Touching lives

GUIDE ON MANAGEMENT OF CONFLICT OF INTEREST

Postal Corporation of Kenya (PCK) is a public institution, and like all state corporations in Kenya, it is legally required to comply with the national framework for managing conflicts of interest.

Public Service Commission (PSC) Guidelines, 2016 & 2023 Updates require institutions to establish Conflict of Interest Registers, develop integrity policies, and report compliance through the Ethics and Integrity Compliance Report.

Article 75(1)(a) of the Constitution as read with Section 16 of the Leadership and Integrity Act, CAP 185C and Part III of the Leadership and Integrity Regulations, 2015 provide the legal requirements for the management of conflict of interest by State and Public officers.

The requirements are as follows-

a. State and public officers are to use the best efforts to avoid being in a situation where personal interests conflict or appear to conflict with their official duties;
b. A State officer or a public officer whose personal interests conflict with their official duties shall declare the personal interests to the public entity or to the EACC in the prescribed format;
c. The EACC or a public entity may give direction on the appropriate action to be taken by the State or public officer to avoid the conflict of interest;
d. The State officer or public officer is required to-
    a. Comply with the directions; and
    b. Refrain from participating in any deliberations with respect to the matter;
e. A State officer or a public officer shall not award or influence the award of a contract to himself or herself; spouse(s) or children, business associate or agent, a corporation, private company, partnership or other body in which the officer has a substantial or controlling interest;
f. A State or public officer participating in any meeting in which a conflict of interest arises or may arise is obligated to declare the conflict at the beginning of the meeting or at any time before the issue that gives rise to the conflict is deliberated upon. The declaration must be recorded in the minutes of the meeting and entered into the public entity's register of conflicts of interest;
g. The State or public officer has a responsibility to ensure that an entry of registrable interests is updated and to notify the public entity or the EACC of any changes in the registrable interests, within one month of each change occurring.

How to register a conflict of interest:

a. It is the responsibility of all PCK Staff to ensure that any sort of Conflict of Interest is reported and registered in the prescribed Conflict of Interest form available on our Website/Integrity offices.

b. In situations where the staff participating in any meeting in which a conflict of interest arises or may arise is obligated to declare the conflict at the beginning of the meeting or at any time before the issue that gives rise to the conflict is deliberated upon.

c. The declaration must be addressed to the relevant authority be recorded in the minutes of the meeting where applicable.

d. As soon as possible, the original filled form and a copy of the minutes must be submitted to **Integrity Office, P.O. Box 47472-00100, Posta House 8th Floor, Nairobi** and entered into the public entity's register of conflicts of interest;

e. Thereafter the staff has a responsibility to ensure that an entry of registrable interests is updated and to notify the Integrity office of any changes in the registrable interests, within one month of each change occurring.

f. Monthly report on all declared conflict of interests shall be submitted to the Chairperson of Corruption Prevention Committee for review and guidance.

JOHN K. TONUI
POSTMASTER GENERAL
CHAIRPERSON CORRUPTION PREVENTION COMMITTEE