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"NEMBEZA WESIVE"

Report Corruption:

Toll Free Line: **8003500**

Physical Address: **3rd Floor Mbandzeni House**

Tel: 2404 3179

Email: **anticorruption@realnet.co.sz**

Website: **www.acc.gov.sz**

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COMMISSIONER'S STATEMENT

It is my honour to submit the 2014-2015 Financial Year Annual Report, in compliance with the provisions of Section 20 of the Prevention of Corruption Act, No 3 of 2006 (POCA) on the activities of the Anti Corruption Commission (ACC).

Corruption continues to be a serious challenge in the country. This is evidenced by national statistics, reported complaints and the cases pending before the courts. However, it is a nod towards the right direction that citizens are gaining confidence in the ACC. Although there is no recent empirical national data on corruption perceptions locally, Swaziland's international and continentally corruption perceptions have improved favourably. The 2014 Global Perception Index ranks Swaziland 69 out of 174 countries, a quantum leap from ranking 82 in the previous year and for the first time, Swaziland is also ranked among the least corrupt countries in Africa. However, there is need for more effort in strengthening anti corruption mechanisms in the country in order to attain tangible results.

Country Commitment

Swaziland has shown commitment in the fight against corruption. His Majesty King Mswati III has on several occasions condemned acts of corruption that rob the public purse of millions of Emalangeni thereby undermining economic development. When he opened the second session of the 10th Parliament in 2015, His Majesty minced no words that all stakeholders must unite to aggressively and collectively implement a multi-sector agenda and enforce a zero tolerance approach towards corruption. The ACC welcomes His Majesty's call to action and will vigorously lobby other stakeholders to join the fight against corruption in the next financial year. The ACC also continues to implement His Majesty's Government Programme of Action 2013-2018 wherein corruption is a key pillar in the Swaziland Development Index. The Commission is cognisant of the fact that it is a key player in driving the anti corruption agenda thereby complementing Government efforts in this regard.

Strategic direction of the Commission

The Commission has initiated the implementation of the 2014-2018 Strategic Plan. The plan places emphasis on institutional re-engineering to enable efficient and effective service delivery. A comprehensive Organisational Design process is already underway to ensure results based delivery and performance mechanisms to support strategy implementation are in place. In the upcoming financial year, the ACC will also pursue institutional capacity building by establishing and developing internal processes, procedures and relevant investigative units while advocating for a

rigorous policy and legislative environment as well as facilitating the establishment of positive partnerships and networks.

Decentralisation of ACC offices is vital to enable the Commission to be more accessible to the public it serves. This will be a priority in the next financial year and will be done on pilot basis in one region.

Operational Performance

During the year under review, the Commission continued to make progress on its three-pronged mandate of prevention, education and investigations. In the area of investigations, the Commission utilised its collaboration with the Inter-agency Task Team to complement the Commission's efforts as the ACC is thin on the ground. This approach is working for the Commission as more High profile cases were brought before the courts.

During the year under review, the most reported complaints include fraud, conflict of interest, bribery and offences that relate to judicial officers. We have noted that, as citizens gain confidence in the ACC, there is an influx of reported complaints that are outside the ACC mandate. Despite the extensive educational awareness efforts, it is still not clear what constitutes corruption owing to the fact that there is no siSwati definition of corruption.

In terms of education and prevention, a substantial number of educational exercises across sectors were undertaken. We note that most of these were through invitation from stakeholders which reflects a level of commitment from stakeholders. Prevention exercises were also conducted within some public sector institutions and plans are underway to collaborate with the Internal Audit unit who share a similar mandate.

Challenges

Budget Constraints

The estimated operational budget of E11, million per annum including personnel costs translates to limitations in operational activities. Over seven (7) million Emalangi is absorbed by salaries and the rest by administration and operations. This limits the operational results of the Commission. The cost of salaries is expected to grow in the next financial year as vacant posts will be filled. Most of the results achieved were through the Inter-agency Task Team funding.

Office Accommodation and Security

The Commission's Offices are currently housed at Mbandzeni House on the first and third floors respectively. Enforcing security measures in the present offices remains a challenge. This poses a serious security threat. The Commission requested a stand-alone building from Government and the request was granted. However, the process for the relocation of the Ministry of Tinkhundla has been lengthy. More challenges are articulated in Chapter 4 of this report.

Conclusion

I would like to conclude by thanking the Government of Swaziland for the financial and technical support given to the Commission during the reporting year.

I would also like to take this opportunity to thank various Ministries and departments, in particular, the Ministry of Justice and Constitutional Affairs, Ministry of Public Service, Ministry of Finance, the Director of Public Prosecution's Office, the Royal Swaziland Police, civil servants in various Ministries for the assistance rendered to the Commission during the year. I would also like to appreciate the United Nations Development Programme (UNDP) for the financial assistance provided for the Commission's programmes.

Finally, I would also like to thank members of staff of the Commission, for working tirelessly to fulfil the Commission's mandate amid trying circumstances.

AUBREY THANDA MNGWENGWE
ACC COMMISSIONER

CHAPTER ONE

1.0 INTRODUCTION

Brief History of the Commission

The Anti Corruption Commission was established in 1998 by the Prevention of Corruption Order, No. 19 of 1993. It experienced a number of challenges which hindered its performance.

During the year 2002, the case of the Crown Vs Mandla Ablon Dlamini, Criminal Case Number 7 of 2002, interrupted the operations of the Commission as the High Court held that the Prevention of Corruption Order of 1993 was null and void. This ruling paralyzed the Commission and all activities pertaining to operations came to an abrupt halt.

This stalemate position obtained until 2005 when the Supreme Court of Appeal set aside the ruling of the High Court. The Supreme Court of Appeal declared the Prevention of Corruption Order of 1993 valid and enforceable. Minimal activities were then undertaken by the Commission until the passing enactment of the Prevention of Corruption Act (POCA) No. 3 of 2006.

In 2008, the present Commission was re-launched into operations after its establishment by the Prevention of Corruption Act No. 3 of 2006. The Commission is headed by the Commissioner, who is appointed under the provisions of Section 4 of the POCA and is responsible for the proper administration of the Commission. The Commissioner is assisted by two Deputy Commissioners and other staff appointed under the provision of Section 8 of the Act.

In 2013, the current Commissioner was appointed by His Majesty King Mswati III for a period of five years.

1.1 THE COMMISSION

The Commission has two Departments, namely, the Administration Department and the Operations Department. The Administration Department is headed by a Deputy Commissioner Administration (DCA) while the Operations is headed by a Deputy Commissioner Investigations and Asset Recovery.

Vision

Working towards a corruption free society in the Kingdom of Swaziland

Mission

To be the leading law enforcement partner in preventing and combating all forms of corruption in the Kingdom of Swaziland, in both public and private sectors.

Motto

Nembeza Wesive (Conscience of the Nation)

Values

The Commission is committed to upholding its core values that are the driving force behind the organisation:

Integrity;

Transparency;

Accountability;

Confidentiality;

Excellence;

High Standards of Ethics;

Impartiality;

Professionalism;

Respect

Mandate

The mandate for the Commission is drawn from Section 10 of the Prevention of Corruption Act, 2006 which outlines the following functions of the Commission:

- a. Take necessary measures for the prevention of corruption in public and private bodies, including, in particular, measures for:

- i) Examining the practices and procedures of public and private bodies in order to facilitate the discovery of corrupt practices and secure the revision of their methods of works or procedures which, in the opinion of the Commissioner, may be prone or conducive to corrupt practices;
 - ii) Advising public and private bodies on the ways and means of preventing corrupt practices, and on changes in the methods of work or procedures of those public and private bodies compatible with the effective performance of their duties, which the Commissioner considers necessary to reduce the likelihood of the occurrence of corrupt practices;
 - iii) Disseminating information on the evil and dangerous effects of corrupt practices on the society;
 - iv) Enlisting and fostering public support against corrupt practices;
- b) Receive and investigate complaints of alleged or suspected corrupt practices made against any person, and refer appropriate cases to the Director of Public Prosecutions;
 - c) Investigate any alleged or suspected offences under this Act or any other offence disclosed during such an investigation;
 - d) Investigate any alleged or suspected contravention of any of the provisions of the fiscal and revenue laws of the country;
 - e) Assist any law enforcement agency of the Government in the investigation of offences involving dishonesty or cheating of the public revenue;
 - f) Investigate the conduct of any public officer which in the opinion of the Commissioner may be connected or conducive to corrupt practices;
 - g) Instruct, advise and assist any person, on the request of that person, on ways in which corrupt practices may be eliminated by that person; and
 - h) Do all such things as may be necessary for the prevention of corruption and the furtherance of the objects of this Act.

CHAPTER TWO

2.0 OPERATIONS DEPARTMENT

The Operations Department of the Commission is responsible for all operational functions of the Commission. This Department is headed by Deputy Commissioner Investigations and Assets Recovery and has three Sections: the Corruption Prevention Section, Public Education Section and the Investigations Section.

The Investigations Section has successfully utilised the skills inherent in the Inter-Agency Task Team and the results have been tremendous. The Education Section continued to conduct substantial education exercises across sectors and the Prevention Section, which has one officer, made headway amid the challenges.

2.1 CORRUPTION PREVENTION

The corruption prevention component mandates the Commission to take necessary measures to prevent all forms of corruption in the country, with particular emphasis in public and private bodies. In particular, S. 10(1)(a) of the Act gives the Commission the mandate to examine the practices and procedures of public and private bodies in order to facilitate the discovery of corrupt practices and secure the revision of their methods of work or procedures which, in the opinion of the Commissioner, may be prone or conducive to corrupt practices. The Commission is also mandated to advise public and private bodies on the ways and means of preventing corrupt practices, and on changes in the practices.

Currently, this section is staffed with one officer who has conducted four corruption risk assessments in public entities in collaboration with other stakeholders. This section was part of a team that reviewed Ghana and Singapore on the United Nations Convention Against Corruption, UNCAC implementation. The report has been finalised. The team also undertook Swaziland's self assessment and report is with Ministry of Justice.

The Commission's new five-year Strategic Plan outlines a need to strengthen partnerships. There is a dire need to partner with other Government Departments, like the Internal Audit, who share the same prevention mandate with the Commission. This will assist in avoiding duplication and maximising efforts as the Commission is evidently thin on the ground thus making it impossible to attain desirable results.

2.2 PUBLIC EDUCATION

The Public Education component is mandated, in particular, by S.10(1)(a)(iii)(iv) of the Act to disseminate information on the evil and dangerous effects of corrupt practices on the society and to rally public support towards the fight against corruption in Swaziland. It is aimed at promoting better public understanding of corruption and encouraging society as a whole to take positive action against such practices.

The section has conducted numerous Anti-Corruption awareness meetings. Beneficiaries to the awareness programme include the following;

- The Royal Swaziland Police Service
- Manzini Regional Education Officers
- Swaziland Electricity Company
- School Principals (SWASA, SASA)
- Schools Inspectors
- School children and school staff
- Communities
- Health workers
- KOBWA
- Lutsango LwakaNgwane (eMaganu festival)
- Management board of the Swaziland Water Services Corporation Pension Fund Trustees
- Completing students and staff of the Nhlangano Agricultural Skills Training Centre (NASTC)
- Students studying towards a Teaching Diploma at the Swaziland College of Technology
- Members of FODSWA

The section has been able to undertake 33 interactive educational sessions that reached over 4,000 people in the reporting year.

NAME OF INSTITUTION	NUMBER OF ACTIVITIES
• The Royal Swaziland Police Service	5
• Manzini Regional Education Officers	1
• Swaziland Electricity Company	1
• Swaziland Banker's Association	1
• School Principals (SWASA, SASA)	6
• Schools Inspectors	1
• School children and school staff	6
• Communities	1
• Health workers	5
• KOBWA	1
• Lutsango LwakaNgwane	2
• Management board of the Swaziland Water Services Corporation Pension Fund Trustees	1
• Completing students and staff of the Nhlanguano Agricultural Skills Training Centre (NASTC)	1
• Students studying towards a Teaching Diploma at the Swaziland College of Technology	1

2.2.1 Completion of the Royal Swaziland Police Anti-Corruption Training Module

The ACC collaborated with the Royal Swaziland Police in the finalization and launch of the Police Anti-corruption module to be used by new recruits during their training at the college.

2.2.2 Coordination of the UNCAC reviews

The Section was involved in coordinating the activities relating to the UNCAC review of Singapore, Ghana and the Kingdom of Swaziland. Review experts were identified and appointed as prescribed in the mechanism for the review and implementation of UNCAC and further given capacity to conduct the review. Review of Singapore and Ghana finalized and Swaziland's self assessment undertaken.

Cross Cutting Activities

2.2.3 Development of ACC Strategic Plan

The office finalised development of the 2014-2018 Strategic Plan. The plan focuses on institutional readiness to deliver tangible results, legislative and policy framework as well as building partnerships in the fight against corruption. This allows for a more proactive response seeking to prevent corruption. The intended outcome of the Strategic Plan is summarised in five key areas as follows:

- **Resourcing:** focusing on enhancing capacity of the ACC to deliver on the mandate, intent and strategic focus areas
- **Governance:** focusing on establishing and strengthening internal policies, processes and procedures
- **Delivery:** focusing on establishing performance management mechanisms to ensure timely delivery of results
- **Legislative and Policy Framework:** focusing on advocating for a rigorous and uncompromised anti-corruption legislative and policy environment
- **Partnerships:** focusing on advocating and supporting the development and mobilisation of multi-sector stakeholder networks and other partnerships in the fight against corruption.

Implementation of the strategic plan is on-going and a comprehensive Organisational Design has already been initiated.

2.2.4 Partnerships

The office continues to be a member of the following anti corruption institutions and has attended some meetings: The Southern African Forum Against Corruption (SAFAC), the Association of the Anti Corruption Agencies in Commonwealth Africa (AACACA) and the Africa Association of Anti Corruption Authorities (AAACA) and the SADC Anti Corruption Committee.

New partnerships have been forged with the African Development Bank (AfDB). The Commission signed an MOU with AfDB for technical assistance. The Commission sent a request to the Bank for conducting a diagnostic review in order to ascertain where they can focus their assistance. The bank then sent a needs assessment survey which was undertaken and returned. The Commission awaits the results.

UNDP: An existing partner allocated USD10, 000 for quality assurance of the strategic Plan and revival of the Anti Corruption Unit at the DPP's Office. Activities were successfully undertaken. For the year 2015, the office will collaborate with the Ministry of Tinkhunda and other stakeholders to pilot initiatives aimed at improving service delivery. UNDP is funding some aspects of the national anti corruption campaign to be run in the Hhohho region.

Ministry of Tinkhundla: The Commission will partner with the Ministry of Tinkhundla in the following financial year. A presentation on the planned national anti corruption campaign was made to high level Ministry of Tinkhundla officials who included the Regional Administrator and Regional Secretary of the Hhohho region. They embraced the campaign and subsequent follow-up meetings on strategising have been held with them.

2.2.5 Multi-media

- A multi-media national campaign was developed and is primed to run for a year. The campaign goal is; improved economic development through a transformed governance framework and citizen participation in the anti corruption agenda, resulting in reduced corruption tolerance levels and improved public perceptions of corruption as well as improved service delivery. The campaign is contributing to the Government Programme of Action 2013-2018 and the national vision of 2022. The campaign is envisaged to be launched during the next financial year.
- **Speech from the Throne:** His Majesty King Mswati III made a call to action when he officially opened the 2nd session of the 10th Parliament this year. His Majesty also made a national call for a multi-sector approach to fighting corruption and zero tolerance approach towards corruption. The office then ran media adverts highlighting His Majesty's call to action.
- **Commonwealth Anti Corruption Handbook:** The Commonwealth has featured the profile and successes of the ACC in a Handbook that will be launched in a Commonwealth Heads of States meeting to be held in Malta, in November.
- **Media enquiries:** Media enquiries doubled during the year under review as the office made major arrests. The newspapers also unearthed allegations of

corruption which gave rise to more enquiries from the media and members of the public.

- The office featured on Swazi Television breakfast shows as well as SBIS radio shows.
- **Public Perception:** There is growing positive public perception and a positive public image of the ACC following high profile arrests. This is evidenced by the Transparency International's Perception Index where Swaziland moved significantly and for the first time, the country is rated among the least corrupt countries in Africa. This is positive as it has potential to influence foreign direct investment opportunities for the country.

2.3 INVESTIGATIONS SECTION

This Section is tasked with the responsibility of receiving and investigating complaints of alleged or suspected corrupt practices that are made against any person (S.10(1) (b-f)). The aim is to enforce the law vigilantly and professionally in order to seek out and eradicate corruption wherever it exists.

After completion of investigations, the Commission refers appropriate cases to the Director of Public Prosecutions for prosecution. This is in terms of section 10(1)(b) of the Prevention of Corruption Act, 2006. However, some complaints of purely criminal nature are referred to the Royal Swaziland Police Service for their action; others are referred to relevant institutions for their appropriate action.

The Investigations Section investigates all pursuable reports. During the year under review, there were three Investigating Teams each headed by a Senior Investigator. The Commission also utilised the Inter-Agency Task team to maximise its efforts. The officers of the Director of Public Prosecutions continue to work very closely with the Commission's investigating teams. This adds value to on-going investigations and mitigates the length of investigations.

During the reporting year, a total of 210 reports were received by the Commission compared to 103 in the previous year, reflecting a double increase in the complaints received. 86 complaints were authorised for investigations. A total of 33 were referred to other agencies. Twenty two (22) cases were investigated and referred to the Director of Public Prosecution's office. The number of dockets pending in the court system stand at 29.

The workload of the investigations teams remains high, both in terms of numbers and complexity of cases. The current complement of the investigation team stands at 10. It consists of two vacant posts of Chief Anti Corruption Officers and three vacant positions for Senior Investigators and 1 vacant post of Investigator. There are currently three Senior Investigators and three vacancies that require to be filled. There are four Investigating Officers and three vacant positions. There is one Acting Investigator and two Assistant Investigators. Filling of vacant posts especially in the investigations section will be a priority in the next financial year.

The Commission's new Strategic Plan 2014-2018 seeks to transform the Investigations Section by establishing new investigative and support units. The ongoing Organisational Design aims at turning the activity based roles into results-based roles. Once the Organisational Design is completed, the above vacant positions will be filled and some of the Investigative and support units will be put in place. These units will improve the Investigations Section towards speedy investigation of cases, lifestyle audits and recovery of illicit assets.

2.3.1. Procedure for handling allegations of corruption

Report Centre

All complaints reported to the Commission are channelled to the Report Centre Office. Such complaints are likely to be received by any of the following methods:

- By personal call at the office of the Commission (in which case the caller might or might not wish to identify himself/herself)
- By telephone, (in which case the caller might or might not identify himself/herself) 2404 3179
- By letter, (in which case the writer might or might not identify himself/herself) P. O. Box 4842 Mbabane.
- By telex, fax or electronic mail (in which case the writer might or might not identify himself/herself) 2404 0758
- Or from information from an officer of the Commission.
- Through the Commission's hotline 8003500

The summary of the complaint will be factual and concise but sufficiently detailed to enable the Complaints Review Committee (CRC) to make a rational recommendation to the Commissioner. The complaint will be scrutinized by the Senior Report Centre Officer, and if he/she decides that the complaint is clearly not one of corruption and it is outside the Commission's mandate, he/she immediately advises the complainant accordingly. The Report Centre Officer will proceed to register the complaint and then send the report to the Complaints Review Committee.

Vetting Process for Public Entities

During the year under review, the Commission was entrusted with a responsibility by Government to conduct vetting for public bodies. The Commission has received several requests from Ministries for vetting of candidates nominated into public Boards. Vetting was then conducted and Ministries advised accordingly.

The Commission applauds this move as it seeks to mitigate the challenges brought about by candidates who are appointed into public bodies yet they are under investigation by the Commission or they have corruption issues that have not yet been brought to the fore at the time of appointment.

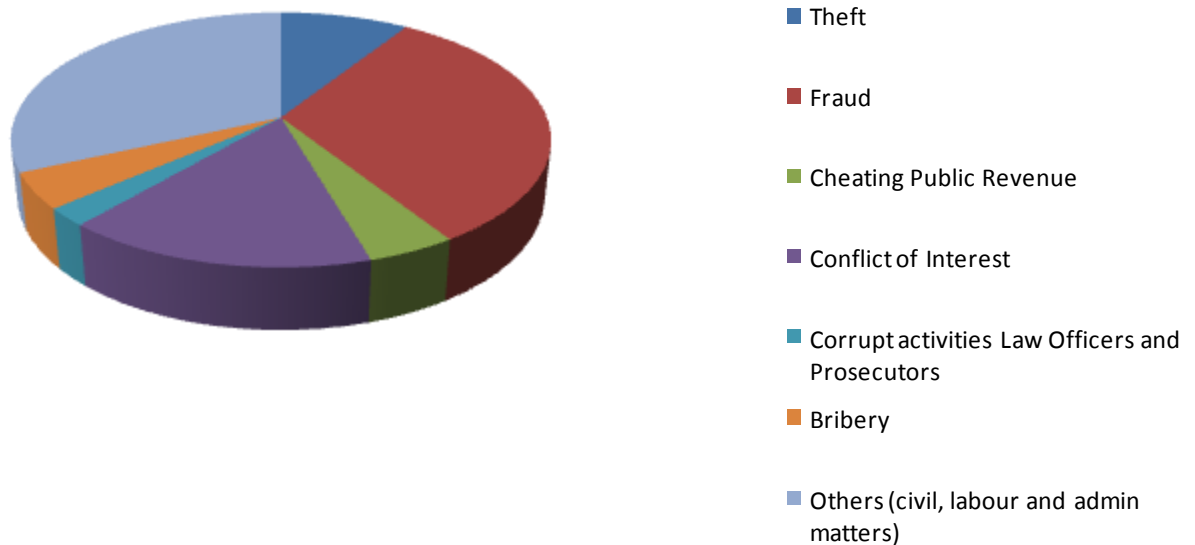
Complaints Review Committee

The Complaints Review Committee examines all the complaints referred to it to ascertain whether the Commission has the mandate, in terms of the law, seriousness of the complaint, and financial implications of the complaint. After taking into account all factors the Committee advises the Commissioner, whether or not the Commission should investigate the complaint or refer it to relevant bodies such as the Police. The Commissioner then gives the necessary direction.

The present Commission commenced operations in March 2008. Hereunder is a breakdown of complaints that have been reported to the Commission:

Year	Complaints reported
2008/2009	51
2009/2010	201
2010/2011	249
2011/2012	103
2012/2013	78
2013/2014	103
2014/2015	210
Total	995

Types of Complaints: 2014-2015



The pie chart depicts cases reported to the Commission in the year under review. A total of 210 cases were reported.

Breakdown of Complaints

- Theft = 20
- Fraud = 70
- Cheating of Public Revenue = 10
- Conflict of Interest = 35
- Corrupt Activities Relating To Law Officers and Public Prosecutors = 5
- Bribery = 10
- Others (Admin, civil and labour matters) = 60

CHAPTER THREE

3.0 ADMINISTRATION DEPARTMENT

The Administration Department is headed by the Deputy Commissioner, Administration. Currently the position is vacant and the Judicial Services Commission has undertaken to fill the position in the 2014/2015 financial year. It renders support services to the core functions of the Commission. In general the Administration Department is responsible for effective management of day to day operations of the Commission including Finance, Information Technology, Human Resources, Staff Welfare, and Performance Reviews among others. The Section further assists in establishing and managing strategic and operational organizational goals ensuring successful administration and attainment of the organizational objectives and influencing performance of the overall Commission.

In discharging its functions, the Commission operates as an independent and autonomous institution. This is provided for under Section 4(4) of the Prevention of Corruption Act. Under Section 8 of the Act the Commission is mandated to appoint such investigating officers and other officers to assist the Commission in the performance of its functions. However in administrative, financial, Human Resources and supply matters the Commission still operates as a Government Department under existing Government Regulations.

The Administration Department is therefore responsible for ensuring that Government Regulations and Rules are followed. There are four sections within the Administration department and they are as follows:

3.1 GENERAL ADMINISTRATION

The General Administration Section for the Anti Corruption Commission, in line with its standing mandate and within the Government's general guidelines, internal guidelines, procedures and controls, fostered to provide efficient and effective support services for the Commission's core operational activities. It also ensures maintenance and safety of the Commission's assets within the available resources.

Standing support services were provided as follows:

- Transport management
- Procurement
- Budgeting

- General office administration which includes; maintenance of office premises, secretarial, registry, messenger, reception, security, travel arrangements, facilitation for Executive Meetings.

The Section in collaboration with the Accounts Section prepared the Commission's Annual Budget Estimates 2015/2016 – 2015/2017 which capture the new strategic direction. The total budget estimates requested for the financial period 2014/2015 were E30, 000 and the budget was approved at E11 267 343.

3.2 HUMAN RESOURCES

The Commission's Human Resources Section is responsible for the acquisition, development and retention of the Commission's staff. In particular the Section facilitates:

- Recruitment and selection and training of members of staff.
- Development of a people strategy that will help the Commission secure, motivate and effectively manage its workforce.
- Focus on the structure of staff development programs.
- Create conducive work environment such as employee welfare and managing issues of satisfactory performance, misconduct and grievances and labour relations matters in an expeditious and fair manner and at the same time promulgating integrity at all times.

During the period under review, The Senior Human Resources who was on a one year study leave returned and shortly left to work in another Government Ministry. The Deputy Commissioner (Administration) has been recruited into the Commission. One Officer has been dismissed from the employ of the Anti-Corruption Commission and a one officer passed away. Therefore, the staff compliment of the Commission stands at 33 employees.

Training

The nature of corruption is dynamic and therefore, strategies, statutes and practices relating to corruption issues also change. It is the policy of the Commission to ensure that it is kept abreast with all necessary changes in dealing with corruption in the corruption arena through the training and development of its staff. Also, with the advent of the Multidisciplinary Approach (MDA) now being applied by the Commission, a greater need for intensive staff development has been created to address gaps that may have arisen from the implementation of the new MDA in relation to the dynamic nature of corruption

The Commission is currently developing a training framework to enable focused training of staff.

Industrial Relations

The labour relations of the Commission remained stable in the year under review.

3.3. INFORMATION TECHNOLOGY

Corruption is an ever changing crime that needs up to date information technology systems. The new strategic direction of the Commission calls for the development of a robust Information Communication Technology (ICT) infrastructure to aid in gathering, analysing, storing data as well as hosting the ACC website.

Some ICT activities were undertaken successfully amid the ICT infrastructure challenges. There is a dire need for an interactive website. The Commission's website is not user friendly and has to be re-designed to meet the new needs of the Strategic direction.

3.4 FINANCE

The period under review has continued to be challenging as in the previous financial year due to the minimal budget allocated to the Commission. The total annual budget requested was E30, 000 000 while the approved budget stood at E11, 370 308.

3.4.1 Budget Allocation

The total annual budget for 2014/2015 as per the estimate book was E11 267 343 and the total spent was E10 953 440 leaving the variance of E313 903 which is 2.79% of the total budget

Though in two critical items, item 02 and item 06 the total estimated budget was insufficient, the virements of funds were made to ensure some work was carried out like the procurement of goods, payment of telephone bills and external travel.

The table below shows the total approved budget, the actual released, the actual expenditure and the variance reflected against each reporting item for the financial year:

Activity	Estimated (E)	Released	Actual (E)	Variance (E)	Variance in %
002	1 095 195	1 095 195	1 166 884	-71 689	-6.54
01	7 612 863	7 612 863	7 599 502	13 361	.18
02	534 478	754 475	686 601	67 874	8.9
04	1 758 901	1 398 900	1 192 552	206 348	14.75
06	175 911	315 910	288 033	27 877	.09
07	90 000	90 000	19 868	70 132	77.92
Total	11 267 343	11 267 343	10 953 440	313 903	2.79

Item 002

This item is for CTA charges. It mainly caters for fuel, maintenance and hire charges. The total annual budget for 2014/2015 financial year was E1 095 195 and the total spent was E1 166 884 leaving an over expenditure of -E71 689 which is -6.54%.

Item 01

The total annual budget for personnel costs for 2014/2015 financial year was E7 612 863 whereby E7 599 502 was spent leaving the variance of E13 361 which is .18%.

Item 02

The total annual budget for communication and travel for 2014/2015 was E534 478. A reallocation amounting to E220 00 was made to undertake external travel and pay for telephone bills. E686 601 was spent leaving an amount of E67 874 that was reallocated but could not be spent due to challenges that arose when preparing for an external travel.

Item 04

Item 04 caters for the payment of professional services, printing as well as the payment of utilities. The total annual budget was E1 758 901 and the actual amount spent was E1 192 552 leaving the variance of E206 348 which is 14.75%. An amount of E360 000 was reallocated to items 02 and 06 respectively.

Item 06

The total annual budget for Item 06, consumables and supplies was E175 911. An amount of E140 000 was reallocated from item 041. The total amount spent was E288 033 leaving the balance of E27 877 that was for the request to commit that was unsuccessful.

Item 07

This item caters for the durable items whereby the Commission was supposed to relocate to the new premises unfortunately this has still not happened. The total amount spent was only E19 068 leaving an uncommitted variance of E70 132 which 77.92%.

CHAPTER FOUR

4.0 CHALLENGES/RECOMMENDATIONS

Criminal networks operating in Swaziland

The Commission and other law enforcement agencies continue to be faced with the challenge of cartels that have formed networks internally and externally. Millions of Emalangeni in illicit assets is invested outside the country. The Commission and other law enforcement agencies need to be ahead of the networks in order to quash them and return the illicit assets to the country for the benefit of the economy. Continuous training of Investigators is a priority and this requires substantial resources which are scarce at the moment.

Labour Turnover

The Commission faces a challenge of high labour turnover. Currently the Commission has 7 Investigators, 1 Acting and 2 Assistant Investigators. The Commission has 15 vacant posts most of which have not been filled pending the finalisation of the Organisational Design. The Commission has to also fill 9 more new positions in order to move towards attainment of the Strategic Plan targets. The vacant posts will be filled once the Organisational Design is complete. The Organisational Design is aimed at moving away from the activity based roles to more effective results-based roles that will support the Strategic Plan implementation.

Legal Framework

The ACC is established by an Act of Parliament and it is in its interest that its existence is backed by an effective living legislation with constant amendments and reforms to cater for dynamic circumstances in which the Commission undertakes its work. The ACC, therefore, recognises the need to review and update the legal framework in which it operates, especially the Prevention of Corruption Act, 2006 and the enactment of a Whistleblower and Witness Protection legislation.

The ratification of regional and continental Legal Instruments that were signed by the Government is a priority for strengthening the legal framework and enabling cooperation with other countries when carrying out investigations. These instruments are the African Union (AU) Convention on Preventing and Combating Corruption and the SADC Protocol against Corruption.

Policy Framework

There is a need to finalise the National Anti Corruption Policy for Swaziland which will provide a framework for developing ways and means of preventing and combating corruption in a comprehensive, coordinated, inclusive and sustainable manner. The policy framework outlines a course of action that will provide for acceptable legal, institutional and social interventions in the fight against corruption. It highlights the role of all stakeholders in the fight against corruption while complementing the work of the Commission.

Institutional Capacity

In the quest to deliver results, the ACC must grow and strengthen its capacity to deliver continuously on its mandate. To achieve this, the ACC must ensure it is staffed by highly competent professionals, has appropriate and adequate physical facilities, state of the art information and communication technology and an organisational structure with management and administrative processes which are responsive to its mandate. The nature of corruption is such that it is dynamic and therefore strategies, statutes and practices relating to corruption issues also change. It is the policy of the Commission to ensure that it is kept abreast with all necessary changes in dealing with corruption in the corruption arena through the training and development of its staff.

Capacity building in relation to training and development continues to be a challenge for the Commission. Sourcing corruption related training and development programmes is not an easy task as most programmes offered are external and costly. As a result training and development of staff becomes compromised in the sense that small scale training is then undertaken due to the costs of external training and travel while on the other hand local training which is more desirable removes the practical aspect of the learning experience. Recruitment of staff is also compromised by the remuneration structure which is not attractive to candidates who have the requisite experience and qualifications.

Staff Accommodation

The Commission is still facing a major challenge with regard to accommodating its staff. Currently the Commission relies on the Civil Service Housing Department in securing accommodation for its staff. This has proven to be a challenge in that the Commission's staff has to be subjected to a very long standing waiting list of civil servants needing houses, posing a threat to ACC officers considering the nature and sensitivity of the work they do. There is need to prioritise accommodation for ACC staff.

5.0 CONCLUSION

Despite the financial and human resource challenges, the Commission forged ahead and produced minimal results. The Strategic Plan 2014-2018, if implemented successfully, will change the face of corruption in the country. Already, results are beginning to trickle in.

The Commission is cognisant of the fact that it can never operate as an island, therefore the building of partnerships and networks remains a priority. The implementation of a multi-sector approach to fighting corruption, a call to action by His Majesty the King, cannot be overemphasised as it supports the much needed all inclusive implementation of the national anti corruption agenda.

This national approach calls upon every citizen to be a key stakeholder in the fight against corruption.



UNGALOKOTSI UDIZE NOME UFAKE LOKUNCANE KWEKUTIBONGELA

Gcina Nembeza Lohlantekile.
Feza Liphupho Lesive la 2022



Report: Toll Free - 800 3500

