



REPUBLIC OF LIBERIA



EXECUTIVE ORDER N° 38



**ESTABLISHING AN ADMINISTRATIVE
CODE OF CONDUCT FOR
MEMBERS OF THE
EXECUTIVE BRANCH OF GOVERNMENT**

January 6, 2012



REPUBLIC OF LIBERIA

THE PRESIDENT

EXECUTIVE ORDER NO 38 ESTABLISHING AN ADMINISTRATIVE CODE OF CONDUCT FOR MEMBERS OF THE EXECUTIVE BRANCH OF GOVERNMENT

Whereas, Chapter 2, General Principles of National Policy, Article 5 (c) of the Constitution of Liberia, which came into effect on January 6, 1986, provides that the Republic shall "take steps by appropriate legislation and executive orders, to eliminate sectionalism and tribalism, and such abuses of power as the misuse of government resources, nepotism and all other corrupt practices;"

Whereas, Chapter 11, Miscellaneous, Article 90 (a) and (b) of the said Constitution of Liberia sets standards of conduct for public officials by providing that:

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- a) No person whether elected or appointed to any public office, shall engage in any other activity which shall be against public policy, or constitute conflict of interest.
 - b) No person holding public office shall demand and receive any other perquisites, emoluments or benefits, directly or indirectly, on account of any duty required by Government;

Whereas, Article 90 (c) of the aforesaid Chapter 11 authorizes the Legislature to enact laws establishing such standards, promulgating that: "The Legislature shall, in pursuance of the above provision, prescribe a Code of Conduct for all public officials and employees, stipulating the acts which constitute conflict of interest or are against public policy, and the penalties for violations thereof."

Whereas, no code of conduct has been enacted since the coming into force of the 1986 Constitution, but that attempts have been made to enact same;

Whereas, the Government recognizes that the non existence of a code of conduct has hampered its accountability and anti-corruption pursuits;

Whereas, the essence of government is public service delivered through and rendered by public servants whose activities account for most part of the work of government, with extensive influence over the lives of the people;

Whereas, in view of public servants' role and influence, Liberians expect a public servant to be a person of high moral character and integrity, a law-abiding and committed person who shows proper care for public assets, behaves ethically and discharges her/his duties and responsibilities efficiently, effectively and diligently;



Whereas, the purpose of the code of conduct is to set out standards of behavior and conduct by public servants, guide, regulate and ensure compliance with the norms and behaviors required of a public servant, ensure impartiality, objectivity, transparency, integrity, efficiency and effectiveness of public servants and public institutions in the performance of their duties and mandates;

Whereas, the legislative process requires a protracted period that could stall the institution of a code of conduct immediately necessary for the achievement of the above;

Whereas, the President of Liberia is vested with the power to issue Executive Orders to address issues requiring immediate attention pending the conclusion of the lengthy legislative process to address such issues for which the Executive Order is issued; and

NOW THEREFORE, I, ELLEN JOHNSON-SIRLEAF, PRESIDENT OF THE REPUBLIC OF LIBERIA, BY THE POWER VESTED IN ME DO TH HEREBY, BY THIS EXECUTIVE ORDER, AND FOR THE PURPOSE OF THE FOREGOING, SET OUT BELOW THE ESTABLISHMENT OF A CODE OF CONDUCT FOR ALL MEMBERS OF THE EXECUTIVE BRANCH OF GOVERNMENT.

PART I: ESTABLISHMENT OF THE CODE AND DEFINITIONS

1.1. ESTABLISHMENT OF THE CODE

There is hereby established a Code of Conduct for all members of the Executive Branch of the Government of Liberia to be known as the Administrative Code of Conduct, setting out the standard of conduct to guide, regulate and ensure compliance with norms and behavior required of a public servant.

1.2 DEFINITIONS

Unless the context otherwise requires, the following words and phrases shall have the meaning(s) ascribed to them in this Executive Order.

Administration: the Executive Branch of the Government of Liberia.

Administrative Officer: a senior member of the administration from the rank of minister, head of agency or commission to the rank of director.

Assets: movable and/or immovable property, including cash and investments.

Bribery: any reward, inducement or anything promised, offered, given, accepted or received by a public servant for or on account of favor(s) given or to be given by the public servant in the performance of her/his official duties, and includes what is known widely in local terminology as "Cold Water".



- f. To protect public servants' rights, including the right to withdraw labor in accordance with the law.
- g. To accord protection to female public servants during pregnancy and after birth in accordance with Civil Service rules and Labor Laws.
- h. To provide public servants with the necessary tools and equipment for the effective performance of their duties.


PART XIX: SIGNING OF THE CODE OF CONDUCT

19.1 Signing of the Code by New Employees at Induction into the Service: A public servant shall sign this Code of Conduct at her/his induction into the public service or at the commencement of her/his orientation program. Refusal to sign is tantamount to declining the appointment or offer of employment.

19.2 Signing of the Code by Employees Already in the Service: A public servant already in the service of the executive branch of government at the coming into force of this code shall be required to sign the Code.

This Executive Order shall take immediate effect on the date as specified below.

GIVEN UNDER MY HAND AND SEAL OF THE REPUBLIC OF LIBERIA THIS 6th DAY OF JANUARY, A. D. 2012.


**Ellen Johnson Sirleaf
 PRESIDENT
 REPUBLIC OF LIBERIA**



PART XVI: CRIMINAL OFFENSE

- 16.1 **Criminal Offense:** The sanctions listed above shall be without prejudice to the penalties that may be imposed by any court of law where the conduct also amounts to a criminal offence.

PART XVII: REWARDS

- 17.1 **Rewards of Public Servants for Good Behavior:** An appropriate reward and recognition shall be accorded to a public servant who exhibits good ethical conduct in compliance with this code. A reward shall be accorded to a public servant by the head of the organization or appropriate authority in which the public servant works. The rewards shall include; but not be limited to:-
- Word of recognition of good performance
 - Open praise
 - Challenging work assignment normally done by seniors
 - Letter of commendation
 - Presents
 - Mementos
 - Certificate of merit
 - Concessionary trips
 - Cash bonuses
 - Salary increments
 - Award of medal

PART XVIII: OBLIGATIONS OF GOVERNMENT

- 18.1 **Obligations of Government towards Public Servants:** While a public servant is expected to observe the code, an employer has the following obligations as laid down in the Constitution and operationalized by relevant laws:-
- To provide a working environment that is safe, healthy and satisfactory.
 - To ensure equal pay for work of equal value.
 - To ensure that employees are accorded rest and reasonable working hours and periods of holidays with pay as well as remuneration for Public holidays.
 - To enable every employee to practice her/his profession consistent with the professional code of conduct, the Constitution and other laws of Liberia.
 - To accord every public servant the right to join a Trade Union of her/his choice for the promotion and protection of her/his economic and social interests in accordance with law.



Casual Gifts: any present, gift, donation, grant or favor whether monetary or in kind or any other gain of a personal nature willingly given as an appreciation for a service that has been rendered by a public servant, which is not connected to her/his official duties and does not exceed US\$10 in value.

Code: the Administrative Code of Conduct for Members of the administration.

Conduct: behavior, attitude and/or character exhibited by a public servant within and outside the working environment.

Conflict of Interest: occurs when a public servant's private affairs or financial interests are or could be in conflict or believed to be in conflict with the public servant's duties or responsibilities in such a way that: -

- Her/his ability to act in the public interest is or could be impaired;
- Her/his actions or conduct has undermined or compromised or could undermine or compromise the public's confidence in her/his ability to discharge the responsibilities or trust that is placed in her/him; or,
- Her/his action leads or could lead to the possibility of personal financial benefits or gains.

Employee: a person duly employed by the Government of Liberia or any of its ministries, agencies or entities, and includes any contractor employed in the service and acting on behalf of the administration.

Ethics: a set of morals applicable or required in the public service.

Family Member: a public servant's spouse, biological or adopted children and includes members of the household who depend on the public servant.

Service User/Recipient: Any person, who needs, receives or uses services delivered by the public service, and who interacts with or is served by a public servant in the course of the public servant's official duties.

Interdiction: temporarily stopping a public servant from exercising the powers and functions of her/his office to pave way for the investigation of a case.

Ombudsman: someone or a group of persons appointed or authorized to deal with or receive and investigate complaints against public servants and institutions in the administration.



Political Activity: activities such as campaigning for political office or a political party or seeking or soliciting membership for a political party.

Professional Code of Conduct: the code that applies to a specific profession in the public service.

Public Office: an office or position in the public service.

Public Servant: any person elected, appointed or employed in the administration except the Army and those subject to the Uniform Code of Military Justice (UCMJ).

Public service: service of any kind in, for or on behalf of the administration.

Responsible Officer: the head of any ministry, agency or entity of the executive branch of government or any subdivision thereof under which one or more public servant are serving.

Token Gift: includes souvenirs, memento or symbolic items given to a public servant, which does not exceed US\$250 in value.

Sexual Harassment: making sexual remarks, asking repeated questions about a person's intimate relationship, gender insults, repeated requests for dates, and/or exerting pressure or aggressiveness with the intent of causing any person to yield to sexual demands.

PART II: APPLICATION AND SCOPE OF THE CODE OF CONDUCT

2.1 The Code of Conduct is applicable to all members of the administration except those subject to the Uniform Code of Military Justice.

2.2 The Code shall be reinforced by professional codes of conduct.

PART III: PRINCIPLES OF GOOD CONDUCT

3.1 This code of conduct has been developed by incorporating the following universally accepted principles of good conduct:

- a. **Selflessness:** A public servant in the course of her/his official duties shall take decisions solely in the interest of the public.



12.3 **Protection of Complaints:** A public servant shall be protected from discipline or reprisal for reporting in good faith, allegations of wrong doing or contraventions of the code.

12.4 **Complaint from Public:** A member of the public who has any complaint of misconduct by a public servant shall report this to the head of the particular public servant's institution or the autonomous body responsible for the functions of Ombudsman. Such person making a complaint shall be protected from any reprisal for reporting in good faith, allegations of wrong doing or contraventions of the code.

PART XIII: INFRINGEMENT OF THE CODE

13.1 ~~Infringement of the Code:~~ A breach of this code of conduct shall evoke, relevant to the particular officer, the disciplinary processes as contained in the Civil Service Rules and Procedures, the Code of Conduct and other relevant rules, regulations and laws in force.

PART XIV: SANCTIONS

14.1 **Sanctions for Infringement:** Sanctions for any breach of this code shall be those prescribed by the Rules and Procedures or any other laws governing the public service. Depending on the gravity of the offence or misconduct, one or more of the following penalties shall apply:

- a. dismissal;
- b. removal from office in public interest;
- c. reprimand;
- d. fine or making good of the loss or damage of public property/assets;
- e. demotion (reduction in rank);
- f. seizure and forfeiture to the State of any property acquired from abuse of office; and
- g. interdiction/suspension from duty with half pay.

PART XV: PROCEDURE FOR REPORTING VIOLATIONS

15.1 **Procedure for Submission of Complaints:** Submission of complaints shall be in accordance with procedures established by the autonomous body responsible for Ombudsman functions.



11.12 **Work Ethics:** A public servant shall be committed to reporting for duty punctually in compliance with official government working hours. Unless otherwise stated, the official working hours of a public servant are:-
Monday – Friday: 9:00a.m. – 12: 00p.m; 1:00p.m. – 5 00p.m.

11.12.1 A public servant shall neither engage in nor encourage the practice of:

- a. Lateness at work, meetings and official functions;
- b. Irregular attendance to work;
- c. Taking more than the average number of sick days/casual leave;
- d. Using weather, poor transportation and domestic problems as excuses for lateness and irregular attendance;
- e. Being lazy and idle at work; and,
- f. Transacting private business in office.

11.12.2 A public servant shall seek and obtain permission from her/his supervisor to be absent from duty. Permission shall not be unreasonably denied or granted.

11.12.3 A public servant shall, during official working hours, report her/his absence from office to her/his immediate supervisor or relevant persons.

11.13 **Abuse of Rights:** A public servant shall not influence nor cause others to do acts that are arbitrary or prejudicial to the rights of others.

11.14 **Other Professional Associations:** A public servant who is a member of any professional association or body shall be required to observe the code of conduct prescribed for and/or by that profession. However, where there is inconsistency between a professional code and the Administrative Code of Conduct for Members of the Executive Branch, this code of conduct shall prevail to the extent of the inconsistency.

PART XII: ENFORCEMENT OF THE CODE OF CONDUCT

12.1 **Institution Responsible for Enforcement of Code:** Ministers and heads of agencies and autonomous bodies with Ombudsman function shall be responsible for the enforcement of this code. All enforcement officers will be responsible to the office of the President.

12.2 **Responsibility of Public Servants to Report Wrongdoings:** A public servant has a duty to report any situation that s/he believes contravenes the code. Such reports shall be treated confidentially, unless disclosure of the information is authorized or required by law.



b. **Integrity:** A public servant shall not place himself or herself under any financial obligations or other situations of conflict that impair or are likely to impair the performance of her/his official duties. A public servant will set out the facts and relevant issues truthfully, and correct any errors as soon as possible. S/he shall use the resources of government specified in Part VIII, Section 8.1 infra, only for the authorized public purposes for which they are provided.

c. **Diligence:** A public servant shall apply her/his full effort to the performance of her/his work, use available time in a judicious, productive and efficient way, and complete work in a timely manner.

d. **Objectivity (justice and fairness):** In carrying out public business, including making appointments, promotions, awarding contracts or recommending individuals for rewards and benefits, a public servant shall make choices based solely on merit or by national interest as defined by public policy and law.

e. **Accountability:** A public servant will be held personally responsible for her/his own acts or omissions done either deliberately or repeatedly, or which evidence gross negligence or result in substantial damage or injury to the administration. A public servant shall obey all lawful instructions issued to her or him by her/his supervisor(s) but shall decline to obey orders s/he knows or ought to know to be unlawful.

f. **Openness (transparency):** A public servant shall be as open as possible regarding all the decisions and actions that s/he takes. S/he shall give reasons for her/his decisions and restrict access to information only when the wider public interest demands that the information shall not be released. S/he shall follow established rules and procedures for delivery of services to the public.

g. **Honesty:** A public servant has a duty to declare any private interests relating to her/his duties and shall, in a way that protects the public interest, take steps to prevent any conflicts which may arise. A public servant shall set out the facts on relevant issues truthfully, and correct any errors as soon as possible. A public servant will use resources only for the authorized public purposes for which they are provided, and shall not deceive or knowingly mislead others, or be influenced by improper means for the purpose of obtaining personal gain or giving undue advantage to others.



- h. **Non-Discrimination:** Every public servant shall respect human dignity and human rights of all persons without discrimination on grounds of race, sex, marital status, nationality, ethnic or national origin, physical, intellectual or other impairment, religious or political conviction or ideology.
- i. **Discipline:** A public servant shall adhere strictly to the Rules and Procedures of the Civil Service, this Code of Conduct or any other laws or policies, and shall also ensure that her/his subordinates do the same. Public Servants shall obey all lawful instructions issued to them by their superiors.
- j. **Loyalty:** A public servant shall be faithful to the people and Government of Liberia and be supportive of Government's policies, plans and programs. S/he shall show respect for constituted authority and the country at large at all times and perform her/his duties in the most courteous, efficient and effective manner.
- k. **Confidentiality:** A public servant shall not divulge classified confidential information obtained in the course of her/his work to anyone other than persons duly authorized to receive the information. S/he shall exercise due caution and discretion in handling confidential information. This caution and discretion shall extend to disclosures made both inside and outside the administration.
- l. **Leadership:** A public servant shall strive to excel in all her/his endeavors, be a role model to others and encourage them to follow her/his footsteps. S/he shall promote and uphold, support and protect the universally accepted principles of good conduct as a proponent of good leadership by exemplifying such conduct.
- m. **Professionalism:** A public servant shall adhere to the professional code of conduct within his ministry or agency and demonstrate a high degree of competence required by her/his given profession.

PART IV: CONSTITUTIONAL AND CIVIC RESPONSIBILITIES AND PROFESSIONALISM

4.1 Responsibility to the State and the Public Service: A public servant has constitutional and civic responsibilities as outlined below which are over and above the good conduct and ethical issues contained in Part III of this Code of Conduct. S/he therefore shall uphold the Constitution and abide by laws, statutes, rules and regulations of the Republic of Liberia. S/he shall ensure that her/his personal interests do not interfere with or appear to interfere with her/his official duties and public interest.



- 11.3.5 Remedies for sexual harassment** shall be those prescribed under the civil and criminal laws.
- 11.4 Discrimination at Work Place:** A public servant shall not discriminate against, harass or bully anyone, particularly those over whom s/he has authority or those who are vulnerable.
- 11.5 Improper Behavior:** A public servant shall not engage in any act that is fraudulent, embarrassing, profane, obscene, defamatory or otherwise unlawful or inappropriate.
- 11.6 Consumption of Alcohol:** A public servant shall not consume or drink alcohol while on duty.
- 11.7 Usage of Prohibited Drugs and Related Substances:** A public servant shall not take any prohibited drugs and other related substances unless such drugs are dispensed and administered by a qualified physician during the course of medical treatment.
- 11.8 Promotion of Merit system:** A public servant shall promote the merit system and shall not use her/his influence or the influence of any person to obtain appointment, promotion, advancement, transfer, or any other advantage for himself or herself, relatives or friends.
- 11.9 Confidentiality After Service:** Without expressed permission no public servant who leaves the public service may:
 - a. make public, or otherwise use, any confidential knowledge or information gained as a consequence of employment in the public service;
 - b. distribute, publish, mail or otherwise release any confidential information gained as a result of employment in the public service.
 - c. A public servant leaving employment in the public service will return any document or items which relate to the public service and which are not otherwise publicly available.
- 11.10 Maintaining Integrity of the Service and Work Environment:** A public servant shall exhibit conduct that will contribute to a positive work environment and not compromise the integrity of the public service. S/he shall not engage in abusive language or fight on any government premises, or any public place.
- 11.11 Dress code:** A public servant shall be attired in accordance with the work to be performed taking into consideration occupational health and safety factors, cultural diversity, local community standards and climatic conditions.



declaration provided a formal request is made to the LACC which shall then determine the justification of the request prior to giving access to the requesting agency.

10.4 Sanctions for False Declaration: Each public servant shall declare and affirm that her/his declaration is accurate to the best of her/his knowledge. Any statement in such declaration found to be false upon verification shall lead to summary dismissal in the case of political appointees and suspension in the case of other public servants pending determination by a court of competent jurisdiction.

PART XI: PERSONAL BEHAVIOR AND WORK ETHICS

11.1 Exploitation of Relationships for Undue Favors or Advantages: A public servant shall conduct her/himself with utmost integrity and respect and shall not exploit her/his relationship with another public servant or any other person to take advantage of or obtain undue favor from the person for any purpose.

11.2 Relationship and Performance: A public servant shall not allow relationship at the work place or anywhere else to adversely affect her/his performance.

11.3 Sexual Harassment: A public servant shall avoid unethical and unbecoming behavior such as use of rude, abusive and obscene language, indecent dressing, unreasonable or oppressive supervision and sexual gestures which constitute sexual harassment and hence violation of human rights.

11.3.1 A public servant shall neither be subjected to nor have others subjected to conduct of a sexual nature, which is unwelcome, unreasonable and offensive.

11.3.2 A sexual suggestive and offensive behavior may manifest itself in such forms as:
 a. An employee being forced to choose between acceding to sexual demands or losing job benefits through sexual blackmail.
 b. Verbal and non-verbal sexually offensive behavior exhibited by any person.

11.3.3 A public servant who is subjected to sexual harassment shall report such a case with evidence, where applicable, with a view to obtaining redress from the ministry/agency of government that is responsible for investigating civil and criminal offences.

11.3.4 A public servant who has lodged any complaint regarding sexual harassment using the established complaints procedure shall not be unduly victimized.



4.2 Respect for Laws of the State: A public servant shall carry out and abide by all laws, lawful instructions, decisions and policies faithfully and impartially to the best of her/his ability.

4.3 Maintaining Dignity of the Public Service: A public servant shall exhibit good conduct at all times, both at work and off-duty. S/he shall be honest, faithful and just, and shall not act in a manner derogatory to the honor or dignity of the public service.

4.4 Support for Vulnerable and the Physically Challenged: A public servant shall fully support and effectively implement government policies and programs on affirmative actions designed in favor of groups marginalized on the basis of gender, age, disability or any other reason created by history, tradition or custom, for the purpose of redressing imbalances which exist against them.

4.5 Efficiency and Effectiveness: A public servant shall faithfully, effectively and efficiently implement the policies of government with transparency. In the performance of official duties, s/he shall exercise diligence, care and attention and maintain high standard of performance.

4.6 Influence of Official Action for Undue Advantage: A public servant shall not communicate with or contact a fellow public servant or any other person in writing or by use of letters of recommendation, e-mail, telephone calls or otherwise with intent to influence official action on her/his personal behalf, or on behalf of another person for undue advantage, except if requested to provide a reference by an interested third party which reference shall be frank and truthful.

4.7 Confidence in Government: A public servant shall act professionally and impartially at all times to promote and sustain public confidence in government.

4.8 Care of State property: A public servant shall protect all properties of the state against damage, theft, loss, destruction and abuse and, where charged with such responsibility, administer resources in the most effective and efficient manner in compliance with financial regulations, the Public Procurement and Concessions Act, and the purposes for which the resources have been allocated. S/he shall not use public resources to gain personal benefit or give undue advantage to her/his relatives, other individuals or group of individuals.

4.9 Giving Advice: A public servant shall provide her/his superior(s), advice which is frank, accurate and comprehensive. The advice shall include setting out identifiable advantages, disadvantages, costs and consequences of the available



options and where appropriate, recommending a particular course of action which s/he considers to be cost-effective and in the interest of the State.

- 4.10 **Conflict between personal belief and work/duties:** Where a public servant holds strong personal beliefs on issues that conflict with her/his duties, s/he shall, regardless of her/his personal beliefs, implement the government policy to the best of her/his ability and shall not do anything to circumvent or undermine the policies.
- 4.11 **Respect for the Rights of Other:** A public servant shall treat members of the public and other public servants honestly and fairly, and with proper regards for the other persons' rights and obligations.
- 4.12 **Representation of Local or Foreign Governments, NGOs, etc.:** A public servant shall not represent, advise or serve as an agent of any foreign government, local or foreign company, NGOs, development partners or foreign political party for pecuniary interest.

PART V: POLITICAL PARTICIPATION

- 5.1 **Exceptions from Participation in Political Activities:** Chapter VIII of the Constitution confers rights on each citizen of Liberia to join any political party or association of her/his choice. Notwithstanding the foregoing, a public servant shall be impartial in the execution of her/his duties and shall remain loyal to the government irrespective of her/his political affiliation or beliefs. A public servant shall not:
 - a. engage in political activities during working hours; and,
 - b. use government facilities, equipment or resources in support of political activities.
- 5.2 **Avoidance of Conflict – Politics and Work:** A public servant shall ensure that her/his participation in political activities or matters does not bring her or him in conflict with official duties.
- 5.4 **Conditions for Contesting Elected Positions:** A public servant may offer her/himself as a candidate for election to any political office except where the terms and conditions of the office strictly prohibit that.
- 5.5 **Contributions to Election Expenses:** A public servant shall have the right, in her/his personal capacity, to contribute to funds or election expenses of any political party or candidate.



- 9.10 **Receipt of Double Emoluments:** A public servant shall not, while receiving or being paid salaries by any public service office, at the same time receive or be paid salary by any other public office. Public servants providing service to other institutions, including service on boards, on account of a duty require by Government, shall not demand and receive any other benefits for such service.
- 9.11 **Running of Private Business:** A public servant in full time employment of the administration shall not engage in the running of any private business that conflicts with her/his official duties or during working hours unless it is established that such activity does not conflict with her/his principal employment.
- 9.12 **Disclosure of Interest:** Where a public servant has direct or indirect personal interest in a matter being examined, the public servant shall inform the authorities of those interests and shall excuse herself or himself before deliberations are held and a vote or decision is taken.

PART X: DECLARATION AND REGISTRATION OF PERSONAL INTERESTS, ASSETS AND PERFORMANCE/FINANCIAL BONDS

- 10.1 **Declaration of Assets or Performance Bonds:** A public official and civil servant involved in making decisions affecting contracting, tendering or procurement, and issuing of licenses of various types shall sign performance or financial bonds and shall in addition declare her/his income, assets and liabilities prior to taking office and thereafter:
 - a. at the end of every two years;
 - b. upon promotion or progression from one level to another;
 - c. upon transfer to another public office; and,
 - d. upon retirement or resignation.
- 10.2 **Repository and Contents of Declaration:** The declaration of personal income, assets, liabilities and the performance bond as may be required, shall be lodged with the **Liberia Anti Corruption Commission (LACC)**. The declaration shall be promptly updated by the public servant upon subsequent changes in her/his interest and/or assets. Each declaration along with the updates thereto shall include disclosure of income, assets, liabilities, net worth, financial and family interests held by the official. The Declaration of Income, Assets and Liabilities form in Appendix I shall be used for this purpose.
- 10.3 **Confidentiality of Declaration:** The LACC shall treat each declaration as classified information and as such only authorized personnel of the commission shall have access to the contents of the declaration. Nonetheless, authorized agencies other than the LACC may have access to specific contents of the



who have submitted bids for contracts, have standing contracts, or intend to bid for contracts before the employer of the public servant or the Government of Liberia. A public servant shall not allow himself or herself to be put into a situation where s/he or he is under obligation to reciprocate a service or benefit when doing so could impair the proper performance of her/his official duties.

- 9.3 **Gifts to Spouses and Close Relatives:** A casual gift given to a family member or a close relative of a public servant shall be presumed to be a casual gift to the public servant unless the family member has an independent relationship with the giver.
- 9.4 **Token gifts:** Any token gift received by a public servant must be declared, within a reasonable time not exceeding seven days, to the appropriate authority that shall decide whether the gift item should be retained by the public servant or surrendered to government. A public servant who surrenders a token gift must demand a receipt from the appropriate recipient or depository.
- 9.5 **Obtaining Financial Assistance or Loans:** A public servant may take a loan from a person or legal entity provided that the loan is on commercial terms including requirements for repayment and reasonable rate of interest as established by law or as set by the Central Bank or by Contract.
- 9.6 **Gifts and Offers Intended to Induce or Influence:** A public servant shall report to her/his head of institution any circumstances where a benefit or gift was offered or made regardless of whether it was accepted or not, especially where the public servant feels that such circumstances constituted attempts to influence her/his official action. In reporting such case, the public servant shall disclose the source of such gift.
- 9.7 **Reporting of Gifts from Foreign Governments, International Organizations, Etc.:** A public servant may accept gifts other than casual gifts or token gifts from foreign governments, donors, international or multinational organizations or quasi-governmental organizations closely affiliated or funded by a foreign government but shall promptly declare such gift to her/his superior who shall decide whether the public servant retains the gift or surrenders it to the Government.
- 9.8 **Use of Office for Private Interest:** A public servant shall not use her/his official position to pursue private interests that may result in conflict of interest.
- 9.9 **Equal and Fair Treatment of the Public:** A public servant shall not, in the performance of her/his official duties, give preferential treatment to an individual, corporation or institution, including a non-profit organization.

- 5.6 **Soliciting Financial Support for Politics:** A public servant, however, shall not solicit financial contributions or any form of assistance from any public agency or office for campaign purposes.

PART VI: DISCLOSURE OF INFORMATION AND RELEASE OF CLASSIFIED MATERIALS

- 6.1 **Confidentiality of Information:** A public servant shall use sensitive and confidential information that is in their possession or likely to come into her/his possession only in the performance of her/his official duties or responsibilities except where such information is criminal in nature or against public policy. A public servant shall be prudent in discussing sensitive information with other public servants and s/he shall not discuss sensitive matters with any other public servant or others who are not directly concerned with the matter in hand.
- 6.2 **Non-permissible Use of Information:** A public servant shall not use information in the course of her/his official duties:
 - a. In ways that are inconsistent with her/his obligations to act impartially.
 - b. To cause harm or be detrimental to any person or body or the public service.
 - c. To gain improper advantage for himself or herself or for any other person.

The use of information for improper advantage includes:

 - a. Speculation in property or shares based on information about government's decision or the affairs of any public or private sector body.
 - b. Exchanging confidential information with people from other organizations.
 - c. Taking advantage, for personal reasons, of another person on the basis of information about that person that is held by the employer of the public servant in question.
 - d. Providing information from official records to any unauthorized person.
- 6.3 **Safeguarding Official Information:** A public servant shall maintain a high level of confidentiality regarding communication of official information in accordance with government's policy, the Rules and Procedures of the Civil Service or any other law.
- 6.4 **Release of Official Information:**
 - a. **Public speaking:** A public servant shall not accept public speaking engagements on matters of government policy which has not been officially released to the public without prior approval from her/his immediate supervisor. S/he shall not at any time make unguarded statements that will or could compromise government's policy on confidentiality.



b. **Use/release for official purposes only:** A public servant shall not use or communicate official information other than for official purposes except where such information has already been made available officially to the public. S/he shall not take improper or undue advantage of any information, including commercially sensitive information gained in the course of her/his employment.

6.5 **Acceptable Public Comments/Discussions:** Contributions by a public servant to public discussions of an impending government policy in an official capacity are generally acceptable in circumstances where:

- a. providing information on government policy is part of the public servant's official duties or s/he has been appropriately authorized by the officials of the ministry or agency; and
- b. the public servant does not misrepresent the facts concerning government policy.

6.6 **Conditions for Release of Information:** A public servant shall only disclose official information or release documents acquired in the course of employment when required by law to do so, it is inherent in the nature of the position, when called to give evidence in court, or when proper authority has been given. In such cases said disclosure shall be confined to only factual information.

6.7 **Unauthorized Release of Information:** A public servant shall not compromise the policies, decisions, or actions of government by the unauthorized, improper or premature disclosure of any information to which s/he has had access as a result of her/his duties and responsibilities.

6.8 **Disclosure of Information to Parties and Persons:** A public servant shall not without authority disclose to any person or organization for her/his personal advantage or the recipient's advantage, information which has been communicated in confidence to her or him or has come to her/his knowledge as a public servant.

6.9 **Communication of Private Matters:** A public servant shall have the right to communicate directly with any official of government on any issue affecting her or him as a private citizen. However, s/he shall observe and follow the proper communication channel within her/his organization for official matters.

PART VII: INTERACTING WITH THE PUBLIC

7.1 **Courtesy to Service Recipients or Users:** A public servant shall, in the course of her/his work exhibit courtesy, transparency, promptness, clarity, courtesy,



respect and sensitivity with proper regard for a person's rights and obligations. S/he shall exhibit said responsibilities with a view to ensuring the maximum satisfaction of the recipients and or users of services delivered or required to be delivered by her/his employer. S/he shall be responsive to legitimate demands from the public and attend to requests, complaints or enquiries promptly.

7.2 **Referral of Request for Service:** A public servant who is requested by a recipient or user of public service to provide such service but is not in the position to assist shall refer the person to another officer or office which is able to deal with the request.

PART VIII: USE OF PUBLIC FUNDS, PROPERTIES AND FACILITIES

8.1 **Use of Government Facilities:** A public servant shall use government funds, properties and facilities, that is, residential property, equipment, money, computers, internet and telephones for official purposes only. Vehicles which shall not be included in the Government's Vehicle Purchase Scheme when established shall be subject to this provision.

8.2 **Abuse of Staff Time:** A public servant shall not employ for private purposes, the services of government employees at a time that the services of such employees are at the disposal of government.

8.3 **Adherence to Budgetary and Financial Regulations:** A public servant shall ensure that public resources entrusted to her or him for the performance of her/his duties are utilized judiciously and in accordance with budgetary appropriations and financial regulations. A public servant who directs or concurs in the use of public funds contrary to the existing regulations or instructions shall be accountable for any loss arising from that use and shall be required to make full restitution of the loss, even if s/he has ceased to be a public servant.

PART IX: GIFTS, BRIBES AND CONFLICT OF INTEREST

9.1 **Bribes and Gifts:** A public servant shall not receive nor encourage the giving of any form of bribe or casual gift in connection with the performance of her/his official duties, whether for her/himself or members of her/his family or any other benefits that could have any influence on her/his professional approach to issues and the discharge of her/his official duties.

9.2 **Bribes and Gifts from Commercial Firms, Contractors, Etc.:** A public servant shall not receive any bribe. S/he shall not receive casual gifts from commercial firms, business enterprises, or institutions, whether private or public or persons