

# INTEGRITY INSPECTORS and their duties

## WHO ARE INTEGRITY INSPECTORS?

Officers of the National Integrity Authority in charge of verifying wealth and personal interests and of monitoring the compliance with the legal regime for conflicts of interest, incompatibilities, prohibitions and limitations.

## HOW DO THE INSPECTORS GET NOTIFIED?

- Ex officio** on the request of the NIA's leadership (head or deputy head) or the integrity inspector, and based on information from public sources.
- At the request of** individuals or legal entities. The request is registered right away and randomly assigned to integrity inspectors.

## THE VERIFICATION PROCEDURE

### A PRELIMINARY CHECK

**Dismiss the case**

**Start the verification**

Within 15 days of the date of assignment, the request is checked for compliance with the requirements for form and content, and for the validity of the allegations regarding the breach of the legal regime for declaring wealth and personal interests.

fact-checks the information regarding the existing wealth and property changes that occurred during the term in office, public office or high-level public office.

has the right to request the documents and information necessary for the verification from any individual or public or private legal entity, including financial institutions, who, in their turn, must offer the requested data, information, entries, and documents, either in printed or in electronic format, within 15 days of the request.

must invite the person under verification to offer information and evidence justifying the differences between the declared income and the owned property as identified during the verification.

may order an expert verification to clarify the discrepancies between the declared value and the actual value of the property specified in the declaration.

The verification covers the property owned by the person under verification and his/her family members or cohabitant in the country and abroad.



### IMPORTANT

At least 40% of all verifications of declarations of assets and personal interests performed during a calendar year should target high-level public officials, selected at random.

Following the verification, the integrity inspector may:

### VERIFICATION OUTCOMES

Drop the verification if **NO BREACH** of the legal regime is found.

**IF A BREACH IS ESTABLISHED** through a final document:

on the existence of unjustified property/the failure to declare property:

- prepares a **fact-finding document** and refers the case to court to get the warrant for the confiscation of the unjustified property;
- informs the criminal prosecution authority** or the **Tax Administration** about the existence of valid allegations regarding a crime or a breach of tax laws.

on the failure to declare/failure to settle a conflict of interests:

- prepares a **memo** on the offense and refers it to court;
- immediately informs** the management of the entity responsible for the appointment of the subject of the declaration so that they start the disciplinary procedure and terminate the person's appointment or employment;
- files a statement of claim before court** within 3 months for declaring null and void the administrative document issued/passed, or the legal act concluded directly or through third parties, or the decision taken in violation of the legal provisions on the conflict of interests.

on the breach of the legal regime of incompatibilities, prohibitions, and limitations:

- notifies, within 15 days**, the management of the entity responsible for the appointment so that they terminate the person's appointment, employment, or services;
- applies an administrative penalty** in line with the Code of Administrative Offences (in case of a breach of prohibitions and limitations).

Either negative or positive outcome of the preliminary check – is documented in a memo (which is not made public) and communicated to the requester.

### IMPORTANT

The verification can be carried out within 3 years after the termination of mandate, public office or high-level public office.

**THE FACT-FINDING DOCUMENT** is published on the official website of the NIA and contains the following:

- the preparation date and place, the integrity inspector's surname and name, the position and data of the person under verification, the reason for the verification;
- the opinion of the person under verification, if expressed;
- the description of the material differences, the finding regarding the unjustified property or an unjustified part of it;
- the outcomes of the expert verifications, if any;
- conclusions and decisions.



The fact-finding document may be challenged in administrative litigation court within 15 days of receipt. If the fact-finding document is not challenged, it becomes final. After that, the integrity inspector sends it to competent authorities within 15 days for the enforcement and other necessary legal measures.