



## EXPLANATORY MEMORANDUM

### EXPLANATORY MEMORANDUM TO THE {Leadership and Integrity Regulations 2014 No.}

#### PART I

**Name of the statutory instrument** : Leadership and Integrity Regulations  
**Name of the Parent Act** : Leadership and Integrity Act, 2012  
**Enacted Pursuant to** : Article 80 of the Constitution  
**Name of Ministry or Agency** : Ethics and Anti-Corruption Commission  
**Tabled** :

#### PART II

##### 1. Purpose of the Statutory instrument

Pursuant to Article 80 of the Constitution, Parliament enacted the Leadership and Integrity Act, No. 19 of 2012. The Act came into force in August 2012. The Act gives effect to, and establishes procedures and mechanisms for effective administration of Chapter six of the Constitution. The Commission under Section 54 of the Leadership and Integrity Act, 2012 is mandated to make regulations for better carrying out of the provisions of the Act. The regulations provide for procedures and mechanisms for overseeing and enforcing the Act.

##### 2. Legislative Context

The Ethics and Anti-Corruption Commission draws its mandate from Chapter 6 of the Constitution of Kenya, 2010, and subsequent pieces of legislation enacted pursuant to Articles 79 and 80 of the Constitution. The Ethics and Anti-Corruption Commission Act (EACCA), 2011, which in Section 3, establishes the Ethics and Anti-Corruption Commission; and the Leadership and Integrity Act, 2012 which provides among other



provisions for the general leadership and integrity code. It also sets out the moral and ethical requirements for State and public officers.

The regulations are therefore developed pursuant to Section 54 of the Leadership and Integrity Act 2012 and provides for procedure and mechanisms for effective implementation of the law by the Commission.

### **3. Policy Background**

The policy framework for leadership, ethics and integrity is also anchored in Kenya Vision 2030. The Vision is anchored on three pillars, namely the economic, social and political pillars (Kenya Vision 2030). The political pillar whose vision is 'an issue-based, people-centered, result-oriented and accountable democratic political system' provides the anchorage for the strategic direction and focus of the Ethics and Anti-Corruption Commission (EACC) under the sub-pillar, transparency and accountability. Under this pillar, the Ethics and Anti-Corruption Commission is expected to play a lead role in tackling persistent corruption, economic crimes, unethical practices and weak governance. The 2<sup>nd</sup> Medium Term Plan (MTP) whose theme is *Transforming Kenya: Pathway to Devolution, Socio Economic Development, Equity and National Unity* is aligned to the Kenya Vision 2030. The MTP identifies the Leadership, Ethics and Integrity Programme as one of the core flagship programmes and a key result area in transforming Kenya's national governance system. Under this programme, the goals are to strengthen the legislative, policy and institutional framework for ethics and integrity for the country. The regulations therefore seek to strengthen the legal framework on leadership, ethics and integrity.

### **4. Consultation outcome**

Public participation on the regulations was carried out by the Commission. Stakeholder's consultation was done on the 14.11.2013 where stakeholders from public and private sector were invited and participated in the deliberations. The regulations were also

uploaded in the Commission's website and subjected to wider public participation. Adverts were placed in the local newspapers with window period for two weeks calling for submission of views from members of the public. The inputs obtained from consultative process were incorporated in the regulations developed.

## **5. Guidance**

The Commission sought guidance on the regulation from various stakeholders including, the Office of the Attorney General, Commission on Implementation of the Constitution and the Law Reform Commission. All the stakeholders were in concurrence with the proposed regulations.

## **6. Impact**

The Regulations are not likely to impose significant costs on the public or infringe on the fundamental rights and freedoms. In the circumstances, the regulatory impact assessment is not deemed to be applicable for this instrument.

## **7. Monitoring and review**

The Commission will monitor the implementation of the regulation and where there is need for review, the same will be done from time to time.

## **8. Contact**

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LEGAL NOTICE NO. ....

**THE LEADERSHIP AND INTEGRITY ACT**  
*(No. 19 of 2012)*

**IN EXERCISE** of the powers conferred by section 54 of the Leadership and Integrity Act, 2012, the Ethics and Anti-Corruption Commission makes the following Regulations—

**THE LEADERSHIP AND INTEGRITY REGULATIONS, 2014**

- Citation.                    1. These Regulations may be cited as the Leadership and Integrity Regulations, 2014.
- Interpretation.            2. In these Regulations, unless the context otherwise requires—
- No. 19 of 2012.            “Act” means the Leadership and Integrity Act, 2012;
- “Annually” means calendar period of January to December of each year
- “Code” has the meaning assigned to it under section 2 of the Act;
- “Commission” has the meaning assigned to it under section 2 of the Act;
- “gift” means anything that confers a benefit to the recipient;
- “public entity” has the meaning assigned to it under section 2 of the Act;
- “public officer” has the meaning assigned to it under section 2 of the Act;
- “Statement of account” means a document issued to a customer listing financial transactions undertaken over a specified period of time; and
- “value of gift” means the fair market value of the gift at the time and the place it is presented.
- Application of Regulations.        3. (1) These Regulations shall apply to all public entities, State officers and public officers.
- (2) The Commission shall, in accordance with section 4(2) of the

Act, oversee the implementation and enforcement of these Regulations.

**PART II—PROVISIONS RELATING TO FUNCTIONS AND  
POWERS OF PUBLIC ENTITIES AND GIFTS TO STATE  
OFFICERS OR PUBLIC OFFICERS**

Commission may  
request public entity  
to carry out  
functions.

4. (1) The Commission may, in undertaking its mandate under section 4 of the Act, and in writing, request a public entity to carry out a function or exercise certain powers.

(2) The Commission shall, in making a request under paragraph (1), state—

(a) the function required or powers to be exercised by the public entity; and

(b) the period within which the entity shall report to the Commission.

(3) The Commission may determine—

(a) the manner in which a public entity is to undertake a function or exercise a power under paragraph (2)(a);

(b) the format in which the public entity shall present the report under paragraph 2(b).

(4) Where a public entity does not comply with a request made under paragraph (1) within the period stipulated in the request, the Commission shall make an application to the High Court under section 4(5) of the Act.

Gifts or other  
benefits to State  
officers and public  
officers.

5. (1) A State officer or a public officer shall not solicit or receive a monetary gift.

(2) Subject to paragraphs (4) and (5), a State officer or a public officer may receive a non-monetary gift in his or her official capacity if the value of that gift does not exceed twenty thousand shillings.

(3) Notwithstanding paragraph (2), a State officer or a public officer shall not solicit or accept a non-monetary gift in the form of a gratuity, hospitality, free passages, services or favours.

(4) A State officer or a public officer who receives a gift whose value exceeds twenty thousand shillings shall, within forty-eight hours of reporting to the office, surrender it to the public entity in which the officer is employed.

(5) A State officer or a public officer may receive a gift under paragraph (2), where—

- (a) the offer and receipt of the gift is done with utmost transparency and openness;
- (b) the offer and receipt of the gift is not done in secrecy or exclusivity of the donor and recipient;
- (c) the person making the offer is present at the time of presentation;
- (d) in the opinion of the officer, the acceptance of the gift does not compromise his or her integrity, objectivity, impartiality or create potential conflict of interest.

(6) A State officer or a public officer who receives a gift in terms of this regulation shall, irrespective of the monetary value of the gift, declare the gift received to the public entity which the public officer represents in a manner prescribed in Form A, in the Schedule.

(7) The public entity shall cause a gift declared under paragraph (6) to be entered in the register as required under section 14(6) (a) of the Act.

Gift register.

6. (1) Every public entity shall, and in accordance with section 14 (6) of the Act, keep and maintain registers of –

- (a) gifts received by State officers or public officers; and
- (b) gifts given by the public entity to State officers or public officers.

(2) The registers of gifts referred to under paragraph (1) shall be in a manner specified in Forms B-I and B-II respectively, in the Schedule.

Transportation and storage of gifts.

7. (1) Subject to internal policies of the relevant public entity, where a State officer, a public officer or a public entity has received a gift that cannot be immediately transported, the officer or the entity may make provisions for transportation of the gift.

(2) A public entity shall store any gift received and maintain it in good condition until such time as it is donated or otherwise utilized.

Public entity may utilize gift.

8. Where a public entity receives a gift under section 14 of the Act, and decides to utilize the gift, it shall register it in the same manner as

any item procured by the public entity.

Reporting of gifts.

9. (1) A public entity shall at the close of every financial year furnish the Commission with a report specifying—

(a) all gifts received;

(b) any gifts the entity intends to dispose of; and

(c) any gifts the public entity has disposed of.

(2) Where a public entity has not received, disposed of or intends to dispose of, any gift, it shall nonetheless make the report in accordance with paragraph (1).

(3) The report under paragraph (1) shall be submitted to the Commission within thirty days after the close of the financial year.

(4) The Commission shall review the report and if it ascertains that the State officer or the public officer has breached provisions relating to gifts, the Commission shall inform the public entity and require disciplinary measures to be taken against that officer.

Disposal of gifts.

No. 3 of 2005.

10. (1) A gift that is surrendered to a public entity under regulation 5 (4) shall be considered to be public property and shall be received and disposed of in accordance with the provisions of Public Procurement and Disposal Act, 2005.

(2) A public entity shall dispose of a perishable gift by donating it to a public entity or charitable organization.

### **PART III—CONFLICT OF INTEREST**

Duty to declare conflict of interest.

11. (1) A State officer or a public officer shall declare a personal interest to the public entity where he or she is employed in a manner prescribed in Form C in the Schedule, if that personal interest conflicts with the officer's official duties.

(2) Notwithstanding paragraph (1), a declaration under this regulation may be made to the Commission where—

(a) the accounting officer of a public entity has a conflict of interest;

(b) the public entity is yet to open a register in accordance with regulation 13;

(c) in the opinion of the State officer or public officer, it

is prejudicial to his or her interest to declare the conflict of interest to the public entity;

- (d) the State officer or public officer is desirous of declaring the conflict of interest to both the public entity and the Commission.

(3) The Commission or the public entity shall give directions to the officer making a declaration under these Regulations.

Duty to declare conflict of interest by members of Senate, National Assembly and County Assembly.

**12.** (1) A member of the National Assembly, Senate or a County Assembly shall declare to the Clerk of the National Assembly, the Senate and a County Assembly, respectively, any pecuniary interest or benefit of whatever nature in—

- (a) any debate or proceedings in Parliament or a County Assembly;
- (b) any Committee of Parliament or a County Assembly; and
- (c) any transaction or communication which State officer may have with other members of Parliament or County Assembly, or other State officers or public officers.

(2) The declaration of referred to under paragraph (1) shall be in a manner specified in Form D in the Schedule.

Register of conflict of interest.

**13.** (1) Every public entity shall open and maintain a register of Conflict of Interest in a manner prescribed in Form E in the Schedule.

(2) The Register referred to under paragraph (1) shall be in the custody of the accounting officer of the public entity or his or her nominee.

(3) The Register under this regulation shall contain—

- (a) name and address of the State officer or the public officer;
- (b) registrable interest;
- (c) nature of the conflict of interest;
- (d) date the conflict of interest is declared;
- (e) directions given by the commission or public



entity to the officer making the declaration;

- (f) date of entry in the register;
- (g) signature of the officer giving directions on behalf of the Commission or the public entity.

14. The Clerks of the National Assembly, Senate and County Assembly shall, in addition to the register provided for in regulation 13, open and maintain a register of conflict of interest in a manner prescribed in Form F in the Schedule in relation to—

- (a) the debate or proceeding of the body of which he or she is a member;
- (b) the debate or proceeding in any committee of that body; and
- (c) the transaction or communication which the public officer may have with other members of the body, public officers or government officers.

Inspection of register of conflict of interest.

15. (1) Any person may make an application to a public entity, the Commission, Clerk of the Senate, National Assembly or a County Assembly to inspect the Register of Conflict of Interest in a manner prescribed in Form G in the Schedule.

(2) An application made under paragraph (1) shall contain—

- (a) the full names and address of the applicant;
- (b) the specific information that is sought;
- (c) the purpose for which the information is intended to be used; and
- (d) a declaration that the applicant shall not publish such information except with the written permission of the relevant public entity, Commission, Clerk of the Senate, National Assembly or a County Assembly.

(3) A public entity, the Commission, the Clerk of the Senate, National Assembly or a County Assembly shall within seven days acknowledge receipt of an application under paragraph (2), and avail the register for inspection.

#### **PART IV— BANK ACCOUNT OUTSIDE KENYA**

Application to open,  
operate or control a  
bank account  
outside Kenya.

**16.** (1) A State officer or public officer, who wishes to open, operate or control or continue to operate or control a bank account outside Kenya under section 19 of the Act, shall make an application to the Commission in a manner prescribed in Form H in the Schedule.

(2) An application under paragraph (1) shall specify—

- (a) applicant's personal details;
- (b) applicant's employment details;
- (c) details of the account;
- (d) estimated period for operating the account;
- (e) any other relevant information.

(3) An application under paragraph (1) shall be supported by certified copies of the following documents—

- (a) identity card or valid passport;
- (b) passport size photograph;
- (c) the beneficiary's identity card, birth certificate, valid passport, travel permit, (whichever is applicable);
- (d) documentary evidence for the purpose which the account is intended;
- (e) tax compliance certificate; and
- (d) any other relevant document.

(4) (a) An applicant who wishes to continue operating an account shall, in addition to the application made under paragraph (1), attach a written and signed authority allowing the Commission to verify the statements and any other information from the financial institution outside Kenya in a manner prescribed in Form H in the Schedule.

(b) A State or public officer who operates or controls a bank account outside Kenya shall submit statements of the account annually to the Commission. The statements shall be submitted not later than January of the succeeding year.

(c) The statements of the account shall cover the period of January to December of each year.

(5) Notwithstanding the provisions of this regulation, the Commission may require an applicant to furnish additional information.

(6) In determining an application to open or continue to operate a bank account outside Kenya, the Commission shall consider the following grounds—

- (a) whether an account is for educational purposes, for the benefit of the applying officer, his or her spouse, child or any other beneficiary; or
- (b) whether an account is for medical purposes, for the officer, his or her spouse, child or any other beneficiary; or
- (c) whether an account is for a public officer who works in a diplomatic mission abroad; or
- (d) any other reasonable grounds that the Commission may determine.

(7) The Commission shall process an application as soon as practicable but in any event the process shall not exceed six months.

(8) Where the Commission approves an application it shall issue the applicant with an approval in writing to—

- (a) open a new account;
- (b) continue to operate an existing account.

(9) A State officer or a public officer who has obtained approval under paragraph (8) shall submit to the bank outside Kenya—

- (a) a copy of the approval to open an account;
- (b) a copy of the approval to continue to operate an existing account; and
- (c) authority to verify account details.

(10) Notwithstanding the provisions of these Regulations, an approval given by the Commission shall be subject to the provisions of any other written law regarding the opening, operation or control of bank accounts outside Kenya.

**17.** (1) The Commission shall not approve an application made under regulation 16 unless the applicant has satisfied the conditions

stated therein.

(2) Where the Commission declines to give an approval for opening or continuing to operate a bank account outside Kenya, it shall within fourteen days of the decision, inform the applicant stating the reasons thereof in writing.

(3) An applicant dissatisfied with the decision of the Commission under regulation 17(2) may within twenty-one days from the date of notification of the decision, apply to the Commission for review.

(4) The Commission shall consider the application for review within thirty days from the date of lodging the application for review and within fourteen days inform the applicant of its decision.

(5) An applicant dissatisfied with the decision of the Commission under 17(4) may seek appropriate orders from the High Court.

Officer to operate account for specified purpose.

**18.** (1) Where approval is granted by the Commission to either open or continue to operate a bank account outside Kenya for a specific purpose, the account shall be used only for purpose for which the application was made.

(2) A State officer or a public officer operating an account outside Kenya who wishes to change the purpose or use the account for an additional purpose other than that for which the account is being operated shall make an application to the Commission.

Application for extension to operate a bank account outside Kenya.

**19.** A State officer or a public officer who has been operating a bank account outside Kenya may apply to the Commission for an extension where the period for which approval had been given is about to expire.

Unauthorized operation of an account.

**20.** (1) The Commission shall, in accordance with section 19 (3) of the Act, determine whether an account is being operated for purposes specified in the application.

(2) Where the Commission determines that an account is not being operated for the intended purpose, the Commission shall, by notice in writing, require the officer to close the said account within twenty-four hours and confirm the closure to the Commission.

(3) Where the duration of the approval issued to the officer to operate a bank account outside Kenya lapses and the officer has not applied for an extension, the Commission shall, by notice in writing, require the officer to, within twenty-four hours, close the said account

and confirm the closure to the Commission.

(4) An officer who operates an account for a purpose other than the one specified in the application, is in breach of the provisions of the Act or these Regulations and shall be subject to disciplinary proceedings in addition to any other action that may be preferred against the officer.

Closure of a bank  
account outside  
Kenya.

**21.** A State officer or a public officer who has ceased to operate a bank account outside Kenya shall notify the Commission, in writing, within thirty days of closure of the account.

**22.** (1) The Commission shall open and maintain a register of all State officers and public officers operating bank accounts outside Kenya.

(2) The Register under paragraph (1) shall contain the following information—

- (a) the name, personal file (PF) or ID number and address of the officer;
- (b) the bank name, address, and country in which the account is held;
- (c) the account name, and the bank code;
- (d) the name in which the account is being operated, if not that of the officer;
- (e) the purpose for operating the account;
- (f) the name of the institution to which monies will be transferred where the account is being operated for educational, medical or other purpose;
- (g) the duration of approval for operating the account;
- (h) name of the officer's spouse, child or beneficiary, if the account is operated for the benefit of one of such persons; and
- (i) any other relevant information.

#### **PART IV—COMPLAINTS, INVESTIGATIONS AND DISCIPLINARY PROCESS**

Lodging of  
complaints.

**23.** (1) A person wishing to lodge a complaint under the Act

may do so orally, anonymously, or in writing to the relevant public entity or the Commission.

(2) Where a complaint under paragraph (1) is made orally, the public entity or the Commission shall reduce the complaint into writing.

(3) A public entity or the Commission shall within sixty days of receipt of a complaint initiate and conclude any preliminary inquiry it may consider necessary, having regard to the nature of the complaint.

(4) On conclusion of a preliminary inquiry made under paragraph (3), a public entity or the Commission shall determine whether the complaint is legitimate and within its jurisdiction.

(5) Where a public entity or the Commission determines that the complaint does not have merit, it shall inform the complainant where the complainant is known, and the officer against whom the complaint was made.

(6) Where a public entity or the Commission determines that the complaint does not lie within its jurisdiction, it shall—

- (a) refer the matter to the relevant authority;
- (b) inform the complainant where he or she is known;
- (c) inform the officer against whom the complaint was made.

(7) A public entity or the Commission shall, if it determines that a complaint is legitimate and lies within its jurisdiction, commence an investigation.

(8) A person who lodges a complaint to a public entity under the Act shall not be subjected to harassment, suspension, transfer, verbal or other abuse or any other form of unfair treatment.

(9) Any officer who contravenes paragraph (8) commits a breach of the Code and shall be subject to disciplinary proceedings in addition to any other action that may be preferred against him.

Confidentiality of records.

**24.** The complaint and records relating to the complaint or to any investigation held by a public entity or the Commission are confidential.

Information regarding complaints.

**25.** Upon receipt of a complaint under regulation 23 (1), a public entity or the Commission may, if it is of the view that the complaint

does not have sufficient details, call for more information regarding the complaint from any person, within fourteen days.

Investigations.

**26.** Where a public entity or the Commission initiates investigations in accordance with regulation 27(3) the investigations shall be conducted in accordance with the provisions of the Constitution, the Act and any other relevant law.

Suspension pending instigation.

**27.** An officer who is under investigation may be suspended by the appointing authority in accordance with section 42 (7) of the Act where the officer is likely to—

- (a) conceal, alter, destroy, remove records, documents or evidence;
- (b) intimidate, threaten or otherwise interfere with witnesses;  
or
- (c) interfere with investigations in any other manner.

Conclusion of investigations.

**28.** (1) A public entity or the Commission shall on conclusion of investigation prepare an investigation report containing—

- (a) a summary of the complaint;
- (b) a description of the investigation undertaken and evidence obtained;
- (c) findings; and
- (d) recommendations.

(2) Investigations for breach of the Code shall be concluded within six months of lodging of the complaint and the decision and the reasons thereof communicated to the complainant and the officer complained against within seven days from the date of the decision.

Referrals.

**29.** Where a public entity or the Commission, after investigation, is of the opinion that civil or criminal proceedings ought to be preferred against an officer, the public entity shall refer the matter to the appropriate authority in accordance with section 43 of the Act.

Clearance and re-instatement.

**30.** Where on conclusion of investigations a public entity or the Commission finds there is no violation of the Code, it shall inform the officer and if the officer had been suspended, re-instate the officer in accordance with the terms of service.

**31.** (1) Where, on conclusion of investigations conducted under

these Regulations, a public entity or the Commission establishes that there has been a violation of the Code by an officer, the Commission or a public entity shall—

- (a) warning and caution;
- (b) interdict;
- (c) suspend;
- (d) dismiss; or
- (e) take any other appropriate action against such officer.

(2) Notwithstanding the provisions of paragraph (1), where the Commission has investigated and established a violation of the Code by a State or public officer, the Commission shall require the public entity to take such action against the officer as it may recommend.

(3) The Commission or a public entity shall, when taking a disciplinary action under this regulation, observe the principles of fair administrative action in accordance with Article 47 of the Constitution.

Review of decisions. **32.** (1) Any person aggrieved by the decision of the public entity or the Commission made in accordance with regulation 31 may apply for review within fifteen days from the date of the decision.

(2) The public entity or the Commission shall review its decision within fifteen days after receipt of an application made under paragraph (1).

Court Redress. **33.** A person aggrieved by any decision made by a public entity or the Commission under these Regulations, may seek redress from the High Court.

Advisory opinion. **34.** (1) A State officer or a public entity that requires advice from the Commission on any issue relating to the application of Chapter six of the Constitution shall make such request in writing.

(2) The Commission shall respond to the request made under paragraph (1) within thirty days.

(3) The Commission shall treat the request and its response in confidence.

State Officer to commit to the code. **35.** (1) Where a public entity has not prescribed a specific leadership and integrity code, a State officer shall on appointment or election to a public office sign and commit to the General Leadership



and Integrity Code as set out in Form J, in the Schedule.

(2) Where a public entity has prescribed a specific leadership and integrity code, a State officer shall on appointment or election to a public office sign and commit to that specific leadership and integrity code as specified in Form K of the Schedule.

**36.** (1) A State officer or a public officer who violates the provisions of these Regulations for which no specific action is provided shall be liable to disciplinary action by the Commission or the relevant public entity as provided for under these Regulations and the Act.

(2) Notwithstanding paragraph (1), a State officer or a public officer who violates the provisions of these regulations shall liable to a penalty, not exceeding twenty thousand shillings or such term of imprisonment not exceeding six months or both.

SCHEDULE

Form A

(r. 5(6))

GIFT DECLARATION FORM

(To be submitted in duplicate. Attach relevant information or documentation relating to the gift)

PART I

Recipient's Name:.....
Recipient's designation:.....
Recipient's Employer: .....
Name of the donor institution:.....
Name and title of the presenter:.....
Description of the gift:.....
Estimated value of the gift:.....
Current location of the gift:.....
Date of receipt/issuance of the gift:.....
Date of declaration of the gift:.....
Date the gift was surrendered:.....
Function at which the gift was received/ issued:.....
Signature of declarant:.....

PART II - Decision of the Authorized Officer in respect to the gift

Retain/Surrender (strike as appropriate)

Remarks by the Authorizing Officer

Name and Designation of the Authorized officer

Signature and Dat

Form B-I

( r. 6(2))

**REGISTER OF GIFTS RECEIVED**

Name of Entity:.....

Item No.	Name of the officer receiving the gift	Name of entity and officer giving the gift	Description of the gift	Estimated market value of the gift	Date of receipt the gift	Occasion or function in which the gift is offered	Date of declaration of the gift	Date of surrender of the gift to the public entity (where applicable)	Any other relevant information
1.									
2.									

REGISTER OF GIFTS GIVEN

Name of Entity:.....

Item No.	Name of the officer giving the gift on behalf of the entity	Name of Entity and officer given the gift	Description of the gift	Estimated market value of the gift	Date of giving the gift	Occasion or function in which the gift is given	Any other relevant information
1.							
2.							

**DECLARATION OF CONFLICT OF INTEREST**

*(To be submitted in duplicate)*

Name of State Officer or Public officer: .....

Designation of the officer:.....

**Description of the Conflict of Interest**

Name and Address of the person with whom the officer has an interest	Nature of interest	Estimated value of the interest	Date the interest was acquired	Date the interest ceased (if applicable)	Remarks(if any)

I, .....the undersigned, holding the position of .....  
 at .....PF /ID No.....being aware of the provisions  
 of 46 (1) (d) and 46 (2) of the Leadership and Integrity Act, 2012 declare the above information  
 to be true to the best of my knowledge.

Signature of the Officer:.....

Date:.....

Submitted to:.....

Designation of the person submitted to:.....

Signature:.....Date:.....

DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF SENATE,  
NATIONAL AND COUNTY ASSEMBLY

*(To be submitted in duplicate)*

Name of Member (officer):.....  
Designation of Member (of the officer):.....  
Name of County/Constituency/Ward:.....  
Person or Organization with Interest:.....  
Description of the Conflict of Interest.....  
.....  
.....

I, \_\_\_\_\_ the undersigned, holding the position of \_\_\_\_\_ at \_\_\_\_\_ PF /ID  
No. \_\_\_\_\_ being aware of the provisions of 46 (1) (d) and 46 (2) of the Leadership and  
Integrity Act, 2012 declare the above information to be true to the best of my knowledge.

Signature of the Member:.....Date:.....

Submitted to:.....

Designation of the person submitted to:.....

Signature:.....Date:.....

FORM E

(r. 13(1))

REGISTER OF CONFLICT OF INTEREST

Item No.	Name and address of the officer making the declaration	Registrable interest	Nature of Conflict	Date of Declaration	Name & signature of person making entry	Remarks or Directions issued	Date	Update of registered interests

FORM F

(r.14(1))

REGISTER OF CONFLICT OF INTEREST IN PARLIAMENT AND COUNTY ASSEMBLIES

Item No.	Name of Member (officer)	Designation of Member (of the officer)	Name of County/Constituency/Ward	Person or Organization with Interest	Description of the Conflict of Interest	Date of Declaration	Name & signature of person making entry	Remarks or Directions issued

APPLICATION FOR INSPECTION OF THE REGISTER OF CONFLICT OF INTEREST

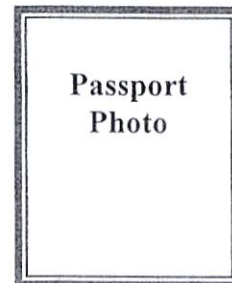
(To be submitted in duplicate)

To: .....
Name of Applicant: .....
Address:.....
Specific information that is sought:.....
Purpose for which information is intended to be used:.....
.....
.....
.....
.....

I, the undersigned, ID No. being aware of the provisions of sections 46 (1) (d) and 46 (2) of the Leadership and Integrity Act, 2012 declare the above information to be true to the best of my knowledge and undertake not to publish any information obtained through this application except with the written permission of the relevant public entity, Commission, Clerk of the Senate, National Assembly or County Assembly.

Signature of the
Member:.....Date:.....
Submitted to:.....
Designation of the person submitted to:.....
Signature:.....Date:.....





**ETHICS AND ANTI-CORRUPTION COMMISSION**  
**APPLICATION FOR APPROVAL TO OPEN AND OPERATE A BANK**  
**ACCOUNT OUTSIDE KENYA**  
*(To be submitted in duplicate)*

**SECTION A: PERSONAL DETAILS**

Name:.....  
ID/Passport No:.....PIN:..... Nationality:.....  
Postal Address:.....  
Residential Address:.....  
Telephone/Mobile Number: ..... Email:.....

**SECTION B: EMPLOYMENT DETAILS**

Name of the Employer:.....  
Employment type:.....P/F No:.....  
Ministry:..... Department:..... Position:..... Station:.....  
Employers Postal Address:..... Postal Code:..... Town.....  
Employers Physical Address:.....  
Telephone:..... Email:.....

**SECTION C: ACCOUNT DETAILS**

Country in which the account is to be opened/operated: .....  
Name of the Bank.....  
Address of the Bank: .....  
Branch.....  
Account Number (where applicable):.....  
Type of Account:.....  
Monthly Salary (Basic salary and allowances).....  
Expected Annual turn-over/expenditure (where applicable) .....  
Reasons for opening/operating the account: .....  
.....  
.....

.....  
 .....  
 Bank statements for accounts already in operation (*attach*):  
 .....  
 .....  
 Duration for operating the account (where applicable): .....  
 Signatories if different from the applicant: .....  
 Particulars of the beneficiaries/nominee (where applicable): .....  
 .....  
 Relationship of the applicant to the beneficiary/nominee: .....  
 Any other relevant information: .....  
 .....

*(Attach copies of: Applicant's Identity Card/valid passport, beneficiary's identity card/ birth certificate/ valid passport, travel permit, Certificate of Incorporation/Registration, admission letters from the relevant institutions, tax compliance certificate and any other relevant document).*

I \_\_\_\_\_ the undersigned holding the position of \_\_\_\_\_ at \_\_\_\_\_ PF NO/ID No \_\_\_\_\_ being aware of the provisions of Section 46 (1) (d) and (2) of Leadership and Integrity Act, 2012 declare the above information to be true to the best of my knowledge.  
 Signature of the Applicant:..... Date:.....

\_\_\_\_\_

**FOR OFFICIAL USE**

*PART 1*  
 (i) *Remarks of the Processing Officer*

.....  
 .....  
 Name:..... Signature:.....  
 Date:.....

(ii) *Director Ethics and Leadership*

*Remarks:* .....

*Signature:* ..... *Date:* .....

*PART II*

.....

*Approved/Not Approved (strike as appropriate)*

*Name:* .....

*Signature:* .....

*Date and stamp:* .....

*Secretary/ Chief Executive Officer*

*ETHICS AND ANTI-CORRUPTION COMMISSION*

**AUTHORITY TO VERIFY ACCOUNT DETAILS**

*(To be submitted in duplicate)*

To :(Bank outside Kenya).....  
Address:.....Branch.....  
Account Name .....  
Account Number:.....

I, the undersigned, Passport No. .in accordance with Sections 19 (3) of the Leadership and Integrity Act, 2012 do hereby authorize the Ethics and Anti-Corruption Commission (EACC) of Postal Office Box 61130 Code 00200, Nairobi, Kenya and of Telephone Number +254 020 310722 to verify statements of my account held in your Bank and any other relevant information.

Signed by the said..... }  
at..... }  
this.....day of.....20..... }  
.....

Signature of Account Holder

Before Me }  
Notary Public }

**COMMITMENT TO THE GENERAL LEADERSHIP AND INTEGRITY CODE**

(where the public entity has not developed a specific code )

I ..... confirm that I have read and understood the Leadership and Integrity Act No. 19 of 2012 and commit to abide by the General Leadership and Integrity Code as set out under Part II of the Act.

Sworn at ..... }

By the said ..... }

Deponent

this.....day of.....20..... }

Before Me }

}

Commissioner for Oaths/Magistrate }

COMMITMENT TO SPECIFIC LEADERSHIP AND INTEGRITY CODE

(where the public entity has developed a specific code )

I ..... confirm that I have read and understood the Specific Leadership and Integrity Code for ..... ( name of public entity) and hereby commit to abide by the provisions of the Code.

Sworn at ..... }

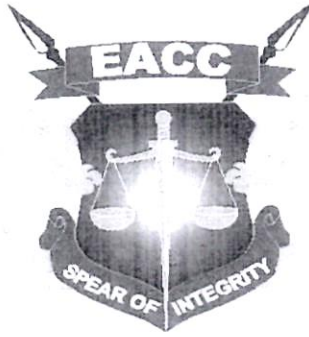
By the said ..... }  
Deponent

this.....day of.....20..... }

Before Me }

..... }

Commissioner for Oaths/Magistrate }



Made on the 29<sup>th</sup> day of May, 2014.

Mumo Matemu, EBS

Chairperson

Ethics and Anti-Corruption Commission

Halakhe D. Waqo, ACI Arb

Secretary/Chief Executive Officer

Ethics and Anti-Corruption Commission

