



**“AN ACT TO AMEND SECTION 5.2 AND SECTION  
10.2 OF THE 2014 CODE OF CONDUCT”**

**DATED: DECEMBER 22, 2022**

**PUBLISHED BY AUTHORITY  
MINISTRY OF FOREIGN AFFAIRS  
MONROVIA, LIBERIA**

**PRINTED: DECEMBER 29, 2022**

AN ACT TO AMEND SECTION 5.2 AND SECTION 10.2 OF THE 2014 CODE OF CONDUCT

Whereas, it has been determined the Section 5.2 of the 2014 Code of Conduct provides for too long a period of time for certain categories of persons in the employ of the Government of Liberia, who desire to canvass and contest for elective offices, to resign their appointments in the Government of Liberia before canvassing and contesting for elective offices; and

Whereas, it has also been determined that the Legislature intended full and absolute compliance, not substantial compliance with Section 5.2 of the 2014 Code of Conduct in order for the category of persons in the employ of the Government of Liberia to be eligible to canvass and contest for elective offices; and

Whereas, Section 5.2 of the Code of Conduct provides no sanction or penalty for the non compliance of the category of persons in the employ of the Government of Liberia who intend to canvass or contest for elective offices in the event of non compliance with its provisions;

Whereas, the code of conduct provides at Section 10.2 that the declaration of personal interest, income, assets, liabilities and performance bond as may be required, shall be lodged in the Legislative Branch with the Secretary of the Senate and the Chief Clerk of the House of Representatives; in the Executive Branch with the General Auditing Commission; and in the Judicial Branch with the Clerk of the Supreme Court;

Whereas, declarations with the three separate entities for the three branches of Government has not been effective thereby jeopardizing effective control of personal records;

Whereas, the need exist for an effective centralized control system where the declaration of personal interest, income, assets, liabilities and performance bond as may be required, shall be lodged with a single entity;

Now therefore, in order to remedy the deficiencies of Section 5.2 and Section 10.2 of the 2014 Code of Conduct and make it more effective,

It is enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature assembled:

**ARTICLE 1: AMENDMENT OF SECTION 5.2 OF THE 2014 CODE OF CONDUCT**

**SECTION 1:** Immediately upon the enactment of this law, Section 5.2 of the 2014 Code of Conduct which provides for the period of time for certain categories of employees of the Government of Liberia to resign their position in order to be eligible to canvass or contest for elective offices is hereby amended to read as set forth below:

5.2. The following shall apply to any person in the category stated in Section 5.1 of the Code of Conduct Act of 2014, who desires to canvass or contest for an elective public office:

- (a) Any minister, deputy minister, assistant minister, director general, deputy director general, assistant director general, Superintendent and assistant Superintendent, and any other official of the Government of Liberia appointed by the President of Liberia pursuant to Article 56(a) of the Constitution, any managing director, deputy managing director, and assistant managing director of any corporation owned by the government of Liberia, any commissioner, deputy commissioner and assistant

commissioner of any Commission established by the Legislature, and any other official of the Government of Liberia who negotiates and executes contracts, procures goods and services and/or manages assets for and on behalf of the Government of Liberia, who desires to contest for an elective office within the Government of Liberia, shall resign his/her position at least one (1) year (i.e. 12 calendar months) before the date on which the election for the post for which he/she intends to contest.

- (b) In the event of a by-election necessitated by the impeachment, resignation, death or disability of an elected official or other form of removal from office of such elected official and any person within the category of employees described in Section 5.2(a) above who intends to contest the election to fill such vacancy, such person must resign his/her position not later than thirty (30) days following the announcement by the National Elections Commission of the date for the election to fill the vacancy.
- (c) In the event a person described in Section 5.2(a) above fails, neglect and/or refuses to resign his position in the Government of Liberia within the time prescribed by this law, such person shall not be eligible to contest for the elective position for which he/she intends to contest or applies to the National Elections Commission to contest. There shall be absolute and complete, not substantial compliance, with the provisions of this law in order for the persons described in Section 1 above to be eligible to contest any elective office.
- (d) Any person or organization may challenge before the National Elections Commission the eligibility of a person described in Section 5.2(a) of this law, who has not timely resigned his/her position in order to be eligible to contest for an elective office; and the burden shall be on the person who intends to contest for the elective office to prove that he/she has timely resigned. The National Elections Commission shall, on its own and not necessarily on the application of any other person or organization, reject the application of any person described in Section 5.2(a) above, who is perceived as not having complied with the resignation requirements of this law, and the burden shall be on the person to prove otherwise to the National Elections Commission.

#### ARTICLE 2: AMENDMENT OF SECTION 10.2 OF THE 2014 CODE OF CONDUCT

Section 1. Immediately upon the enactment of this law, Section 10.2 of the 2014 Code of Conduct which provides for the declaration of personal interest, income, assets, liabilities and performance bond is hereby amended to read as set forth below:

##### Section 10.2: Repository and Contents of Declaration

- (a) The declaration of personal interest, income, assets, liabilities and performance bond as may be required, shall be lodged with the Liberia Anti-Corruption Commission LACC. The LACC shall investigate and verify all such declarations and bond.
- (b) Declarations made to the LACC shall be accessible to both the public employer and the general public only upon the order of court, in line with the Freedom of

- (c) The court shall order the LACC to make available the information to the requester if it determines that the request serves a legitimate public interest, such as the detection, investigation and prosecution of acts of corruption among others.
- (d) The court will determine the information contained in the declaration that will be made available to requester. Under no circumstances the court order shall make available sensitive information, such as bank account numbers, credit and numbers residential addresses and information about cash and valuable held outside of banks or other financial institutions.
- (e) The person accessing a declaration may not use it for:
  - (i) Any illegal purpose, or
  - (ii) Any commercial or political purpose, and only upon a court order may release the information through communication and news media in the public good.
- (f) Any prohibited use of a declaration of personal interest, income, asset, liabilities and performance bond shall be punishable by a fine of \$5,000, without prejudice to civil or criminal liability for unlawful use.
- (g) All declaration made to the LACC shall be promptly updated by public officials and employees of government upon subsequent changes in his or her interest and or assets. Each declaration along with the updated thereto shall conform to the guidelines issued by LACC and must include disclosure of income, assets, liabilities, net worth, financial and family interest held by the official or employee.
- (h) An official appointed by the President shall declare his/her assets not later than thirty (30) days after appointment. Failure to comply shall result into immediate suspension from office until full compliance is obtained.

#### **ARTICLE 3: EFFECTIVE DATE**

The law shall take effect immediately upon publication into handbills.

**ANY LAW TO THE CONTRARY NOTWITHSTANDING**

-2022-

FIFTH SESSION OF THE FIFTH-FOURTH LEGISLATURE  
OF THE REPUBLIC OF LIBERIA

SENATE'S ENGROSSED BILL NO: 12 ENTITLED

"AN ACT TO AMEND SECTION 5.2 AND SECTION 10.2 OF THE  
2014 CODE OF CONDUCT"

On Motion, Bill read on its 1<sup>st</sup> Reading, Tuesday,  
January 26, 2021 at the hour of 12:17 GMT. On  
motion, Bill read on its second reading and adopted  
and sent to Committee Room on Thursday, January  
28, 2021 at the hour of 13:15 GMT

On motion, Bill taken from the Committee Room.  
On motion under the suspension of the rule, the  
second reading of the Bill constituted the third and  
final reading and the Bill was adopted, passed into  
the full force of the law today, and ordered  
engrossed today, Thursday, June 30, 2022, @  
13:40 GMT

  
SECRETARY OF THE SENATE, R.L.

-2022-

FIFTH SESSION OF THE FIFTY-FOURTH LEGISLATURE  
OF THE REPUBLIC OF LIBERIA

HOUSE'S ENDORSEMENT TO SENATE'S ENGROSSED  
BILL NO. 12 ENTITLED:

"AN ACT TO AMEND SECTION 5.2 AND SECTION 10.2 OF THE  
2014 CODE OF CONDUCT"

On Motion, the Bill was read. On motion, the Bill  
was adopted on its first reading and sent to  
committee Room on Thursday, July 7, 2022 @  
12:52 G.M.T.

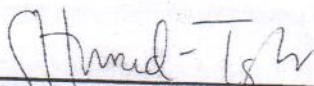
On Motion, the Bill was taken from Committee  
Room for its second reading. On motion, under the  
suspension of the rule, the second reading of the  
Bill constituted its third and final reading and the  
Bill was adopted, passed into the full force of the  
law and ordered engrossed today, Tuesday,  
September 13, 2022 @ 17:02 G. M.T

  
CHIEF CLERK, HOUSE OF REPRESENTATIVES, R.L

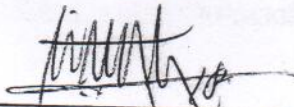
-2022-

ATTESTATION TO:

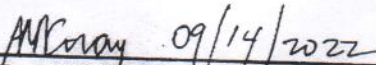
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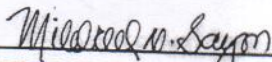
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VICE PRESIDENT OF THE REPUBLIC OF LIBERIA/  
PRESIDENT OF THE SENATE



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SECRETARY, LIBERIAN SENATE



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ACTING SPEAKER, HOUSE OF REPRESENTATIVES, R.L.



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CHIEF CLERK, HOUSE OF REPRESENTATIVES, R.L.



**The Liberian Senate**  
 CAPITOL BUILDING, CAPITOL HILL, MONROVIA, LIBERIA  
 WEST AFRICA

-2022-


FIFTH SESSION OF THE FIFTY-FOURTH LEGISLATURE OF THE REPUBLIC OF LIBERIA

SCHEDULE OF SENATE'S ENROLLED BILL NO. 6 ENTITLED:  
 "AN ACT TO AMEND SECTION 5.2 AND SECTION 10.2 OF THE 2014  
 CODE OF CONDUCT"

PRESENTED TO THE PRESIDENT OF THE REPUBLIC OF LIBERIA FOR  
 EXECUTIVE APPROVAL

APPROVED THIS: 22<sup>nd</sup> DAY OF December A.D.  
 2022

AT THE HOUR OF 10:00 Am

  
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 THE PRESIDENT OF THE REPUBLIC OF LIBERIA