



REPUBLIC OF ZAMBIA

MINISTRY OF TECHNOLOGY AND SCIENCE

CONFLICT OF INTEREST POLICY

DECEMBER, 2023

Prepared by:
Ministry of Technology and Science with support
from the
Anti-Corruption Commission
LUSAKA



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Foreword



Corruption has been identified as the detrimental factor that hinders national development by diverting resources from well-intended developmental projects to personal use and depletes resources for the much-needed investment. Corruption further erodes the tenets of the Rule of Law, public confidence and increases inequality. The Zambian people seek for a public service that is devoid of corruption and as a result, the Ministry of

Technology and Science intends to combat corruption and hold those responsible accountable for their misconduct.

The Ministry, is therefore dedicated to improving the delivery of public services while having zero tolerance to corruption. This Conflict of Interest Policy will greatly help in the identification and management of direct and indirect conflict of interest among the Ministry employees and those charged with the affairs of the Ministry. It will further enhance transparency, responsibility and ethical behavior in service delivery.

All members of staff are therefore encouraged to acquaint themselves and adhere to the provisions of the Policy.

A handwritten signature in black ink, consisting of stylized initials and a long horizontal stroke extending to the right.

Hon. Felix C. Mutati, M.P.

MINISTER OF TECHNOLOGY AND SCIENCE

Acknowledgements



On behalf of the Ministry of Technology and Science, I wish to sincerely thank the team from the Ministry and the Anti-Corruption Commission for the technical support rendered during the development of the Ministerial Conflict of Interest Policy.

In addition, my sincere appreciation also goes to the Ministerial Integrity Committee (MIC) members and other members of staff for their active participation and hard work in developing the Policy.

It is my sincere hope that all the members of staff at the Ministry will ensure an environment that will foster the attainment of the Ministry's mandate by adhering to the Policy guidelines.

A handwritten signature in black ink, appearing to read 'B. Habeenzu'.

Eng. Dr. Brilliant Habeenzu
Permanent Secretary
MINISTRY OF TECHNOLOGY AND SCIENCE

Interpretations

Client	An individual or organization with whom the Ministry has a business relationship. This includes prospective clients.
Employee	Salaried staff working under the Ministry, consultants, temporal workers and any other personnel assigned to undertake work on behalf of the Ministry.
Stakeholders	Individuals or groups who have a vested interest in the Ministry and are affected by its actions and decisions.
Chairperson	An Individual who is in charge of a particular committee or meeting or assignment.
Supervisor	An Individual who holds a managerial or leadership position responsible for overseeing and guiding the work of the group of employees or team members.
Declaration of Interest	It is an act where an officer who is in a conflict situation discloses his/her conflict.

Abbreviations

ACC	Anti-Corruption Commission
MoTS	Ministry of Technology and Science
MIC	Ministerial Integrity Committee
COI	Conflict of Interest

Mission, Vision and Core Values

Vision

"A dynamic Ministry fostering a technologically transformed and productive Zambia."

Mission

"To promote Science, Technology, Innovation and Skills Development for a digital and innovative economy."

Core Values

The operations of the Ministry of Technology and Science, more specifically, the conduct and behaviour of the staff is anchored on the following seven (7) core values:-

i. **Integrity**

We are honest and ethical in the execution of our mandate.

ii. **Transparency**

We exhibit openness in the execution of our mandate.

iii. **Confidentiality**

We safeguard privileged information from unintended persons.

iv. **Accountability**

We take responsibility for all our actions.

v. **Respect**

We appreciate each other's opinions and those of our stakeholders and promote opportunities to be heard.

vi. **Teamwork**

We ensure a collaborative approach both internally and externally for efficient and effective service delivery.

vii. **Excellence**

We provide exceptional services to our clients.

1.0 Introduction

The Ministry of Technology and Science (MOTS) was established through Gazette Notice No. 1123 of 2021 to contribute to the sustainable socio-economic development of the Country by facilitating the provision of competitive, inclusive and professional skills development, science and technology, digital and Innovative services to the general public.

In the execution of this mandate, employees are faced with several circumstances that would ultimately make them prone to corrupt activities. And these corrupt activities have been identified as a major bottleneck for effective governance. Among the vices of corruption that affect employees is the conflict of interest which has a negative effect on service delivery to the public.

However, it is the aim of the Ministry of Technology and Science to ensure that services are undertaken in an honest, transparent and ethical manner and that employees declare interest as they perform their duties. Therefore, the development of the Conflict of Interest Policy is expected to contribute to this aim.

2.0 Policy Statement

The Ministry is committed to upholding the highest standards of integrity, transparency and ethical conduct in all its operations. To this end, this Conflict of Interest Policy (COI) has been developed to guide the employees of the Ministry in identifying, disclosing, and managing circumstances that may conflict their personal interests with the interests of the Ministry and the general public.

This Policy serves as a basis for the commitment of the Ministry in maintaining public trust and confidence by ensuring that decision-making processes in the Ministry are free from unjustified influence. In line with this Policy, all employees of the Ministry will be expected to disclose all direct or indirect conflicts of interest that they may encounter or that may be brought to their attention. Therefore, all employees are to act with the utmost honesty and fairness when performing their duties.

3.0 Purpose of the Policy

The purpose of this Policy is to provide guidelines for the identification and handling of conflicts of interest in the Ministry.

4.0 Application and Scope

This Policy shall apply to all employees or any person formally acting on behalf of the Ministry of Technology and Science.

This Policy shall cover all assignments that may include but not limited to the following:

- 4.1 All meetings;
- 4.2 All Committee sittings;
- 4.3 All inspections and certifications;
- 4.4 Preparation of documents;
- 4.5 Processing of payments;
- 4.6 Allocation of resources; and
- 4.7 Dealing with clients and other stakeholders.

To ensure adherence, the declaration of conflict of Interest shall always be an agenda item for all Meetings and Committee sittings. The Chairperson or anyone in

charge of the assignment above shall deliberately request members to declare any direct or indirect interest that they may have with regards to the assignment.

5.0 Conflict of interest

For purposes of this Policy, conflict of interest' is a situation where the private interests of an employee compete or is in conflict with that of the employer in such a manner as to influence the objective exercise of the employee's duty. According to section 28 of the Anti-Corruption Act No. 3 of 2012, Conflict of Interest refers to a situation:

"Where a public body in which a public officer is a member, Director, Employee or is otherwise engaged proposes to deal with any person, a company, partnership or other undertaking in which that public officer has a direct or indirect private or personal interest, that public officer shall forthwith disclose, in writing to that public body the nature of such interest and shall not take part in any proceedings or process of that public body relating to such decision," and

"Where a Public Officer or a relative or associate of such a Public Officer has a personal interest in a decision to be taken by a public body, that Public Officer shall forthwith disclose, in writing to that public body, the nature of such interest and shall not vote or take part in any proceedings or process of that public body relating to such decision."

For avoidance of doubt the Act further defines **associates** and **relatives** as follows:

5.1 Associate

In relation to a person, means:

- a) A person who is a nominee or an employee of that person.
- b) A person who manages the affairs of that person.
- c) A former spouse or conjugal partner of that person.
- d) A firm of which that person, or that person's nominee, is a partner or a person in charge or in control of its business or affairs.
- e) A company in which that person or that person's nominee, is a director or is in charge or in control of its business or affairs, or in which that person, alone or together with that person's nominee, holds a controlling interest or shares amounting to more than 30% of the total share capital, or
- f) The trustee of a trust, where;
 - i. The Trust has been created by that person; or
 - ii. The total value of the assets contributed by that person before or after the creation of the trust, amounts, at anytime, to not less than 20% of the total value of the assets of the Trust.

5.2 Relative

In relation to a person, means:

- a) A parent, son, daughter, brother, sister, nephew, niece, uncle, aunt, grand parent, or cousin, of that person's spouse, and
- b) A spouse of that person.

6.0 Conflict of Interest Guidelines

Whenever and wherever an employee of the Ministry encounters a conflict of interest situation, they shall be required to forthwith declare their interest. The following procedure shall apply:

6.1 Declaration of interest

- a) All employees shall be required to furnish information in a prescribed manner and form

(Appendix II) whenever confronted with a conflict of interest situation. In the absence of a Declaration Form, a written declaration with all the requirements as provided in the prescribed form shall be submitted.
- b) The completed form shall be lodged with the Chairperson of that particular committee or meeting; or Supervisor of a particular assignment as soon as it is practical.
- c) In an event that someone declares interest, the Chairperson or Supervisor shall immediately guide on the possible course of action for the officer who has declared their interest.

- d) Where the Chairperson or Supervisor has established that the declaring employee is conflicted, the employee shall be directed to stay away from the proceedings in line with Section 28 of the Anti-Corruption Act.
- e) A copy of the completed form shall be submitted to the Integrity Committee Secretariat for record keeping.

7.0 Implementation of the Policy

The Permanent Secretary shall be responsible for the implementation of these guidelines through the Integrity Committee and Departmental/Unit Heads. It is also the responsibility of every officer to promote adherence to the guidelines.

8.0 Sensitisation of the Policy

The Permanent Secretary through the IC shall be responsible for sensitizing all employees. Upon successful sensitisation, the employee shall fill in the Acknowledgement Form in Appendix I.

9.0 Enforcement of the policy

Whenever a conflict of interest arises, conflict must be declared as per procedure. Enforcement of the Conflict of Interests shall take the following forms in case of:

9.1 Non-Compliance

Where there is a violation or lack of declaration, appropriate disciplinary action shall be taken against the employee in line with the Disciplinary Code and/or any written Law.

9.2 Compliance

- i) The Chairperson or Supervisor shall acknowledge and guide the employee on the course of action.
- ii) Where it is established that an employee has an established record of declaring conflict of interest, the Permanent Secretary through the Chairperson may consider an appropriate reward for such an employee.

10.0 Collaborative Partnerships

This Policy will be implemented in collaboration with Law Enforcement Agencies and other relevant institutions.

11.0 The General Public as a Stakeholder

All stakeholders are expected to support the implementation of the Policy. In this regard, the Integrity Committee must ensure that both the employees and the general public are well informed on the Policy. The general public will be encouraged to give feedback on the provisions of the services by the Ministry through the Service Charter or any other interactive platforms.

12.0 Monitoring Implementation of the Policy

The Integrity Committee shall undertake quarterly monitoring of the Policy to ensure proper implementation and adherence. It will also undertake mid-term and summative evaluation of the Policy.

13.0 Review of the Policy

The Policy will be reviewed every five (5) years in consultation with stakeholders. The Policy will, however, continue to be in effect until its review. Notwithstanding the above, the Policy may be reviewed before this date should compelling situations arise. The review will be informed by the monitoring and evaluation Reports.

14.0 Further information on the Policy

For further information or clarification on the provisions of the Policy the Integrity Committee Chairperson or Secretary can be contacted.

APPENDIX I



REPUBLIC OF ZAMBIA

MINISTRY OF TECHNOLOGY AND SCIENCE

Conflict of Interest

Employee Acknowledgement Form

To be completed by the **Employee**

Signed:.....

Name:.....

Date:.....

To be completed by the **Head of Human Resource and Administration**

Signed:.....

Name:.....

Date:.....

Official Date Stamp

APPENDIX II



MINISTRY OF TECHNOLOGY AND SCIENCE

Conflict of Interest Declaration Form/Register

1.0 Purpose:

The purpose of this declaration form is to provide a record of the conflict of interest situations encountered by the employees of the MOTS in accordance with the Conflict of Interest Policy.

The employee declaring a conflict of interest will fill in the following details.

No.	Item	Details
1.	Assignment or programme under consideration	
2.	Nature of conflict of interest (Here the employee should state how conflicted they are, who or what is involved as well as if the conflict is direct or indirect).	
3.	Date of Declaration	
4.	Any other comment	

2.0 Certification:

I hereby certify that the details I have given above are true and in line with the Conflict of Interest Policy.

Name:

Signature:

Employee No.

Department/Unit:

Conflict of Interest Declaration Form/Register

3.0 Chairpersons'Decision/Guidance:

Name:	
Signature:	
Position:	
Date:	

Note: This form will be filled in **triplicate** and distributed as follows.

1. Employee declaring.
2. Conflict of Interest Register
3. The IC Secretariat.

The employee will be informed of the outcome of their declaration as soon as practical

Contact us

🏛️ The Permanent Secretary
Ministry of Technology and Science
Maxwell House, Los Angeles Boulevard
P.O. Box 50464, Lusaka, Zambia

📞 Tel: +260 211 252411
Fax: +260-1-252951/252089

✉️ Email: info@MoTS.gov.zm
<https://www.mots.gov.zm>