

LEGAL NOTICE No. 216

REPUBLIC OF TRINIDAD AND TOBAGO

THE INTEGRITY IN PUBLIC LIFE ACT, 2000

REGULATIONS

MADE BY THE INTEGRITY COMMISSION UNDER SECTION 41(1)(d) OF THE
INTEGRITY IN PUBLIC LIFE ACT

THE INTEGRITY IN PUBLIC LIFE (PRESCRIBED FORMS)
REGULATIONS, 2003

1. These Regulations may be cited as the Integrity in Public Life Citation
(Prescribed Forms) Regulations, 2003.

2. In these Regulations, “the Act” means the Integrity in Public Life Interpretation
Act, 2000. Act No. 83
of 2000

3. The forms required to be prescribed under the sections set out in Prescribed
Column 1 of the following Table are indicated in Column 2 of the said Forms
Table and set out in the Schedule:

COLUMN 1	COLUMN 2
<i>Section</i>	<i>Form</i>
11(1)	A, B
13(3)	C
20(4)	D, E

SCHEDULE

**CONFIDENTIAL
FORM A**



(Regulation 3)

REPUBLIC OF TRINIDAD AND TOBAGO

INTEGRITY COMMISSION

The Integrity in Public Life Act, 2000

**DECLARATION OF INCOME, ASSETS AND LIABILITIES
FOR THE YEAR ENDED 31ST DECEMBER, 20**

(Pursuant to section 11 of the Integrity in Public Life Act, 2000)

(Please read the instructions before completing this form)

**(If there is insufficient space for the items falling under any PART,
additional information may be supplied on separate sheets.)**

**PART I
IDENTIFICATION SECTION**

NAME OF DECLARANT (SURNAME, OTHER NAMES)		PUBLIC OFFICE HELD	
HOME ADDRESS OF DECLARANT		OFFICE ADDRESS OF DECLARANT	
Date of Birth:	YY	MM	DD
	Telephone (Home):	Telephone (Office):	
NIS Number:	Fax:	Fax:	
	e-mail:	e-mail:	
NAME OF DECLARANT'S SPOUSE (SURNAME, OTHER NAMES)		HOME ADDRESS OF DECLARANT'S SPOUSE	
NAMES OF DECLARANT'S DEPENDENT CHILDREN (SURNAME, OTHER NAMES)		OFFICE ADDRESS OF DECLARANT'S SPOUSE (if applicable)	
(1)	.....	NOTE: Under section 2 of the Integrity in Public Life Act, 2000—	
(2)	.....	(a) "spouse" means a person to whom the declarant is married or living with in a conjugal relationship outside of marriage, but does not include a person with whom the person in public life has made a separation agreement, or if their support obligations and family property have been dealt with by a court order; and	
(3)	.....	(b) "dependent child" means the child of the declarant, including a child of the family, step-child or adopted child, whether of full age or not, who is unmarried and being maintained by such person.	
(4)	.....	
(5)	.....	
(6)	.....	
(7)	.....	

DECLARANT'S STATEMENT OF ANY GIFT, FEE, OR PERSONAL BENEFIT

[PURSUANT TO SECTION 27(3) OF THE ACT]

Complete this statement if you have received a gift, fee or personal benefit as an incident of the protocol or social obligations that normally accompany the responsibilities of your office, where the value of the gift, fee or benefit exceeds \$2,000.00 or where the total value of the gifts, fees or benefits received directly or indirectly from one source, in any twelve-month period, exceeds \$2,000.00. List all gifts, fees or benefits where the total value of the gifts, fees or benefits received directly or indirectly from one source, in any twelve-month period exceeds \$2,000.00.

Date of Receipt	Name and Address of Donor	Description of Gift, Fee or Benefit	Value \$

Describe the circumstances under which each gift, fee or benefit listed above was given or accepted.

.....

**PART V
DECLARATION**

I declare that I have given a full return of the particulars, as are known to me, of the income from every source whatsoever, and of the assets and liabilities, of my spouse, my dependent children and myself, required to be filed in accordance with the provisions of the Integrity in Public Life Act, 2000, in respect of the year ended 31st December, 20.....

Dated this day of, 20

.....
Signature of Declarant

INSTRUCTIONS

1. PERSONS REQUIRED TO FILE

All persons in public life are required to file declarations of their income, assets and liabilities with the Commission. The Schedule to the Integrity in Public Life Act, 2000 (hereinafter referred to as "the Act"), lists the persons in public life as follows:

- (1) Members of the House of Representatives.
- (2) Ministers of Government.
- (3) Parliamentary Secretaries.
- (4) Members of Tobago House of Assembly.
- (5) Members of Municipalities.
- (6) Members of Local Government Authorities.
- (7) Senators.
- (8) Judges and Magistrates appointed by the Judicial and Legal Service Commission.
- (9) Members of the Boards of all Statutory Bodies and State Enterprises including those Bodies in which the State has a controlling interest.
- (10) Permanent Secretaries and Chief Technical Officers.

2. DISCLOSURE REQUIREMENTS

Section 12(1)–(5) of the Act specifies the information which should be disclosed in the declaration. The provisions of this section are reproduced below.

12. (1) A declaration required under this Act, shall include such particulars as are known to the declarant, of the income, assets and liabilities of himself, his spouse and his dependent children.

(2) Notwithstanding subsection (1), where—

- (a) the declarant's spouse was not ordinarily living with the declarant for a continuous period of six months during the period in relation to which the declaration was made; or
- (b) a dependent child was not ordinarily living with the declarant at any time during the period in relation to which the declaration was made,

the particulars required to be furnished by subsection (1) shall be limited to assets held by the spouse or child in trust for, or as agent of the declarant, except that nothing in this section shall be construed as precluding the Commission from requiring from a declarant, any additional particulars.

(3) Where a person in public life holds money or other property in trust for another person, he shall so state in his declaration but shall not be required to disclose the terms of the trust.

(4) For the purposes of a declaration under this Act, the income, assets and liabilities of a person in public life include the income, assets and liabilities acquired, held or incurred by any other person as his agent or on his behalf.

(5) Where, in a declaration filed with the Commission, a person in public life discloses an income which is insufficient to support the accretion in value of the net assets disclosed so as to raise the inference that there must have been other income to account for the extent of the acquisition of such assets, the person in public life will be deemed to have been in possession of such income which has not been disclosed and the onus shall be on him to establish the source of that further income.

3. DEADLINES FOR FILING

Section 11(1) and (2) of the Act specifies the deadlines for the filing of the declarations.

Within three (3) months of becoming a person in public life, a person shall complete and file with the Commission, in the prescribed form, a declaration of his income, assets and liabilities in respect of the previous year.

Thereafter, on 31st May in each succeeding year that he is a person in public life, he shall file further declarations of his income, assets and liabilities.

The time for furnishing of a declaration may be extended by the Commission, in any particular case, for good cause, for a period not exceeding six (6) months.

4. REQUEST FOR FURTHER PARTICULARS

Under section 13 of the Act, the Commission may request from a declarant, any information or explanation relevant to a declaration made by him and which would assist in its examination.

The Commission may require that—

- (a) a declarant furnish such particulars relating to his financial affairs as may be considered necessary;
- (b) a declarant or his duly appointed agent attend at the offices of the Commission in order to verify his declaration;
- (c) a declaration be certified by a chartered or certified accountant.

5. DEADLINE FOR FURNISHING OF FURTHER PARTICULARS

The Integrity Commission requires that information requested, pursuant to section 13, shall be furnished or produced within fourteen days of receipt of the Commission's request.

6. OFFENCES RELATING TO DECLARATIONS *(Specified under section 21 of the Act)*

21. (1) A person in public life who—

- (a) fails, without reasonable cause, to furnish to the Commission a declaration, or further particulars which he is required to furnish in accordance with the provisions of the Act;
- (b) knowingly makes a declaration that is false;
- (c) fails, without reasonable cause to give such information or explanation as the Commission or a tribunal may require;
- (d) fails, without reasonable cause to attend an enquiry being conducted by a tribunal appointed under section 15 or knowingly gives false information in such enquiry,

is guilty of an offence, and liable on summary conviction to a fine of two hundred and fifty thousand dollars and to imprisonment for a term of ten years.

(2) Where, a person in public life is deemed to have been in possession of undisclosed income or assets and fails to account for such further income or assets, or where upon an enquiry, it is determined that such other income or assets have existed and the person in public life deliberately omitted to disclose such information in the declaration filed with the Commission, he shall be liable on summary conviction to a fine of two hundred and fifty thousand dollars and imprisonment for a term of ten years, and where the offence involves the deliberate non-disclosure of property the Court may, in addition—

(a) where the property involved is situated in Trinidad and Tobago, declare that it be forfeited to the State;

(b) where the property involved is situated outside of Trinidad and Tobago, order that an amount equivalent to the value of the property (the value to be assessed as directed by the Court), be paid by the person in public life to the State.

(3) Property acquired from a person referred to in subsection (1) by a *bona fide* purchaser for value without notice of any offence of that person as provided for in this section is not liable to forfeiture, but an amount equivalent to the value of the property or the price paid by the purchaser, whichever is greater, shall be paid by the person in public life to the State.

(4) Payment of all sums due to the State pursuant to paragraph (b) of subsection (1) or to subsection (2) may be enforced in like manner as a debt due to the State and any proceedings thereon on behalf of the State may be taken summarily.

**CONFIDENTIAL
FORM B**

(Regulation 3)



REPUBLIC OF TRINIDAD AND TOBAGO

INTEGRITY COMMISSION

**STATEMENT OF REGISTRABLE INTERESTS
FOR THE YEAR ENDED 31ST DECEMBER, 20**
(Pursuant to section 14 of the Integrity in Public Life Act, 2000)

Complete this form and file it together with the Declaration of Income, Assets and Liabilities which you are required to file with the Integrity Commission under section 11 of the Integrity in Public Life Act, 2000 [Section 14(1)].

NOTE: There is no requirement to disclose in this statement, the actual amount or extent of any financial benefit, contribution or interests. [Section 14(5)].
Please notify the Registrar of the Commission of any change which may occur in this Statement within six weeks of such change occurring. [Section 14(4)].

(Where insufficient space has been provided for the items falling under any section, additional information may be supplied on separate sheets.)

STATEMENT OF REGISTRABLE INTEREST—CONTINUED
3. I HAVE INVESTMENTS IN THE FOLLOWING COMPANIES, PARTNERSHIPS OR ASSOCIATIONS:

Name of Company/Partnership/Association	Address

4. I HOLD THE POSITION OF TRUSTEE IN THE FOLLOWING TRUSTS:

Name of Trust	Brief Particulars of Trust

5. I HOLD THE POSITION OF BENEFICIARY IN THE FOLLOWING TRUSTS:

Name of Trust	Brief Particulars of Trust

STATEMENT OF REGISTRABLE INTEREST—CONTINUED

6. I HAVE BENEFICIAL INTEREST IN THE FOLLOWING LANDS:

Location, Description and Area of Land	Beneficial Interest

7. I HAVE BEEN MAKING CONTRIBUTIONS TO THE FOLLOWING FUNDS:

Name and Address of Fund	Controller of Fund

8. I HOLD MEMBERSHIP IN THE FOLLOWING POLITICAL, TRADE OR PROFESSIONAL ASSOCIATIONS:

Name and Address of Association	Nature of Association (Political/Trade/Professional)

FORM C



(Regulation 3)

REPUBLIC OF TRINIDAD AND TOBAGO

INTEGRITY COMMISSION

CERTIFICATE OF COMPLIANCE

[Pursuant to section 13(3) of the Integrity in Public Life Act, 2000]

This is to certify that the declaration required under section 11 of the Integrity in Public Life Act, 2000 has been submitted by and has been fully made.

Dated this day of, 20

.....
Registrar

NOTE: The statement of registrable interest required under section 14 of the Act has/has not* been filed.
*Delete as applicable.

FORM D



(Regulation 3)

REPUBLIC OF TRINIDAD AND TOBAGO

INTEGRITY COMMISSION

OATH OF SECRECY

[Made by a member of the Integrity Commission in accordance with section 20(4) of the Integrity in Public Life Act, 2000]

I, member of the Integrity Commission, pursuant to Section 20(4) of the Integrity in Public Life Act, 2000, do solemnly and sincerely swear by, that I shall treat all declarations filed with the Integrity Commission and all records and information relating thereto as secret and confidential and I shall not disclose or communicate to any unauthorized person or allow any such person to have access to any such record, information or declaration.

.....
Member of the Integrity Commission

DECLARED before me this, day of
....., 20 at the office of the
Integrity Commission,
.....
.....

.....
Justice of the Peace



(Regulation 3)

FORM E

REPUBLIC OF TRINIDAD AND TOBAGO

INTEGRITY COMMISSION

OATH OF SECRECY

[Made by a person to perform functions in the service or as an employee of the Integrity Commission in accordance with section 20(4) of the Integrity in Public Life Act, 2000]

I, employee/performing a function in the office of the Integrity Commission, do solemnly and sincerely swear by, that in the performance of my duties and functions in the service of the Integrity Commission, pursuant to section 20(4) of the Integrity in Public Life Act, 2000, I shall treat all declarations made to the Integrity Commission and all records and information relating thereto as secret and confidential and I shall not disclose or communicate to any unauthorized person or allow any such person to have access to any such record, information or declaration.

.....
Signature

DECLARED before me this, day of
....., 20 at the office of the
Integrity Commission,
.....
.....

.....
Justice of the Peace

