or to perform those duties in the event that the position is substan-

tively vacant while recruitment is underway.

- (2) (a) the following posts shall qualify for an acting appointment -
  - (i) sectional heads; and
  - (ii) divisional heads.
- (b) where the period of such acting appointment exceeds twenty-eight days such an officer shall, during such acting appointment, receive salary at the scale applicable to such a position.

### **Termination of service**

7. (1) Notwithstanding the procedures set out in these regulations and any other subordinate law, the Director- General may, at any time, after giving the officers concerned an opportunity to make representations -
- (a) recommend to the Board the termination of services of an officer on probation if he is found not likely to become an efficient and effective member of the Directorate;
  - (b) dismiss an officer who gains admission into the Directorate following a misrepresentation of any kind or false statement in reply to any question relating to his previous service, career and employment and as to whether he has at any time been convicted of any offence punishable by laws of Lesotho or laws of any other country;
  - (c) retire an officer on reduction of an establishment;
  - (d) retire an officer if the Board of Medical Officers appointed by the Chief Medical Officer certifies that he is mentally or physically unfit for service and that such unfitness is likely to be permanent;



- (e) dismiss an officer who is convicted of a serious offence, other than an offence against discipline or an officer who has been convicted on disciplinary offence with a dismissal;
- (f) retire, in the public interest, an officer who is incompetent or inefficient and whom the Director-General considers is unlikely to meet the standards to be expected of an officer of the Directorate; and
- (g) dismiss an officer who is absent from duty without prior permission for a continuous period of more than twenty-one days.

(2) If an officer wishes to terminate his service, he shall serve three months calendar notice or pay three months' salary in *lieu* of notice.

(3) The Director-General shall give an officer on contract terms three months calendar notice or pay three months' salary in *lieu* of notice and all benefits due to him, if his service is terminated other than as a result of disciplinary misconduct or criminal behaviour.

(4) The Director-General shall give an officer on permanent terms or any of the support staff one month calendar notice or pay one month salary in *lieu* of notice and all benefits due to him, if his service is terminated.

### **Consultations**

8. Where the officer concerned in regulation 7 (1) (b) is a principal officer or above, the Director -General shall act in consultation with the Board and in the case of a Director, the Director-General shall inform the Minister responsible before exercising his powers under these regulations.

### **Pecuniary rights**

9. Unless the Minister responsible directs otherwise, nothing in regulation 7 (1) (c) shall affect any right a member of the Directorate has with regard to payment of any pecuniary rights due to him.

**Recruitment**

10. (1) An entry into and advancement within the Directorate shall be determined solely on the basis of the following -

- (a) merit;
- (b) ability;
- (c) qualifications;
- (d) knowledge; and
- (e) skill and aptitude after fair and open competition which assures that a citizen of Lesotho receives equal opportunity.

(2) In selecting candidates for appointment to a position in the Directorate, the Board shall have regard primarily to the need for integrity and promotion of efficiency in the Directorate.

(3) The Director-General in consultation and endorsement of the Board may headhunt an employee with specialised skill, knowledge or experience for engagement into the Directorate.

(4) Members of the Directorate shall be engaged on permanent and pensionable terms.

**Oath of secrecy**

11. A member of the Directorate shall, on assumption of duty, take an oath of office and secrecy before the Commissioner of Oaths as set out in Schedule 6.

**Probation**

12. (1) A person appointed as a member of the Directorate shall serve a probationary period of one year, or such longer period as the Board may direct, before his appointment is made permanent in case of principal officers and above, while the Director-General may direct in case of support staff.

(2) At any time when the Director-General is of the opinion that the appointment of a probationer should for any reason be extended or terminated, he shall do so in consultation with the Board.

### **Medical certificate**

13. An appointment to the Directorate shall be subject to the provision of a certificate of medical fitness being obtained from a certified Medical Officer.

### **Promotion**

14. Promotion within the Directorate shall be based on the following -

- (a) satisfactory performance;
- (b) merit, such as ability, qualifications, knowledge, integrity, skill and aptitude; and
- (c) competitive basis.

### **Redeployment**

15. Redeployment of staff may be made on to a similarly graded positions, and the Board shall always approve such change with respect to a Principal Officer and above.

### **Leave**

16. (1) Leave year will run from 1st April to 31st March in a year.

(2) Subject to the exigency of the service, a member of the Directorate shall be granted annual leave as set out in Schedule 3.

### **Maternity leave**

17. (1) A female officer shall be allowed ninety days of maternity leave and two hours a day off work for breastfeeding her infant for a period of six months after the baby is born.

(2) A female officer who has had a miscarriage or bears a stillborn

child during the third trimester shall be granted four weeks maternity leave after the date of the miscarriage or stillbirth.

(3) An officer who legally adopts a newborn baby shall be allowed thirty days leave.

(4) A female officer may be granted a paid maternity leave to enable her to be absent from duty for a maximum period of ninety days and such leave shall not count for the purpose of salary increments.

(5) A female member of the Directorate may be granted paid maternity leave to enable her to be absent from duty for a maximum period of thirty days, and such leave shall not count for the purpose of salary increments.

(6) A male officer shall be given one month paternity leave which will run from the first month of birth of the baby.

### **Compassionate leave**

18. (1) Two weeks compassionate leave may be allowed in instances where a father of an officer, mother (biological and in law) spouse or own child has died.

(2) Where the death is -

- (a) of the brother or sister of an officer, compassionate leave allowed may be one week; and
- (b) for a close relative three days compassionate leave may be allowed.

(3) For the purpose of this regulation Saturday, Sunday and a public holiday shall not count as a working day.

(4) Where a member of the Directorate, either on first appointment or on leaving the Directorate, shall not complete a full year of service during a leave year, he may be granted one fourth of the number of working days annual holiday for each complete month of service he has completed within the holiday year.

**Leave carry-over**

19. (1) An annual leave not taken during the relevant holiday year may be carried forward once to the next leave year with the approval of the Director-General.

(2) An officer of the Directorate entitled to overseas passage may be permitted by the Director-General to carry forward to the leave year in which he proceeds overseas the whole or part of his annual holiday from the previous leave year, to be taken overseas.

**Leave record**

20. (1) The Director-General shall be responsible for maintaining leave rosters and for ensuring that leave is taken at such a time that efficiency of the service is not impaired.

(2) Leave may be taken in single and not half days on condition that at least two thirds of the annual leave shall be taken in one continuous period.

(3) The Director-General shall record all leave actually taken.

**Forfeiture of leave**

21. A member of the Directorate who leaves the Directorate without giving due notice shall forfeit his leave.

**Study leave**

22. (1) Study leave may be granted to a full-time employee on the following terms and conditions -

- (a) the employer agrees to loan to the employee a full monthly salary during the first six months of the study leave, and a half of the monthly salary during the remaining period of study leave;
- (b) the party agrees to make a full continuous contribution towards the Provident Fund Scheme; and

- (c) an employee agrees that during the period of study leave he shall not earn annual leave and shall not be entitled to the fringe benefits offered by Directorate.

(2) Study leave may be granted to a full-time employee following a period spent on the course outside Lesotho by a member of the Directorate do not earn annual leave, but an officer who is sent on such a course lasting for six months or more may be allowed a period of twenty working days commencing on the day after his return to Lesotho before being required to report for duty and such period shall not count against any annual holiday earned in Lesotho.

### **Director-General leave**

23. The Minister shall be informed of leave of the Director-General.

### **Sickness while on leave**

24. A member of the Directorate who falls ill while on annual leave may, if a state Medical Officer so certifies, count the number of working days when he is sick as sick leave and not annual leave provided that he is sick for a period of 3 or more working days.

### **Sick leave**

25. (1) The Director-General shall, on the recommendation of a certified Medical Officer, grant to a member of the Directorate sick leave on full pay for the duration of the recommended period.

(2) A certificate signed by a certified Medical Officer is a conclusive evidence on the question whether or not the illness, injury or need for dental treatment was caused by misconduct within the meaning of this regulation.

(3) If the illness or injury is attributable to the nature of the duty a member a further period of sick leave on full pay may, where the need arises, be granted by the Director-General.

(4) The Director-General may grant leave without record in respect of an absence due to illness which may be necessary.

(5) A member of the Directorate with the approval of the Director-

General, may be absent due to illness for a period up to forty-eight hours without producing a medical certificate, and any absence in excess of this period due to illness shall be supported by a medical certificate.

(6) The Director-General shall record all periods of sick leave actually taken, on full pay and on half pay separately.

(7) If a member of Directorate or a member of his family is instructed by a certified Medical Officer to be absent for the purpose of obtaining medical treatment, that absence is a sick leave.

(8) A period of sick leave does not earn annual leave but the period of absence caused by illness not exceeding seven days within any periods of thirty days, shall be ignored for this purpose.

(9) If a certified Medical Officer advises that a member of the Directorate or a member of his family is in need of urgent dental treatment, the Director-General may grant leave of up to seven days in any one year for the purpose of obtaining that treatment at the place approved by the Medical Officer.

(10) Sick leave may not be granted to an officer who is on leave pending retirement or termination of service.

### **Special leave**

26. (1) The Director-General may, in exceptional instances, grant unpaid personal leave for a period not exceeding ninety days to a member of the Directorate who, in the opinion of the Director-General, has proved that it is necessary for him to be absent from duty for reasons of urgent private affairs, and who has insufficient annual leave to cover the period of absence required.

(2) Leave granted under subregulation (1) circumstances does not count as a break in service, but does not count as service for computation of pension, nor does the period earn annual leave.

### **Failure to return from leave to be reported**

27. Any circumstance that prevents, or is likely to prevent a member of the Directorate from returning from leave or holiday on the due date, from destina-

tion either inside or outside Lesotho, shall be reported by the member concerned to the Director-General, immediately after he is aware of it, by the most expeditious means of communication available to him.

### **Sick leave certificate**

28. (1) A member who is absent on account of illness is to notify the Director-General on the first day of his absence, and if absence continues beyond a period of forty-eight hours a certificate from a state Medical Officer or a private practitioner is to be sent confirming unfitness for duty and indicating whenever possible the probable duration of the illness.

(2) Further certificates are to be sent at weekly intervals for the duration of the absence until a member is certified fit to return to duty by the doctor.

### **Refusal of treatment**

29. Where a Medical Officer employed by the State advises that a member of the Directorate is in need of in-patient treatment in a hospital, and the member refuses that treatment, the Director-General may, on the advice of the Medical Officer refuse to grant the member sick leave.

### **Medical Board**

30. (1) If the Director-General is of the opinion that a member of the Directorate is incapable of performing his duties by reason of infirmity of body or mind, he shall report the circumstances to the Minister responsible for health, who, if he considers that there is evidence to substantiate the opinion of the Director-General, shall appoint a Medical Board to enquire into the physical or mental condition of the officer.

(2) The findings of the Medical Board shall be reported to the Director-General.

(3) An officer may at any time be called upon to present himself before the Medical Board in order to determine whether he is physically and mentally capable of performing the duties of his office and in order that he may be afforded an opportunity to make representations to the Board in that behalf.



(4) An officer may be removed from office on medical grounds if an authority having power to remove the person from office resolved after considering the findings of the Medical Board.

### **PART III - REMUNERATION, BENEFITS AND DISCIPLINE**

#### **PART A - REMUNERATION**

##### **Salary entitlement and payment**

31. A member of the Directorate shall be entitled to a salary for services rendered as shall be determined by the Board which shall be set out in the establishment list in respect of the office and shall be paid in accordance with the finance regulations of the Directorate.

##### **Incremental credit**

32. (1) Incremental credit may be awarded on first appointment for a previous relevant experience up to the maximum of scale set out in the Directorate policy.

(2) An incremental credit of an officer following first appointment based on satisfactory performance shall be the anniversary of the first day of the month in which he commenced duty.

##### **Salary on Promotion**

33. (1) A member of the Directorate promoted to a vacant office shall receive a salary of the new office from the date on which the officer takes up duty in the office.

(2) If on promotion, the old salary of an officer is equal or above the minimum of his new salary scale, the officer shall enter that scale at the next point above the salary of his old scale.

##### **Salary during absence without permission**

(1) If a member of the Directorate absents himself from duty without permission, the principle of no work no pay shall apply without prejudice to any disciplinary action which may be undertaken under the disciplinary code.

(2) If a member of the Directorate is aggrieved by action under sub-section (1), he may institute an action in accordance with the grievance procedure set out in the grievance code.

### **Overtime**

35. An officer of the Directorate shall be entitled to overtime payment as shall be set out in the standing orders.

## **PART B - BENEFITS**

### **Provident fund membership and contributions**

36. (1) An employee of the Directorate shall be a member of the Provident Fund established under the Labour Code Order, 1992<sup>2</sup>.

(2) A member of the Fund, regardless of status, shall contribute a minimum of 5% of his gross monthly salary into the Fund.

(3) In respect of an employee appointed by the Board in terms of 3A of the Act, the employer shall contribute 13.5% of the employer's gross monthly salary into the Fund for a death, disability and ill health.

### **Death in-service benefit**

37. (1) After the death of a member of the Fund, the Directorate shall, as soon as practicable, pay or deliver to the Director-General, for distribution in accordance with the relevant law, all benefits accruing from the Fund, to the estate of the deceased employee in terms of section 78 of the Labour Code Order 1992.

(2) A member of the Directorate shall be paid two years' worth of gross salary in case of death while still on Directorate's engagement, while one year worth of gross salary shall be paid in favour of other Directorate of Prevention Corruption and Economic Offences employees.

### **Retirement age**

38. An employee except those appointed on a fixed term contract, shall retire at the age of sixty years.

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**Retirement benefit**

39. A lump sum of employer and employee contributions plus interest, shall as soon as practicable, be paid to the employee after the completion of a contractual term of service or on reaching a retirement age.

**Terminal benefit**

40. (1) If an employee is dismissed for proven misconduct, only the employee contributions plus compound interest shall be paid to the dismissed employee, as soon as practicable.

(2) In respect of an employee appointed on a fixed term contract, and where such a contract is lawfully terminated before its completion, a full employee's contribution of the employee plus compound interest, plus pro rata employer contribution with compound interest, shall as soon as practicable, be paid to the employee as set out in Schedule 2, Table 1.

(3) If a fixed term contract is terminated at the initiative of the employer, without the employee having been found guilty of misconduct, a full contribution of the employee plus employee's contribution plus compound interest shall be paid to the employee as soon as practicable.

(4) In respect of an employee other than an employee appointed on a fixed term contract, and where such employee terminates a contract of employment before reaching retirement age, contribution of an employee with compound interest and pro rata employer contributions with compound interest as set out in .....shall be paid as soon as practicable.

**Commuted pension**

41. (1) The Director-General, if in his opinion the circumstances of the application are deserving, and if the officer of the Directorate has stated in writing prior to the payment of the advance that he wishes to commute a specified portion of his pension, approve an advance payment against officer's commuted pension gratuity.

(2) The advance may only be granted within six months of an officer's known date of retirement and is limited to an amount not exceeding 75% of the anticipated gratuity or one year's salary whichever is less.

(3) The advance is subject to interest rate of 1% higher than the existing bank rate at the time of payment, and is subject also to the deduction of any moneys that are owed to the Directorate by the officer.

(4) The advance plus interest rate is to be deducted from the gratuity before payment or otherwise shall be recovered in such manner as may be competent in respect of that officer.

## PART C - DISCIPLINE

### **Disciplinary procedures**

42. Disciplinary procedures for a member of the Directorate differ according to the position they hold, as set out in this Part.

### **Disciplinary procedures for Deputy Director-General**

43. (1) Where a Deputy Director-General is to be charged with a breach of discipline, he shall be charged under Schedule 5 of the offences.

(2) Where a Deputy Director is charged with an offence against discipline, the procedure set out in these regulations shall apply.

(3) A hearing shall be conducted by the tribunal comprising of three officers that are nominated as follows -

- (a) an independent lawyer appointed by the Law Society of Lesotho;
- (b) an officer appointed by the Minister; and
- (c) an officer appointed by the Judicial Service Commission who shall be the Chairperson of the Tribunal.

(4) The procedure to be followed shall be determined by the Tribunal itself, but it shall be as much as possible similar to the procedure followed in the subordinate court.

(5) The Tribunal shall have power to subpoena or summon any person to give evidence or answer any question, as the case may be.

(6) A person who has been served with a subpoena or summon to appear before the Tribunal, shall have a duty to appear before the Tribunal for a hearing at the place, date and time specified in the subpoena or summon as the case may be.

(7) Failure to comply with sub-regulation (6) without reasonable cause, constitutes an offence, and a person who is a member of the Directorate commits an offence against discipline and he shall be punished under the penal regulation of these regulations, while any other person may be charged before the subordinate court for the contempt of court.

(8) The Deputy Director-General who is charged with an offence against discipline shall have the right to be legally represented by a legal practitioner or any member of the Directorate of his choice.

(9) Where a Deputy-Director is convicted of a disciplinary misconduct with which he is charged, the Tribunal shall make the following recommendations to the Director-General as a form of punishment -

- (a) reprimand; or
- (b) dismissal;
- (c) a fine not exceeding thirty days pay;
- (d) on receipt of the recommendations of the Board, the Director-General may only vary the punishment to a lesser punishment and shall inform the Deputy-Director concerned of his decision. In case of dismissal the endorsement of the Board shall be sought before such a recommendation could be affected and the Minister shall be informed; and
- (e) the appeal from the decision of the Tribunal shall lie to the Directorate of Dispute Prevention and Resolution within thirty days of the decision.

### **Disciplinary procedures for Directors**

44. (1) Where a person charged with a disciplinary misconduct is a Di-

rector the following procedures shall apply:

- (a) the hearing shall be conducted by the Board comprising of three, one of whom shall be a Board member, whilst the other persons shall be nominated by the Director-General with the approval of the Board; and
- (b) the Board itself shall appoint from its members a person to be the chairperson and it shall also determine its own procedure.

(2) The Board shall have the power to summon any Director to answer a charge or subpoena any person to appear before it to give evidence, and anyone who is a member of the Directorate who fails to comply with such summon or subpoena without or a reasonable cause shall be charged for disciplinary misconduct and punished under the penal sections of these regulations.

### **Legal representation**

45. Where an officer is charged with a disciplinary misconduct, the officer shall have a right to be represented by any member of the Directorate of his choice.

### **Punishments for Directors**

46. (1) Where an officer contemplated in this Part is convicted for a disciplinary misconduct with which he has been charged, the Board shall make the following recommendations to the Director-General as punishment -

- (a) reprimand;
- (b) severe reprimand;
- (c) fine not exceeding twenty-one days pay; or
- (d) dismissal.

(2) On receipt of the recommendation of the tribunal, the Director-General in consultation with the Board may accept, vary or reject the recommendation and shall inform the officer concerned of his decision. In case of

demotion and dismissal, endorsement of the Board shall be sought first.

### **Appeals by Directors**

47. An appeal against the decision of the Tribunal shall be presented to the Director-General within fourteen days. In the event of an appeal, the concerned officer shall continue to be a member of the Directorate until such time as the Director-General in consultation with the Board determine otherwise.

### **Disciplinary procedures for other officers of the Directorate**

48. (1) Where an officer is charged, the Director-General with the approval of the Board shall appoint a presiding officer from the Directorate to preside over the disciplinary proceedings.

(2) Appeal against the proceedings in subregulation (1) shall be presented to the Tribunal appointed by the Director-General in consultation with the Board within fourteen days.

(3) The Tribunal shall be composed of not more than three persons.

### **Punishment for other officers**

49. (1) Where an officer is convicted for a disciplinary misconduct with which he has been charged, the presiding officer shall make the following recommendations to the Director-General as punishment -

- (a) reprimand;
- (b) severe reprimand;
- (c) fine not exceeding twenty-one days pay; or
- (d) dismissal.

(2) On receipt of the recommendation of the presiding officer, the Director General may accept, vary or reject the recommendation and shall inform the officer concerned of his decision. In the case of a dismissal or demotion concerning the officer or above the recommendation shall be endorsed by the Board.

(3) The Director-General shall, within fourteen days after receiving the recommendation, if there is no appeal noted against the decision of the Board or the presiding officer, inform the concerned officer of his decision.

### **Appeals by other officers**

50. (1) An appeal against the decision of the presiding officer shall be presented before the Tribunal within fourteen days.

(2) The concerned officer shall continue to be a member of the Directorate until the Director-General in consultation with the Board determine otherwise.

### **Powers of Tribunal on appeal**

51. (1) The Tribunal shall have the following powers -

When the decision of the presiding officer has been appealed against -

- (a) confirm the conviction and punishment; or
- (b) make such findings or impose such punishment as in its opinion should have been made or imposed in line with these regulations; or
- (c) dismiss the appeal; or
- (d) allow the appeal in whole or in part; or
- (e) order that the trial should start afresh.

### **Prosecution of disciplinary cases**

52. (1) The Director-General with the approval of the Board shall appoint an officer of the Directorate to prosecute in a disciplinary proceeding within the Directorate:

(2) An officer appointed under regulation (1) shall also have the power to summon or subpoena any person whom he thinks has to answer or give



evidence before him; and

(3) An officer who fails to attend subject to sub-regulation (2) commits an offence against discipline and shall be punished under these regulations as set out in Schedule of offences in regulation (56).

### **Recovery of fines**

53. If a fine has been imposed on any officer of the Directorate who has been convicted for a disciplinary misconduct; such fine shall be recovered by stoppage from pay of the officer.

### **Procedure in Directorate proceedings**

54. The procedure followed in a Directorate disciplinary proceeding shall be as much as possible similar to those followed in a subordinate court.

### **Failure to honor summons**

55. A person who fails to appear before the Directorate disciplinary proceedings for the purpose of giving evidence after being subpoenaed to appear shall be charged with a contempt of court before a subordinate court.

### **Schedule of offences**

56. (1) An officer of the Directorate shall be deemed to have committed a breach of discipline if he has done or omitted to do any of the acts mentioned in the Directorate code of conduct and standing orders, or done or omitted to do any of the following acts -

- (a) striking or offering violence or using threatening or in-subordinate language or disrespectful by words acts or demeanor to his superior or any member of the Directorate in authority over him;
- (b) soliciting or accepting any bribes;
- (c) without the authority and permission of the Director-General, accepting directly or indirectly any gratuity, present or reward from any member of the public in

respect of anything done by him in the discharge of his duties;

- (d) disobeying any order lawfully given and conveyed to him;
- (e) being guilty of any neglect of duty;
- (f) neglecting to take proper and reasonable care of any property entrusted to him;
- (g) without reasonable cause failing to appear or appearing late for duty which is his duty to attend;
- (h) absenting himself without leave or valid excuse;
- (i) being asleep on duty, absenting himself from duty before being regularly relieved loitering or being guilty of any irregularity or misconduct when on duty or working;
- (j) making false statement on attestation;
- (k) making false statement or accusation or making any alteration or erasure in or omission from any official document with intent to deceive, or making any false entry in any official book, or diary or omitting to make any entry as to performance of any duty or matter which ought to be so entered, or refusing, or by culpable neglect omitting to make or send a report or return which is his duty to make or send;
- (l) making a false accusation against any member of the Directorate, knowing that such accusation is false;
- (m) making a false statement affecting the character of a member of the Directorate, knowing such statement to be false, or knowingly or willfully suppressing any facts material to a complaint against any member of the Directorate;

- 
- (n) appearing for duty dirty or untidy in his person, clothing or accouterments;
  - (o) using abusive language or insulting language to, or quarreling with any person, or wanting in civility to any other member of the public;
  - (p) being under the influence of mind-altering substances or rendering himself unfit for duty through a mind-altering substance;
  - (q) malingering, fingering or producing disease or infirmity or willfully maintaining or injuring himself or any other member of the Directorate, whether at the instance of such other member or person with the intent to render himself or such other member unfit for service;
  - (r) allowing to escape any detainee who is committed to his charge or whom his duty it is to keep on guard;
  - (s) offering or using unwarrantable personal violence or ill-using any person in his custody;
  - (t) conducting himself in an abusive, violent or tyrannical manner towards an inferior in rank;
  - (u) disclosing verbally or in writing any information which is his duty not to disclose;
  - (v) publishing or causing to be published in any newspaper, placard or other public print, any letter, order, statement or return, or other extract, paragraph or matter whatsoever which he or any other member of the Directorate may have received from the Government or from the Director-General or other superior or from any other quarter, without express authority to that effect, or creating the opportunity for such publication through his indiscretion or want of due care;
  - (v) discharging any firearm, making any signal or by other

means whatsoever intentionally occasioning a false alarm in action;

- (x) engaging without authority in any employment or undertaking other than his lawful duties;
- (y) being guilty of any conduct, disorder or neglect to the prejudice of good order and discipline;
- (z) exploiting his relationship with another officer or person to gain advantage of him sexually or confer undue favours on him, for sexual and other purposes;
- (aa) being engaged in sexual affairs in the offices of the Directorate or in any criminal sexual act or malpractice anywhere;
- (bb) engaging or encouraging practice of -
  - (i) habitual lateness to work and meetings;
  - (ii) irregular attendance to work;
  - (iii) using weather, poor transportation and domestic problems as reasons for lateness;
  - (iv) sleeping on the job during scheduled working hours;
  - (v) trading or selling or transacting private financial business on work premises without due authority;
  - (vi) engaging in long private conversation with colleagues and eating in office during official working hours; and
  - (vii) disregarding deadlines and target dates agreed upon with his immediate super-

visor, or using delay tactics red tape as an excuse for non-responsiveness.

## PART IV- MISCELLANEOUS

### **Delegation**

57. If any Act or regulation imposes a duty or confers power on a Director-General or an officer of the Directorate, he may delegate that power or that duty, as the case may be, to a specified officer, and anything done or omitted by such officer upon whom the power or duty has been delegated shall be deemed to have been done in line with the powers vested on the officer of the Directorate.

### **Duty**

58. A member of the Directorate, for the purpose of these regulations shall be considered to be always on duty.

### **Petitions**

59. Without prejudice to any other remedy that may be available to him, a member of the Directorate who is aggrieved by the application of any provision of these regulations that he claims to be adverse and unfair in relation to him is bound by that decision but may submit a petition to the Director- General.

### **Next of kin**

60. (1) An officer of the Directorate on first appointment shall notify the Director-General of the names and address of his next-of-kin, which shall be recorded on his personal file. Subsequent changes shall also be so notified.

(2) Where an officer of the Directorate is considered to be seriously ill the Medical Officer is to take steps to ensure that the next-of-kin and the Director General are informed.

(3) The death of the officer of the Directorate is to be notified without delay to the Director-General who shall ensure that a next-of-kin is informed.

**Motor mileage**

61. (1) Motor mileage allowance is as set out in Schedule 4 and is paid to an officer who has been authorised to use his motor vehicle for duty purposes, subject to sub-regulation (2).

(2) An officer of the Directorate who, before the commencement of these regulations, purchased a motor vehicle for duty purposes and drew motor mileage allowances under arrangement then in force, shall continue to do so for as long as he still uses that vehicle.

(3) For the purposes of this regulation, the Kerb weight of a vehicle is the weight of the unloaded vehicle in full operating condition including full fuel tank, coolant, oil and all other items of standard equipment, and where the Kerb weight is not specified or ascertainable in the handbook of the vehicle or in the printed specification of any particular model, it is to be obtained by the officer from the distributors or, if necessary, from the manufacturer.

(4) Officers use their vehicles for duty purposes at the discretion of the Director-General and only to the extent of the authority given by the Director-General.

(5) An officer of the Directorate who lives permanently in a house, which is located more than two and one half miles from his place of work, other than a Government house within the urban areas, may be authorised by the Director to be paid a mileage allowance at three quarters of the rates set forth in this regulation and the allowance shall be in respect of distances in excess of two and half miles for travel by motor vehicle, once to and once from, his place of work each day, by the most direct route.

(6) It is the duty of the Director-General to satisfy himself that the distance between the house of the officer and his place of work is stated correctly on the payment voucher and all such payments shall be subject to the production of an honor certificate as set out in Schedule 4.

**Commuted motor mileage allowance**

62. (1) Commuted motor mileage allowance at the fixed month rate may be authorised by the Director-General for an officer of the Directorate whose duty necessitates a frequent short journey in town or other defined urban area.

(2) The allowance is not admissible if the officer is absent for any reason from the duty for which the allowance was granted for a period of fifteen days in any one month.

(3) A commuted motor mileage allowance is granted in respect of a post and not to individual and is to be relieved annually.

(4) An officer of the Directorate who has been authorised to use his motor vehicle for a duty purpose shall maintain a record of all duty journeys in the standard form of log book obtainable from the Director of Administration, and Finance, and the original and the duplicate tear-out pages are to be attached to each claim for motor mileage allowance and a third copy of the form remains in the book.

(5) An officer is to produce his log book to his director or any officer duly charged with the responsibility in that behalf, or the head of the department responsible for finance or to any of his officers, or to the Director-General or to any of his officer whenever required to do so.

(6) Logbooks need to be maintained to support claims for commuted motor mileage allowance.

(7) Claims for commuted motor mileage allowance are to be accompanied by certificate from the officer to the effect that he has used his motor vehicle regularly on Government duty and that the number of days during which he was prevented from carrying out the duties for which the allowance has been sanctioned did not exceed fifteen days.

### **Purchase of motor vehicles**

63. (1) An officer of the Directorate on a fixed term contract may purchase a vehicle for use on Directorate duties under the arrangements and condition prescribed by the Director-General in consultation with the Board.

(2) The arrangement does not apply to the purchase of a used vehicle except with a special written authority of the Board in accordance with the recommendation by the Director-General.

(3) The amount to which an arrangement under this Part refers, is limited to the cost of a vehicle, size and type agreed upon by the Director-Gen-

eral and the officer concerned.

(4) The Director-General may specify under what legal principle an arrangement is to be made for the purchase of a vehicles and may provide for the recovery of the money by means of periodic or other deductions from money due to that officer by the State.

### **Liability**

64. An arrangement under this Part shall prescribe the extent of liability of the state on the one hand and the officer on the other hand, in respect of loss of or damage to a vehicle purchased under arrangement when used on duty in state service, and shall prescribe the extent to which the officer or State is to ensure that the vehicle in respect of the interest of the State.

### **Recovery of moneys**

65. (1) If an officer leaves the Directorate and any moneys then become or are due and payable by him to the State under an arrangement made under this part, those moneys may be recovered from any moneys due by the State to him, or otherwise be recovered by any means that are competent in relation to that officer.

(2) Nothing in this Part affect any arrangement for the acquisition of a vehicle that was in force immediately before this part came into operation, and such an arrangement continues to be regulated under the provisions of general Orders until such time as all obligations under that arrangement have been discharged.

### **Declaration of assets**

66. (1) A member of the Directorate or any person shall, from time to time, as may be determined by the Director-General, be required to make a full declaration of all assets belonging to him and the declaration shall always be expected to remain commensurate to his overall earning and interests.

(2) A declaration referred to in subregulation (1) shall be made in accordance with Form A as set out in Schedule 5.

(3) In the discharge of his functions under this section, the Direc-



tor-General may require any person under investigation to make a full declaration of all assets belonging to him, and the declaration shall be in accordance with Form B as set out in Schedule 6.

(4) The purpose of these regulations and declarations shall be made on -

- (a) transfer from one place to another;
- (b) promotion or after an acting appointment exceeding six months;
- (c) retirement or termination of service; and
- (d) appointment to a new position or relinquishing of such a position.

(5) Pursuant to section 16 of the Prevention of Corruption and Economic Offences (Amendment) Act, 2006 -

- (a) a senior public officer from the position of a Director, a head of department who reports to the Chief Accounting Officer, a head of a parastatal and any position equivalent to the above position shall, annually, before 31st of March or from time to time as may be requested to do so by the Director-General, make a declaration and the closing date for submission shall be 30th June;
- (b) a public officer below the position of a Director shall file a declaration after every two years on or before the 31st of March or from time to time as may be requested to do so by the Director-General and the closing date for submission shall be 30th June;
- (c) where a person referred to in subsection 5(a) above fails to make a full declaration, and after an inquiry, it is established that the person is the owner of an undisclosed asset, the asset shall be forfeited and disposed of as the Director-General may direct;

- (d) a person who fails to make a declaration within the specified time shall be reminded through a public media platform or an outlet to make such a declaration within fourteen days of such a reminder; and
- (e) a person who fails to make a declaration as required or makes a declaration that is false commits an offence and is liable on conviction to a fine not exceeding Twenty Thousand Maloti or imprisonment for a period not exceeding five years or both.

### **Establishment of a central registry for integrity and declared assets**

67. (1) The Director-General shall designate an officer holding a position not below that of a Chief to be a custodian of records of declared assets, special gifts and offers to public officers, departments and ministries.

(2) The officers shall take a special oath before assuming duties in this office by completing a form, which shall be in accordance with Form C as set out in Schedule 7.

(3) Information contained in the Central Registry shall only be released with the written authority of the Director-General.

### **Life Style Audits and integrity tests**

68. The Director-General shall for the promotion of integrity and transparency conduct life style audits and integrity tests on any person, ministry, department, association, institution and an employee of any public body as defined in the Prevention of Corruption and Economic Offences Act, 1999.

### **Summons and subpoenas**

69. (1) In accordance with section 36 of the Act, the Director-General may issue summons, and such summons shall be in accordance with Form D as set out in schedule 7;

(2) For the purpose of disciplinary proceedings, a summon or subpoena shall be in accordance with Form E and F respectively as set out in Schedule 7.

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## **Self-defense**

70. A member of the Directorate may carry a light arm for self-defense in execution of his duties.

## **Special funds of the Directorate**

71. (1) All fines imposed in disciplinary proceedings, or part of the proceeds of sale of seized property in terms of section 30A (4) of the Act as amended, donations and disposed property shall be placed to the credit of an account to be known as Directorate's Special Fund, of the Directorate.

(2) No payments shall be made from the Fund except with the authority of the Director-General.

## **Disbursements**

72. (1) The Director-General may authorise payment from the Fund for any of the following purposes:

- (a) assistance to a spouse or family of a deceased Directorate officer, or to any such officer discharged from the Directorate as medically unfit for service;
- (b) payment to a Directorate officer as a reward for a meritorious act or service in the execution of duty, if such payments is not made from the revenue of Lesotho;
- (c) the procuring of any comfort, welfare or convenience and advantage to a member of the Directorate which is not chargeable on the general revenue or fully covered from such fund;
- (d) the granting of a loan in special circumstances to a Directorate member payable by an instalment from his pay;
- (e) the providing of prizes for competition limited to a member of the Directorate and or a member of the public for the prevention of corruption and economic offences or

other related matters; and

- (f) financing of a special operation undertaken by the Directorate which could be chargeable on the general revenue because of their nature.

(2) The Director-General shall cause to be kept proper accounts and proper records of the transactions and affairs of the Fund and shall do all things necessary to ensure that all payments out of the fund are correctly made, properly authorised and that adequate control is maintained over the use of this Fund.

### **Audit**

73. (1) The Auditor-General shall inspect and audit all accounts and records of the Directorate and shall draw to the attention of the Minister any irregularity disclosed by the inspection and audit that is, in his opinion as the Auditor-General is of sufficient importance.

(2) The Auditor General shall, at least once in each year, report to the Minister the result of the inspection and audit carried out under Sub-regulation (1).

(3) At the request of the Director-General, certain records may only be exclusively open to the Auditor General, himself or senior officials especially authorised by the Auditor General for that purpose and the Auditor General shall be specifically mindful of the sensitiveness of the information contained in such records.

### **Repeal**

74. Prevention of Corruption and Economic Offences Regulations, 2016 are repealed.

**DATED:**

**LEKHETHO RAKUOANE  
MINISTER OF LAW AND JUSTICE**

**NOTE**

1. Act No. 5 of 1999 as amended by Act No. 8 of 2006
2. Labour Code Order No. 24 of 1992
3. Legal Notice No. 8 of 2016

**SCHEDULE 1**

**DECLARATION BY THE DIRECTOR-GENERAL AND  
DEPUTY DIRECTOR-GENERAL** r 5

“I .....do solemnly and sincerely declare that I will, in the office to which I have been appointed and in any other office that may be assigned to me hereafter, without favour or affection malice or ill – will of any kind, perform the duties and exercise the powers entrusted on me with due regard to the constitution of Lesotho. I will not directly or indirectly reveal, or use for private purposes, any information coming to my knowledge or acquired by me or the nature on the contents of any document communicated to me, either in the course of my duties or in the capacity as an officer, otherwise than in the proper discharge of my duties as authorized by law or competent authority for the purpose of preventing corruption.”

**Signature of the declarant .....**

**Declared before me at .....This .....day of .....20.....**

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**COMMISSIONER OF OATHS**

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**SCHEDULE 2****CONTRIBUTIONS**

r 36

**Table 1**

35% employer contribution	1 year service
45% employer contribution	2 years service
60% employer contribution	3 years service
85% employer contribution	4 years service
100% employer contribution	5 years service

**Table 2**

30% employer contribution	1 year service
35% employer contribution	2 years service
40% employer contribution	3 years service
45% employer contribution	4 years service
50% employer contribution	5 years service
60% employer contribution	6 years service
70% employer contribution	7 years service
80% employer contribution	8 years service
90% employer contribution	9 years service
100% employer contribution	10 years service

**SCHEDULE 3****LEAVE DAYS**

r 16

- (a) Director-General -30 days
- (b) Deputy-Director-general - 30 days
- (c) Director - 28 days
- (d) Chief –Officer - 26 days
- (e) Principal Officer -26 days
- (f) Support Staff
  - Grade G – 24 days
  - Grade C- F – 21 days



**SCHEDULE 4**

**MOTOR MILEAGE**

r 61

Motor vehicle or Kerb Weight	Rate per mile
1901 lbs and above	
1401 lbs to 1900 lbs	
1001 lbs to 1400 lbs	
Below 1001 lbs	
Motor Cycles, Mopeds and Scooters	

**CERTIFICATION** (r 61 )

“I certify that during the period covered by this claim I lived in a house situated at .....which is ..... Miles from my place of work by the most direct route. I further certify that I have used my own motor car/motor cycle for the purpose of house to office traveling for .....days during the month of .....date.....

Signed.....

Approved.....

**Controlling Officer**

**SCHEDULE 5****Form A**

**DECLARATION OF INTERESTS, ASSETS AND LIABILITIES  
BY PUBLIC OFFICIALS - SECTION 30A  
OF PREVENTION OF CORRUPTION AND ECONOMIC OFFENCES  
ACT 1999 AS AMENDED**

**Explanatory Notes**

- 1. Before filling in this Form read these notes carefully.**
2. The declaration should indicate your assets and those owned jointly with your spouse and also assets owned by your children below eighteen years of age who are not married. The list of assets should include both assets for private and commercial purposes as follows -
  - (a) cash and deposits in a bank or other financial Institution for declarants only;
  - (b) treasury Bills and other similar investments in securities of fixed value issued or guaranteed by the Government or agencies of the Government or any private institution;
  - (c) interest of money deposited in a bank, building society or financial institution;
  - (d) dividend or other profit from stocks or shares held by a public official in any company or other body corporate;
  - (e) interests in business that do not contract with Government and do not own or control publicly trade securities, other than incidentally and whose stocks and shares are not traded publicly;
  - (f) farms for private or commercial use; and
  - (g) real Estate such as buildings and other premises.

3. Please attach the certified copy of passport page bearing declarant's full particulars.
4. This form must be filled every time a public official gets promoted, demoted, retires/retired, or transferred from one place to another with different responsibility.
5. Failure to submit the declaration within the specified period constitutes the breach of law in terms of the Act amended. It is a criminal offence for a person to submit a false declaration or information regarding his assets.

### **Declaration Status -**

Annual	Biennial	New/acting appointment
Retirement	Transfer	Promotion

I (MR), (MRS), (MS) .....

Date of Birth..... Place of Birth .....

Marital Status	Married	Widowed	Divorced	Single
	Separated			

Employment Number .....

Address	.....	Tel. No. ....
	.....	Cell No. ....
	.....	

Email address .....

Having been employed/elected/appointed, make an oath and declare that I am married in/out of community of property to ....., and I am deployed in the Ministry/Office of.....

District ..... holding position of .....  
Grade ....., on this..... day of ..... 20 ....., do  
hereby solemnly and sincerely declare that I own the following assets and lia-  
bilities;

Annual Salary M .....



Type and Number	Estimated Value	How Acquired	Location (District, village)	Use Private/ Business	Livestock Earmarks Brand/ Tattooing/Microchip
4.	Farms, Livestock and Identity				
5.	Immovable Property				
Location (District, village) and Plot Number		How Acquired Date of Purchase or Built	If Purchased, Original Cost	(Estimates) Current Valuation	

**6. Business Interest**

Name, Registration number and place of Business (District, village)	Type of Business	Net worth of Business (A-L)	Number of Shares	Value amount last Dividends
---	------------------	-----------------------------	------------------	-----------------------------

**7. Indebtedness/ Liabilities (Loans and Accounts payable)exceeding M 50,000.00**

Creditor (Name and address, telephone, email address)	Type of Liability	Total Amount Outstanding	Repayment Period	Date Incurred
---	-------------------	--------------------------	------------------	---------------

**8. Investments and Insurances**

Type, Insurance Broker, Policy number	When started	Monthly installment	Maturity date	Maturity value
---------------------------------------	--------------	---------------------	---------------	----------------

**10. Household Items worth M20,000.00 and above**

Description of items	How, where and when acquired	If bought, cost at purchase	Place where kept (District, village)
<b>11. Assets previously owned but disposed of and indebtedness settled between previous declaration and now</b>			
Give brief details of assets i.e Physical location and registration in case of vehicles and liabilities	State how and when it was disposed of and settled in case of liabilities	If sold, indicate amount realized	



Are there any other disclosures that you believe are materials and should be made known to the relevant authorities:

**YES** or **NO** (delete whichever does not apply)  
If YES, please give details below:

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

**NB. Any additional material information may be supplied on extra sheets.**

This declaration is made and subscribed before me:

(Name) .....

By the said (declarant) .....

Who is known to me personally, or who has been introduced to me by

.....

.....

The latter being known to me personally, this ..... day of .....

..... 20

Signature ..... Date stamp

Position .....

Mailing Address .....

.....

.....

Physical Address .....

.....

This declaration must be done before a Commissioner of Oaths or a Notary Public.

This Declaration must be handed over to the head of Human Resources Office at the Department/Ministry for the purpose of forwarding to the Director-General -DCEO.

The Declaration shall be sealed to be opened only by the Directorate Authorities.

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**Form B****DECLARATION BY PRIVATE PERSON FOR THE PURPOSE OF  
INVESTIGATION IN TERMS OF SECTION 31 (3)  
OF PREVENTION OF CORRUPTION AND ECONOMIC OFFENCES  
ACT 1999 AS AMENDED****Explanatory Notes**

1. Before filling in this Form read these notes carefully.
2. The declaration should indicate your assets and those owned jointly with your spouse and also assets owned by your children below eighteen years old who are not married. The list of assets should include both assets for private use and for commercial purposes as follows -
  - (a) cash and deposits in a bank or other financial institution;
  - (b) treasury bills and other similar investments in securities of fixed value issued or guaranteed by the Government or agencies of the Government or any private institution;
  - (c) interest of money deposited in a bank, building society or financial institution;
  - (d) dividend or other profit from stocks or shares held by the declarant in any company or other body corporate;
  - (e) interests in business that do not contract with the Government and do not own or control publicly trade securities, other than incidentally and whose stocks and shares are not traded publicly;
  - (f) farms for private use or for commercial operation; and
  - (g) real estate such as buildings and other premises.
3. Failure to submit the declaration within the specified period constitutes breach of Law in terms of the Act as amended. It is a

criminal offence for a person to submit a false declaration or information regarding his assets.

I.....holder of Passport N0/ID N0.....  
.....

Address:.....  
.....  
.....Tel. No.....Cell No.....

... make an oath and declare that I am married/unmarried in community of property/not in community/divorced/ separated, and I am employed/self-employed(mention type of engagement you are doing for living) .....  
..... since.....day of .....,20....., do hereby solemnly and sincerely declare that as of this day I own the following assets and liabilities.

1.       **Financial information (on the date of filling this form)**

- (a)       Cash: .....
- (b)       Money in the Bank or other financial institutions:

2.       **Bank Accounts:**

ITEM	NAME OF THE BANK	TYPE OF ACCOUNT	ACCOUNT NUMBER	YEAR ACCOUNT OPENED	CURRENT BALANCE	SOURCE OF FUNDS
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						

3. Motor Vehicles/other movable property

ITEM	REGISTRATION NO., TYPE AND MAKE, CHASIS AND ENGINE	MODEL	YEAR OF ACQUISITION	COST	USE: PRIVATE/ BUSINESS
------	--	-------	------------------------	------	------------------------------

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.
- 15.
- 16.
- 17.
- 18.
- 19.
- 20.

4. Farms, Livestock and identity marks

ITEM	TYPE AND HOW MANY.	ESTIMATED VALUE	HOW ACQUIRED	LOCATION	USE PRIVATE/ BUSINESS	LIVESTOCK EARMARKS/ BRAND/ TATTOOING/ MICROCHIP
------	-----------------------------	--------------------	-----------------	----------	-----------------------------	---

1.
2.
3.
4.
5.
6.
7.
8.
9.
10.
11.
12.
13.
14.
15.
16.

17.  
18.  
19.

4.      **Immovable Property**

<b>ITEM</b>	<b>LOCATION AND PLOT NUMBER</b>	<b>HOW ACQUIRED, DATE OF PURCHASE OR BUILT</b>	<b>IF PURCHASED, ORIGINAL COST</b>	<b>(ESTIMATES) CURRENT VALUATION</b>
-------------	-------------------------------------	--	--	--

1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				

- 16.
- 17.
- 18.
- 19.
- 20.

5. Business Interests:

ITEM	NAME OF BUSINESS	TYPE OF BUSINESS	NET WORTH OF BUSINESS (Assets minus liabilities)	NUMBER OF SHARES	VALUE/ AMOUNT OF DIVIDENDS
------	------------------	------------------	--	------------------	----------------------------

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.



- 13.
- 14.
- 15.
- 16.
- 17.
- 18.
- 19.

7. Liabilities/debts (Loans and Accounts payable)

ITEM	NAME OF CREDITOR	PURPOSE/ REASONS FOR THE LOAN	TOTAL AMOUNT OUT-STANDING	REPAYMENT PERIOD	DATE INCURRED
------	------------------	----------------------------------	---------------------------------	---------------------	------------------

- |     |  |  |  |  |  |
|-----|--|--|--|--|--|
| 1.  |  |  |  |  |  |
| 2.  |  |  |  |  |  |
| 3.  |  |  |  |  |  |
| 4.  |  |  |  |  |  |
| 5.  |  |  |  |  |  |
| 6.  |  |  |  |  |  |
| 7.  |  |  |  |  |  |
| 8.  |  |  |  |  |  |
| 9.  |  |  |  |  |  |
| 10. |  |  |  |  |  |
| 11. |  |  |  |  |  |

- 12.
- 13.
- 14.
- 15.
- 16.
- 17.
- 18.

**Are there any other disclosures that you believe are material and should be made known to the relevant authorities:**

**YES or NO** (delete whichever does not apply)

If yes, please give details below:

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

Any other property/assets/shares/liabilities acquired/incurred/ and disposed off/settled between the period of previous declaration and now:

.....  
.....  
.....  
.....  
.....

If there are any assets, investments, loans/credits to your favour please indicate below:

.....  
.....  
.....  
.....

This declaration is made and subscribed before me:

(Name):.....

by the said (declarant):.....

who is known to me personally, or who has been .....

identified to me by .....

the latter being known to me personally, this.....

day of .....

Signature: .....

Position: .....

Address: .....

.....  
.....  
.....

To:

**This Declaration must be made before a Commissioner for Oaths or a Notary Public.**

**The declaration should be handed over to the office of the Director-General – DCEO personally by the declarant or his/her agent.**

**The declaration must /may be sealed.**

**Form C**  
**LIFESTYLE DECLARATION FORM**

**r67(2)**

**DECLARATION IN TERMS OF REGULATION 77 (4) OF THE DIRECTORATE ON CORRUPTION AND ECONOMIC OFFENCES REGULATIONS 2021.**

I, the undersigned, do hereby solemnly and sincerely declare that, I shall observe the principles of transparency and avoid conflict of interest in discharge of my duties and make the following declaration.

**PERSONAL PARTICULARS**

Name and Surname:.....  
Date and place of Birth:.....  
Nationality:.....Identity No.(passport/ID).....  
Residential address:.....  
Postal address:.....  
Email:.....  
Telephone numbers:.....  
Hobbies:.....  
Criminal Record:.....  
Insolvency records:.....

**PROFESSIONAL LICENCES**

Medical	Dental	Insurance
Stockbrokers	Real estate	Lawyers
Chartered accountants	Gun permits	

Driver’s Lincense

**EMPLOYMENT HISTORY**

Current employment.....  
Past employment.....  
Address:.....  
Contact numbers:.....

**PROBATE AND DEATH RECORDS**

Inheritances:.....  
Wills:.....  
Administrators:.....  
Guardians:.....  
Leads to beneficiaries:.....

**BUSINESS RELATIONSHIPS** (provide particulars please).

Business interests:.....  
Co-members:.....  
Partners:.....  
Fellow shareholding:.....  
Joint ventures:.....  
Lawyers:.....  
Accountants:.....  
Auditors:.....  
Bankers:.....  
Insurances:.....  
Stockbrokers:.....

**FINANCIAL INFORMATION**

BANK	BANK ACCOUNT	DATE OF ACQUISITION
------	--------------	---------------------

Liabilities:.....		
.....		
.....		
.....		
.....		
Income:.....		
.....		

.....  
.....  
.....  
Expenses:.....  
.....  
.....  
.....  
.....

BUSINESS INTERESTS

Type of Business	Year of commencement or acquisition	Cost if any
------------------	-------------------------------------	-------------

SHARES

Name of company	Number of Shares	Dividends Received
-----------------	------------------	--------------------

ASSETS  
MOVABLE PROPERTY

Vehicles	Registration	Source	Cost
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IMMOVABLE PROPERTY

Land/House	Plot No.	Lease No. And Location	Source	Cost
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NAME DECLARANT:.....  
SIGN:.....  
DATE:.....

**SCHEDULE 6****r11****DECLARATION OF OFFICE AND SECRECY**

I.....do solemnly and sincerely declare that I will, in the office to which I have been appointed and in any other office that may be assigned to me hereafter, faithfully and truly perform the duties and exercise the powers of each such office so far as lies within my power, and that I will not directly or indirectly reveal, or use for private purposes, any information coming to my knowledge or acquired by me or the nature or the contents of any document communicated to me, either in the course of my duties or in my capacity as an officer, otherwise than in the proper discharge of my duties as authorized by law or competent authority.

(Signature) ..... Declared  
before me at ..... this ..... day of .....  
..... 20.....

**Witness.....Head of department.....**

**SCHEDULE 7**

**D**

r 69 (1)

**SUMMONS IN INQUIRIES BY THE DIRECTOR-GENERAL**

**Mr/Mrs/Miss/Ms.....**

In terms of section 36 of the Act as amended you are requested to appear personally before the Director-General of the Directorate on Corruption and Economic Offences. On the.....day of .....20... at .....

You are expected to bring the following with you:

.....  
.....  
.....  
.....

The purpose of the inquiry: .....  
.....  
.....  
.....  
.....  
.....  
.....

**Signed:** \_\_\_\_\_  
**DEPUTY DIRECTOR-GENERAL ADMINISTRATION/DIRECTOR ADMINISTRATION AND FINANCE**



E

r 69 (2)

**SUMMONS IN DIRECTORATE DISCIPLINARY PROCEEDINGS**

To .....  
 .....as a member of the Directorate holding the position of ...  
 .....  
 .....

By notice of this summon, you are directed to appear personally before the Directorate disciplinary body on ..... day of ..... 20... at ..... clock to answer the disciplinary charge of .....  
 ..... In that on or about the .....day of .....  
 ... 20... and at ..... in the district of ..... you ...  
 .....

You are accordingly advised to bring with you all evidence you may intend to use in defence. You are also free to bring with you any legal representative for your defence.

**Signed:** \_\_\_\_\_

**DEPUTY DIRECTOR-GENERAL ADMINISTRATION/  
 DIRECTOR ADMINISTRATION AND FINANCE**

**SUBPOENA**

**To attend and give evidence in the Directorate disciplinary proceedings**

TO     1.        .....

         2.,.       .....

         3.        .....

         4.        .....

         5.        .....

You are requested to appear before Directorate Disciplinary Team to testify and show all things which you or any of you know concerning the disciplinary charges to be preferred against .....  
..... who is/are charged with the breach of discipline in terms of the Prevention and Economic Offences Regulations 2018.

Issued at ..... on .....day of .....20.....

**Signed:** \_\_\_\_\_  
**DEPUTY DIRECTOR-GENERAL ADMINISTRATION/**  
**DIRECTOR ADMINISTRATION AND FINANCE**



