



OFFICE OF THE DIRECTOR OF PUBLIC OFFICERS' DECLARATIONS

**THIRD SCHEDULE**  
**OFFICE OF THE DIRECTOR OF PUBLIC OFFICERS' DECLARATIONS**  
*Director's Conference of Government Companies/State-owned Enterprises, Area 11,  
GPO, Coromandel Estate, East B.S. Rd., Coromandel, Guyana G.P.*

**DECLARATION OF ASSETS, LIABILITIES AND BUSINESS INTERESTS**  
**ANNUAL DECLARATION FORM** (4-14 (3))

**1. PERSONAL PARTICULARS**

(a) Surname.....  
(b) Other names.....  
(c) Date of Birth.....  
(d) Place of work.....  
(e) Present Grade/Position.....  
(f) Date of Appointment/Election.....

**2. RECORD OF DECLARATION**.....

# ANNUAL DECLARATIONS REPORT

AN ASSESSMENT OF COMPLIANCE BY PUBLIC OFFICERS

FOR THE 2021/2022 FINANCIAL YEAR



## OFFICE OF THE DIRECTOR OF PUBLIC OFFICERS' DECLARATIONS

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**REF. NO. ODPOD/PPM/8/9**

**12<sup>TH</sup> APRIL, 2023**

The Minister of Justice and Constitutional Affairs

Ministry of Justice and Constitutional Affairs

Private Bag 333

**LILONGWE 3**

**Honourable Minister,**

### **ANNUAL DECLARATIONS REPORT: AN ASSESSMENT OF COMPLIANCE BY PUBLIC OFFICERS FOR THE 2021/2022 FINANCIAL YEAR**

Pursuant to Section 11 (2) (h) of the *Public Officers (Declaration of Assets, Liabilities and Business Interests) Act*, I have the honour to submit the report on the assessment of compliance with the Act by listed public officers, for the 2021/2022 financial year.

The report is submitted for laying before the National Assembly.

Please, accept, Honourable Minister, the assurances of my highest consideration.

Michael M. Chiusiwa

**DIRECTOR OF PUBLIC OFFICERS' DECLARATIONS**

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## LIST OF ACRONYMS

<b>ADMARC</b>	:	Agricultural Development and Marketing Corporation
<b>ACB</b>	:	Anti-Corruption Bureau
<b>BWB</b>	:	Blantyre Water Board
<b>CMST</b>	:	Central Medical Stores Trust
<b>CWED</b>	:	Central West Education Division
<b>DDO</b>	:	Declarations Desk Officer
<b>DRTSS</b>	:	Directorate of Road Traffic and Safety Services
<b>EDF</b>	:	Export Development Fund
<b>EGENCO</b>	:	Electricity Generation Company
<b>ESCOM</b>	:	Electricity Supply Corporation of Malawi
<b>FRIM</b>	:	Forestry Research Institute of Malawi
<b>HESLGB</b>	:	Higher Education Students Loans and Grants Board
<b>KUHeS</b>	:	Kamuzu University of Health Sciences
<b>LWB</b>	:	Lilongwe Water Board
<b>LPO</b>	:	Listed Public Officer
<b>LUANAR</b>	:	Lilongwe University of Agriculture and Natural Resources
<b>MAB</b>	:	Malawi Accountants Board
<b>MACOHA</b>	:	Malawi Council for the Handicapped
<b>MACRA</b>	:	Malawi Communications Regulatory Authority
<b>MBC</b>	:	Malawi Broadcasting Corporation
<b>MBS</b>	:	Malawi Bureau of Standards
<b>MCA</b>	:	Malawi College of Accountancy
<b>MEC</b>	:	Malawi Electoral Commission
<b>MIE</b>	:	Malawi Institute of Education
<b>MPC</b>	:	Malawi Postal Corporation
<b>MUBAS</b>	:	Malawi University of Business and Applied Sciences
<b>NEEF</b>	:	National Economic Empowerment Fund (Limited)
<b>NICE</b>	:	National Initiative for Civic Education (Public Trust)
<b>NLGFC</b>	:	National Local Government Finance Committee
<b>NSO</b>	:	National Statistical Office
<b>ODPOD</b>	:	Office of the Director of Public Officers' Declarations
<b>PPDA</b>	:	Public Procurement and Disposal of Assets
<b>PPPC</b>	:	Public Private Partnership Commission
<b>RBM</b>	:	Reserve Bank of Malawi
<b>SEED</b>	:	South East Education Division
<b>SHED</b>	:	Shire Highlands Education Division
<b>SMED</b>	:	Small and Medium Enterprise Development
<b>SWED</b>	:	South West Education Division
<b>SRWB</b>	:	Southern Region Water Board
<b>UNIMA</b>	:	University of Malawi

**MANDATE, VISION AND MISSION**

**Mandate**

To enforce the declaration of assets, liabilities and business interests by certain public officers and connected matters.

**Vision**

A Public Service of high integrity and trusted by all.

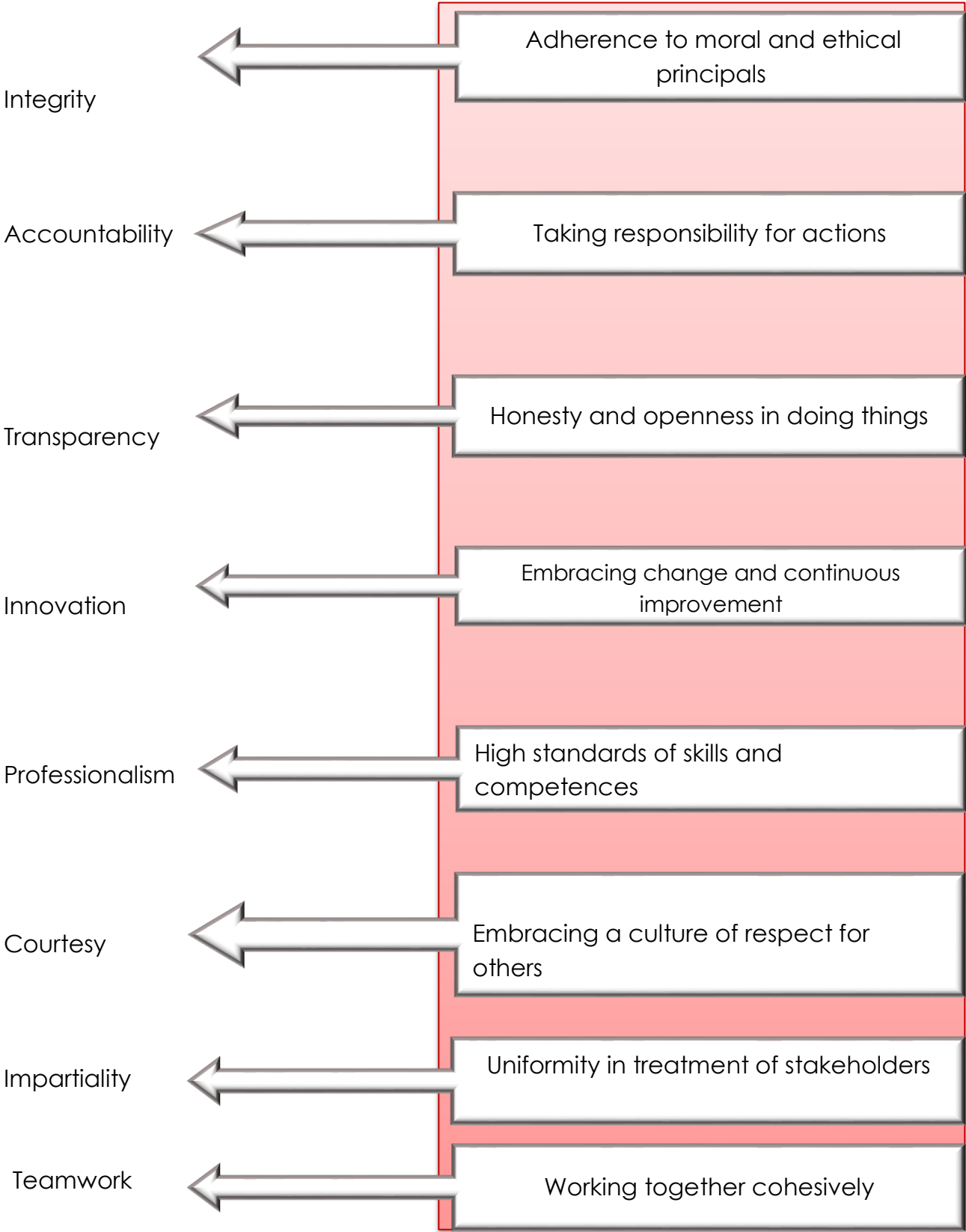
**Mission**

To promote public confidence in the public service by receiving, verifying and publicising public officers' declarations and educating the public on the declaration system.

**Motto**

"Promoting public confidence in the public service."

CORE VALUES



## ACKNOWLEDGEMENT

The Office of the Director of Public Officers' Declarations (ODPOD) appreciates all the Listed Public Officers (LPOs) who complied with the statutory requirement of the *Public Officers (Declaration of Assets, Liabilities and Business Interests) Act* by submitting their declarations to the Director of Public Officers' Declarations covering the 2021/2022 financial year.

The ODPOD also commends all Declarations Desk Officers (DDOs) or Desk Officers in various public institutions who facilitated the submission, in good time, of updated staff returns that, in turn, allowed ODPOD ample time for thorough analysis. It is the data from these submissions that have been analysed to come up with a list of Listed Public Officers (LPOs) for each public institution.

The ODPOD is immensely indebted to the Monitoring Committee of Parliament for its unwavering drive and support in enforcing the compliance of the declarations law by LPOs, including those in the political category. In this respect, prior to the submission period, the Committee had held rigorous hearings with selected LPOs and heads of public institutions as part of ensuring that LPOs submitted declarations as required by law.

We commend the Treasury for making available resources for all the activities that led to the production of this report; and we hope this will continue for the full realisation of the objective of the public officers' declarations regime in Malawi.

Our appreciation would be incomplete without acknowledging officers from the ODPOD for their untiring commitment, selflessness and team spirit all which have culminated into the production of this first-ever report of this nature since the inception of the ODPOD in 2014. All this was against the limited resources of finances, staff complement and transport.

## EXECUTIVE SUMMARY

The Office of the Director of Public Officers' Declarations (ODPOD) has been administering declarations since 2014. From that time, there has been a steady increase in the number of declarants which now stands at **14,227** active declarants. The law that governs the public officers' declarations regime is the *Public Officers (Declaration of Assets, Liabilities and Business Interests) Act*. As one way of operationalising the law, the ODPOD has set up some administrative arrangements and procedures in order to curtail challenges encountered by Listed Public Officers (LPOs) in submitting their declarations. One such arrangement is the introduction of Declarations Desk Officers (DDOs) or Desk Officers in all public institutions. These Desk Officers assist the ODPOD in receiving of declarations from LPOs in their respective organisations. The ODPOD has been working closely with the Desk Officers to bolster compliance with the public officers' declarations law.

As part of this process, the ODPOD requires all public institutions to annually submit staff returns to the ODPOD, which are analysed to determine the compliance rate for a particular institution. The declarations currently under assessment are the ones which cover the 2021/2022 financial year, otherwise also known as Annual Declarations. In this regard, LPOs were to account for the changes to their previous declarations that had occurred during the 2021/2022 financial year; or the public officers who had just assumed duties as LPOs were required to submit initial declarations no later than 3 months after assuming duties. This exercise commenced immediately after 30<sup>th</sup> April, 2022, which is the final day of the statutory period within which annual declarations are submitted. All the submissions were captured and entered into the Automated Records Management System (ARMS). Subsequently, the ODPOD, in liaison with the Desk Officers, was required to undertake compliance verification of the declarations in order to identify defaulters and compliant LPOs after which appropriate action, including recommendations for sanctions, would be taken as per the legal prescription.

The ODPOD analysed staff returns for each public institution from which public officers who were required, by law, to declare (LPOs) for each institution were isolated; then the isolated names of LPOs for individual institutions were compared with the names of officers in the Automated Records Management System (ARMS). The LPOs already captured into the ARMS are the ones considered to have submitted their declarations for the 2021-2022 period of declaration.

The findings from this exercise have established that in its records, the ODPOD currently has **14,227** public officers who are required to declare or LPOs that work under **203** different public institutions. Of these LPOs, **10,923** submitted their declarations, which represents **77%** compliance rate. **3,304** LPOs are thus deemed to have defaulted the submission representing **23%** default rate.



The factors for non-compliance vary, including lack of knowledge, negligence, poor coordination and communication within institutions and difficulties to access the ODPOD offices after the declaration period for officers stationed outside the Lilongwe City.

## CHAPTER ONE

### INTRODUCTION

#### Background

- 1.1. The Office of the Director of Public Officers' Declarations (ODPOD) is an independent governance institution within the Malawi Government, established under section 6 (1) of the *Public Officers (Declaration of Assets Liabilities and Business Interests) Act*. The Malawi Parliament enacted this law in 2013, and it came into force on 1<sup>st</sup> July, 2014, in order to provide the legal and institutional framework for the implementation of sections 88A and 213 of the Constitution of the Republic of Malawi, which require the State President, Vice President, Cabinet, Members of Parliament and prescribed public officers to declare their assets, liabilities and business interests upon assuming office.
- 1.2. The ODPOD is responsible for regulation, monitoring, and enforcement of the public officers' declarations regime, with the primary objective of "*Promoting Public Confidence in the Public Service*". Section 11 of the Act mandates the Director of Public Officers' Declarations (herein after referred to as *the Director*) to "*provide, annually, an assessment report of compliance by public officers with the provisions of this Act, to the Minister who shall lay the report before the National Assembly*". It is in keeping with this function, therefore, that the ODPOD conducted this assessment exercise particularly to establish the compliance by LPOs with the statutory requirement to submit declarations to the Director within the time period stipulated by law.
- 1.3. It is envisaged that this assessment will inform the ODPOD of the necessary interventions to be undertaken to support LPOs comply with the declarations law. The exercise has assisted the ODPOD to establish the level of compliance by each public institution and the challenges which are faced by individual LPOs and institutions in dealing with public officers' declarations matters.

#### Objectives of the Assessment

- 1.4. The assessment sought to examine levels of compliance with the Act by LPOs, with particular focus on the requirement for timely submission of declarations to the ODPOD. The specific objectives were as follows:
  - 1.4.1. To collate and compile all submissions (names of compliant LPOs) from various public institutions;
  - 1.4.2. To establish the level and rate of submissions for each institution;

- 1.4.3. To identify and establish non-submissions (names of noncompliant LPOs) without reasonable cause for possible recommendations for appropriate sanctions;
- 1.4.4. To highlight legal and institutional challenges in the implementation of the law; and
- 1.4.5. To make recommendations to address some of the identified challenges and enhance compliance amongst LPOs.

## **Methodology**

- 1.5. ODPOD constituted a task force headed by the Deputy Director to compile the report. The process involved statistical data compilation, validation, analysis and reporting. Where necessary, charts and other illustrative figures are used to ease the construal of the data. The exercise involved collection of staff returns from all public institutions for analysis. In most cases, the ODPOD officers visited public institutions to get the staff returns. In cases where an officer happened to be an LPO under more than one institution, as is the case with ex-officio board members, such officer's compliance status was counted once and based on the institution in which the officer holds a substantive position.

## **Scope of the Assessment**

- 1.6. In this report, the ODPOD focused on the annual submission of declarations from individual LPOs for the 2021-2022 period of declaration. Period of Declaration is the time period or duration, usually a financial year, within which an LPO is required to account changes to his or her assets, liabilities and business interests, from the time the officer last declared up to the end of the financial year. The assessment focused on LPOs from **203** public institutions, and all of them submitted their staff list to the ODPOD for analysis. The staff returns were as at 31<sup>st</sup> March, 2022.

## **Data Collection and Processing**

- 1.7. Data for the assessment originated from the annual submission status reports generated from the Automated Records Management System (ARMS) and the staff returns that were accordingly analysed. From this analysis, defaulting LPOs were identified and shared with Desk Officers to validate the findings before final incorporation of the same into this report.
- 1.8. Generally, there were good responses from Ministries, Departments and Agencies (MDAs) in terms of submission of staff lists. Any anomalies were addressed by a feedback mechanism through, among other means, phone calls with Declarations Desk Officers, verification of staff lists, and a thorough

check in the Automated Records Management System. All institutions submitted their staff lists, although most of them submitted late. However, it has been observed that most public institutions do not update their staff lists regularly, a factor that may lead to incorrect conclusions, in some instances, on those LPOs deemed noncompliant.

- 1.9. The institution which did not submit the staff list and also never provided any cause for the failure, despite several reminders from the ODPOD, is the Ministry of Energy.

**Table 1: Summary of institutions and their level of responses in submission of Staff Returns/Lists**

Institutional Category	Institutions that Submitted Staff Returns/Lists to ODPOD	Level of Response
<b>Ministries</b>	22/22	100%
<b>Councils</b>	35/35	100%
<b>Parastatals &amp; other Government Departments &amp; Agencies</b>	146/146	100%

### Organisation of the Report

- 1.10. The report is organised into five chapters. **Chapter One** provides the background information on the ODPOD, justification of the assessment and the methodology which the ODPOD used in data collection and analysis. **Chapter Two** focuses on statutory and policy benchmarks regulating the public officers' declarations regime in Malawi. **Chapter Three** presents the declarations submission approach and the findings on the annual submission status for the LPOs for the 2021/2022 financial year. **Chapter Four** of the report identifies challenges and possible solutions; and **Chapter Five** outlines the recommendations for further action and conclusions.

### Functions of the Office of the Director of Public Officers' Declarations (ODPOD)

- 1.11. The ODPOD, through the Records and Documentation Division; Public Education Section; Verification and Monitoring Division; and the Planning, Policy & Research Section, enforces, regulates and monitors declarations by, among others, fulfilling the following functions: -
- a) Receive declarations from Listed Public Officers.
  - b) Verify declarations submitted by Listed Public Officers.

- c) Recommend to the Minister the development of rules and regulations necessary for the proper implementation of the Act.
- d) Ensure accessibility of the *Public Officers (Declaration of Assets, Liabilities and Business Interests) Act*, by the general public.
- e) Generally advise public officers concerning their obligations under the *Public Officers (Declaration of Assets, Liabilities and Business Interests) Act*.
- f) Provide technical assistance to Listed Public Officers on the correct method of filing declarations.
- g) Annually publicise in the *Gazette*:
  - i. The names of listed public officers who have complied with the *Public Officers (Declaration of Assets, Liabilities and Business Interests) Act*;
  - ii. The names of listed public officers who have not complied with the *Public Officers (Declaration of Assets, Liabilities and Business Interests) Act*; and
  - iii. A summary of declarations filed by each Listed Public Officer.
- h) Provide annually an Assessment Report of Compliance by public officers to the Minister who shall lay the report before the National Assembly;
- l) Enforce Listed Public Officers' compliance by referring non-compliance to relevant employment authorities with recommendations for appropriate sanctions;
- j) Upon verification of declarations, report any evidence or reasonable suspicion of criminal activity by a listed public officer to the Director of Public Prosecutions, the Police, or the Director of the Anti-Corruption Bureau, as the case may be; and
- k) Report any elected public officer, Minister or any other Listed Public Officer who in the opinion of the Director, may properly be dealt with by the Monitoring Committee, to the Monitoring Committee.

### **Powers of the Director**

- 1.12. Section 12 of the *Public Officers (Declaration of Assets, Liabilities and Business Interests) Act*, outlines powers of the Director in the administration of declarations as follows:
- a) institute an inquiry into alleged or suspected non-compliance with this Act;
  - b) notwithstanding section 6 of the Taxation Act, order the production of any information, documents, or the giving of testimony, from any public officer, government agency, private company or any person, relating to the declarations filed by a listed public officer;
  - c) require a Listed Public Officer to amend, within thirty days, any declaration that is procedurally or substantively defective; and

- d) perform such other acts as are reasonably necessary or required for the exercise of his or her functions

## CHAPTER TWO

### STATUTORY AND POLICY BENCHMARKS OF THE DECLARATIONS REGIME

#### The Legal Framework

- 2.1. The Office of the Director of Public Officers Declarations (ODPOD) was established under Section 6 (1) of the *Public Officers' (Declaration of Assets Liabilities and Business Interests) Act*. The Act provides the legal and institutional framework for the implementation of sections 88A and 213 of the Constitution of the Republic of Malawi, which require the State President, Vice President, Cabinet, Members of Parliament and prescribed public officers to declare their assets, liabilities and business interests upon assuming office.
- 2.2. The establishment of the ODPOD is also in conformity with international policies and conventions. For instance, Malawi became a signatory to the United Nations Convention Against Corruption (UNCAC) in 2004. The ODPOD establishment complies with article 8 on "Codes of Conduct for Public Officials; under which Section 5 provides that; *'Each State Party shall endeavor, where appropriate and in accordance with the fundamental principles of its domestic law, to establish measures and systems requiring public officials to make declarations to appropriate authorities regarding, inter alia, their outside activities, employment, investments, assets and substantial gifts or benefits from which a conflict of interest may result with respect to their functions as public officials.*
- 2.3. The operations of ODPOD are also in line with the United Nations Sustainable Development Goals (SDGs), Goal 16, which provides for the *"promotion of peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels"*.
- 2.4. The Republic of Malawi ratified the African Union Convention on Preventing and Combating Corruption (AUCPCC) on 26<sup>th</sup> November, 2007. The charter is a commitment by the signatories to combat corruption and related offences in their respective jurisdictions. Under Article 7 of the convention, the parties committed to ensure that *"all or designated public officials declare their assets at the time of assumption of office, during and after their term of office in the public service"*.

- 2.5. The ODPOD operations also contribute towards aspiration 3 of The African Agenda 2063 of the African Union, which aspires 'to have an Africa of good governance, democracy, respect for human rights, justice and the rule of law'.
- 2.6. At national level, the ODPOD's operations contribute towards fulfilling Vision 2063 and contributing towards pillar number 2, "effective governance system and institutions", focusing on openness and transparency amongst public officers when delivering services.
- 2.7. As one of the governance institutions, the ODPOD works hand in hand with other governance institutions in the fight against corruption. As a result, the ODPOD also derives some of its initiatives from the National Anti-Corruption Strategy II. It is listed as one of the lead implementing agencies, specifically spearheading promotion of beneficial ownership initiatives.
- 2.8. The *Public Officers (Declaration of Assets, Liabilities, and Business Interests) Act* supplements the existing instruments for managing public resources as the fourth "P". The other three 'Ps' are the Public Finance Management Act, the Public Audit Act, and the Public Procurement and Disposal of Assets Act. While the first three 'Ps' aim at achieving prudence in public finance management through procedures, processes, rules, or regulations, the fourth 'P' aims at managing the behaviour of individual persons behind the procedures, processes, rules, or regulations by instilling and nurturing integrity in public officers.

## CHAPTER THREE

## SUBMISSION APPROACH AND COMPLIANCE VERIFICATION FINDINGS

**Pre-Submission Events**

3.1. In its preliminary activities prior to receiving of declarations, the ODPOD, through its Communication and Public Education section, prepared and circulated to all institutions a circular letter reminding all LPOs of their obligations to submit declarations within the statutory time period. This exercise had the purpose of ensuring that all LPOs are kept aware and conscientised of the requirement to submit their declarations. The ODPOD also published press releases in widely circulated print newspapers, namely the Nation Publications and the Times Newspaper notifying LPOs of the same. Furthermore, the ODPOD aired radio messages and announcements on selected radio stations such as the Malawi Broadcasting Corporation (MBC), Zodiak Broadcasting Station and Times Radio. In addition, frequent reminders to institutions through phone calls were made, mainly through Desk Officers.

**The Public Institutions**

3.2. The ODPOD has been administering declarations of assets, liabilities and business interests from a total of **203** public institutions spread across the country. The table below indicates the number of institutions according to nature of the institution and regional locality.

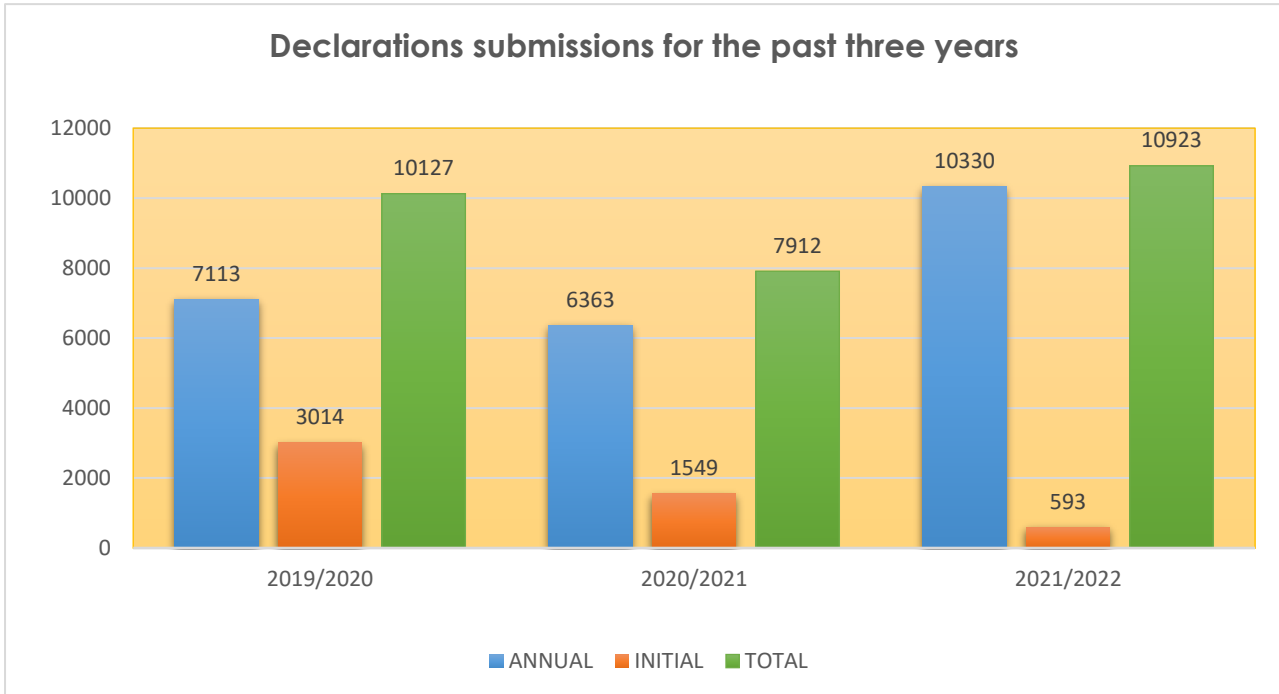
**Table 2: Number of Public Institutions in the Country**

NO	INSTITUTION CATEGORY	NO OF INSTITUTIONS
1	Councils	35
2	Institutions - North	9
3	Institutions - East	16
4	Institutions - South	37
5	Institutions - Centre	84
6	Ministries	22
	<b>TOTAL OF INSTITUTIONS</b>	<b>203</b>

3.3. In the period under review, a total of **10,923** declarations were received by



ODPOD. The chart below is showing the number of declarations submitted for the past three years categorized by type of declarations (Initial or Annual). The ODPOD received **593** initial declarations mainly from new LPOs such as board members who were recently appointed.



3.4. The comparative analysis for the past three years shows a decline in submission by **21%** in the year 2020/2021 financial year taking the baseline of 2019/2020. The decline in the year 2020/2021 could be attributed to the Covid-19 pandemic which affected people's compliance due to 'working at home policy' then. In the period under review, the submission status has increased by **38%** compared to the previous year of 2020/2021. The increase could be attributed to the following factors:

- a. An increased effort by the ODPOD in public awareness campaigns about the law through various media and stakeholder engagement activities;
- b. Impact of the Compliance, Monitoring and Verification exercise that was conducted by the ODPOD;
- c. Collaborative efforts by the public institutions and the ODPOD; and
- d. Rigorous advocacy by the Monitoring Committee of Parliament.

## Findings

- 3.5. The analysis of the **2021-2022** submission compliance was done by analyzing the institutional staff list as at 31<sup>st</sup> March, 2022. The ODPOD called for submission of the staff lists through the circular letter which was sent to all public institutions. For the sake of presentation, the findings have been presented in the following categories: - South, Centre, North, East, Government Ministries and Political category. Institutions with branch offices in other regions were all combined and analyzed based on the region where they are headquartered.
- 3.6. All the **203** Institutions submitted institutional staff returns representing a response rate of **100%**. The results of the exercise have shown an improvement in terms of submission compliance as compared to the previous years. This is mainly attributed to the vigorous follow-ups on defaulters by the ODPOD and members of the Monitoring Committee of Parliament.

### Political Category Submission Status

- 3.7. Listed Public Officers under the political category include the Presidency, Cabinet, Leaders of Political Parties represented in Parliament, and Ward Councilors. In 2021/2022 financial year, listed public officers in the Political Category were rated to have high compliance status. Specifically, an overall **98%** compliance rate was recorded.
- 3.8. The Presidency, Cabinet and Members of Parliament recorded a **100%** compliance rate separately. The high compliance rate is attributed to the intervention by the Parliamentary Monitoring Committee, which summoned every defaulting LPO in the political category to defend themselves for non-compliance during the 2020/2021 period of declaration.

**Table 3: Political Category Submission Summary**

Political Group	No. of Officers	No. of Submissions	No. of defaulters	Compliance Rate
Presidency and Cabinet	30	30	0	100%
Members of Parliament (including MPs in Cabinet)	193	193	0	100%

<b>Ward Councilors</b>	463	456	7	<b>98%</b>
<b>TOTAL</b>	<b>686</b>	<b>679</b>	<b>7</b>	

3.9. From a total of **463** Ward Councilors from **35** Councils, **456** of them complied translating into a **98%** compliance rate. The good performance is also attributed to the intervention by the Monitoring Committee of Parliament in summoning non-compliant councilors during the 2020/2021 declaration period.

**Table 4: Ward Councillors Submission Status**

#	INSTITUTION	NO. OF LPO'S REQUIRED TO SUBMIT DECLARATIONS AS PER THE STAFF RETURN	NO. OF LPO'S WHO SUBMITTED AS PER ODPOD DATABASE	NO. OF LPO'S WHO DID NOT SUBMIT	COMPLIANCE RATE (%)
1	Nsanje District Council (Councillors)	10	10	0	100%
2	Chikwawa Council (Councillors)	12	12	0	100%
3	Blantyre District Council (Councillors)	15	14	1	93%
4	Blantyre City Council (Councillors)	24	24	0	100%
5	Chiradzuru District (Councillors)	10	10	0	100%
6	Thyolo District Council (Councillors)	14	14	0	100%
7	Mulanje District Council (Councillors)	18	18	0	100%
8	Phalombe District Council (Councillors)	10	10	0	100%
9	Mwanza District Council (Councillors)	4	4	0	100%
10	Neno District Council (Councillors)	4	4	0	100%
11	Lutchenza Municipal Council (Councillors)	8	8	0	100%
12	Zomba District Council (Councillors)	18	18	0	100%
13	Zomba City Council (Councillors)	10	10	0	100%
14	Mangochi District Council (Councillors)	24	24	0	100%
15	Mangochi Town Council (Councillors)	9	9	0	100%
16	Machinga District Council (Councillors)	14	14	0	100%

## 2021/2022 Compliance Assessment Report

17	Ntcheu District Council (Councillors)	14	14	0	100%
18	Balaka District Council (Councillors)	7	6	1	86%
19	Chitipa District Council (Councillors)	10	10	0	100%
20	Karonga District Council (Councillors)	10	8	2	80%
21	Rumphi District Council (Councillors)	8	8	0	100%
22	Mbelwa/Mzimba District (Councillors)	22	21	1	95%
23	Mzuzu City Council (Councillors)	15	15	0	100%
24	Nkhatabay District (Councillors)	12	12	0	100%
25	Likoma District Council (Councillors)	2	2	0	100%
26	Kasungu District Council (Councillors)	18	18	0	100%
27	Kasungu Municipal Council (Councillors)	9	7	2	78%
28	Nkhotakota District Council (Councillors)	10	10	0	100%
29	Salima District Council (Councillors)	10	10	0	100%
30	Dedza District Council (Councillors)	16	16	0	100%
31	Dowa District Council (Councillors)	14	14	0	100%
32	Ntchisi District Council (Councillors)	8	8	0	100%
33	Mchinji District Council (Councillors)	12	12	0	100%
34	Lilongwe District Council (Councillors)	35	35	0	100%
35	Lilongwe City Council (Councillors)	27	27	0	100%
<b>TOTALS</b>		<b>463</b>	<b>456</b>	<b>7</b>	<b>98%</b>

## Compliance Status in Government Ministries

3.10. There are a total of **22** government ministries, of which all the **22** managed to submit their staff lists for compliance verification. Government Ministries take up **7%** of the total LPOs in the public service. The analysis of the results indicates an overall **63%** compliance rate amongst LPOs in the Ministries. The Ministry of Homeland Security is the top performer with **100%** compliance rate, and the Ministry of Water and Sanitation is the worst performer in this category with **13%** compliance rate. In general, Ministries have a poor compliance rate compared to all other government agencies. This could be attributed to frequent transfers amongst LPOs in the common service, including Desk Officers which results in poor communication and coordination.

Table 5: Submission Status for Ministries

#	INSTITUTION	NO. OF LPOs REQUIRED TO SUBMIT DECLARATIONS AS PER THE STAFF RETURN	NO. OF LPOs WHO SUBMITTED AS PER ODPOD DATABASE	NO. OF LPOs WHO DID NOT SUBMIT	COMPLIANCE RATE (%)
1	Ministry of Agriculture	126	56	70	<b>44%</b>
2	Ministry of Defense	17	13	4	<b>76%</b>
3	Ministry of Education	61	29	32	<b>48%</b>
4	Ministry of Energy	17	15	2	<b>88%</b>
5	Ministry of Finance and Economic Affairs	57	46	11	<b>81%</b>
6	Ministry of Foreign Affairs	55	26	29	<b>47%</b>
7	Ministry of Gender, Community Development and Social Welfare	51	45	6	<b>88%</b>
8	Ministry of Health	72	42	30	<b>58%</b>
9	Ministry of Homeland Security	27	27	0	<b>100%</b>
10	Ministry of Information and Digitization	27	12	15	<b>44%</b>
11	Ministry of Justice	89	75	14	<b>84%</b>
12	Ministry of Labor	45	36	9	<b>80%</b>
13	Ministry of Lands	65	37	28	<b>57%</b>
14	Ministry of Local Government	32	26	6	<b>80%</b>
15	Ministry of Mining	14	7	7	<b>80%</b>

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16	Ministry of National Unity & Civic Education	9	6	3	<b>55%</b>
17	Ministry of Natural Resources and Climate Change	34	29	5	<b>85%</b>
18	Ministry of Tourism, Wildlife and Culture	37	21	16	<b>57%</b>
19	Ministry of Trade and Industry	29	19	10	<b>66%</b>
20	Ministry of Transport and Public Works	48	25	23	<b>52%</b>
21	Ministry of Water and Sanitation	39	5	34	<b>13%</b>
22	Ministry of Youth and Sports	24	19	5	<b>79%</b>
	<b>TOTALS</b>	<b>975</b>	<b>616</b>	<b>359</b>	<b>63%</b>

## Compliance Status in Local Councils

3.11. The assessment has established that Local Councils are generally good performers in terms of declarations submission. They have an overall **89%** compliance rate, with **9** councils achieving a **100%** compliance rate. The lowest-performing council is Dedza District Council, with **69%** compliance rate. LPOs in local councils account for **10%** of total declarants in the public service. Good performance in most local councils is attributed to, amongst other reasons, exemplary commitment from Desk Officers and follow-ups on defaulters by the ODPOD and members of the Parliamentary Monitoring Committee, during the previous declaration period. The Monitoring Committee of Parliament summoned some defaulters from the 2020/2021 period of declaration to explain themselves. This was a stern warning to most LPOs in Local Councils, hence the favorable turn-out in the period under review.

**Table 6: Submission Status for Local Council Officials/Bureaucrats**

#	NAME OF COUNCIL	NO. OF LPOs REQUIRED TO SUBMIT DECLARATIONS AS PER THE STAFF RETURN	NO. OF LPOs WHO SUBMITTED AS PER THE ODPOD DATA BASE	NO. OF LPOs WHO DID NOT SUBMIT	COMPLIANCE RATE (%)
1	Balaka District Council	41	40	1	<b>98%</b>
2	Blantyre City Council	53	37	16	<b>70%</b>
3	Blantyre District Council	55	53	2	<b>96%</b>
4	Chikwawa District Council	35	31	4	<b>89%</b>
5	Chiradzulu District Council	33	33	0	<b>100%</b>
6	Chitipa District Council	36	36	0	<b>100%</b>
7	Dedza District Council	49	34	15	<b>69%</b>
8	Dowa District Council	41	37	4	<b>90%</b>
9	Karonga District Council	42	35	7	<b>83%</b>
10	Kasungu District Council	61	47	14	<b>77%</b>
11	Kasungu Municipal Council	11	11	0	<b>100%</b>
12	Likoma District	12	12	0	<b>100%</b>
13	Lilongwe City Council	35	29	6	<b>83%</b>
14	Lilongwe District Council	56	51	5	<b>91%</b>
15	Lutchenza District Council	8	8	0	<b>100%</b>
16	Machinga DC	51	43	8	<b>84%</b>
17	Mangochi District Council	48	37	11	<b>77%</b>
18	Mangochi Municipal Council	11	11	0	<b>100%</b>
19	Mchinji District Council	55	54	1	<b>98%</b>

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20	M'mbelwa District Council	64	56	8	<b>88%</b>
21	Mulanje District Council	41	34	7	<b>83%</b>
22	Mwanza District Council	25	25	0	<b>100%</b>
23	Mzuzu City Council	28	28	0	<b>100%</b>
24	Neno District Council	28	27	1	<b>96%</b>
25	Nkhata Bay District Council	41	36	5	<b>88%</b>
26	Nkhotakota District Council	40	30	10	<b>75%</b>
27	Nsanje District Council	44	35	9	<b>80%</b>
28	Ntcheu District Council	52	49	3	<b>94%</b>
29	Ntchisi District Council	22	18	4	<b>82%</b>
30	Phalombe District Council	37	36	1	<b>97%</b>
31	Rumphu District Council	38	37	1	<b>97%</b>
32	Salima District Council	40	35	5	<b>88%</b>
33	Thyolo District Council	42	42	0	<b>100%</b>
34	Zomba City Council	26	23	3	<b>88%</b>
35	Zomba District Council	60	57	3	<b>95%</b>
	<b>TOTAL</b>	<b>1361</b>	<b>1207</b>	<b>154</b>	<b>89%</b>



## Compliance Status in the Eastern Region Agencies

3.12. The eastern region agencies are the second lowest performers after Ministries. Their compliance rate is at **69%**. The most unsatisfactory performing institution from this region is Nasawa Technical College, from which no LPO complied. However, most of the institutions from this region have few LPOs compared to institutions from the Southern and Central regions. All the LPOs from this region contribute **4%** to the total number of LPOs for the whole public service.

**Table 7: Submission Status for Eastern Region Institutions**

#	NAME OF INSTITUTION	NO. OF LPOs REQUIRED TO SUBMIT DECLARATIONS AS PER THE STAFF RETURN	NO. OF LPOs WHO SUBMITTED AS PER THE ODPOD DATABASE	NO. OF LPOs WHO DID NOT SUBMIT	COMPLIANCE RATE (%)
1	Malawi National Examinations Board	33	26	7	79%
2	Domasi College of Education	10	9	1	90%
3	Forestry Research Institute	2	2	0	100%
4	Machinga TTC	9	8	1	89%
5	Malawi Prison Services	234	154	80	66%
6	Nasawa Technical College	2	0	2	0%
7	National Archives of Malawi	4	4	0	100%
8	National Herbarium and Botanic Gardens of Malawi	22	16	6	73%
9	SEED	272	169	103	62%
10	SRWB	62	44	18	71%
11	Treasury Cashier -East	16	15	1	94%
12	UNIMA	39	22	17	56%
13	Zomba Central Hospital	24	23	1	96%
14	Zomba Mental Hospital	4	2	2	50%
15	National Statistical Office	18	17	1	94%
16	Malawi Institute of Education	33	32	1	97%
	<b>TOTAL</b>	<b>784</b>	<b>543</b>	<b>241</b>	<b>69%</b>

## Compliance Status in the Southern Region Agencies

3.13. The southern region has the second highest number of LPOs, totaling **4,405**, constituting **31%** of the total national declarants. **81%** of LPOs in this region complied in terms of submission. A total of **854** LPOs defaulted, with the highest figures coming from the Malawi Revenue Authority (MRA), the Department of Immigration and Citizenship Services, and the Agricultural Development and Marketing Corporation (ADMARC) at **127**, **125** and **108** defaulters, respectively. However, the lowest compliance was from the Malawi Housing Corporation (MHC), with a **0%** compliance rate.

**Table 8: Submission Status for Southern Region Institutions**

#	NAME OF INSTITUTION	NO. OF LPOs REQUIRED TO SUBMIT DECLARATIONS AS PER THE STAFF RETURN	NO. OF LPOs WHO SUBMITTED AS PER THE ODPOD DATABASE	NO. OF LPOs WHO DID NOT SUBMIT	COMPLIANCE RATE (%)
1	ADMARC	114	6	108	5%
2	Blantyre Teachers' Training College	5	5	0	100%
3	Blantyre Water Board	56	50	6	89%
4	EGENCO	59	56	3	95%
5	Electricity Supply Corporation of Malawi	117	48	69	41%
6	Immigration Department	834	709	125	85%
7	KUHeS (CoM)	43	0	43	0%
8	MACOHA	40	37	3	93%
9	Malawi Postal Corporation	83	42	41	51%
10	Malawi Blood Transfusion Services	20	15	5	75%
11	Malawi Broadcasting Corporation	38	35	3	92%
12	Malawi Bureau of Standard	43	40	3	93%
13	Malawi College of Accountancy	26	21	5	81%
14	Malawi College of Distance Education	13	12	1	92%

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15	Malawi Communications Regulatory Authority	40	17	23	<b>43%</b>
16	Malawi Electoral Commission	37	37	0	<b>100%</b>
17	Malawi Gaming Board	10	10	0	<b>100%</b>
18	Malawi Housing Corporation	76	0	76	<b>0%</b>
19	Malawi Revenue Authority	1600	1480	120	<b>93%</b>
20	Malawi University of Science and Technology	43	39	4	<b>91%</b>
21	MUBAS	59	50	9	<b>85%</b>
22	Malawi National Council of Sports	23	19	4	<b>83%</b>
23	Pesticides Control Board	7	7	0	<b>100%</b>
24	Public Private Partnership Commission	18	17	1	<b>94%</b>
25	Queen Elizabeth Central Hospital	29	29	0	<b>100%</b>
26	Regional Treasury cashier-South	41	33	8	<b>80%</b>
27	Registrar General	8	5	3	<b>63%</b>
28	Shire Highlands Education Division	252	249	3	<b>99%</b>
29	Soche Technical College	9	7	2	<b>78%</b>
30	South West Education Division	153	83	70	<b>54%</b>
31	Staff Development Institute	14	13	1	<b>93%</b>
32	Sunbird Tourism Limited	29	8	21	<b>28%</b>
33	SFFRFM	19	2	17	<b>11%</b>
34	Malawi Accountants Board	3	3	0	<b>100%</b>
35	Malawi Judicial Services	433	360	73	<b>83%</b>
36	Chiradzulu Teachers Training College	5	5	0	<b>100%</b>
37	Magomero Community Development College	6	2	4	<b>33%</b>
	<b>TOTALS</b>	<b>4405</b>	<b>3551</b>	<b>854</b>	<b>81%</b>

## Compliance Status in the Central Region Agencies

3.14. Central region agencies constitute the bulk of declarants at **41%** of the total LPOs in the public service. They have achieved a **72%** overall compliance rate in terms of submission. Of the **5,973** eligible LPOs, **4,284** submitted their declarations in the 2021/2022 declaration period, whereas **1,689** defaulted, representing a **28%** default rate. This region has the highest number of institutions (**9**) whose LPOs did not submit declaration forms for their assets, liabilities and business interest in the period under review. Some non-compliant institutions are, National Initiative for Civic Education (NICE) Public Trust, Greenbelt Authority, Nurses and Midwives Council of Malawi, the Department of Administrator General, Medical Council of Malawi, National Public Events Department, Lilongwe Handling Company, Department of Civil Aviation and Central West Education Division.

**Table 9: Submission Status for Central Region Institutions**

#	NAME OF INSTITUTION	NO. OF LPOs REQUIRED TO SUBMIT DECLARATIONS AS PER THE STAFF RETURN	NO OF LPOs WHO SUBMITTED AS PER THE ODPOD DATABASE	NO OF LPOs WHO DID NOT SUBMIT	COMPLIANCE RATE (%)
1	Accountant General	169	147	22	<b>87%</b>
2	Air Cargo	12	12	0	<b>100%</b>
3	Airport Developments Limited	50	50	0	<b>100%</b>
4	Anti-Corruption Bureau	241	232	9	<b>96%</b>
5	Buildings Department	7	3	4	<b>43%</b>
6	Cannabis Regulatory Authority	11	3	8	<b>27%</b>
7	Central Internal Audit Unit	4	3	1	<b>75%</b>
8	Central Medical Stores Trust	73	68	5	<b>93%</b>
9	Central Region Water Board	40	34	6	<b>85%</b>
10	Department of Civil Aviation	14	0	14	<b>0%</b>
11	Civil Service Commission	21	13	8	<b>62%</b>
12	Competition and Fair Trading Commission	13	3	10	<b>23%</b>
13	Cotton Council of Malawi	18	17	1	<b>94%</b>
14	CWED	41	0	41	<b>0%</b>
15	Department of Climate Change and Meteorological Services	7	7	0	<b>100%</b>

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16	Department of Human Resource Management and Development	17	13	4	<b>76%</b>
17	Department of Nutrition and HIV and AIDS	6	2	4	<b>33%</b>
18	Directorate of Road Traffic and Safety Services	419	374	45	<b>89%</b>
19	Export Develop Fund	13	5	8	<b>38%</b>
20	Financial Intelligence Authority	8	8	0	<b>100%</b>
21	Government Print	20	17	3	<b>85%</b>
22	Greenbelt Authority	22	0	22	<b>0%</b>
23	Health Service Commission	9	5	4	<b>56%</b>
24	Higher Education Students Loans & Grants Board	17	10	7	<b>59%</b>
25	Independent Complaints Commission	5	4	1	<b>80%</b>
26	Kamuzu Central Hospital	18	3	15	<b>17%</b>
27	Kamuzu College of Nursing (KUHeS)	17	2	15	<b>12%</b>
28	Law Commission	19	19	0	<b>100%</b>
29	Lilongwe Handling Company	24	0	24	<b>0%</b>
30	Lilongwe Technical College	13	11	2	<b>85%</b>
31	Lilongwe Water Board	47	41	6	<b>87%</b>
32	Local Government Service Commission	28	23	5	<b>82%</b>
33	Malawi Defense Force	291	190	101	<b>65%</b>
34	Malawi Energy Regulatory Authority	29	26	3	<b>90%</b>
35	Malawi Environmental Protection Authority	13	7	6	<b>54%</b>
36	Malawi Institute of Management	16	12	4	<b>75%</b>
37	Malawi Legal Aid Bureau	64	51	13	<b>80%</b>
38	Medical Council of Malawi	13	0	13	<b>0%</b>
39	MHRC	20	10	10	<b>50%</b>
40	National AIDS Commission	19	16	3	<b>84%</b>
41	National Audit Office	10	3	7	<b>30%</b>
42	National Commission For Science and Technology	14	7	7	<b>50%</b>
43	National Council for Higher Education	11	5	6	<b>45%</b>
44	National Construction Industry Council	28	18	10	<b>64%</b>

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45	National Economic Empowerment Fund Limited (NEEF)	26	6	20	<b>23%</b>
46	National Food Reserve Agency	23	20	3	<b>87%</b>
47	National Library Services	12	12	0	<b>100%</b>
48	National Local Government Finance Committee	15	4	11	<b>27%</b>
49	National Oil Company of Malawi Limited	25	12	13	<b>48%</b>
50	National Planning Commission	27	13	14	<b>48%</b>
51	National Public Events	3	0	3	0
52	National Registration Bureau	10	1	9	<b>10%</b>
53	National Youth Council of Malawi	19	8	11	<b>42%</b>
54	Natural Resources College (LUANAR)	29	29	0	<b>100%</b>
55	National Water Resources Authority	9	8	1	<b>89%</b>
56	NICE Public Trust	6	0	6	<b>0%</b>
57	Nurses and Midwives Council of Malawi	14	0	14	<b>0%</b>
58	Office of The Ombudsman	21	20	1	<b>95%</b>
59	Parliament of Malawi- Staff	53	53	0	<b>100%</b>
60	Pharmacy and Poisons Regulatory Authority	19	11	8	<b>58%</b>
61	Power Marketing Ltd	12	7	5	<b>58%</b>
62	Public Procurement and Disposal of Assets Authority	44	44	0	<b>100%</b>
63	Malawi Police Service	3019	2079	940	<b>69%</b>
64	Regional Treasury Cashier(Centre)	16	10	6	<b>63%</b>
65	Roads Authority	25	25	0	<b>100%</b>
66	Roads Fund Administration	18	13	5	<b>72%</b>
67	Salima Technical College	9	9	0	<b>100%</b>
68	SMEDI	27	17	10	<b>63%</b>
69	State Residences	38	35	3	<b>92%</b>
70	Teaching Service Commission	14	3	11	<b>21%</b>
71	Technical Entrepreneurial and Vocational Training Authority	39	32	7	<b>82%</b>
72	Tobacco Commission	26	21	5	<b>81%</b>
73	UNESCO	6	6	0	<b>100%</b>

74	National Intelligence Service	0	0	0	<b>0%</b>
75	Reserve Bank of Malawi	176	169	7	<b>96%</b>
76	Copy Right Society of Malawi	6	1	5	<b>17%</b>
77	Department of Plant Vehicle Hire & Engineering Services	14	14	0	<b>100%</b>
78	Office of the President and Cabinet (OPC)	86	75	11	<b>87%</b>
79	Office of the Vice President	25	5	20	<b>20%</b>
80	Malawi College of Health Sciences	25	15	10	<b>60%</b>
81	Malawi Investment and Trade Centre	17	14	3	<b>82%</b>
82	Administrator General	15	2	13	<b>13%</b>
83	Department of Statutory Corporations	7	2	5	<b>29%</b>
84	LUANAR- Bunda	47	32	15	<b>68%</b>
	<b>TOTALS</b>	<b>5973</b>	<b>4284</b>	<b>1689</b>	<b>72%</b>

### Compliance Status in the Northern Region Agencies

3.15. Northern region agencies are the best-performing agencies in terms of submission. All **9** institutions have scored a **100%** compliance rate. The good performance could be attributed to small numbers of LPOs in these institutions, making it easy to follow up on the individual LPOs; and also due to good commitment from Desk Officers. However, it has to be noted that the total LPOs in all the institutions in this region constitute only **2%** of LPOs in the entire public service. This is the case because most of the public institutions in the Northern region are headquartered either in the Central or the Southern regions; hence most of them declare through their head offices, and the analysis was also conducted on the same basis.

**Table 10: Submission Status for Northern Region Institutions**

#	NAME OF INSTITUTION	NO. OF LPOs REQUIRED TO SUBMIT DECLARATIONS AS PER THE STAFF RETURN	NO. OF LPOs WHO SUBMITTED AS PER THE ODPOD DATABASE	NO. OF LPOs WHO DID NOT SUBMIT	COMPLIANCE RATE (%)
1	Mzuzu Agriculture Development Division	11	11	0	<b>100%</b>
2	Mzuzu Central Hospital	16	16	0	<b>100%</b>
3	Mzuzu University	40	40	0	<b>100%</b>

4	Northern Education Division	128	128	0	<b>100%</b>
5	Viphya Plantations	4	4	0	<b>100%</b>
6	Northern Treasury Cashier	10	10	0	<b>100%</b>
7	Northern Region Water Board	45	45	0	<b>100%</b>
8	Mzuzu Technical College	7	7	0	<b>100%</b>
9	Karonga TTC	5	5	0	<b>100%</b>
	<b>TOTALS</b>	<b>266</b>	<b>266</b>	<b>0</b>	<b>100%</b>

### Established Factors or Reasons for Non-Compliance by LPOs

3.16. The ODPOD, directly or indirectly on its own volition, conducted an inquiry to establish reasons for some of the LPOs not to declare and submit their assets, liabilities and business interests. The inquiry was based on a sample of LPOs identified as still in contention for compliance with the law, coupled with feedback from institutions. The reasons that were established and are believed to have contributed to the non-compliance are as outlined below:

- a. LPOs reported having forgotten to submit despite frequent reminders by the ODPOD and Desk Officers;
- b. LPOs were unaware they were in the category of public officers required to declare their assets, liabilities and business interests;
- c. They made deliberate decision not to submit their declarations;
- d. LPOs reported to have been out of office for various reasons during the submission period; and
- e. Listed Public Officers feared for possible reprisals for their lack of explanation on the source of finance for their wealth.



## CHAPTER FOUR

## CHALLENGES FACED AND POSSIBLE SOLUTIONS

**4.1. Challenges**

4.1.1 Since its inception, the ODPOD has encountered several challenges that affect its efficiency and effectiveness in the administration of declarations. The challenges relate to the legal framework, social-cultural and financial matters.

**Legal Framework-related Challenges**

4.1.2 The current legal framework has some gaps that are leading to limitations in the enforcement of the provisions of the law, including the compliance-related sanctions.

**Institutional-related Challenges**

4.1.3 The ODPOD has not been able to fully fulfil its public education function due to inadequate financial resources. This has translated to little or low awareness on the part of LPOs with respect to correctly completing declaration forms. Among others, the ODPOD normally embarks on awareness activities based on a three-pronged approach, i.e. *“Who is supposed to submit, When and How”*.

4.1.4 Secondly, the ODPOD is grappling with inadequate human resource capacity due to a narrow institutional establishment which has limited total number of staff (26) for the whole institution.

4.1.5 Thirdly, the incomplete, unclear and outdated staff returns submitted by MDAs which compromise the quality of analysis of compliance at the institutional level; hence the ODPOD had to constantly make follow ups with Desk Officers to get the right information on the same;

4.1.6 Fourthly, budgetary cuts affected the timely completion of the exercise, because ODPOD officers could not afford to go around all the institutions to collect the staff returns; hence they had to wait for the institutions to bring or email the staff lists which delayed the process;

4.1.7 Lastly, the human error when LPOs completed the manual declaration forms

resulted in unreadability of some scripts, and subsequently lead to wrong data entered into the Automated Data Management System. In order to clean up such errors it takes time too.

**ACTIONS TAKEN TO ADDRESS THE CHALLENGES****4.2. Actions Taken****Legal Framework-related Challenges**

4.2.1 In order to address these gaps, the ODPOD initiated and commenced the Law Review process with the aim of addressing some of the existing gaps in the legal framework. At the time of reporting, the Special Law Commission was working on the *Issues Paper* submitted by the ODPOD detailing the gaps to be filled. The paper is part of the *Legislative Policy* documents on which the amended law would be based.

The Special Law Commission was also in the process of incorporating views from other stakeholders, including the Monitoring Committee of Parliament, into the final report before submitting the same to the Ministry of Justice and Constitutional Affairs. It is envisaged that amending the Law will result in improved effectiveness and enforcement mechanisms.

**Institutional-related Challenges**

4.2.2 As one way of addressing the challenges of inadequate human resource capacity, the ODPOD instituted Declarations Desk Officers in all the public institutions, whose role is to act as the focal points on the declaration of assets, liabilities and business interests by LPOs within their institutions. This is one of the interventions initiated in order to facilitate a smooth process of filing declarations by LPOs. Among other tasks, the Desk Officers were responsible for sending declarations-related communication to LPOs. However, establishing a network of DDOs is in itself not enough. They ought to be oriented and taken through refresher courses related to the declarations regime. Unfortunately, due to inadequate resources, comprehensive capacity building has not been adequately done for them, and the ODPOD is exploring ways of addressing this issue.

**Public Education**

4.2.3 Public Education is critical because it directly affects compliance by LPOs. However, due to financial constraints, there have been fewer public education activities targeting both LPOs and the general public. The ODPOD is, therefore, engaging and

collaborating with different stakeholders to support public education. These include the National Initiative for Civic Education Trust (NICE) Public Trust, the Ministry of Civic Education and National Unity, and the Anti-Corruption Bureau.

- 4.2.4 The ODPOD formulated a Communications Strategy to guide its public education initiatives. Amongst its activities in the strategy is the extensive use of platforms such as social media, radio, television and the production and dissemination of IEC materials.
- 4.2.5 In addition to the above, the ODPOD is also engaging individual institutions to guide them on identifying eligible listed public officers as per their staff establishment in line with the provisions under the First Schedule of the Act as well as the powers that are vested in the Director.

#### **Mode of Declaration Submission**

- 4.2.5 The ODPOD currently only receives declarations in paper format i.e. manual. This has proven to be very cumbersome and costly and has been identified as one of the major impediments. To overcome this, the ODPOD has embarked on a project to introduce an Online Declaration System.
- 4.2.6 The Online Declaration System has been completed and awaiting final testing and debugging. The system will, among other facilities, enable LPOs to upload their declarations information online, provide automatic reminders to LPOs, generate automated status reports and flag out discrepancies.

## CHAPTER FIVE

### RECOMMENDATIONS AND CONCLUSIONS

#### Recommendations

- 5.1. Based on the findings of this Report, the following recommendations are made to enhance compliance in terms of submission amongst LPOs:
  - 5.1.1. **Amend the Declarations Law** to enhance the enforcement mechanisms.
  - 5.1.2. **Automation:** The ODPOD should invest in technology such as introduction of Online Declaration System, to improve the efficiency of the declaration system.
  - 5.1.3. **Capacity Building:** The ODPOD should source funds and train Desk Officers in all public institutions to improve their knowledge of the declarations regime so that they can ably assist LPOs in their respective institutions.
  - 5.1.4. **Enforcement:** The ODPOD should enforce compliance against non-compliant LPOs as required by law.

#### Conclusions

- 5.2. The 2021/2022 compliance assessment exercise has established that there was an increase in the submission of declarations compared to the years before. This is attributed to various strategies employed by the ODPOD, such as issuance of notices, constant follow-ups by the ODPOD and the Monitoring Committee of Parliament and provision of technical support to Desk Officers on the same. The findings of the assessment display a **77%** compliance rate in terms of submission.

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FOR THE 2021/2022 FINANCIAL YEAR**

APRIL, 2023