

**THEMATIC COMPILATION OF RELEVANT INFORMATION SUBMITTED BY
SIERRA LEONE**

ARTICLE 7, PARAGRAPH 4 UNCAC

CONFLICT OF INTEREST

SIERRA LEONE (NINTH MEETING)

Article (7, para4) UNCAC

The measures/steps Sierra Leone has taken to ensure full compliance with this provision of the Convention.

- Section 33 (1) (c) of the Public Procurement Act 2004 provides that any public officer involved in requisitioning, planning, preparing and conducting procurement proceedings and administering the implementation of contracts, shall at all times avoid conflicts of interest, and the appearance of conflicts of interest, in carrying out his duties and conducting himself and immediately disclose any conflict of interest and excuse himself from any involvement in the matter.
- Under section 33 (6) Public officers who contravene section 33 and the regulation made thereunder are liable to applicable administrative and civil sanctions as well as to prosecution pursuant to applicable criminal laws, including the Anti-Corruption Laws.
- Section 9(1)(e) of the Local Government Act 2004, provides that if a Councillor takes part in any deliberations on a contract in which he has a financial interest or votes on any decision concerning the contract his seat will be declared vacant and bye elections held to fill the vacancy.
- It is an offence of conflict of interest under section 45 of the Anti-Corruption Act 2008 for a public officer in which public officer is a member, director, employee or is otherwise engaged proposes to deal with any company, partnership or other undertaking in which that public officer has a direct or indirect private or personal interest and fails to make his interest known in writing. Equally, it is also an offence under section 45 if a public officer takes part in a decision making in a public body in which the public officer or a relative has personal interest

- Also, the Corporate Affairs Commission (CAC) is leading an initiative to have an operational Register for the Disclosure of Beneficial interest. This is a requirement of the Extractive Industry Transparency Initiative (EITI). A road map has been developed. A code has been developed by CAC and is at Cabinet stage for implementation. See web link below for road map for SLEITI beneficial ownership.

https://eiti.org/sites/default/files/documents/final_beneficial_ownership_roadmap.pdf

Examples of the implementation of measures, including related court cases

- The case of the State Vs. Alieu Sesay & Others in which the Director General of the National Revenue Authority was charged to court on an indictment for offences under the Anti-Corruption Act 2008 which include Conflict of interest in which he took part in the decision to award a contract to a company controlled by his wife.
- In 2013 Dr. Mathew Amara (Economist) at the Ministry of Health and Sanitation was also indicted on conflict of interest charges when he rented out his own & friends vehicles to a project of the Ministry, which he was overseeing.