



## MOMBASA COUNTY PUBLIC SERVICE BOARD



P.O. Box 80076-80100 Mombasa Phone: +254 742 581 415 / +254 780 564 465 Email: info.mcpsb@mombasa.go.ke

### **FREQUENTLY ASKED QUESTIONS (FAQs) ON THE WEALTH DECLARATION PROCESS.**

#### **1.) WHO SHOULD SUBMIT THEIR DECLARATION?**

The Section 26(1) of Public Officers Ethics Act (POEA) No.4 of 2003 (Rev 2012) and the Mombasa County Public Service Board Administrative Procedures on Part IV of the POEA; requires every public officer to submit **once every two years**, a declaration of the income, assets and liabilities of him/herself, his/her spouse or spouses and his/her dependent children under the age of 18 years. **2023** is a **declaration year** for the two-year period of 2021-2023.

#### **2.) WHY SHOULD I DECLARE MY INCOME, ASSETS AND LIABILITIES?**

- To comply with the legal provisions of Section 26(1) of the Public Officers Ethics Act that require submission of the declarations.
- To establish the status of my income, assets and liabilities.
- To increase public confidence in the county public service.
- To promote transparency and accountability.

### 3.) WHAT TYPE OF WEALTH DECLARATIONS AM I REQUIRED TO MAKE?

Type of Declaration	When it is Made	Statement Date
<b>Initial declaration</b>	Made within 30 days of becoming a public officer	The date of first appointment to the service
<b>Every two-year declaration/ Biennial declaration</b>	Made every two years while in the county public service.	1st November of the year when the declaration is required
<b>Final declaration</b>	Made within 30 days after ceasing to be a public officer	The date the officer ceases to be a public officer

### 4.) HOW DO I FILL MY DECLARATION FORM?

You can access a downloadable sample of a **correctly filled declaration form** on the Mombasa County Public Service Board's website [www.mcpsb.go.ke](http://www.mcpsb.go.ke) as well as **Frequently Asked Questions(FAQs)** that give guidelines on the wealth declaration process. The departmental authorized wealth declaration officers will further guide the officers on filling as they collect the forms guided by the sample forms. The officer submitting the declaration shall ensure that the declaration is correct and all sections completed, to the best of his/her knowledge.

### 5.) WHAT PROCEDURE SHOULD I FOLLOW IN SUBMITTING MY DECLARATION?

All state or public officers in the County Executive, irrespective of rank or grade can collect the declaration forms from their **departmental authorized wealth declaration officers** free of charge. You can also download and print the form from the Mombasa County Public Service Board website [www.mcpsb.go.ke](http://www.mcpsb.go.ke) for filling and submission to the mentioned officers as from **1<sup>st</sup> November 2023 – 31<sup>st</sup> December 2023**. The officer is expected to append his/her signature in the **wealth declaration register** when submitting his/her duly filled form.

### 6.) HOW LONG IS THE DECLARATION PROCESS?

The declaration process will run from the **1<sup>st</sup> November 2023 - 31<sup>st</sup> December 2023**. All staff are expected to have filled and submitted their forms by latest **31<sup>st</sup> December 2023**. This includes all the staff on any form of leave. The officers are further advised to **photocopy their filled declaration** forms and retain a copy before submission.

### 7.) CAN CLARIFICATIONS BE SOUGHT ON MY SUBMITTED DECLARATION?

The County Public Service Board through the Board Secretary/CEO shall review each declaration and can request for clarification to be made by the officer on his/her submitted declaration. The request shall be made in writing and within **(6) six months** after the declaration was submitted to the Board. The request for clarification may be for information that may have been omitted to be provided; or a request that any discrepancy or inconsistency, including a discrepancy or inconsistency arising because of information other than information included on the declaration, be explained or corrected.

### 8.) WHO CAN GAIN ACCESS TO MY DECLARATION FORM?

The contents of the submitted wealth declaration can be accessible to any person **upon application** to the Mombasa County Public Service Board in the prescribed manner; provided the applicant shows to the satisfaction of the Board that he or she has a legitimate interest and good cause in furtherance of the objectives of the Public Officers Ethics Act.

The Board shall prior to making an affirmative decision on the request for access, grant the opportunity to the **affected party or declarant** to make representations on the matter in writing within fourteen (14) days. The Board shall determine an application made in accordance with this paragraph and **communicate its decision** in writing to the applicant within thirty (30) days of receipt of the application. For the avoidance of doubt, the Board shall not release or part with the original declaration made by any employee in satisfying the requirement of this paragraph, unless required for investigation by a **law enforcement agency** or by any **written law**.

### 9.) ARE THERE ANY CONSEQUENCES IF I DON'T SUBMIT MY DECLARATION OR IF I GIVE FALSE OR MISLEADING INFORMATION?

Pursuant to section 32 of the Public Officers Ethics Act (POEA) any state or public officer who fails to submit a declaration or in such a declaration gives information that he knows, or ought to know is false or misleading is guilty of an offence and is liable, on conviction, to a fine not exceeding one million shillings (**Ksh1,000,000**) or imprisonment for a term not exceeding **one year or both**.

The staff can also face disciplinary procedures in accordance to the Code of Conduct and Ethics for Public Officers or referral to the Ethics and Anti-Corruption Commission (EACC) for non-compliance.