



Say **NO** to
CORRUPTION



“Destiny of our country lies in our hands”



Seven Principles of Life

Selflessness
Integrity
Objectivity
Accountability
Openness
Honesty
Leadership



Bhutan as a small country cannot afford corruption


The biggest challenge facing us today is achieving our ambitions through honesty, decency and integrity. This is so because corruption dwells in varied forms in every corner of the society.

Corruption is commonly defined as the abuse of public office for private gains.

His Majesty's vision of a democracy is something that maintains GNH as the philosophy, that is responsive to people's aspirations and needs and that enhances transparency and accountability of governance.

Due to the seriousness of problems and threat posed by corruption especially in a democracy, a need was felt for a comprehensive and multidisciplinary approach.

Consequently, Anti Corruption Commission was established in January 2006 as an independent authority under a Royal Decree and the Anti-Corruption Bill was passed during the 85th session of



“At a time when we are establishing parliamentary democracy in the country, it is very important to curb and root out corruption from the very beginning”

-(Royal Decree)

the National Assembly.

The Anti-Corruption Act applies to public entities, corporations, and persons including nongovernmental organizations, foundations, trusts, charities and civil society using public resources.

It is now the responsibility of every citizen to understand the Act and act against corruption in fulfilling His Majesty's aspiration for an incorruptible society.



Together we can make difference

1. What are the most (broad) common forms of Corruption?

- Nepotism
- Abuse and misuse of public resources
- Bribery
- Collusion
- Committing fraud in public election
- Illegal commerce and business
- Tax evasion
- Abuse of privileged information



2. How do we tackle Corruption?

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- We can lodge a complaint to the Commission against any per-



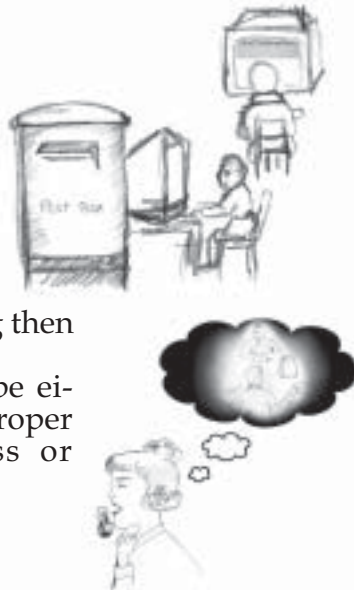
Fishing for corruption

son who has either committed or is attempting to commit an offence of corruption.

3. How can we complain?

Complaints can be lodged in the following manner:

- post
- email
- fax
- compliant page on anti-corruption website or
- just walk in.
- a complaint may be made orally or in writing, if in writing then it should be signed.
- Complaints can be either lodged with proper name and address or anonymously.

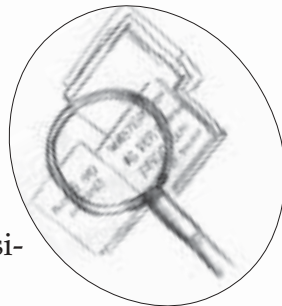


However it is important to include the following information in the complaint.

- (a) Name and address of the person against whom the complaint is filed;
- (c) Allegation and circumstance, information on whether any injury is sustained along with clear and sufficient evidence to facilitate effective investigation; and
- (d) If the complaint is lodged on behalf of another injured person, the signature of such person.

4. What Happens to the Complaints?

- The commission will first review the facts and evidence provided.
- The chairperson of the Anticorruption commission is authorized to carry out investigations on any person in Bhutan, regardless of status or position
- The Commission will seek assistance from any law enforcement agency if necessary.



- The Commission has the power to suspend, arrest or seize property if necessary.
- Investigations will be carried out as per the provisions of the Civil and Criminal Procedure Code of Bhutan.
- Besides the complaints from the individuals/ entity the Commission will also carry out investigation under the following circumstances;
 - (a) His Majesty Commands;
 - (b) An offence of corruption is reported by the Royal Audit Authority;

OR

- (c) If there is credible information on corruption.

5. What Happens to the false Complaints?

- An informer who knowingly gives or causes misleading/false information will be guilty of an offence and will be liable to penalty under the penal code of Bhutan.

6. How will the informers be protected?

- Commission will insure the protection of the identity of the informer
- The identity of any an informer is safeguarded.
- A person or entity cannot take any action against an employee or a person for disclosing or attempting to disclose an act of corruption.



If anyone reports of bribery to the Commission or to any lawful agency within twenty four hours of the receipt of bribe, then the person will not be penalized.



OFFENCES

- Standard of living, financial resources or assets, that is not proportionate with the lawful source of income.
- Offer or accept any gratification directly or indirectly
- Disclosure of informer's identity
- Punishing an employee for informing or for attempting to report corruption
- Failure to declare or making false declaration of income, asset and liability
- Failure to comply with the Commission or cause difficulty in the execution of its tasks.
- Performing any work, providing any service, supplying any article, material or substance or performing any other act corruptly, directly or indirectly.

7. Who needs to declare the assets?

- A person serving any organization using public resource have to declare his income, asset and liability and that of his spouse and dependent to their respective offices.
- A person holding the following positions have to declare his/her income, asset and liability and that of their spouse and dependent to the Commission:
 - (a) Prime Minister;
 - (b) Chief Justice of Bhutan;
 - (c) Speaker and members of the National Assembly;
 - (d) Minister;
 - (e) Chairperson and members of the National Council;



RIGHT CONDUCT

- (f) Constitutional office holder;
- (g) Secretary to the government;
- (h) Ambassador and Consul;
- (i) Members of the Constitutional office;
- (j) Head of autonomous agency;
- (k) Head of armed force;
- (l) Chief of Police;
- (m) Chairperson of Dzongkhag Tshogdu, Gewog Tshogde and Thromde Tshogde;
- (n) Dzongda and Drangpon;
- (o) Chairperson and chief executive of corporation and financial institution;
- (p) Head of an NGO and other such organization that uses public resource; and
- (q) Any other public official that the Commission may prescribe from time to time.

8. How do we declare the assets?

The asset declaration forms can be found in the respective offices or download from the ACC website.

9. What will happen to the offenders?

- A person who is found guilty of an offence will be liable to punishment, in accordance to the penal code of Bhutan or other law.
- Every person convicted of an offence for which no penalty is specifically provided



RIGHT ACTION

under the Penal Code of Bhutan or any other law, will be liable to a fine or to imprisonment, or to both.

- Any property of the defendant shall be subjected to confiscation or recovery.
- The Court may make an order to pay fine in lieu of imprisonment, if the offence is not so grave.
- A defendant can be admitted to bail as per the provisions of the Civil and Criminal Procedure Code of Bhutan.



**“In Bhutan merit must be
the key word”**

-Crown Prince



Public resource includes public fund, property, human resource, authority, information, time, natural resource and other resource mobilized through domestic and external source.



Eliminate corruption

***For further information log on to
www.anti-corruption.org.bt***

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Issued in public interest by Anti-Corruption Commission