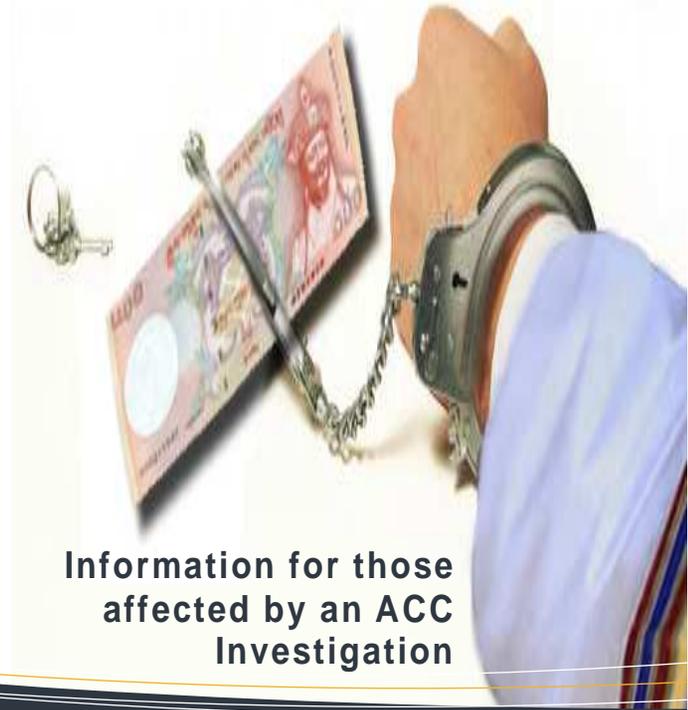


CORRUPTION is a **CRIME**

Let's fight it together.....



**Information for those
affected by an ACC
Investigation**

ACC

The Anti-Corruption Commission was established as an independent Authority under the Constitution of Kingdom of Bhutan.

The Anti-Corruption Act of Bhutan 2006 was enacted on 3 July 2006 during the 85th Session of the National Assembly. The Act gives the Commission the power and function to take all necessary actions to prevent and combat corruption.

“Corruption” means:

Misuse or abuse of public resources or authority for private gain or selfish gain at the cost or right of others.

It is the use of position/office of trust for dishonest private gain which impacts the public at large.

It is a form of behavior that deviates from ethics, morality, tradition, law and civic culture.

Anti-Corruption Commission

Thimphu
Post Box No. 1113
Phone: 334860 /63/64/66/67/68
Fax: 334865
Website URL: www.anti-corruption.org.bt



Anti-Corruption Commission
Nation's Conscience

WHO ARE "AFFECTED" PEOPLE?

PEOPLE AGAINST WHOM IN THE ACC'S OPINION "SUBSTANTIAL" ALLEGATIONS OF CORRUPTION OR SOME OTHER FORM OF CORRUPT CONDUCT HAVE BEEN MADE IN THE COURSE OF OR IN CONNECTION WITH THE INVESTIGATION CONCERNED.

There are certain rights and obligations that "affected" people have and must fulfill in relation to an investigation.

Investigation means gathering evidences to know the truth of any suspected corruption offences. ACC receives complaints of corruption and investigates such complaints based on prima facie case of corruption. ACC may also investigate any suspected attempt or conspiracy to commit any act of corruption.

RIGHTS OF AFFECTED PEOPLE

- BEING MADE AWARE OF NATURE OF ANY ALLEGATION
- OPPORTUNITY TO RESPOND TO THAT ALLEGATION
- LEGAL REPRESENTATION BY A JABMI

OBLIGATIONS OF AFFECTED PEOPLE

- COMPLY WITH LAWFUL DEMAND OF ACC
- COOPERATE WITH ACC
- PROVIDE ACC WITH INFORMATION, DOCUMENTS OR ANY OTHER ARTICLES THAT HE/SHE MAY POSSESS
- TO TELL THE TRUTH

Are you affected by an ACC Investigation?

SUMMON ORDER

If you receive a Summon Order from ACC, please read it carefully!

It will tell you the time, date and place you must report to.

It will give information on why you have been summoned in relation to an investigation.

It will specify whether you have been called for questioning or to produce information, like documents / books / articles, etc. in relation to an investigation.

It will mention your right to a **Jabmi**, and the requirement for a **witness** while giving your statement or evidence.

Please comply with the requirement of the Summon Order. If you do not, you may face serious penalties.

If you have any questions on the Summon Order, please contact the Investigation officer named in the Summon Order.

If you fail to attend at the time, date and place specified in the Summon Order without reasonable justification, you are committing an offence. An arrest warrant against you may be issued.

RIGHT TO A JABMI

If you want to be represented by a Jabmi you must make your own arrangements, and bring him/her along at the time, date and place of your appearance. The Jabmi must be from the approved list maintained by the Office of the Attorney General. If you cannot afford one, you may apply to ACC for one to be provided by the government. A Jabmi may be provided subject to giving full details of your financial position, which shows that you cannot afford one.

INTERROGATION

In relation to an investigation, you will be asked questions by the Investigation Officer. You must answer all questions truthfully. If you are represented by a **Jabmi**, you may seek legal counsel on answering those questions. It is an offence to give false or misleading evidence. Your evidence will be recorded in the Statement Form and it must be signed by you and your witness. Your statement may be used against you in a court of law.

WHAT ARE THE POWERS OF ACC IN RELATION TO AN INVESTIGATION?

ACC has the power to summon for interrogation; suspend from service; revoke work order, license, lease and contract agreement; freeze assets, financial accounts, and business; impound travel documents and access to information on asset declaration. In addition, subject to warrants from courts, ACC has the power to arrest & detain and to conduct search & seizure.

