

CENTRAL ANTI-CORRUPTION BUREAU

<https://www.cba.gov.pl/en/news/98,Political-Corruption-ready-for-download-from-the-CBAs-website.html>
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“Political Corruption” ready for download from the CBA’s website

In the CBA’s latest informative and preventive handbook, we remind the members of parliament and local governments how to perform public functions in compliance with ethical standards and the law. We refresh their knowledge about selected types of conduct, prohibited by the law. What will happen if we infringe the provisions of the law? Below, we present several examples and red flags disclosed by the CBA officers fr

The verification of asset declarations is one of the statutory tasks of the Central Anti-Corruption Bureau and pursuant to its competence, the CBA carries out systemic analysis of asset declarations of, among others, parliament members, members of government and local governments or persons performing public functions obliged to submit such declarations. Our verifications also refer to abiding by the prohibitions included in the Act on Restrictions on Conduct of Business Activities by Persons Performing Public Functions, i.e. the so-called Anti-Corruption Act.

On an ongoing basis, the Central Anti-Corruption Bureau monitors asset declarations published on the websites administered by the Public Information Bulletin as well as information obtained from other sources. In case of doubts about the veracity of the information contained in the declarations under verification, they are analysed, and in justified cases control procedures are initiated.

This year, the CBA has issued a publication aiming to provide information on preventive activities, titled “POLITICAL CORRUPTION. Instruction for the representatives of authorities elected by universal suffrage”, which provides the representatives of public authorities with patterns of conduct compliant with ethical standards and provisions of the law. It also reminds of selected patterns of conduct,

prohibited by the law. The handbook is addressed to all persons directly or indirectly involved in processes in which the citizens elect their representatives to public authorities, e.g. members of parliament, mayors, and town councillors. The publication is distributed in traditional, paper copies. It is also available on the CBA's website, in the tab Prevention/Publications [/ftp/filmy/CBA_Korupcja_polityczna.pdf](ftp/filmy/CBA_Korupcja_polityczna.pdf)

Below, we present examples of verifications carried out by the CBA officers in the context of compliance with the Anti-Corruption Act:

In March this year, the CBA officers of the Regional Office in Lublin verified the compliance with the provisions of the Act on Restrictions on Performing Business Activities by the Deputy Head of the Parczew District. The CBA also controlled the accuracy and veracity of the asset declarations submitted by him. The control covered the years 2014-2015. The CBA officers from Lublin established that the present Deputy Head of the Parczew District infringed the provisions of the Anti-Corruption Act by simultaneously performing the function of a member of the Management Board of the Garage Construction Cooperative. The fact was not revealed in the asset declarations submitted by him in the years 2014-2015.

Pursuant to art. 4 point 3 of the Anti-Corruption Act, the Management Board members of the District (e.g. the district deputy head) are not allowed to sit as members of the management board, the supervisory board or the audit committee of the cooperative. The Act also sets out that should a person holding such a position infringe this provision, the council will remove them from office within one month from the date of obtaining the information on the cause of such removal by the council chairperson.

Due to the control results, by the end of March, the CBA submitted post-control recommendations to the District Council in Parczew, in which the removal of the District Deputy Head was recommended. The CBA also filed a notification of a suspicion of having perpetrated a criminal offence with the District Prosecutor in Lublin.

In the course of verification, it was established that the person under verification simultaneously performed the function of a district management member in Lublin and of a unit head in the Municipality Office in Borzechów. The verification referred to abiding by the prohibitions included in the Act on Restrictions on Conduct of Business Activities by Persons Performing Public Functions, i.e. the so-called Anti-Corruption Act, and the accuracy and veracity of the information provided in his asset declarations within the scope of the prohibitions set forth in the Act, in the years 2014-2016.

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The Act also sets out that should a person holding such a position infringe this provision, the council will remove them from office within one month from the date of obtaining the information on the cause of such removal by the council chairperson. The CBA officers from Lublin submitted requests to the Chairperson of the District Council and to the Vogt of the Borzechów Municipality to remove him from both positions.

In the course of another verification carried out by the Central Anti-Corruption Bureau, it was established that a Management Board member in Krasnystaw simultaneously performed a public function and conducted his own business activities. Thus, he infringed the restrictions set forth in art. 4 of the Act of 21 August 1997 on the Restrictions on Conduct of Business Activities. The CBA submitted a request to the Chairperson of the District Council to remove Andrzej K. from the function performed.

In another case, the CBA officers from the Regional Office in Rzeszów established that the liquidator of the Siarki Machów S.A. Mine, who was under inspection, performed a public function simultaneously with carrying out his business activities. Despite the verification carried out by the officers from Rzeszów, the person under control did not resign from the function discharged until the end of the verification. The person under verification was removed from office.

Public Information Division of the CBA