

THEMATIC COMPILATION OF RELEVANT INFORMATION SUBMITTED BY MAURITIUS

ARTICLE 7, PARAGRAPH 4 UNCAC

CONFLICT OF INTEREST

MAURITIUS (NINTH MEETING)

UNODC Resolution 3/2 "Preventive Measures"

PREVENTING AND MANAGING CONFLICTS OF INTEREST (ART.7, PARA.4)

According to Section 13 of the Prevention of Corruption Act 2002, acts of Conflict of interest may be committed in the following circumstances:

(1) Where:

- a) a public body in which a public official is a member, director or employee proposes to deal with a company, partnership or other undertaking in which that public official or a relative or associate of his has a direct or indirect interest; and
- b) that public official and/or his relative or associate hold more than 10 per cent of the total issued share capital or the total equity participation in such company, partnership or other undertaking,

that public official shall forthwith disclose, in writing, to that public body the nature of such interest.

- (2) Where a public official or a relative or associate of his has a personal interest in a decision which a public body is to take, that public official shall not vote or take part in any proceedings of that public body relating to such decision.
- (3) Any public official who contravenes subsection (1) or (2) shall commit an offence and shall, on conviction, be liable to penal servitude for a term not exceeding 10 years.

Cases of conflict of interest are dealt in a transparent manner.

TRAINING AND PREVENTION

The Corruption Prevention and Education Division of the Independent Commission against Corruption (ICAC) conduct training to Public Officials on conflict of interest.

Under section 30 of the Prevention of Corruption Act 2002, the Corruption Prevention and Education Division also do the following tasks:

- (i) Conduct public campaigns to alert the public on the dangers of corruption;
- (ii) Assist in enhancing the school curriculum so as to educate children on the dangers of corruption;
- (iii) Inform the general public on the manner in which complaints of acts of corruption should be made;

- (iv) Conduct campaigns to encourage the formation and strengthening of non-governmental organizations to fight corruption;
- (v) Liaise with private sector organisations and trade unions for the setting up of anticorruption practices;
- (vi) Conduct workshops and other activities to promote campaigns for the prevention and elimination of corruption;
- (vii) Promote links between the Commission and international organizations so as to foster international co-operation in the fight against corruption;
- (viii) Encourage links between the Commission and similar agencies in other countries; and
- (ix) Enhance education on dangers of corruption.

OTHER BODIES INVOLVED- Apart from the ICAC, the media and other bodies such as the Police also have an important role to play in the combat of conflict of interest.