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REPUBLIC OF THE GAMBIA



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FINANCIAL REGULATIONS, 2016

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PUBLIC FINANCE ACT, 2014
Act No. 5 of 2014

FINANCIAL REGULATIONS, 2016

IN EXERCISE of the powers conferred on the Minister by section 75 of the Public Finance Act, 2014, these Regulations are made.

PART I – PRELIMINARY

1. Citation

These Regulations may be cited as the Financial Regulations, 2016.

2. Interpretation

(1) In these Regulations, unless the context otherwise requires –

“Accountant General’s Department” means the former Treasury Directorate;

“Act” means the Public Finance Act, 2014;

“allocated stores” means stores the cost of which is charged directly on purchase to the relevant Head, Sub-head and Item of expenditure;

“Appropriation Bill documents” means a collection of budget papers, including policy statements, budget speech, estimates of revenue and expenditure, legal provision relating to the implementation of the government budget, and proposals for financial related amendments to existing Acts, that need to be approved by the National Assembly in support of the government budget;

“Appropriation structure and Appropriation Act” means selected classification of government expenditure and other payments included in the Appropriation Bill documents, which, after approval of the National Assembly, form the legal structure and annual limits for spending, accounting and reporting by the Government;

“Audit Committee” means a standing committee whose functions and membership shall be approved by the Minister, and which assists the Minister to fulfil his or her oversight responsibility in respect of the –

- (a) integrity of the Government's financial statements and financial reporting process and the Government's systems of accounting and financial controls,
- (b) performance of the internal auditors,
- (c) annual independent audit of the Government's financial statements,
- (d) engagement of independent auditors and the evaluation of the qualifications of independent auditors, their independence and performance,
- (e) compliance by the Government with legal and regulatory requirements, including Government's disclosure controls and procedures,
- (f) evaluation of management processes relating to the enterprise risk of the Government, and
- (g) preparation of the report of the Committee required to be included in the Government's annual financial statement as part of the report of the Minister;

"breach of discipline" means wilful disregard of laws, Acts, Regulations or Instructions, which shall result in disciplinary action;

"budget agency" means a government organisation, including a ministry, an agency, an office, an authority, an institution, and any other department or unit, for which, independently, an annual budget is included in the Appropriation Bill documents, and for which an appropriation is made by the National Assembly;

"Budget Management Centre" means a unit responsible for budget formulation, implementation, monitoring and evaluation;

"Central Bank" means the Central Bank of The Gambia;

"Consolidated Fund" means the Consolidated Fund established under section 150 of the Constitution;

"Constitution" means the 1997 Constitution of the Republic of The Gambia;

"Decentralised Internal Audit Unit" means a department, division, or team of practitioners that provides internal audit services to a specific budget agency and is not involved in the day to day operation of any control or system in their budget agency, and

which –

- (a) provides management with assurance that risks are mitigated and that internal controls are working effectively,
- (b) makes recommendations for enhancing processes, policies and procedures;

“departmental self-raised revenue” means revenue or other money collected and retained by a budget agency for the purpose of defraying the expenses of the budget agency in accordance with the provisions of section 150 (2) (b) of the Constitution;

“Directorate of Internal Audit” means the independent Directorate of the Ministry which undertakes the internal audit function of the Government and is not involved in the day to day operation of budget agencies, and which –

- (a) monitors, assesses, and analyses organisational risk and controls,
- (b) reviews and confirms information and compliance with policies, procedures, and laws,
- (c) coordinates the overall standard and development of internal auditing across Government, and may –
 - (i) recommend updates to the audit mandate, audit standards and manuals,
 - (ii) provide in-house training,
 - (iii) review the quality of internal auditing in decentralised internal audit units;

“disciplinary action” means any formal action taken by the Permanent Secretary against an officer, which shall range from a fine of not less than one month salary to a recommendation to the Public Service Commission for the discharge of that officer from government service;

“extra-budgetary fund” means a fund created outside the operations of the Consolidated Fund by an Act of the national Assembly in accordance with section 150 (2) (a) of the Constitution for the payment of particular revenue or other money for a specific purpose;

“Financial Regulations” means the instructions of a long-term nature issued from time to time by the Minister, for regulating and

facilitating the implementation of any provision of the Act and includes any financial instructions of a like kind issued under the authority of the Government and in operation immediately before the commencement of the Act until replaced by these Financial Regulations;

“financial year” means a twelve month period, starting on the first of January and ending on the thirty-first of December for which a government budget is approved, executed, reported and audited;

“functions” includes powers, duties and responsibilities;

“government budget” means section of the Appropriation Bill documents that are approved by the National Assembly, which consist of the appropriation structure and legal provision relating to revenue and expenditure transactions;

“General Orders” means the General Orders issued under the authority of the Government to control the conduct and discipline of public officers;

“internal auditing” means an independent, objective assurance and consulting activity designed to add value and improve the operations of an organisation and help the organisation to accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and government processes;

“land and buildings” means land, buildings and enclosures, etc., owned, rented or occupied by the Government;

“loss” means any loss, theft, deficiency, fraudulent payment, and suppression of revenue, irrecoverable revenue, misappropriation, misuse, unauthorised damage or destruction;

“Minister” means the Minister responsible for Finance and Economic Affairs; and “Ministry” shall be construed accordingly;

“moneys” includes cash, cheques, postal and money orders, stamps and other negotiable instruments of monetary value;

“Permanent Secretary” means the Permanent Secretary of the Ministry;

“public money” means –

(a) any money in the custody or under the control of –

(i) the Government of The Gambia, or

(ii) any person acting for and on behalf of the Government of The Gambia, and

(b) includes any public money held in trust for, or otherwise for the benefit of a person, other than the Government of The Gambia;

“public officer” means a person holding or acting in a public office as defined in section 230 of the Constitution;

“Regulations” means these Financial Regulations;

“stores and other assets” means stores, unallocated stores, vehicles, plant, equipment, tools, machinery, furniture, movable fittings and livestock;

“supervising department” means a ministry which coordinates the operations of one or more budget agencies under its supervision;

“supplementary appropriations” means funds required for additional expenditure which have not been budgeted for in the approved estimates;

“Treasury” means the Treasury Unit or Treasury Units of the Accountant General’s Department;

“Treasury Main Account” means the government bank account held at the Central Bank, and managed by the Accountant General for expenditure transactions of the Consolidated Fund;

“unallocated stores” means stores the cost of which is charged on purchase to a holding account pending their later recharge or issue to the relevant Head, Sub-head and Item of expenditure;

“unestablished worker” means a daily paid worker;

“virement” means a transfer of appropriations within the expenditure items of a budget agency, or among expenditure items of the budget agencies under the same supervising department or from one budget agency to another;

“Vote” means the upper spending limit appropriated by the National Assembly, which entitles a budget agency to make commitments and payments;

“Vote Controller” means the head of a budget agency or the public officer authorised by the head of the agency to take charge of and manage funds appropriated for that agency and includes –

- (a) a permanent secretary,
- (b) a head of a government department,
- (c) a Regional Governor,
- (d) a Deputy Head of Mission, Counsellor or First Secretary of a Gambian mission abroad, or
- (e) any other public officer whose duties involve overall departmental responsibility in connection with public moneys, assets and accounts.

(2) Unless the context otherwise requires, the words and expressions used in these Regulations shall have the same meanings as in the Public Finance Act, 2014.

3. Application

(1) These Regulations shall apply to –

- (a) all budget agencies and constitutional institutions unless specified by separate legislation; and
- (b) the National Assembly, local government administrations and other public entities.

(2) The Minister may make Regulations incorporating the specific requirements of the entities specified in regulation (3) (1) (a) and (b), as required.

(3) Nothing in these Regulations shall override any other obligation relating to public finance laid on a person or budget agency by an Act of the National Assembly or any other law of The Gambia.

PART II – MANAGEMENT ARRANGEMENTS, FUNCTIONS OF PUBLIC OFFICERS, VOTE CONTROLLERS AND OTHER FINANCIAL OFFICERS

4. Functions of the Ministry

(1) Subject to the provisions of the Constitution or to any other enactment or the directions of the Government, the Ministry shall –

- (a) plan;
- (b) determine;

- (c) allocate resources to;
- (d) prepare;
- (e) publish;
- (f) implement;
- (g) monitor;
- (h) evaluate; and
- (i) control,

the national budget.

(2) A Vote Controller shall, under the direction of the Ministry, establish a budget committee which shall comprise of –

- (a) the Vote Controller, who shall be the chairperson; and
- (b) heads of Budget Management Centres or Cost Centres.

(3) A budget committee shall –

- (a) formulate and review strategic plans based on the policies of Government;
- (b) review departmental revenue collecting activities;
- (c) allocate resources based on objectives, outputs and activities;
- (d) coordinate, and consolidate the budget, including the development budget;
- (e) monitor, and evaluate budget performance, using this evaluation to allocate future resources efficiently;
- (f) formulate cash plans for submission to the Permanent Secretary; and
- (g) report in accordance with these regulations.

(4) The Minister shall, not later than nine months before the end of each financial year, cause to be drawn up a detailed budget timetable indicating days and events of the budget exercise in its entirety, which shall be circulated to all budget agencies for information and compliance before the last day of April each year.

(5) The Minister shall, not later than eight months before the end of each financial year, submit a budget framework paper to the Office of the President outlining the draft preliminary constraints for the next budget period and the outlook for that period along with an analysis of performance to date.

(6) The Minister shall, not later than seven months before the end of each financial year, and based on the President's directions, issue a budget circular detailing out the timetable for the preparation and submission of the Government's macro-economic policy statement and budget for the following year, which shall be followed by all budget agencies.

(7) The budget call circular shall specify the constraints within which heads of departments shall prepare their budget submissions.

(8) The Minister shall issue Regulations concerning the –

(a) budget ceilings for each ministry classified into –

(i) personnel emoluments,

(ii) other recurrent expenditure, and

(iii) capital expenditure;

(b) form of budgetary documents and statements;

(c) classification of budgetary transactions;

(d) information to be submitted in support of budgetary proposals by Vote Controllers;

(e) costing of activities; and

(f) procedures to be followed by departments in preparing, submitting and implementing the budget.

(9) A Vote Controller shall, within the provision of the budget call circular, and in conformity with any direction of the Minister for his or her ministry, issue a circular to all heads of departments under that officer's control to direct attention to that ministry's policy and to any special procedural arrangements required.

(10) A Vote Controller shall, in consultation with the minister responsible for his or her ministry, determine the procedures necessary for preparation of departmental estimates in conformity

with budget guidelines and shall notify them in accordance with sub-regulation (8).

(11) A Vote Controller shall route his or her budget proposal through the sector department to the Minister.

(12) An agency under the Office of the President shall route its budget proposal through the Office of the President to the Minister.

(13) A statutory agency shall, where it is required to submit its budget to the President, route the budget proposal through the Office of the President to the Minister, unless the Minister has approved a specific alternative procedure.

(14) The Minister may require any budget proposals to be examined and reported on by any other agency of the Government and may issue directions for the routing of submissions accordingly.

(15) An officer of an examination agency under sub-regulation (14) shall, for the purposes of the examination, be deemed to have been appointed by the Minister in the exercise of the authority specified in these Instructions.

(16) The Minister may call for any information that is required for the proper discharge of his or her functions from a person or budget agency and that person or budget agency shall promptly give the Minister the correct information.

(17) A person who fails to provide any information required under sub-regulation (16), or submits information which that person knows to be misleading or incorrect, is in breach of discipline.

(18) A Vote Controller shall, in estimating Government revenue, which includes tax revenues and non-tax revenues –

[Section 21 (2) of the Public Finance Act, 2014]

- (a) identify all activities that already generate revenue;
- (b) identify all activities that have the potential to generate revenue;
- (c) estimate the frequency of these activities and calculate the revenue arising from each of these activities;
- (d) produce a monthly forecast identifying when revenue flows are projected to take place and use this forecast to develop the revenue portion of his or her cash plan;

- (e) classify these in accordance with standard budget classification;
- (f) examine the administrative efficiency of collection;
- (g) examine the accuracy of past estimates; and
- (h) examine the relevance of rates and charges to current economic conditions or financial policies.

(19) Estimates for the budget year shall be based on current rates or charges and proposals for change of rates or charges shall indicate the revenue effects of such changes.

(20) A budget agency that has the National Assembly's approval to retain and utilise part of its departmental self-raised revenue shall be required to include these resources in its annual revenue estimates.

(21) A Vote Controller shall, in estimating Government expenditure for a budget period –

- (a) consider the Government's macro-economic framework, Government resources and priorities, and any ceilings approved by Cabinet;
- (b) prepare a strategic plan, which shall include a definition of his or her budget entity's mission, goals, objectives, outputs and activities;
- (c) cost and prioritise the activities of his or her budget entity taking into consideration the resource ceiling;
- (d) prepare a cash forecast identifying when expenditure outflow is projected to take place;
- (e) consider expenditure which contributes to the production of the required output and desired policy outcome; and
- (f) make efforts to identify and remove expenditures on activities which have outlived their purpose.

(22) The requirements of sub-regulation (21) similarly apply to all subvented agencies.

(23) A budget agency shall, where the National Assembly has approved that it retain and utilise portions of its departmental self-raised revenue, programme the use of such revenues as part of its expenditure budget and include both the inflows and outflows in its

cash plans.

(24) A Vote Controller shall, for projects and programs where a variety of sources of funds are used, indicate in his or her budget agency's estimates –

- (a) the gross expenditure of the budget agency; and
- (b) expenditure met through –
 - (i) government revenues,
 - (ii) departmental self-raised revenues, and
 - (iii) donor funds, if any.

(25) The annual estimates shall include columns for the –

- (a) actual figures for the last financial year;
- (b) approved estimates for the current financial year; and
- (c) the estimates for the forthcoming financial year.

(26) The annual estimates shall contain summaries and details of –

- (a) analysis of expenditure by –
 - (i) item,
 - (ii) ministry, and
 - (iii) department heads;
- (b) recurrent revenue;
- (c) recurrent expenditure;
- (d) development receipts; and
- (e) development expenditure.

(27) The annual Estimates shall also include details of the approved establishment showing –

- (a) all posts and grades;
- (b) the personnel emoluments and allowances provided for;

- (c) a list of Vote Controllers in control of development; and
- (d) recurrent votes.

(28) The Ministry shall not give a guarantee unless in exceptional circumstances and only after the ministry concerned has obtained opinion of the Auditor General and the Governor of the Central Bank assessing the impact of such a guarantee on the fiscal situation.

5. Functions of the Accountant General's Department

(1) There is established in the Ministry, a department known as the Accountant General's Department, and that department replaces the unit formerly known as the Treasury Directorate.

[Section 6 (1) of the Public Finance Act, 2014]

(2) The Accountant General heads the Accountant General's Department and he or she shall report to the Permanent Secretary on administrative matters and to the Minister on technical matters.

The Accountant General is:

- (a) Responsible for all cash transactions and accounts of the Government; and
- (b) The Receiver General, Paymaster and Chief Accounting Officer of the Government

(3) The Accountant General shall –

- (a) supervise and direct the technical and professional functions of the Accountant General's Department;
- (b) establish proper systems of accounting in each department of the Government;
- (c) supervise the prompt collection of all public revenue;
- (d) promptly bring to account, under the proper heads of accounts, sub-heads, and items, all revenue or other receipts;
- (e) charge all expenditure under the proper heads of accounts, sub-heads, and items;
- (f) properly provide for the safe keeping of all public moneys, stamps, securities and valuable documents;
- (g) supervise all Accounting Officers entrusted with the receipt and expenditure of public money and take precautions

against the occurrence of fraud, embezzlement or carelessness, by the maintenance of frequent checks, including surprise inspections;

- (h) supervise the expenditures and other disbursements of the Government and take care that a payment is not made which is not covered by proper sanction and authority;
- (i) draw the attention of Vote Controllers to any evidence of extravagance for immediate examination and rectification;
- (j) prepare timely accounts for submission to the Auditor General, together with copies to the Permanent Secretary;
- (k) prepare financial statements and returns as laid down by statutes and regulations from time to time, and
- (l) maintain the following records –
 - (i) principal and subsidiary journals, ledgers and registers,
 - (ii) registers to record,
 - (iii) revenue earning book register,
 - (iv) safes and keys,
 - (v) accountable financial stationery,
 - (vi) stamp duty,
 - (vii) write-offs,
 - (viii) all stocks, shares, debentures and other securities held by the Government,
 - (ix) audit trails, and
 - (x) all relevant records and data backups necessary in the context of both a manual and a computerised accounting system.

(4) The Accountant General shall consolidate and compile the monthly accounts received from all departments, including the Development Fund and the Special Fund.

(5) The Accountant General shall, within six months after the end of the financial year, submit to the auditor General, together with

copies to the Permanent Secretary, reconciled accounts in respect of all departments, including the Development Fund and the Special Fund.

(6) The Accountant General may carry out such inspections as he or she considers necessary to ensure the integrity of the internal control system operating in a department, as part of the Accountant General's Department's general internal control system.

(7) The Accountant General shall have full access to all documentation, systems, stores, officials, safes and other relevant information that are necessary for an inspection.

(8) The Accountant General shall report immediately to the Permanent Secretary and to the Auditor General any material irregularity connected with the public accounts that may come to his notice.

6. Financial duties of a public officer

(1) A public officer who –

- (a) conducts financial business on behalf of the Government of The Gambia;
- (b) receives, keeps and disburses public and trust moneys;
- (c) keeps, takes care of and uses public stores; and
- (d) keeps proper records of all transactions,

shall produce records of the transactions for inspection or audit purposes, when called upon to do so by the Accountant General, the Auditor-General, or the Director General of Internal Audit.

(2) A public officer who fails to keep or produce any records under sub-regulation (1) or fails to prepare a handing over statement under sub-regulation (3) is in a breach of financial discipline.

(3) A public officer shall, if he or she is proceeding on transfer, leave or is for any other reason being relieved of his or her duties, hand over the financial and accounting records to the person taking over from that public officer.

(4) The officer handing over shall make detailed handing over notes, which that officer shall submit to the next superior officer.

(5) An officer shall, before handing over financial and accounting duties to a relieving officer, prepare and sign a note in triplicate

showing details of –

- (a) all accounting records and documents kept;
- (b) all keys, cash and bank balances, public stores and equipment on hand;
- (c) all pending financial business, including outstanding audit queries;
- (d) all financial and accounting duties assigned to subordinate staff; and
- (e) particular classes of business as required by regulations or Accounting Instructions.

(6) If a public officer is prevented by death or disability from preparing handing-over notes, the officer's immediate superior, together with the person taking over from the officer or any other officer, shall draw up notes as required by sub-regulation (5), and the notes shall point out any irregularities found and shall also record the circumstances in which the take-over became necessary.

(7) The person taking over from the officer shall –

- (a) check that the details in the handing-over notes are complete and correct;
- (b) check that records have been properly entered and are up to date; and
- (c) verify all balances.

(8) When the officer handing over and the person taking over from the officer are satisfied that the handing-over note is in order, the completion of the handing over shall be signified by the signature of the person taking over from the officer.

(9) Each officer shall retain one copy of the note and one copy shall be handed over to the next superior officer to be retained on the office file.

7. Financial duties of a Vote Controller

(1) The head or chief executive officer of a budget agency or its Vote Controller shall –

- (a) operate and manage appropriate accounting systems,

which have been approved by the Accountant General, to ensure the accountability of all officers and facilitate the efficient discharge of government business;

- (b) ensure the efficient and effective use of appropriations under departmental control in line with Government policy and in compliance with any enactment or regulations;
- (c) ensure due and proper collection of Government revenue collectable by the department, both within and outside The Gambia, and within the terms of any enactment or of regulations issued or approved by the Minister;
- (d) procure, and make payments for goods, services and works within the funds appropriated to the department in accordance with, these Regulations or any Act of the National Assembly;
- (e) receive and order the disbursement of any trust moneys for which the Vote Controller has been appointed as an authority by or under any enactment or agreement;
- (f) maintain the establishment register of his or her department;
- (g) manage and reconcile the bank accounts authorised for the department by the Minister;
- (h) preserve in good order and secure the economical use of all equipment and stores used by the department;
- (i) transact any other financial business for which the Vote Controller is made responsible, by or under any enactment or regulations;
- (j) answer questions raised by the Auditor General in respect of the financial transactions of the department;
- (k) compile and maintain an assets register of the department as determined by the Accountant General;
- (l) develop, and submit at least forty five days before the close of the financial year his or her annual department cash plans to the Permanent Secretary;
- (m) monitor and update his or her department's cash plans fifteen days before the beginning of each quarter;
- (n) ensure that commitments do not exceed Budget allocations;

- (o) produce records and answer questions raised by internal auditors on financial and operational systems in the department in accordance with these Regulations and the Internal Audit Charter;
- (p) maintain all documents and records prescribed in these Regulations and the Accounting Manual, particularly the following –
 - (i) vote charge books, where applicable;
 - (ii) establishment registers;
 - (iii) asset registers;
 - (iv) all records and data back-ups needed to be maintained at the departmental level for the effective and efficient maintenance of a computerised accounting system;
- (q) prioritise the department's activities and ensure that related expenditures are within the budget or such other amounts as approved by the Minister;
- (r) report to the Permanent Secretary, for his or her directives, any insufficiency of funds which is likely to result in serious curtailment of services;

(2) A report under sub-regulation (1) (r) shall be made in good time and not after funds have been exhausted.

(3) The cash plans should also reflect the requirement contained in sub-regulation (1) (r).

8. Duties in respect of payments

(1) A Vote Controller shall ensure that monies are utilised in a manner that secures both optimum value for money and compliance with the requirements of the National Assembly.

(2) The head of the accounts section of a department shall ensure that –

- (a) the officer instructing payment is authorised to do so;
- (b) orders are made within the limits of the funds available;
- (c) orders are made within the limits set for the officer instructing the payment if any;

- (d) transactions are properly authenticated to show that amounts are due and payable;
- (e) any order for disbursements that does not meet these requirements is rejected; and
- (f) if any expenditure is made in excess of the amounts actually due –
 - (i) the overpayment shall be recovered immediately and paid into the account from which it was originally paid, and
 - (ii) the officer concerned shall report the circumstances immediately to the head of department or the appropriate authority.

9. Duties of other financial officers

- (1) A Sub-Treasury accounts officer is an officer designated by the Accountant General to receive, keep and disburse public money within a Sub-Treasury.
- (2) In a Gambian Mission abroad, the Sub-Treasury Accounts Officer may be designated as a Finance Attaché.
- (3) Sub-Treasury accounts officers and finance attachés are under the direct control of the Accountant General in respect of financial matters.
- (4) Notwithstanding sub-regulation (3), Sub-Treasury accounts officers and finance attachés shall act in accordance with the administrative and disciplinary arrangements of the departments, divisions or Missions to which they are attached.
- (5) All queries regarding Sub-Treasury accounts officers and finance attachés shall be referred directly to the Accountant General for clarification.
- (6) Sub-Treasury accounts officers and finance attachés shall keep cashbooks and promptly enter all moneys received or paid by them as public officers and these entries shall be supported by receipt or payment vouchers.
- (7) A Sub-Treasury accounts officer or finance attaché shall -
 - (a) send details of financial transactions monthly to the Accountant General for inclusion in the Government Accounts;

- (b) collect, and bring to account promptly under the proper Heads, Sub-heads and Items all monies received by him or her;
- (c) maintain proper audit trails;
- (d) safeguard public monies, public stores, receipt books, books of account, etc.;
- (e) check all cash in his or her charge and reconcile the amounts with the balances shown in his or her cash book at frequent intervals;
- (f) ensure that no payment is made which is not covered by proper authority;
- (g) charge promptly in his accounts under the proper Heads, Sub-Heads and Items of expenditure all disbursement of public funds;
- (h) ensure that all books of account or record, whether computerised or manual, are correctly posted and kept up to date;
- (i) report on and make good all deficiencies in cash and stores for which he or she is responsible;
- (j) exercise strict supervision over all officers under his or her authority who are entrusted with the receipt and expenditure of public money;
- (k) take precautions against the occurrence of fraud, embezzlement or carelessness, by the maintenance of sufficient checks;
- (l) produce, when required by the Accountant General, the Auditor General, the Gambia Public Procurement Authority or the Director General of Internal Audit all books, records, vouchers and cash in his or her charge;
- (m) promptly prepare such financial returns and statements as are required by any legislation, departmental circular or manual;
- (n) ensure that the maximum cash balance authorised to be held at any one time is not exceeded
- (o) ensure that public money in his or her charge is kept

separate from private money;

- (p) ensure that private cheques are not cashed out of public funds;
- (q) report to the Accountant General any apparent defect in the procedure for revenue collection or any apparent waste or extravagance in expenditure, of which he or she becomes aware during the course of his or her duties;
- (r) reply promptly to any queries addressed to him or her by the Accountant General, the Permanent Secretary or the Auditor General by giving in full the information or particulars required;
- (s) institute such arrangements as may properly be required to facilitate the transaction of public business;
- (t) prepare draft estimates for his or her department and control its requirements for supplementary provision;
- (u) ensure that the operations of his or her department are not at variance with the financial policies of the Government;
- (v) ensure that he or she is fully acquainted with the provisions of these Regulations, the Accounting Manual and any other relevant regulations;
- (w) produce records and answer questions raised by internal auditors on financial and operational systems in the department in accordance with these Regulations and the Internal Audit Charter; and
- (x) carry out such other financial responsibilities as may devolve upon his or her department.

(8) The delegation of duties by a Vote Controller in no way absolves the Vote Controller from personal responsibility for ensuring that there is proper financial control.

(9) All officers are personally responsible for the due discharge of the financial duties of their offices and for the proper collection and custody of all public moneys and stores receivable by them or under their authority.

(10) The Permanent Secretary may, summarily, require an officer who fails to satisfactorily account for or produce any part of cash, stores or other items of value entrusted solely to him or her, to make good the deficiency, which may be deducted from any

moneys due to that officer from the Government.

(11) The Permanent Secretary may require other officers to whom cash, stores or other items of value are entrusted jointly, for example, the key holders of a strong-room and officers responsible for safes and cash, to make good any deficiency jointly and severally.

(12) If the public revenue or other funds or stores managed by the Government sustains a loss by reason of the neglect or default of any officer that officer shall be surcharged with the amount and any sums due to him or her by the Government may be withheld in satisfaction of such surcharge.

(13) The responsibility of the Auditor General for checking and reporting any shortcomings in connections with the public accounts, finances and stores does not absolve any officer from his or her responsibility for complying with, or securing compliance, with instructions within the scope of his own authority.

PART III – ACCOUNTING MANUAL, BUDGET ESTIMATES, VIREMENT AND SUPPLEMENTARY APPROPRIATIONS

10. Accounting Manual

The Accountant General shall, after consultation with the Auditor-General and with the approval of the Minister, prepare an accounting manual which shall be the source of accounting instructions.

11. Accounting Instructions

(1) The Accountant General shall, in consultation with the Auditor General, issue accounting instructions to regulate the financial business of departments.

(2) The accounting instructions shall indicate the –

- (a) duties to be performed by specified officers;
- (b) accounts to be kept;
- (c) chart of accounts;
- (d) relevant procedures for the keeping of accounts;
- (e) returns to be submitted;
- (f) preparation and formatting of financial statements;

- (g) time tables for the submission of financial statements;
- (h) accounting system, whether manual or computerised;
- (i) all administrative issues relating to the keeping and preparation of government accounts;
- (j) such other instructions as may be required for the proper conduct of the financial business of the departments.

(3) Accounting instructions shall be consistent with any legislation, or any directive issued by the Minister concerning accounts.

12. Budget estimates and cash plans

(1) A Vote Controller shall prepare and submit to the Ministry, draft estimates of revenue, recurrent expenditure, Development Fund receipts and expenditure in such form and in accordance with such instructions and time tables as the Minister may issue from time to time.

(2) The Ministry shall review draft estimates of revenue, recurrent expenditure, Development Fund receipts and expenditure submitted to the Ministry by a Vote Controller.

(3) Draft estimates of revenue, recurrent expenditure, Development Fund receipts and expenditure shall be accompanied by full details of the approved establishment and a complete nominal roll for each ministry, department or agency.

(4) Personnel emoluments provided for in the draft estimates shall be based on the current approved establishment.

(5) A Vote Controller may not include provision for any new permanent or temporary post unless this has been agreed in writing by the Permanent Secretary of the Ministry, and the Permanent Secretary of the Personnel Management Office.

(6) A Vote Controller shall submit to the Ministry, proposals entailing new expenditure, other than personnel emoluments earlier than and separately from the draft estimates.

(7) A proposal entailing new expenditure shall indicate the financial effects in the forthcoming budget period and for the following three years.

(8) A Vote Controller shall explain any variations between draft estimates and the approved estimates for the current year by footnotes or explanatory memoranda.

(9) The Permanent Secretary shall, after the Ministry approves the annual estimates, issue directions to create an aggregate annual cash plan by collecting from all ministries their expected cash expenditures and expected cash inflows, including those from the various departments and agencies that generate revenue.

(10) The cash plans shall –

(a) be presented on a monthly basis;

(b) be comprehensive, indicating –

(i) all sources of revenue and expenditure,

(ii) Government financing,

(iii) internally generated funds, and

(iv) donor financing,

to enable the Government to determine its cash flow requirements.

(11) A ministry shall update its annual cash plan each quarter to take into account any variation in the revenue inflows and the expenditure requirements.

(12) A ministry shall submit its updated cash plans to the Permanent Secretary at least fifteen days before the beginning of each quarter.

(13) The Permanent Secretary shall ensure that the issue of cash allocations is strictly limited to the availability of funds within the overall cash plans of budget agencies.

(14) A Vote Controller shall, when submitting draft estimates to the Ministry, include the revised estimates for the current financial year, indicating the expected savings and excesses on all items.

(15) A Vote Controller shall obtain authority for supplementary appropriation or virement, even when he or she submits revised estimates for the current year which include expected excesses.

(16) A budget agency shall comply with the provisions of the Act relating to the contents of appropriations and their structures.

(17) A budget agency shall submit to the permanent Secretary its budget estimates not later than six months before the end of each financial year.

(18) The Permanent Secretary shall, upon the receipt of the estimates, cause to be convened budget hearings to –

- (a) review strategic plans and estimates of the budget agency; and
- (b) ensure that strategic plans and estimates are in accordance with the Government's macro-economic policy framework.

(19) The Permanent Secretary may, where necessary, require a budget agency to make adjustments to its strategic plans and estimates to fulfil the requirements of the Government's macro-economic policy and budget framework.

(20) The Minister may, where he or she is satisfied that it is in the public interest or financial exigencies so demand –

- (a) suspend,
- (b) withdraw,
- (c) reduce, or
- (d) limit,

any Warrant, authorisation given or cash plans approved, subject to any limitations indicated in the Act.

(21) The Minister shall ensure that –

- (a) the consolidated estimates of revenue and expenditures for the following financial year, and
- (b) a budget statement to the National Assembly,

are submitted to the President not later than sixty days before the end of the current financial year.

(22) The budget statement shall include a consolidation of such estimates as are to be submitted directly to the President by the Chief Justice or any other authority, provided under the law.

(23) The Minister shall also assist the President to –

- (a) introduce the Appropriation Bill and the Supplementary Appropriation Bill to the National Assembly, as provided under section 152 of the Constitution, and

- (b) present to the National Assembly details of loans, as provided under section 155 of the Constitution.

13. Excess expenditures and virement

(1) An expenditure shall not be incurred for which there is neither sufficient provision nor any provision in the approved estimates, unless approved by:

- (a) the Minister through virements within the approved estimates, or

- (b) National Assembly through Supplementary Appropriation

(2) An expenditure shall not be incurred on a service which cannot be completed with the funds authorised for it.

(3) A commitment involving supplementary appropriation shall not be entered into until the supplementary appropriation has been approved.

(4) The authority for supplementary appropriation shall consist of –

- (a) approval by the National Assembly of the schedules of supplementary appropriation,
- (b) the passing of a Supplementary Appropriation Act to cover recurrent expenditure, and
- (c) a resolution of the National Assembly to cover development expenditure.

(5) Where the circumstances are such that expenditures cannot be postponed pending consideration by the National Assembly, application may be made to the Minister for –

- (a) an advance from the Civil Contingencies Fund to cover recurrent expenditure;
- (b) a Development Fund Special Warrant to cover development expenditure; and
- (c) a Virement Warrant to cover recurrent or development expenditure.

(6) The rates for personnel emoluments shall not be added to without the approval of Cabinet.

(7) The number of posts authorised in the estimates shall not be added to without the joint approval of the Vote Controller of the

budget agency, the Personnel Management Office and the Permanent Secretary.

(8) An application for supplementary appropriation shall be submitted to the Permanent Secretary, through the Ministry concerned.

(9) The Minister shall, on his or her own volition or on a request from a Vote Controller, review the budget and the allocations in it.

(10) The Minister shall, where he or she finds out in the course of the review that –

(a) the amount of moneys appropriated by the Appropriation Act for any purpose is insufficient; or

(b) a need has arisen for expenditure for a purpose for which no sum of money has been appropriated by the Appropriation Act

lay before the National Assembly for approval, supplementary budget estimates showing the sum of money required.

14. Content of supplementary budget estimates

A Vote Controller shall submit a supplementary budget estimate in the same format as an Appropriation Bill.

15. Supplementary provision for existing activities

(1) A Vote Controller shall, where he or she considers it likely that the funds provided for existing activities for the financial year will prove insufficient, prioritise the activities of the department and ensure that only the critical activities are considered first.

(2) The Vote Controller shall, where prioritising shall jeopardise the production of some essential outputs, forward supplementary estimates to the sector minister, who shall make any necessary comments on the supplementary estimates before forwarding it to the Minister.

16. Supplementary provision for new activities

(1) The Minister shall, where the Government considers the introduction of new activities to be in the public interest, submit to the National Assembly a detailed memorandum justifying the supplementary provision.

(2) Approval for the introduction of a new activity shall only be given when the new activity is introduced in the annual estimates in

accordance with the procedure laid down in the Act, and in these Regulations.

17. Supplementary provision arising from increase in costs of activities

(1) An application for a supplementary estimate shall be made to the Minister through the sector minister or other appropriate authority, where additional funds are required because of increased activity costs that could not be foreseen when the annual estimates were presented.

(2) The accompanying memorandum shall explain the circumstances in which the extra costs have arisen and the efforts made to ensure greater efficiency in operations.

18. Notification of supplementary estimates

(1) The National Assembly shall not approve supplementary provision, where the approved estimates have been used for extra-budgetary services which had not been included in the estimates.

(2) The Accountant General, the Auditor General and the budget agency concerned shall, after National Assembly approval, be notified of the revised supplementary estimates.

(3) A Vote Controller or an accounting official shall record in the vote charge books, revisions of budgeted provisions and expenditure committed and incurred.

(4) The Accountant General shall, on the final adjustment of accounts at the end of the financial year, prepare Schedules of all unauthorised excesses.

(5) An unauthorised excess shall be surcharged against the Vote Controller or accounting officer responsible for the excess.

19. Virements

(1) Virement means a transfer of appropriations within the expenditure items of a budget agency, or among expenditure items of the budget agencies under the same supervising department or from one budget agency to another;

(2) Virement may not be used to –

- (a) transfer funds between personnel emoluments and other charges;

- (b) create a new post or alter an approved salary scale;
 - (c) implement any new policy or materially alter the pattern of expenditures as presented to the National Assembly in the Annual Estimates; and
 - (d) reallocate funds from one head of expenditure to another unless authorised by the Permanent Secretary in consultation with the Accountant General and the Auditor General.
- (3) Virement may be made –
- (a) among expenditure items of a budget agency, up to a maximum of seventy five percent of the appropriations of giving or receiving expenditure items, at the request of the budget agency and with the approval of the Minister;
 - (b) among budget agencies under the same supervising department, at the request of the supervising department and with the approval of the Minister, provided that the amount being vired does not exceed fifty per cent of the total appropriations of the giving or receiving expenditure items of each budget agency; and
 - (c) between budget agencies.
- (4) Where the amount to be vired exceeds the limits set under regulation 19 (3) (b), the approval of the Minister is required.
- (5) In considering an application for supplementary appropriation the Minister shall determine whether to –
- (a) authorise virement, or
 - (b) refer the application to the National Assembly for approval as a supplementary appropriation.
- (6) The Minister shall, where he or she decides to adopt the virement procedure, sign a Virement Warrant and send it to the Accountant General, together with copies to the Auditor General and the applicant Vote Controller.
- (7) If a Virement Warrant is issued, the vote charge book shall be updated to reflect the corresponding increases and decreases in the supplementary appropriations and in the approved estimates.
- (8) The budget agency concerned shall, where the Minister decides to refer the application for supplementary appropriation to the

National Assembly and the National Assembly approves the supplementary appropriation, update its cash plans taking into account the supplementary appropriations and the virements.

PART IV – BANK ACCOUNTS, CASH MANAGEMENT AND MAINTENANCE OF RECORDS

20. Government bank accounts

(1) In this regulation, government bank account includes the main bank accounts operated by the Accountant General, imprest holders and project officers;

(2) A government bank account shall be opened only with the authority of the Accountant General.

(3) A government bank account shall be operated within the confines of, and in accordance with these Regulations and any supplementary instructions issued by the Accountant General.

(4) The Accountant General shall, at the close of each financial year, supply the Auditor General with a list of all government bank accounts, open and in operation at any time during that financial year.

21. Opening of government bank accounts

(1) An accounting officer shall, when he or she thinks it necessary to open a government bank account, apply for approval in writing to the Accountant General and send a copy of the application to the Permanent Secretary.

(2) The Accountant General shall, when conveying his or her approval, state in writing –

(a) where he or she wishes the account to be opened;

(b) the purpose for which the account is required; and

(c) by whom the account is to be operated;

(3) The Accountant General shall, when he or she authorises the opening of the bank account, notify the branch of the bank concerned and the accounting officer.

(4) The accounting officer shall arrange with the bank for the supply of specimen signatures when the account is first opened, and later, if the signatories to the account change.

(5) An authorised signatory of a government bank account shall –

(a) register his or her specimen signatures with the Accountant General and the Director General of Internal Audit; and

(b) notify the Accountant General and the Director General of Internal Audit of the cancellation of such authority.

(6) A government bank account may only be opened with a commercial bank on the approval of the Minister on the recommendation of the Accountant General

[Section 13 of the Public Finance Act 2014]

(7) A budget agency or a Sub-Treasury is responsible for the effective and efficient management of its revenue account.

(8) The accounting officer of a budget agency or a Sub-Treasury shall ensure that at all times the Treasury Main Account has sufficient money for appropriated expenditure and direct charges to meet the progressive cash flow requirements.

(9) The bank account configuration for the Consolidated Revenue Fund comprises a bank account with the Central Bank opened to facilitate the management of the Consolidated Fund.

(10) The Accountant General may open additional operational accounts on such terms and conditions as he or she may determine with the approval of the Minister.

(11) Money transferred into the Treasury Main Account shall immediately be available to the relevant budget agencies for funding expenditure or investment according to the central cash management responsibilities of the Accountant General.

(12) For the purposes of these Regulations, the Gambia Revenue Authority shall –

(a) ensure that all taxes, levies, duties, fees and other moneys due to and collected by it are accounted for and deposited daily into the relevant bank account; and

(b) notify the Accountant General monthly of the revenue it collects and the standard classifications of such revenue.

(13) A department shall pay into its bank account set up specially for that purpose –

(a) on a daily basis, all revenue received by that department; and

- (a) as soon as practicable, revenue amounting to less than five hundred dalasis.
- (14) The revenue of an extra-budgetary fund shall be paid into its special bank account held at the Central Bank.
- (15) All revenue shall invariably be paid into the relevant account by the last working day of the month
- (16) A revenue agency shall –
- (a) promptly reconcile the revenue that has been collected by that revenue agency with the amount that the revenue agency has paid into its account at the Central Bank; and
 - (b) send a daily report on its reconciled revenue to the Accountant General.
- (17) The Ministries, Departments and Agencies shall, at the end of each financial year and after the books of account of a department have been closed, surrender to the Accountant General any unexpended voted money for transfer to the Consolidated Revenue Fund.
- (18) The provisions of sub-regulation (17) shall not apply to Gambian missions abroad.
- (19) Each budget agency and Sub-Treasury shall account daily for the cash movements of all bank accounts that it operates.
- (20) Each budget agency and a Sub-Treasury shall report monthly to the Accountant General on the balances of all bank accounts that it operates.
- (21) The Accountant General shall establish systems, procedures, processes and training and awareness programs to ensure efficient and effective banking and cash management.
- (22) For the purposes of this regulation, sound cash management includes –
- (a) collecting revenue when it is due and banking it promptly;
 - (b) making payments, including transfers to other levels of government and non-government entities, no earlier than necessary, with due regard for efficient, effective and economical program delivery and the Government's normal terms for account payments;

- (c) avoiding pre-payments for goods or services (that is, payments in advance of the receipt of the goods or services), unless this is exceptionally required by the contractual arrangements with the supplier;
 - (d) accepting discounts to effect early payment only when the payment has been included in the monthly cash flow estimates provided to the relevant Treasury and Sub-Treasury;
 - (e) pursuing debtors with appropriate sensitivity and rigour to ensure that amounts receivable by the Government are collected and banked promptly;
 - (f) accurately forecasting the institution's cash flow requirements to enable the Accountant General to optimise his or her central cash management responsibilities on behalf of the Government;
 - (g) timing the in- flow and outflow of cash;
 - (h) recognising the time value of money, which includes –
 - (i) economically, efficiently and effectively managing cash;
 - (ii) updating and adhering to cash plans; and
 - (iii) ensuring that commitments do not exceed allocation.
 - (i) taking any other action that avoids locking up money unnecessarily and inefficiently, such as managing inventories to the minimum level necessary for efficient and effective program delivery, and selling surplus or underutilised assets.
- (23) Each Sub-Treasury accounts officer and finance attaché shall–
- (a) ensure that his or her institution's systems, records and statements of procedures meet the purposes of sound cash management;
 - (b) monitor the institution's cash management performance on a regular basis; and
 - (c) report to the Vote Controller, in writing, at least once a month.

(24) Private money may not be deposited into an official bank account, except in accordance with the provisions relating to money held in trust for other persons or bodies.

(25) State money shall not be paid into a private bank account.

(26) Private money or personal possessions shall ordinarily not be kept in a state safe or strong room.

(27) A Vote Controller may, where it is necessary or expedient to do so, approve specific arrangements for safeguarding personal effects reasonably held on official premises in the course of official duty, for example, by providing lockable rooms for staff.

(26) Only an authorised official may sign a voucher or a cheque and only that official shall initial the counterfoils of the voucher or the cheque.

(27) With the exception of payments stated under regulation 26 (32), all cheques shall ordinarily be crossed.

(28) When an issued cheque is lost, stolen or damaged, an instruction to stop payment must immediately be issued to the responsible bank.

(29) When confirmation of stoppage of a cheque is received, the transaction shall be reversed and a fresh cheque issued and accounted for.

(30) A separate register of stopped cheques shall be kept and cleared when –

- (a) confirmation of stoppage of a cheque is received; and
- (b) a fresh cheque is issued.

22. Temporary Investments

(1) The Permanent Secretary shall promptly submit a report in writing to Cabinet, together with a copy to the Auditor General, of any temporary investment that he or she has made out of the Consolidated Revenue Fund.

(2) The Permanent Secretary's report shall contain –

- (a) the full details of the investment, including its terms and conditions;
- (b) a forecast of anticipated returns;

- (c) the annual audited accounts of the institution or bank where the investment is made;
 - (d) any credit reports of the institution or bank where the investment is made; and
 - (e) any unsatisfactory features of the institution's operations likely to endanger the Government's investment.
- (3) A temporary investment and the interest on that investment form part of the Consolidated Fund and shall be included at the time of determining the net cash balance of the Government.
- (4) The Permanent Secretary shall, before making a temporary investment –
- (a) apply norms of prudent financial behaviour; and
 - (b) submit a guarantee in writing to Cabinet, together with a copy to the Auditor General, that the investment can yield optimum returns to the Government.
- (5) The Permanent Secretary shall ensure that both the gross inflows and outflows from the investment are fully reflected in the cash plans.
- (6) Similar norms of prudent financial behaviour shall govern the actions of the Permanent Secretary in the handling of public moneys generally.

23. Warrants for spending and payment procedures

- (1) A list of Vote Controllers responsible for the various recurrent and capital votes shall be published annually in the estimates.
- (2) A Vote Controller is personally responsible for the control of his or her votes and for any unauthorised expenditure on them.
- (3) A Vote Controller shall ensure that strict economy is exercised in the expenditure of the votes under his or her control.
- (4) A Vote Controller may, while retaining the ultimate overall responsibility for the votes under his or her control, delegate his or her powers of authorisation for –
- (a) the ordering of goods, services or works; and
 - (b) the payment for goods, services or works

to his or her deputies or senior assistants holding posts on grade 9 or above grade 9.

24. Expenditures in time of unforeseen political developments

(1) The Minister shall, where the estimates are not approved by 31st December of any financial year, authorise the withdrawal from the Consolidated Fund, of moneys of an amount not exceeding one-quarter of the amount spent in the preceding financial year.

(2) Moneys withdrawn from the Consolidated Fund shall be for the purpose of meeting expenditure on government programmes and activities in respect of the period expiring –

(a) four months from the beginning of the financial year; or

(b) immediately before the approval of the Appropriation Bill, whichever is earlier.

(3) Moneys withdrawn from the Consolidated Fund shall be a part of the sums appropriated for that financial year and shall have been included in the cash plans for that financial year.

(4) Expenditures shall similarly be reflected in the cash plans.

25. Limitation on authority to spend

(1) Funds approved in a budget shall lapse on the thirty first day of December.

(2) A Vote Controller shall not vary the normal course of payment to avoid causing an excess on any item of expenditure or a lapse of funds and, in particular, shall not –

(a) make payments in advance for goods, services or works to be delivered in the subsequent financial year; and

(b) place funds on deposit, with a service provider or with any other agency to avoid the consequences of lapse of funds..

(3) A Vote Controller who fails to comply with sub-regulation 2 (a) and (b) is in breach of discipline.

26. Execution of government budget, personnel payments

(1) Certain provisions are reserved as indicated by the letter “R” against those votes in the estimates.

(2) Reserved provisions -

- (a) are excluded from the General Warrants and the Capital Warrants, as the case may be; and
 - (b) require the issue of Release Warrants under the hand of the Minister before all or part of those funds may be spent.
- (3) The Vote Controller shall submit a “Requisition to Incur Expenditure” in quadruplicate to the Permanent Secretary, to obtain a release of reserved provisions.
- (4) The Minister shall, where he or she approves a release of reserved provisions, issue a Release Warrant to authorise the spending of all or part of the reserved funds.
- (5) A Vote Controller shall not incur expenditure or commitments on reserved provisions unless the Minister issues a Release Warrant.
- (6) A Vote Controller who incurs unauthorised expenditure or commitments on reserved provisions prior to the issue of a Release Warrant –
- (a) is liable to disciplinary action; and
 - (b) shall be surcharged with the amount so incurred or spent.
- (7) A Vote Controller (the principal) may authorise another Vote Controller (the agent) to operate all or part of his or her votes by means of a Departmental Warrant in approved form.
- (8) The Warrant will give full details of the votes, the nature of the service and the amount allocated.
- (9) Adequate changes to reflect this shall be made in the cash plans where necessary.
- (10) The agent receiving the Departmental Warrant shall account properly to the principal giving full details of amounts spent on his or her behalf.
- (11) Refunds of deposits may be made by Warrant under the hand of the Minister.
- (12) Advances may be issued from the Consolidated Revenue Fund by Advance Warrant under the hand of the Minister.
- (13) Payments from Special Funds may be made after the issue of Special Fund Warrants under the hand of the Minister.

(14) A Vote Controller shall not make a payment for any other “below-the-line” expenditure without the approval of the Accountant General.

(15) A Vote Controller shall maintain a vote charge book to record commitments and expenditure on all Heads, Sub-Heads and Items under his or control either directly or by means of Departmental Warrants, and including Consolidated Revenue Fund, Development Fund and “below-the-line” accounts.

(16) The vote charge book is a budget agency’s comprehensive and up-to-date record of budgetary provisions and allocation of funds made available by General Warrants, Special Warrants and Departmental Warrants, and changes necessitated as a result of supplementary appropriations and virements.

(17) A Vote Controller shall record in the vote charge book, the commitment of funds when local purchase orders, contract certificates, petty contract vouchers and payment vouchers have been raised, and their ultimate disbursement when payments have been made.

(18) The Vote Controller shall ensure that commitments do not exceed the budget allocations.

(19) A Vote Controller shall liaise with the Permanent Secretary to amend allocations and to initiate necessary supplementary appropriations and virements as a result of excesses discovered in the reconciliation process.

(20) A payment voucher shall be completed for all expenditure of public moneys and a copy of the payment voucher shall be filed in the originating department or outstation.

(21) Payment vouchers shall be accompanied by the appropriate supporting documents which may include original invoices, time pay sheets, and local purchase orders.

(22) In the case of imprest holders, the appropriate supporting documents must include the relevant receipts.

(23) Where an original invoice is lost, a copy of it shall be obtained and the authorising officer shall certify that payment has not previously been made.

(24) Where the payment voucher covers payments to more than one person, for example, to a group of employees, the voucher shall be –

(a) prepared in the title of the Vote Controller of that department or station; and

(b) supported by the appropriate time pay sheets or attachment lists.

(25) Vote Controllers and their delegates shall register their specimen signatures with the Accountant General, the Auditor General and the Head of Internal Audit for the purposes of –

(a) signing cheques; and

(b) authorising payment vouchers and the appropriate supporting documents, including –

(i) local purchase orders,

(ii) petty contract vouchers,

(iii) contract certificates, and

(iv) pay sheets.

(26) Vote Controllers and their delegates shall likewise notify the Accountant General, the Auditor General and the Director General of Internal Audit of the cancellation of such authority.

(27) The Accountant General and the Director General of Internal Audit shall –

(a) send copies of all specimen signatures to their Sub-Treasuries and regional offices; and

(b) require their staff to –

(i) satisfy themselves by scrutiny and comparison, that signatures on accounting documents, vouchers and cheques match the specimens; and

(ii) delay payment procedures until they are completely satisfied that signatures on accounting documents, vouchers and cheques match the specimens.

(28) An authorising officer shall, before signing a payment voucher, ensure that –

(a) he or she has authority to sign against the expenditure head to which the voucher is coded;

- (b) the voucher is correctly made out, coded and entered in the vote charge book.
- (c) the charge is correct;
- (d) goods have been received or services properly provided;
- (e) entries have been made in the appropriate records; and
- (f) there are sufficient funds in his or her allocation to cover the charge.

(29) Payment vouchers and supporting documents shall be sent to the Accountant General or Sub-Treasury for payment according to the following routing –

- (a) centralised salaries;
- (b) pensions;
- (c) debt service charges; and
- (d) below-the-line accounts,

direct to the Accountant General.

(30) Except for properly authorised and certified payments to petty contractors and suppliers at regional Sub-Treasuries, payments to authorised contractors and suppliers shall be made by crossed cheque.

(31) Except for self-accounting projects, the Accountant General shall make payments by cheque or bank transfer.

(32) Uncrossed cheques shall only be issued in respect of the following –

- (a) Vote Controllers, for payment of salaries and allowances;
- (b) imprest holders, for reimbursement of their expenses; and
- (c) individual government employees and pensioners, for payment of their emoluments, pensions and authorised expenses.

(33) All other issuing of uncrossed cheques require the authorisation of the Accountant General.

(34) A receipt for each uncrossed cheque shall be obtained on the payment voucher.

(35) Sub-Treasury accounts officers and finance attachés may make payments by cash, cheque or bank transfer for their operational requirements.

(36) Except for cases of emergency and with the authority in writing of the Accountant General, an officer shall not receive or make cash payments unless he or she holds a post on grade 5 or above grade 5.

(37) A payee shall sign the payment voucher for any cash payment that he or she receives.

(38) A crossed cheque may be mailed to the payee without a receipt.

(39) A record of issuance of a crossed cheque shall be kept in a way-book.

(40) The recipient of a crossed cheque shall, where a paying officer hands the crossed cheque over the counter, sign the way-book.

(41) A paying officer shall satisfy himself or herself that the person claiming payment is the person named in the payment voucher as the recipient or is a properly authorised representative of the recipient.

(42) The authority from a payee for a third party to receive payment on his or her behalf shall be –

(a) in writing;

(b) authorised by a Vote Controller or Principal Accountant;

(c) attached to the payment voucher; and

(d) accompanied by the national identity card or passport of the payee.

(43) When a payment is made to legal representative, a legal authority in writing such as a power of attorney or a letter of administration shall be presented to the paying officer for inspection.

(44) The paying officer shall –

(a) record the details of the legal authority on the voucher; and

(b) attach a copy of the legal authority to the payment voucher.

(45) Where a payee cannot sign his or her name, the payee shall make a thumb print, which shall be attested to by a witness.

(46) The paying officer shall record the details of the payee's identity card, including the card number, alongside the attested mark.

(47) The Loans Unit of the Ministry shall initiate the payment of debt service and channel it through the Accountant General's Department for the issue of the requisite instructions to the Central Bank or other agency.

(48) The Accountant General shall arrange other payments outside The Gambia through the Central Bank by completing a payment voucher in the usual way by:

(a) showing the foreign currency amount, which shall be consistent with the exchange rates supplied by the Central Bank for conversion purposes in the case of contractual payments; or

(b) specifying the Dalasi amount to be remitted in a particular foreign currency, in the case of a non-contractual payments (e.g., salaries and allowances for home based staff, Other Charges for embassies, etc.).

(49) After prepayment checking, the following shall be sent to the Accountant General –

(a) the payment voucher;

(b) the supporting documents; and

(50) If a transfer is required, the Accountant General shall be provided with the address of the payee's bank and the payee's account number.

(51) The paying officer shall, immediately after payment has been made, stamp the payment vouchers and supporting documents with the "PAID" date stamp and append his or her initials to each of the documents.

(52) The Accountant General shall file the original and scanned copies of payment vouchers and supporting documents in numerical order by month and year, for audit and other inspection purposes.

(53) Files of payment vouchers and supporting documents shall be

preserved under lock and key for a period of at least six years.

(54) The paying officer shall, where a voucher is removed for audit or inspection purposes, maintain a log book to record –

- (a) document numbers;
- (b) the amounts involved in payment transactions;
- (c) the temporary location of the original copies of payment vouchers and supporting documents; and
- (d) the signature of the senior officer who has custody of the original copies.

(55) A Vote Controller shall maintain an establishment register either in manual or electronic form to record full personal details and dates of pay of all established and contract staff in his or her department.

(56) A Vote Controller shall keep the establishment register up to date and consistent with –

- (a) the records kept by the Personnel Management Office;
- (b) the salaries records of the Accountant General; and
- (c) the nominal rolls submitted to the Permanent Secretary for budget purposes.

(57) A Vote Controller shall keep a register of all unestablished workers for the time being employed by his or her department.

(58) Personal emoluments of established and contract staff –

- (a) shall be paid on the last day of each month; or
- (b) may be paid earlier than the last day of the month, particularly at times of religious holidays and other feast days.

(59) Unestablished workers may be paid at monthly or half-monthly intervals according to departmental arrangements.

(60) The salaries or wages of government employees shall be paid by direct bank transfer or cash.

(61) Where the salary or wage of a government employee is paid by cash –

(a) the recipient shall produce proof of his or her identity before payment is effected; and

(b) the paying officer shall pay the salary or wage in the presence of a witness authorised by the Vote Controller for this purpose.

(62) A government employee, who is not receiving salary through the banks, shall personally be paid in cash if he or she produces his or her national identity card or passport which shall be examined by the paying officer.

(63) Where a government employee makes an allotment or empowers a third party to receive payment on his or her behalf, the allottee or third party shall only receive payment if he or she produces an authority in writing signed by the employee and confirmed by a senior officer authorised by the Vote Controller for the purpose.

(64) An established employee who is proceeding on leave for a period in excess of one month, and who will be absent from his or her station when payment of salaries is made, may be paid his or her full salary (less deductions) for the current month in advance, subject to the approval of their Vote Controller and the Accountant General.

(65) A Vote Controller shall promptly report the death, dismissal, suspension or interdiction of his or her employee to the Accountant General.

(66) For an established employee to make a voluntary allotment –

(a) the employee shall notify his or her Vote Controller; and

(b) the Vote Controller shall, in turn, notify the Accountant General at least one month before the allotment is to take effect.

(67) When the Department of Social Welfare determines that an employee shall make a welfare allotment –

(a) the Department shall notify the employee's Vote Controller and the Accountant General; and

(b) the allotment shall commence one month after the notification.

(68) An allotment shall not exceed one half of an employee's net

monthly salary.

(69) The salaries of established employees working in embassies and missions shall be prepared in The Gambia.

(70) An overseas allotment may be arranged to be drawn and paid at a Gambian embassy or mission abroad.

(71) A Vote Controller shall ensure that details of allotments are recorded accurately in his or her establishment register.

(72) An allotment sum shall –

(a) be a round sum only; and

(b) not be frequently altered before it is remitted.

27. Payment of salaries and wages

(1) The timekeeper shall, on a daily basis, record the attendance of daily-paid employees on a Time and Pay Sheet which he or she shall sign at the end of the pay period.

(2) If the senior officer in charge of a unit or project is satisfied about the accuracy of the information contained in a Time and Pay Sheet, he or she shall certify the Time Pay Sheet.

(3) Wages shall be paid by a paying officer in the presence of the foreman or supervisor of the workers.

(4) The recipient of a salary or wage shall sign or make a thumb mark on the Time and Pay Sheet in the presence of the paying officer and the supervisor.

(5) The paying officer and the supervisor shall sign the Time and Pay Sheet in their respective capacities.

(6) An employee shall produce his or her national identity card or passport which shall be examined by the paying officer before the paying officer makes any payment.

(7) A payment shall not be made to an employee whose name is not recorded in the establishment register.

(8) A Vote Controller shall conduct frequent checks as to the existence of workers and the validity of the payments made to them.

(9) Unclaimed salaries or wages shall immediately be paid back to the Accountant General, except for outstations with shift workers or employees on trek.

(10) The salaries or wages of shift workers or employees on trek shall be entered in an Unclaimed Salaries Register and locked in a safe.

(11) On arrival back at the outstation, a shift worker or employee who was on trek shall sign for his or her salary or wage and the signature shall be witnessed.

(12) The payroll entries must be cross-referenced to the entries in the Register.

(13) A salary or wage entered in the Unclaimed Salaries Register shall be paid back to Accountant General, if it has not been paid within five working days of it being entered in the Register.

28. Imprest

(1) The following may be issued an imprest upon applying for it –

- (a) a public officer, to make authorised disbursements relating to the public service;
- (b) a Vote Controller of a ministry which does not have a Sub-Treasury, to expedite minor purchases and outlays; and
- (c) a ministerial delegation travelling on official business, to defray official expenses not covered by other allowances received.

(2) An application for an imprest shall be made to the Permanent Secretary and shall include details of the following –

- (a) the expenditure line item or items ;
- (b) the purpose of the imprest;
- (c) the name of the imprest holder; and
- (d) the designation of the imprest holder.

(3) The Permanent Secretary shall authorise the issue of an imprest and may apply such limitations on its use as he or she may consider necessary or expedient.

(4) If an applicant satisfies all the requirements, the Accountant

General shall, after authorisation by the Permanent Secretary, issue the imprest.

(5) The Accountant General shall not issue an imprest to an applicant who, at the time of making the application, has in his or her name an imprest due for retirement.

(6) An imprest holder is responsible for the full amount of his or her imprest until it is properly retired.

(7) A disbursement from an imprest shall be properly documented and receipted.

(8) An imprest holder shall maintain a safe to safeguard imprests held in the form of cash.

(9) An officer holding a larger imprest may, after obtaining the approval of the Accountant General, deposit the imprest in a bank account opened specially for this purpose.

(10) An imprest holder shall retire or replenish an imprest by completing an expenditure statement and attaching to it, documentary evidence of disbursements, such as receipts.

(11) An imprest shall be retired on or before the last day of the financial year or on such earlier date as specified by the Permanent Secretary, when authorising the imprest.

(12) An imprest holder who retires an imprest shall be issued an imprest retirement report or official cash receipt.

(13) If an imprest holder fails to retire the imprest one month after the due date, the Permanent Secretary may levy a surcharge on the imprest holder equivalent to the amount outstanding on the imprest.

(14) If an entry officer fails to enter the authorised retirement date, the Permanent Secretary may impose disciplinary action or surcharge the officer concerned.

(15) An imprest holder shall retire the imprest when he or she no longer requires it, or reduce the imprest when he or she finds it to be excessive.

29. Advances and Deposits

(1) An advance shall not be made to a National Assembly member or a government employee except in accordance with a Scheme initiated by the Minister.

(2) When a scheme is authorised, the Minister shall cause to be published –

(a) the full details of the limits and repayment periods of advances which may be made; and

(b) the purposes to which they are to be applied

subject to any limitation imposed by these Regulations.

(3) A National Assembly member or a government employee shall not have more than three advances outstanding against him or her at any one time.

(4) Total monthly deductions in respect of advances shall not exceed fifty per cent of that person's net pay after taxation.

(5) Under any Scheme, an application for an advance shall be made in the prescribed form and forwarded to the responsible officer, through the applicant's Accounting Officer.

(6) The last pay certificate of a government employee who has been transferred shall show any outstanding balance of an advance issued to him or her, as well as the manner of its repayment.

(7) An advance shall not be applied to a purpose other than that for which it was issued.

(8) An advance that is no longer required for the purpose for which it was issued shall be refunded.

(9) The outstanding balance of an advance for the purchase of an asset shall be refunded if and when the asset is disposed of.

(10) The responsible officers shall –

(a) maintain advance accounts in respect of National Assembly members and government employees under their administration; and

(b) promptly deal with dormant balances, credit balances, irregular repayments and other irregularities.

(11) The Permanent Secretary may surcharge a government employee who fails to account for public money or causes some loss of asset or cash.

(12) An accounting officer shall not charge any payments to an advance account unless that accounting officer has been authorised to do so by these Regulations or by the Minister.

(13) Sums of money, not being government revenues or public funds, may be deposited with the Accountant General or with such other Accounting Officer as may be authorised by the Accountant General.

(14) Such deposits shall not be paid into the Consolidated Fund or applied for any government purpose.

(15) Deposits may be invested and the interest earned on deposits shall be credited to the Consolidated Fund.

(16) A deposit which is unclaimed for five years shall be credited to the Consolidated Fund.

(17) The Accountant General shall maintain a deposit ledger.

(18) An Accounting Officer who receives a deposit from third parties shall record –

- (a) the name of each depositor;
- (b) the particulars of each deposit made, refunded or utilised; and
- (c) the purpose of the deposit.

(19) An Accounting Officer who authorises a refund of a deposit shall satisfy himself or herself that the money is actually on deposit.

(20) A refund shall be supported by –

- (a) the duly cancelled original receipt; or
- (b) an indemnity form identifying the original deposit and bearing evidence of the validity of the refund.

(21) An Accounting Officer who controls deposit accounts shall carry out quarterly reconciliation of the balances on such accounts with the Accountant General.

(22) An Accounting Officer shall, at the end of each financial year, forward to the Accountant General a reconciled statement listing all outstanding deposit accounts under his or her control, and indicating how he or she proposes to dispose of such balances.

30. Project accounts

(1) Budgeted Government Funds that are provided through the General Warrant for subvention to projects shall be disbursed strictly in accordance with these Regulations.

(2) Subvented funds shall be transferred to a Project Account administered by the Accountant General or delegated to Vote Controllers.

(3) The normal accounting procedures shall apply to the disbursement of Budgeted Government Funds that are provided through the Development Fund Warrant.

(4) Where Government-provided funds are merged with external aid funds, the Accountant General shall maintain a Project Account. .

(5) A self-accounting project shall, in each quarter, send a certified summary account to the Accountant General.

(6) Where a project –

(a) is funded and administered entirely by an external agency;

(b) represents development expenditure; and

(c) is to be handed over to the Government by that external agency

the project shall send certified quarterly summary accounts to the Accountant General, who shall record the details in a Project Account.

(7) When a donor agency offers to give aid under a project agreement, the Accountant General and the Auditor General shall be consulted at the planning stage to ensure that appropriate clauses are incorporated into the agreement to regulate the accounting, auditing and financial control arrangements of the project.

(8) The Accountant General shall, periodically, close off all Project Accounts that have been dormant for more than five years by transfers to the Consolidated Fund.

(9) The following accounting arrangements shall apply to Project Accounts kept by the Accountant General –

(a) deposits from external agencies and government funds

provided for a project shall be credited to the Project Account together with other relevant receipts;

- (b) disbursement of funds shall be debited to the Project Account;
- (c) where a project maintains its own accounts, the project shall prepare a quarterly summary of receipts and payments which it shall submit to the Accountant General;
- (d) the Accountant General shall include the summary of receipts and payments in the Project Account and the main government account with a view to present consolidated accounts of the Government;
- (e) at the end of each financial year any balance of unspent funds shall be carried forward in the Project Account to the ensuing year; and
- (f) any balance remaining at the completion of the project shall be returned to the donor or to Government funds, as the case may be.

(10) Wherever possible, project funds shall be lodged in the main government bank accounts.

(11) If a project agreement with a donor agency specifically requires that the project maintains an external project bank account, the rules under Part IV of these Regulations shall apply.

(12) Where a project is administered by an external agency, unless the financing agreement provides otherwise, the self-accounting status of the project shall receive the approval of the Accountant General and the Auditor General.

(13) The Accountant General and the Auditor General shall, regarding the self-accounting status of a project, satisfy themselves that –

- (a) the project is so large and its transactions so numerous that considerable convenience shall, on the balance, result through the saving of time and clerical labour;
- (b) the accounting staff of the project is sufficiently well trained, and organised;
- (c) the Auditor General can undertake on-the-spot, continuous audit of the accounts of the project; and

- (d) the self-accounting status shall result in a saving of expenditure or, at any rate, shall not involve an increase of it.

(14) A project shall be managed with financial efficiency, integrity and strict financial control procedures.

31. Cheque books and bank reconciliation

(1) An application to a bank for the supply of a cheque book shall be signed by the officers authorised to operate the account.

(2) Except for a single imprest holder, who is authorised to sign a cheque without a co-signatory, a cheque shall be signed by two authorised signatories.

(3) An authorised officer who signs a cheque shall initial the counterfoil of that cheque.

(4) When a crossed cheque is opened –

- (a) the words “Opened” shall be written clearly alongside the crossing; and

- (b) the cheque shall be signed in full by the two authorised signatories.

(5) An unused cheque book shall be kept in a safe under the control of the officer who operates the government bank account.

(6) An authorised officer who is in possession of a cheque book in use shall lock the cheque book in a safe overnight.

(7) When a cheque is cancelled prior to issue, it shall be –

- (a) affixed to the counterfoil and retained in the cheque book; or

- (b) attached to the schedule, as the case may be, and entered in the cash book as “Cancelled”.

(8) When a cheque has been drawn up and later found not to be required –

- (a) the cheque shall be cancelled; and

- (b) the expenditure coding on the original payment voucher shall be reversed to cancel out the original charge.

(9) An officer who operates a government bank account shall

ensure that all sums paid into that account are immediately recorded in his or her cash book.

(10) A bank payment shall be effected by completing bank paying-in-slips in triplicate.

(11) Triplicates, which are pre-numbered documents with one style for coins and notes and a different style for cheques, shall be handled as follows –

- (a) the first copy shall be kept by the bank;
- (b) the second copy, when receipted by the bank, shall be detached to accompany the revenue voucher; and
- (c) the third copy shall remain in the paying-in book for audit purposes.

(12) An officer shall not make an alteration on a bank paying-in-slip and any alteration made on a bank paying-in slip shall render that paying-in slip void.

(13) An officer shall not pay government revenue into a private bank account.

(14) A collector of government revenue or other official who comes into possession of public money, shall –

- (a) promptly pay public money into the appropriate government bank account or Sub-Treasury; and
- (b) not use public money for the purpose of cashing non-government cheques.

(15) An officer who operates a government bank account shall, at least once in a month, reconcile his or her cash book with a bank statement.

(16) A reconciliation statement shall fully explain any difference between the balance shown in the cash book and the balance as shown on the bank statement.

(17) An officer who operates a government bank account shall, at not more than monthly intervals, submit copies of bank statements and reconciliation statements to the Accountant General.

(18) An officer who operates a government bank account shall –

- (a) not overdraw the bank account; and

(b) not obtain a temporary advance from the bank except with the authorisation of the Permanent Secretary.

(19) An officer who overdraws a government bank account shall refund any bank charges incurred and he or she shall be subject to disciplinary action.

(20) An officer who operates a government bank account shall, upon receiving a request from –

(a) the Accountant General or his or her representatives; or

(b) the Auditor General or his or her representatives,

obtain from the bank a statement of accounts or a certificate of balance, and produce it for examination.

(21) The Government shall not accept a cheque as payment, other than a certified bankers' cheque.

(22) A certified bankers' cheque –

(a) may be accepted as payment only if the cheque is drawn on a bank that is licensed in The Gambia; and

(b) shall not be accepted as payment without the prior approval of the Accountant General.

(23) A cheque that is rejected by a bank shall be deemed to be dishonoured.

(24) The Accounting Unit of the Accountant General's Department shall, upon receiving advice from a bank that that bank has rejected a cheque –

(a) enter the details of the cheque in a Dishonoured Cheques Register; and

(b) ensure that the dishonoured cheque is properly accounted for.

(25) An authorised Accounting Officer shall arrange for the dishonoured cheque to be collected from the bank and for the Dishonoured Cheques Register to be signed.

(26) The Accounting Unit of the Accountant General's Department shall approach the debtor for the debtor to correct or replace the dishonoured cheque or to make other payment arrangements.

(27) When the cheque is presented again to the bank or the money banked, an Accounting Officer shall prepare a revenue voucher and he or she shall account for it.

(28) The Accountant General shall maintain a list of dishonoured cheque defaulters.

(29) Unless a genuine mistake has occurred, a dishonoured cheque defaulter shall –

- (a) be refused cheque payment facilities;
- (b) be required to settle his or her debt in cash; and
- (c) face legal proceedings for failing to settle the amount due.

32. Cash-in-transit or remittances

(1) In this Regulation, “cash-in-transit” or “remittances” mean cash, cheques, postal and money orders, and other negotiable documents of value that are remitted or transferred from one officer to another officer or from one place to another place.

(2) A remitting officer shall take adequate measures to protect remittances while they are in transit.

(3) A remitting officer shall use a lockable cash box provided by the Accountant General for cash movements.

(4) A remitting officer shall pack cash securely, seal the cash in the presence of a witness and check the cash carefully before dispatching it.

(5) A remitting officer shall arrange for an armed security escort during the transit of cash.

(6) A remitting officer shall not divulge to unauthorised persons, details of the dispatch or the receipt of cash in transit.

(7) A remitting officer shall pack, seal and place the cash tanks securely in the conveyance and he or she shall obtain a proper receipt from the person in charge of the cash during transit.

(8) The person in charge of the cash during transit should satisfy himself or herself as to the security of the cash.

(9) A receiving officer shall check the remittance on arrival in the presence of a witness and issue a receipt in the name of the

remitting officer for the amount received.

(10) The Accountant General shall, if the amount that was remitted does not tally with the amount that has been received, request –

- (a) the remitting officer to submit a report in writing of the circumstances surrounding remittance of the cash; and
- (b) the receiving officer to submit a report in writing of the circumstances surrounding receipt of the cash.

(11) The Accountant General shall, after receiving the reports, decide which officer is to be held responsible for the loss and arrange for recovery of the amount from the officer responsible, if the loss has been caused by the negligence of that officer.

(12) The receiving officer shall promptly bring the remittance to account in his or her book.

33. Sub-Treasuries

(1) A Sub-Treasury, which is an office provided and run by the Accountant General, may make or receive cash payments.

(2) Sub-Treasuries are located –

- (a) at the Accountant General's Department;
- (b) at the headquarters or main outposts of large ministries that have numerous cash transactions;
- (c) at or near the office of each Regional Governor; and
- (d) at each Gambian mission abroad.

(3) The Vote Controller of a budget agency shall, where a Sub-Treasury is located in his or her budget agency, directly supervise and control that Sub-Treasury.

(4) A Regional Governor shall, where a Sub-Treasury is located at or near his or her office, directly supervise and control that Sub-Treasury.

(5) The Deputy Head of Mission of a Gambian mission abroad shall, where a Sub-Treasury is located in his or her mission, directly supervise and control that Sub-Treasury.

(6) A Sub-Treasury Accounts Officer or a Finance Attaché may, as a representative of the Accountant General, operate a Sub-

Treasury.

(7) A Vote Controller shall closely supervise and frequently monitor the transactions of each Sub-Treasury because of the sensitive nature of cash transactions and the necessity to prevent fraudulent transactions, forged signatures, false situations, etc.

(8) A Vote Controller shall in particular, together with his or her senior staff, the Internal Auditors and staff of the Accountant General's Department, frequently make the following checks to ensure compliance with these Regulations –

- (a) a surprise cash survey in at least each quarter;
- (b) an inspection of receipt vouchers and receipting procedures;
- (c) an inspection of payment vouchers and payment procedures;
- (d) an examination of signatures on vouchers to ensure that signatures are properly authorised and to detect obvious forgeries of signatures; and
- (e) an examination of the discharge of payment and subsidiary vouchers, pay sheets and petty contract vouchers, to ensure that only those persons entitled to payment are in fact paid.

(9) A Vote Controller shall in particular pay attention to the attestations of witnesses, thumbprints and the appropriate use of National Identity Cards.

(10) The Permanent Secretary shall, at appropriate times, appoint Boards of Survey to verify the cash balances and security arrangements at the Central Bank of The Gambia, the post office, Sub-Treasuries and other Government establishments holding cash, stores or other items of value.

(11) The main annual surveys shall be carried out on the first working day of the financial year and surprise surveys may be carried out periodically.

(12) A Vote Controller may, in cases of urgency, convene a Board of Survey in respect of an establishment under his or her jurisdiction.

(13) A Board of Survey shall consist of two or more officers with knowledge of finance or accounting, and the most senior officer amongst them shall be nominated as president of the Board of Survey.

(14) The president of the Board shall ensure that the survey is properly carried out and that reports are properly prepared and duly signed by the president and the other members of the board.

(15) The Board shall, upon completion of the survey, transmit the reports to the Permanent Secretary, together with copies to the Auditor General and the Accountant General.

(16) An officer to whom an order to hold a surprise survey is directed shall regard the order as strictly confidential and shall only divulge the order to the officers of the establishment to be surveyed at the latest time consistent with the need to secure their attendance.

(17) A cashier shall submit to the Accountant General's Department, a copy of the cash book at the end of each month.

(18) A cashier shall, at the start of a survey carried out by the Board –

(a) complete his or her postings; and

(b) rule off and balance his or her cash book

to enable the balance held at the time of the survey to appear in the Accountant General's copy of the cash book.

(19) The Board of Survey shall, after carrying out a survey, endorse its findings and indicate any discrepancies found in the original cash book and in the Accountant General's copy of the cash book.

(20) Any other officer who is responsible for inventories, asset registers and other books or documents forming part of the survey shall, at the start of a survey carried out by the Board, similarly present the inventories, etc. for inspection and for endorsement.

(21) Officers of the establishment to be surveyed shall, if the Board of Survey requires them to do so at the time of the Board's visit, produce all supporting documents for entries in cash books and registers, including paid vouchers and bank statements where applicable.

(22) If a Board of Survey is not held on the first working day of a financial year, it shall be held as soon as practicable after that time.

(23) A Sub-Treasury accounts officer shall, where a Board of Survey is not held at all, submit his or her end-of-year accounts and a statement in writing that he or she is personally satisfied as

to the correctness of his or her cash balance.

(24) An officer who is held responsible for any loss discovered as a result of a survey shall be surcharged.

34. Preparation and audit of accounts

(1) The documents and records pertaining to public and trust moneys received, held in and paid from the Consolidated Fund shall be termed as public accounts.

(2) The Accountant General's Department shall keep the public accounts in accordance with the Act.

(3) The documents and records pertaining to the collection of revenue, the control of expenditure, the administration of Trust Funds, the management of public stores and such other financial business as may be made the responsibility of a government department shall be termed as other government accounts.

(4) The Accountant General shall keep the other government accounts in accordance with the provisions of the Act.

(5) A Vote Controller shall keep copies of the other government accounts in accordance with the provisions of the Act and detailed accounting instructions issued by the Accountant General.

(6) The public accounts and the other government accounts shall generally be prepared on a cash basis.

(7) The Accountant General may, with the approval of the Minister, determine any modifications to be made to the public accounts and the other government accounts.

(8) The Accountant General shall prepare the public accounts not later than three months after the close of the immediately preceding financial year.

(9) The public accounts shall be classified and arranged in accordance with the Government of The Gambia Budget Classification or Chart of Accounts.

(10) An officer who operates a government bank account shall reconcile that bank account daily with the Central Bank.

(11) The Accountant General shall, within three months after the end of each financial year or such other period as National Assembly may by resolution determine, prepare and transmit to the Auditor General and the Minister, the public accounts in respect of the immediately preceding financial year.

(12) The public accounts shall comprise –

- (a) a statement of the financial assets and liabilities of the Consolidated Fund at the close of the financial year, annotated with such qualifying information as may affect the significance of the figures shown in the statement;
- (b) a summary statement of the receipts into and payments from the Consolidated Fund in comparison with the budget summary for the financial year;
- (c) a statement of the revenue and expenditure for the financial year in comparison with the approved and revised estimates for the year; and
- (d) a statement of transactions during the year and an analysis of the position at the end of the year for –
 - (i) the public debt;
 - (ii) deposits and other trust moneys;
 - (iii) the securities of government;
 - (iv) advances;
 - (v) public loans;
 - (vi) equity investments of the Consolidated Fund; and
 - (vii) such other statements as may be required by any other Act of the National Assembly.

(13) The Accountant General shall present the public accounts in an internationally acceptable format.

(14) The Accountant General shall, at the close of business of the last working day of each month or each financial year, whichever is applicable, balance all accounts that he or she maintains.

(15) The Accountant General shall –

- (a) show in the accounts, receipts and payments that belong to a period or a financial year other than the current reporting period or current financial year; and
- (b) provide in the notes, details of these receipts and payments in accordance with sub-regulation 17.

(16) Except as provided for in any other Act of the National Assembly, moneys shall not be transferred from the appropriation account to a deposit account or to any other agency for the purpose of meeting payments, after the close of a financial year.

(17) The Accountant General may, where a payment has been properly charged to an advance account before the end of the financial year or has been incorrectly charged to an appropriation account, adjust the payments to the correct appropriation account after the end of the financial year as if the expenditure authorities had not lapsed.

(18) The Accountant General shall, as soon as possible and in any case not later than thirty days after the end of the financial year, inform heads of departments of the date of final closing of the public accounts.

(19) Heads of departments shall ensure that their own accounts are in agreement with the public accounts before the date of final closing of the public accounts.

(20) The Accountant General shall close the public accounts after the Audit General completes the audit and the closing of public accounts shall conclude the accounting for that year.

(21) The Accountant General shall not make a further adjustment to the public accounts after closing the public accounts for any financial year.

(22) The Accountant General shall review the account balances of the balance sheet items in the public and other government accounts annually and shall make proposals to the Minister for deletion or adjustment of these accounts, subject to the approval of the National Assembly.

(23) A deletion from the accounts shall not constitute a remission of an obligation, debt or claim and shall not debar subsequent proceedings for recovery, where the Minister considers proceedings for recovery necessary.

(24) The Accountant General shall report in the financial statements, in full, all obligations, debts and claims deleted from the accounts.

(25) The financial year of the Government shall begin on the first day of January of each year and end on the thirty-first day of December of the same year.

(26) The Auditor General shall audit the public accounts, the statutory corporations and other public institutions provided for by the Act, in accordance with the provisions of the National Audit Office Act.

[Act No. 10 of 2015]

(27) The duty of the Auditor General to examine and certify government accounts shall not relieve an officer of that officer's duty to –

- (a) keep and render accounts;
- (b) comply with the provisions of any Act of the National Assembly relating to accounting and audits, these Regulations and any instructions or directives issued under these Regulations; and
- (c) ensure that his or her subordinates comply with the provisions of any Act of the National Assembly relating to accounting and audits, these Regulations and any instructions or directives issued under these Regulations.

(28) A Budget Agency shall, as part of its accounting and auditing functions, establish an Audit Report Implementation Committee where necessary.

(29) The Internal Audit function of a department shall be regulated by the provisions contained in these Regulations, and the provisions of any other Act of the National Assembly for the time being relating to accounting and audits.

(30) The Accountant General shall approve any special departmental accounting forms that may be required for any department's business.

(31) An officer who signs a document or record relating to accounts shall ensure that the document or the record is signed in such a way as to preclude subsequent alteration or addition to the information contained in the document or the record.

(32) An officer shall not sign an incomplete document or record relating to accounts.

(33) An officer who signs an incomplete document or record relating to accounts is in breach of discipline.

(34) An officer who signs a document or record relating to accounts shall ensure that it is proper for him or her to sign the document or the record, and the signature of that officer shall be evidence that

the officer has accepted responsibility for the propriety of signing the document or the record.

(35) An officer who signs a document or record relating to accounts without ensuring that it is proper for him or her to sign the document or the record is negligent and in breach of discipline.

(36) An officer who discovers a financial or an accounting irregularity on the part of another officer shall promptly report the matter in writing to a senior officer.

(37) An officer who fails to report a financial or an accounting irregularity is in breach of discipline.

(38) An officer who is responsible for keeping financial and accounting records in accordance with these Regulations shall ensure that he or she is provided with the necessary books and forms for the purpose.

(39) The non-availability of the necessary books and forms shall not relieve an officer of the responsibility to maintain financial and accounting records.

(40) A head of department may, if he or she is satisfied that it is necessary to introduce special accounting systems in the department, apply to the Accountant General for a systems review to be conducted to determine the most suitable system to be used.

(41) Where a head of department introduces a new accounting system, that new system shall include the detailed control arrangements to be applied to ensure the integrity of the financial statements and it shall comply with the Act and these Regulations.

(42) Where a departmental accounting system is maintained manually, the accounting records and documents shall be written in indelible ink.

(43) An officer shall not erase or alter by writing over, an entry in an accounting record or document.

(44) An officer may amend an incorrect figure in a manually maintained document by –

- (a) ruling a single line through it, in such a way that the original entry may be clearly read;
- (b) inserting the correct figure above the original entry; and
- (c) signing or initialling the amended entry.

(45) An officer shall not, without the express permission in writing of the Auditor General or a representative of the Auditor General, amend or adjust audited figures.

35. Fraction of one dalasi

For the purpose of keeping the public accounts and other government accounts and preparing financial statements in accordance with the provisions of the Act, all bututs shall be rounded up to the nearest dalasi.

36. Maintenance of financial and accounting records

(1) A Vote Controller shall ensure that financial and accounting records are preserved in good order in a manner that facilitates ready access for reference.

(2) Financial and accounting records shall be kept until such time as claims by or against government are statute barred.

(3) The original of vouchers and used receipt books and copies of vouchers and used receipt books may, if they have been audited, be destroyed six years after they were last used.

(4) The Auditor General may approve destroying the original vouchers and used receipt books and copies of vouchers and used receipt books, if storage difficulties make it desirable to destroy them earlier, provided that they have been audited.

(5) The principal account books including the original Personnel Emolument records shall be retained indefinitely.

(6) Each Vote Controller shall establish a Registry to hold all financial and accounting records that are no longer required for regular office references.

(7) A Registry shall provide facilities for reference and use of the records stored in the Registry and the Accounting Instructions shall provide detailed procedures for the deposit and the use of records.

(8) Records transferred to a departmental Registry shall not be released or otherwise disposed of, except as authorised by these Regulations.

(9) A Vote Controller may, in exceptional circumstances, authorise the temporary release of records from custody.

(10) The Accounting Instructions shall specify –

- (a) the retention periods for financial and accounting records;
- (b) the details relating to their review and destruction; and
- (c) the procedures to regulate the retention of financial and accounting records.

(11) Copies of all publications relating to finance for limited or restricted circulation shall, immediately they are published, be sent to –

- (a) the library of the Ministry;
- (b) the departmental Registry;
- (c) the National Archives; and

(12) Any security grading for restricted documents shall be duly observed during retention of the documents by the institutions as specified in these Regulations.

(13) Departmental publications relating to financial matters issued during the year for limited circulation shall be listed in the annual report submitted pursuant to these Regulations.

(14) For the purposes of these Regulations, legal documents are those documents which may have to be produced in court to establish a claim or to settle a dispute, including –

- (a) title documents conferring or recording ownership of any property including title deeds, bonds, stock or share certificate;
- (b) title deeds relating to the administration of any fund, account or property;
- (c) agreements relating to contracts, loans, advances, subventions or any other financial matter; and
- (d) other documents of special importance for which custodial arrangements outside the ordinary filing or records system is considered necessary.

(15) Legal documents other than those specified under these Regulations shall be kept at the headquarters of a department in a safe, a strong room or a security records store under custody of an officer to be specified in the Accounting Instructions.

(16) The officer to be specified shall –

- (a) keep a record of documents held;
- (b) keep a record of movements of documents recorded under signature;
- (c) ensure that access to the documents is confined to authorised persons; and
- (d) ensure that the documents are adequately protected against damage.

(17) Records classified as “accounts” include manual and electronic –

- (a) accounting records in the form of books, ledgers, ledger sheets, ledger cards, tapes, disks or other back up media and machine or computer tabulations; and
- (b) source documents for the accounting records in the form of vouchers, schedules, returns, bank or any other statements.

(18) Working papers are those papers created as by-products of the accounting process which do not form part of the financial records system.

(19) Working papers include –

- (a) copies of forms not used as vouchers such as office copies of requisitions, cheque order forms and cheque stubs;
- (b) records or registers used in controlling the flow of documents during accounting processes such as messenger’s receipt books, registers of returns;
- (c) circulars, notices and instructions received;
- (d) local files; and
- (e) other documents such as personal working papers, drafts, calculations, note books and diaries.

(20) Working papers shall be kept for at least one year after the date of last entry.

(21) A Vote Controller may, after consultation with the Auditor General, authorise destroying of working papers.

(22) Archival records are records in either manual or electronic form, required to control the location and disposal of records and

include –

- (a) details of records transferred to departmental repositories;
- (b) schedules of records destroyed;
- (c) any register showing the use of records after transfer to the departmental Registry; and
- (d) schedules of records transferred to the National Archives.

(23) Archival records shall be retained, transferred, accessed, destroyed and disposed of, in accordance with the provisions of the Act.

PART V – PROCUREMENT, GOVERNMENT STORES, LOSSES OF PUBLIC MONEY, STORES AND ASSETS

37. Procurement of goods, works and services

The procedures to be followed concerning the procurement of goods, works and services shall be as prescribed in the Gambia Public Procurement Authority Act.

[Cap. 77:01]

38. Government stores

(1) Government stores are made up of supplies of consumable and non-consumables which are received, stored and available for issue.

(2) Government stores shall –

- (a) be physically visible, movable and not issued out for use; and
- (b) not include scrap, obsolete items and unserviceable items.

(3) A Vote Controller shall acquire and apply government stores to public purposes in the most economical manner.

(4) A Vote Controller shall be the chief authority in relation to the procurement and use of government stores.

(5) A Vote Controller shall be accountable for the proper care, custody and use of government stores from the time they are acquired until they have been used or otherwise disposed of.

(6) An accounting officer shall, at all times, comply with the

accounting and control procedures for stores and other assets in these Regulations and any other regulations pertaining to stores.

(7) The Accounting officer of each department that operates unallocated stores shall nominate as a Stores Control Officer for that department, a suitably qualified and experienced officer.

(8) The Stores Control Officer shall, at all times –

(a) operate all accounts and procedures in respect of the stores in his or her charge efficiently and effectively; and

(b) liaise with the Accountant General frequently to balance the Stores Control Officer's stores ledgers with his or her stores control accounts.

(9) A Vote Controller shall, at the end of each year, register with the Accountant General and the Auditor General, the details and the exact locations of all collections of goods, materials, equipment, etc. that the Vote Controller does not require for immediate use and are fully charged in that Vote Controller's accounts as allocated stores.

(10) The Accountant General may, in the interests of security, economy and good accounting, require accounting officers to reduce or close down allocated stores or apply unallocated stores procedures to them.

(11) An accounting officer shall, giving such details as may be specified by the Accountant General, record in a Register of Assets all items of vehicles and heavy plant owned, operated or maintained by that accounting officer's department.

(12) In this regulation, "heavy plant" means items of a specialised nature usually associated with motor vehicles and includes compressors, stationary engines, heavy pumps, drillers, excavators, dumpers, cranes, rollers, trailers, dozers, road sweepers, graders, tar sprayers, fire service tenders and forklift trucks.

(13) A Vote Controller shall keep, in such form as may be prescribed by the Accountant General, inventories of items of light plant, working equipment and loose tools issued to workshops, installations, works sites or to employees for use in the course of their official duties.

(14) An accounting officer shall keep, in such form as may be prescribed by the Accountant General, inventories of the contents of all houses, offices, workshops, hospitals, schools and other

enclosures occupied by or in the charge of public officers, in particular, machinery, furniture, movable fittings, equipment and livestock.

(15) An accounting officer shall keep, in such form as may be prescribed by the Accountant General, a register of all land and buildings owned, rented or occupied by that accounting officer's department.

(16) The Permanent Secretary may, on the advice of the Accountant General and the Vote Controller of the department concerned, lease or sell land and buildings owned by the Government.

(17) An officer who has been entrusted with stores and other assets shall, when he or she hands over to another officer, sign a handing-over certificate and the officer to whom the stores and other assets have been handed over shall, in turn, sign the handing-over certificate.

(18) The Vote Controller shall send one copy of the handing-over certificate to the Accountant General and another copy of the handing-over certificate to the Auditor General.

(19) Government stores shall not be sold to the public except with the authorisation of the Permanent Secretary.

(20) If the Permanent Secretary authorises selling government stores to the public, the priority of the sale shall be to recover the cost of the stores together with a suitable proportion of overheads.

(21) The Losses Advisory Committee may, when stores and other assets have become redundant, obsolete or unserviceable through normal wear and tear, write them off in accordance with the procedure prescribed under sub-regulations 22 to 28.

(22) The accounting officer shall cause to be prepared in quadruplicate, a list of the stores and other assets that have become redundant, obsolete or unserviceable through normal wear and tear.

(23) The list shall provide the following details -

- (a) a description of each of the items;
- (b) the original cost of each of the items;
- (c) the reason for writing-off each of the items;

- (d) the value of each of the items according to the stores ledger, appropriate assets register or inventory;
- (e) the current estimated value of each of the items;
- (f) the proposed method of disposal of each of the items; and
- (g) the reference number of the write-off register of each of the items.

(24) The write-off value of each of the items is the value of each of the items according to the stores ledger, appropriate assets register or inventory and the Losses Advisory Committee shall certify these amounts for the writing-off.

(25) The amounts to be written-off shall be entered in the write-off register and shall be cross-referenced with the amounts on the list under sub-regulation 23.

(26) The accounting officer shall, through the Permanent Secretary, submit three copies of the certified list to the Losses Advisory Committee which shall deal with the copies as follows –

- (a) one copy of the list shall be retained to support the write-off register;
- (b) one copy of the list shall be returned to the accounting officer; and
- (c) one copy of the list shall be sent to the Auditor General.

(27) Any diminution in the value of land, buildings, stores, and other assets through damage or accident or abnormal wear and tear shall be regarded as a loss and is subject to the procedure prescribed under regulation 39.

(28) Redundant, obsolete or unserviceable stores and other assets which have been written-off shall, if they do not have marketable values –

- (a) be passed on to Government institutions that could make use of them;
- (b) be passed on to non-Government institutions that could make use of them; or
- (c) be disposed at approved dumping areas under the supervision of the Auditor General.

(29) Redundant, obsolete or unserviceable stores and other assets

which have been written-off shall, if they have marketable values, be sold by public auction.

(30) Redundant, obsolete or unserviceable government-owned vehicles, plant or other similar assets shall, if they have marketable values, be sold by public auction.

(31) Any departure from the procedure prescribed under sub-regulations 28, 29 and 30 shall, without the prior approval of the Departments Contract Committee, be unlawful.

(32) The Accounting officer of the disposing department shall –

- (a) prepare a schedule of redundant, obsolete or unserviceable government-owned items, describing their condition and all their ancillary fittings;
- (b) send a copy of the schedule to the Accountant General and the Auditor General through the Permanent Secretary; and
- (c) ensure that the items are not tampered with while they are in his or her charge.

(33) The Permanent Secretary shall, when sufficient items have been accumulated to justify a public auction, appoint a Board of Survey.

(34) The Board of Survey shall –

- (a) ascribe a fair value to each item;
- (b) check the schedule to ensure that items have not been tampered with during storage; and
- (c) draw up an official auction list.

(35) The fair value of an item as ascribed by the Board of Survey shall be the “reserve price” of that item at the auction.

(36) The Permanent Secretary shall –

- (a) appoint an auctioneer;
- (b) fix the auctioneer’s commission;
- (c) check with the Accountant General that the auctioneer holds a current auctioneer’s license; and
- (d) fix a date and time for the auction, which shall be published

in the press, on radio and on television.

(37) At least one representative of the Accountant General, one representative of the Auditor General and one representative of the Director General of Internal Audit shall attend each public auction to ensure that the Government's best financial interests are preserved.

(38) The representatives of the Accountant General, the Auditor General and the Director General of Internal Audit may stop an auction or withdraw any item in the case of any apparent irregularity.

(39) The auctioneer shall compile a report on the conduct of the auction and the proceeds of the auction and send the report to the Permanent Secretary.

(40) Auctions shall be held at such public places as may be designated by the Permanent Secretary.

(41) A Vote Controller who thinks that the Government's best financial interests is served by the sale of redundant, obsolete or unserviceable stores and other assets by public tender rather than by public auction shall obtain the approval of the relevant Contract Committee and the Permanent Secretary.

39. Losses of public money, stores and assets

(1) An officer who is in possession of public moneys, stores, other assets, land and buildings, is primarily responsible for their safe custody and protection and for any loss of them.

(2) An officer who has the duty to inspect, control or supervise another officer who is in possession of public moneys, stores, other assets, land or buildings, is secondarily responsible for any loss of them unless he or she can prove that the loss was not caused by a failure or neglect to discharge his or her duty or make adequate arrangements to secure their safe custody and protection.

(3) An Accounting Officer shall promptly report to the Accountant General all losses, other than those disclosed by a Board of Survey, and send a copy of his or her report to the Permanent Secretary and the Auditor General.

(4) An Accounting Officer shall not withhold a report on any loss, whether that loss is known or suspected, even if he or she has made restitution or is to make restitution.

(5) An Accounting Officer who has made a report on any loss, need

not take further action where –

- (a) the loss is less than three thousand dalasi in value;
- (b) the loss has occurred in the normal course of business;
- (c) he or she is not suspected of fraud or negligence; and
- (d) he or she has made full restitution of the loss.

(6) The Permanent Secretary shall, where he or she is aware of, or suspects an Accounting Officer of, theft or fraud, request the Inspector General of Police to carry out an investigation.

(7) The Permanent Secretary shall, except in the case of minor losses, appoint an investigating officer, who shall carry out a detailed investigation of the loss and complete a quadruplicate set of Loss Report forms in the prescribed form.

(8) The Accounting Officer shall add his or her comments and send the quadruplicate set of Loss Report forms to the Accountant General, together with the Police Report, where a police investigation has been carried out, or an Interim Police Report, where a police investigation is ongoing.

(9) The Accountant General shall add his or her comments, keep one copy of the forms for his or her files and send the remaining copies of the forms to the Auditor General.

(10) The Auditor General shall add his or her comments, keep one copy of the forms for his or her files and send the remaining copies of the forms to the Permanent Secretary.

(11) The Permanent Secretary shall keep the forms and present them to the next meeting of the Losses Advisory Committee.

(12) The Losses Advisory Committee consists of –

- (a) the Permanent Secretary, who is the Chairperson;
- (b) the Accountant General; and
- (c) the Auditor General.

(13) The Losses Advisory Committee shall meet at least once in each quarter to consider all loss reports emerging since its last meeting and advise on whether a loss should be written off or recovered from the person responsible for it.

(14) The Losses Advisory Committee may, where a police investigation is involved, request the attendance of the Inspector General of Police to report on pertinent matters.

(15) The Committee shall, where a police investigation has led to a criminal prosecution, defer its consideration of a Loss Report until the outcome of the case is known.

(16) Where it appears to the Permanent Secretary that any person who is or was a public officer –

(a) has failed in his or her duty to collect moneys owing to the Government;

(b) is or was responsible for an improper payment of public money or for a payment of public money which is not duly vouched; or

(c) is or was responsible for a deficiency in, or for the loss or destruction of, public moneys stamps, securities, stores or other government property; and

(d) if the person has not, within a period specified by the Permanent Secretary, provided the Permanent Secretary with a satisfactory explanation of the matter for which that person is or was responsible under paragraph (a), (b) or (c),

the Permanent Secretary may surcharge against him or her, the full monetary value of the loss of public money or other government property, or such lesser amount as the Permanent Secretary may determine.

(17) The Permanent Secretary may, on the advice of the Losses Advisory Committee, decide whether to exercise in whole or in part his or her powers of surcharge or whether the whole, or any part, of the loss shall be written off.

(18) The Permanent Secretary shall notify the Accountant General of the amount of the loss to be written off.

(19) The Accountant General shall enter the amount in the Write-off Register and notify the Auditor General and the Vote Controller of the department concerned of any surcharge made.

(20) The Vote Controller shall, on being notified that a surcharge has been made, notify the person surcharged and recover the amount surcharged from that person.

(21) The Permanent Secretary may, at any time, withdraw a

surcharge against a person where –

- (a) the Permanent Secretary has received a satisfactory explanation of the matter for which he or she had surcharged that person; or
- (b) it otherwise appears to the Permanent Secretary that he or she should not have surcharged the person.

(22) The Permanent Secretary shall notify the Auditor General and the Vote Controller of the department concerned of the withdrawal of a surcharge.

(23) A person may, if he or she is dissatisfied with a surcharge made against him or her, appeal in writing to the Minister within a period of twenty-one days immediately after he or she has been notified of the surcharge.

(24) The Minister may –

- (a) confirm a surcharge; or
- (b) direct that an appellant be released wholly or in part from a surcharge as may appear just and reasonable to the Minister; and
- (c) cause an order to be made accordingly.

(25) The Permanent Secretary may direct the recovery of the amount of a surcharge to be by a deduction from the salary of a public officer concerned or the pension of a former public officer concerned.

(26) A deduction from the salary of a public officer shall not exceed one-sixth of that public officer's gross monthly salary and a deduction from the pension of a former public officer shall not exceed one-sixth of that former public officer's pension.

(26) The Permanent Secretary may, where the public officer concerned or the former public officer concerned is due to be paid any moneys of whatever description by the Government other than by way of salary or pension, cause the amount of the surcharge imposed on that person to be deducted from such moneys in whole or in part as he or she considers fit.

(26) The Attorney General may, on behalf of the Government and on the instructions of the Permanent Secretary, sue for and recover the amount of a surcharge as a civil debt due to the Government.

40. Safes

- (1) A Vote Controller shall ensure the safe custody of money and security documents under his or her control.
- (2) A Vote Controller shall provide a safe in each office where cash is handled.
- (3) Cash shall not normally be kept in the same safe as secret documents.
- (4) An officer who handles cash or security documents but lacks a safe to safeguard cash shall draw the attention of his or her Accounting Officer to the lack of a safe and take all practicable steps to safeguard cash in his or her charge.
- (5) An officer who holds a post on grade 1, grade 2, grade 3 or grade 4 shall not handle public money, except as may be authorised by the Accountant General in writing in a case of emergency.
- (6) A safe shall be obtained through the Accountant General's Department, which keep a Register of Safes.
- (7) An officer who holds a key to a government safe is personally responsible for its custody and that officer shall remain present whenever the safe is open.
- (8) An officer who holds a key to a government safe shall check the contents of the safe, report any discrepancy to his or her Vote Controller and complete a handing over certificate before handing over the key to another officer.
- (9) The officer handing over the key shall ensure that his or her successor is informed of the identities of the other key holders, including the holder of the duplicate key.
- (10) The duplicate and triplicate keys, if any, of a government safe shall be enclosed in a separate sealed envelope with the description and details marked on the outside and handed over to the Accountant General for safe keeping.
- (11) The Accountant General shall keep a register of all deposits and withdrawals of keys.
- (12) An officer who loses a safe key shall report the loss immediately to the Accountant General, that officer's Vote Controller and any other key holders, with a full explanation of the

loss.

(13) The duplicate key of the safe shall be obtained only to open the safe and to remove and verify its contents.

(14) After the contents of the safe have been verified, the safe shall not be used until the lock has been altered and new keys provided.

(15) The officer responsible for the loss of the original key may –

(a) be charged with the cost of altering or changing a lock and providing new keys; and

(b) be called upon to reimburse the Government for the loss of the contents of the safe, if this has occurred through his or her negligence.

(16) The holder of a government safe who suspects that his or her key has been copied or the locks of the safe in his or her charge have been interfered with, shall take action as laid down in these Regulations

(17) When a lock has been altered in accordance with these Regulations, the duplicate of the new key shall be dealt with as laid down in the Regulations, and arrangements made for the destruction of the old duplicate key.

(18) A safe shall not be transferred between departments without the approval of the Accountant General.

(19) An officer shall not keep private effects or private money in a government safe.

(20) An inspecting officer may credit to the Government, private money found in a government safe.

(21) A cashier shall, check the contents of his or her safe at least daily and report any discrepancy to his or her Vote Controller.

(22) The Accountant General shall keep share certificates and securities, bonds and agreements, held on behalf of the Government, in a safe.

(23) A document or other article deposited for safe custody shall be recorded in a Register kept for the purpose, and the depositor shall be issued with a receipt at the time of depositing the document or the article.

(24) A document or other article deposited for safe custody may be

withdrawn only on the written demand of the depositor or other authorised person, and on the production of the receipt issued at the time of the deposit.

(25) The receiver of a document or an article shall acknowledge the return of that document or article for safe custody by signing the Register at the time of receiving it.

PART VI – INTERNAL AUDIT, MANAGEMENT AND SECURITY OF COMPUTERISED FINANCIAL SYSTEMS

41. Internal Audit

(1) The Directorate of Internal Audit shall establish units in all Government ministries, departments and agencies, to provide their management with a means of securing independent and objective assurance on their financial and operational controls.

(2) The Directorate of Internal Audit shall, where it is not feasible or justifiable to establish an internal audit unit in a ministry, department or agency, make alternative arrangements, which may include, but not be limited to, the Directorate of Internal Audit providing staff to these ministries, departments and agencies.

(3) The cost of an internal audit unit, however provided, shall be a charge on the budget of the relevant ministry, department or agency.

(4) Regardless of the organisational arrangements of the Directorate of Internal Audit or its functions across government, all internal auditing shall be carried out in accordance with the rules laid down in these Regulations and in other documents.

(5) An internal audit unit and its staff shall in particular–

- (a) adhere to the Auditing Standards and Code of Ethics approved by the Minister;
- (b) adopt and adhere to the provisions of an Audit Charter approved by the Minister; and
- (c) adhere to the directions given in the approved Internal Audit Manual in carrying out their work.

(6) The Directorate of Internal Audit in the Ministry shall audit the systems and operations of government and coordinate the role of internal audit across government.

(7) The role of internal audit across government may include, but is

not limited to –

- (a) ensure that all internal audit units and functions comply with the rules laid down in these Regulations;
- (b) provide support, in-house training and other development of internal audit staff across government;
- (c) assist internal audit functions outside Ministry to comply with these Regulations, the required instructions, standards and guidelines;
- (d) provide internal audit functions to budget agencies, in which it is not feasible or justifiable to establish an internal audit unit;
- (e) establish relationships and cooperation with other stakeholders, including the National Audit Office, in accordance with international best practice; and
- (f) update Internal Audit Standards, Internal Audit Charters and Manuals from time to time.

42. Management and security of computerised financial systems

(1) The staff of a government ministry, department or agency that operate a computerised financial system shall manage and secure the system in accordance with the provisions of the Information and Communications Act, 2009.

[Act No.2 of 2009.]

(2) In particular, a person shall be responsible for –

- (a) protecting his or her username and password or other access codes; and
- (b) all acts and transactions committed on the computerised financial system by that person;

(3) Without prejudice to the Information and Communications Act, 2009, a person who –

- (a) discloses confidential information commits an offence;
- (b) gains unauthorised access to and divulges or publishes financial data or information commits an offence;
- (c) knowingly discloses a password, access code, or other

means of gaining access to a computerised financial management system or data commits an offence;

- (d) knowingly or intentionally, alters a program or output of a program with intent to deceive or falsify data commits an offence;
- (e) knowingly or intentionally, interferes with the normal operations of a computerised financial system, with intent to disrupt the availability of its service for normal use commits an offence;
- (f) knowingly or intentionally, inputs incorrect financial data or alters electronic records commits an offence; and
- (g) knowingly or intentionally, uses or changes a User password or access code with intent to deceive or to falsify acts or transactions commits an offence.

(4) A person who commits an offence under sub-section (3) is liable on conviction to the penalty prescribed under Part III of the Information and Communications Act, 2009.

(5) A person who commits an offence under sub-section (3) for which the penalty is not provided under Part III of the Information and Communications Act, 2009 is liable on conviction to a fine not exceeding ... dalasis.

(6) The Permanent Secretary may, in addition, take disciplinary action against a person who commits an offence under sub-section (3).

PART VII – RESPONSIBILITY OF OFFICERS FOR REVENUE COLLECTION

43. Duties of Vote Controllers

Vote Controllers shall ensure that –

- (a) revenue collectors, Sub-Treasury Finance Officers, and Finance Officers are carrying out their duties properly;
- (b) all government revenue is properly collected in the approved manner;
- (c) adequate safeguards against evasion, fraud and carelessness are in operation; and
- (d) the Accountant General is notified of the establishment of

any new revenue-collecting office.

44. Revenue Registers

(1) Vote Controllers shall ensure that revenue registers are maintained and show details of –

- (a) revenue due;
- (b) revenue collected;
- (c) all arrears; and
- (d) steps taken to collect all arrears.

(2) Vote Controllers shall ensure that their revenue registers are balanced with the central record produced by the Accountant General and that the total of arrears carried forward at the end of each accounting period is duly brought forward at the beginning of the next accounting year.

(3) Vote Controllers shall arrange duties to ensure that the same staff are not employed both on collecting revenue and in maintaining the revenue registers.

45. Definition of “revenue collector”

(1) A “revenue collector” means any officer, cashier, Sub-Treasury accounts officer or finance attaché who is required to receive or collect money, whether as revenue, deposit or for any other purpose.

(2) An officer shall not act as a revenue collector unless he or she holds a post on grade 5 or above grade 5, except as may be authorised by the Accountant General in writing in a case of emergency.

46. Duties of revenue collectors

A revenue collector shall –

- (a) issue an official receipt for any money paid to him or her;
- (b) promptly collect and bring to account at the Treasury or the nearest sub Treasury, all public revenue and other receipts for which he or she is responsible;
- (c) keep a cash book containing an exact account of all public money received by him or her;

- (d) carefully safeguard and control all used receipt books and all unused receipt books entrusted to him or her;
- (e) submit his or her cash book with supporting receipt book counter foils to the Treasury or sub Treasury for examination as required;
- (f) file system-generated receipts in sequential order and in date order;
- (g) not make payments out of money received by him or her; and
- (h) make his or her records available at least once a month for updating.

47. Handing-over certificate

When a revenue collector hands over to another revenue collector, the two revenue collectors shall sign a handing-over certificate showing in detail all cash, all used receipt books and all unused receipt books which passes from one revenue collector to the other revenue collector.

PART VIII – GENERAL RULES AND PROCEDURES FOR RECEIPTING

48. Preparation of receipts

- (1) The standard form of receipt book is the General Triplicate Receipts (GTR) book which shall be used in each situation, except where the Accountant General has, in writing, authorised the use of some other form.
- (2) A receipt shall be completed in indelible ink and double-sided carbon paper shall be used to make its duplicate and triplicate.
- (3) The receipting office shall deliver the original receipt to the payer, use the duplicates to support the accounting entries, retain the triplicates in the book, and file copies of system-generated receipts.
- (4) A receipting officer shall, where licenses, tickets or other forms of receipts have been used, take extra care to ensure that all receipt numbers appear in the cash book, as evidence that all receipts have been accounted for.
- (5) A receipting officer shall sign any receipt that he or she issues

and shall not use a signature stamp copy of that receipt.

(6) A receipting officer shall issue receipts and licenses in strict numerical sequence both as regards the General Triplicate Receipts (GTR) book and the individual receipts.

(7) A receipting officer shall complete one book before starting to use another book.

(8) A receipting officer shall obtain a good carbon impress on all copies of receipts that he or she issues.

(9) A receipting officer shall not make an erasure or an alteration to any word or figure describing the account of the receipts, the payer's name or the date.

(10) An erasure or an alteration of a receipt renders the receipt void and the receipting officer shall cancel that receipt and issue a new receipt to the payer.

49. Cancellation of receipts

(1) Cancellation of receipts is effected by marking "cancelled" across all copies of the receipts.

(2) Cancelled receipts shall be affixed or reattached in the receipts book and be recorded in the Cash Book.

50. Lost receipt forms

(1) A Vote Controller shall promptly investigate the loss of any unused receipts, licenses, tickets, etc.

(2) A Vote Controller shall report the loss to the officer who issued the receipts, licenses, tickets, etc. and send copies of the report to the Accountant General and the Auditor General.

(3) A receipting officer may, if a payer loses an issued receipt form and that payer applies for a duplicate, provide the payer with a "certified true copy" of the original receipt form.

(4) For the avoidance of doubt, a receipting officer shall not use a new receipt form to replace a lost receipt form.

51. Cash or cheque

(1) A revenue collector shall, when issuing a receipt, indicate on the receipt whether payment was made in cash or by cheque.

(2) A revenue collector shall, where payment has been made by

cheque –

- (a) ensure that the cheque received is bank certified;
- (b) write the cheque number on the receipt;
- (c) write the receipt number on the back of the cheque; and
- (d) write the receipt number on the bank paying-in slip.

52. Crossing of cheques

When a cheque is received, it shall be crossed and stamped and the name of the receiving department shall be written on the back of the cheque.

53. Legal tender

Money which is not legal tender in The Gambia shall not be accepted from the public, except with the express approval of the Accountant General.

54. Cash book to be kept

(1) A revenue collector shall keep a Cash Book and enter in the Cash Book all receipts on the day of receipts and each receipt number or the first and last receipt numbers of the sequence issued.

(2) A revenue collector shall specifically indicate all cancelled receipt numbers.

55. Daily banking

(1) The total receipts of each day shall be banked or handed over to a Sub-Treasury accounts officer the following day.

(2) The Accountant General may waive the daily procedure for revenue collectors at a distance from a bank or a Sub-Treasury.

(3) A revenue collector may not, where the Accountant General has waived the daily procedure, hold a total sum exceeding one thousand dalasis or hold the total sum for a period exceeding one month.

56. Discharge of the duties of the revenue collector

(1) A revenue collector shall discharge his or her duties by paying in cash collected or handing over the receipted bank paying-in slips

to the Treasury cashier or the Sub-Treasury accounts officer.

(2) The Treasury cashier or the Sub-Treasury accounts officer shall sign the revenue collector's Cash Book and issue a receipt for the total sum, and post it in his or her cash book.

(3) The revenue collector shall post the receipt for the total sum in his or her Cash Book.

57. Cash surpluses

(1) An unexplained cash surplus shall be promptly receipted in the name of the collector and taken to "Miscellaneous Receipts".

(2) If the cash surplus is subsequently identified, it shall be transferred to the appropriate revenue item.

(3) A cash surplus may only be refunded if –

(a) the Accountant General approves it;

(b) there is a satisfactory explanation of the circumstances; and

(c) the original receipt is attached to the payment voucher as documentation supporting the refund.

PART IX – CONTROL OF RECEIPT BOOKS, LICENCES, TICKETS, ETC.

58. Control by the Accountant General

(1) Only receipt books, licenses, tickets or other official forms of receipt approved, supplied and controlled by the Accountant General shall be used for acknowledgement of the receipt of government moneys.

(2) Accounting Officers shall prevent the use of temporary, locally produced or unofficial receipts.

(3) The Accountant General shall liaise with the Government Printer in the design and production of serially numbered receipt books, licenses, tickets, and other forms of official receipt.

(4) The Government Printer shall keep a printing record of the production and issue of all receipt books, licenses, tickets, or other official forms of receipt.

59. Requisitions for receipt books, licenses, etc.

A revenue collector shall submit his or her requisitions for receipt books, licenses, tickets or other official forms of receipt, to the Accountant General.

60. Issue of receipt books, licenses, etc.

(1) The Accountant General shall issue receipt books, licenses, tickets or other official forms of receipt only against correctly completed requisitions.

(2) An issue of a receipt book, a license, a ticket or other official form of receipt shall be accompanied by a delivery note in duplicate.

61. Checking of receipt books, licences, etc.

(1) An officer to whom a receipt book, a license, a ticket or other official form of receipt has been issued shall –

- (a) check it immediately against the delivery note;
- (b) sign the duplicate note and return it to the Accountant General;
- (c) file the original for subsequent audit;
- (d) immediately report any discrepancy in the quantity or the numbering of the books to the Accountant General.

(2) The receiving officer shall be held responsible if any errors are discovered after he or she has signed for the books as having been correctly issued.

62. Registers of receipt books, licences, etc.

(1) An Officer to whom a receipt book, a license, a ticket or other official form of receipt has been issued shall keep a record of its receipt, its issue to subordinate officers and its final disposal in a Receipt Book Register, License Book Register, Ticket Book Register, etc.

(2) The officer shall use a separate page for each type of book he or she has been issued and enter the particulars of each book immediately he or she receives it.

(2) The officer in charge of a Register shall not have cash collection duties.

63. Safe custody and use of receipt books, licences, etc.

An officer to whom a receipt book, a license, a ticket or other official form of receipt has been issued shall safeguard it from theft or misuse, securely lock it up at all times and use it in serial number order.

64. Periodical inspection by Vote Controllers

Vote Controllers shall regularly check whether all receipt books, licenses, tickets or other official forms of receipt issued to their departments have been accounted for and whether their departments are not holding excessive stocks of receipt books, licenses, tickets or other official forms of receipt.

65. Transfer of receipt books, licences, etc.

Receipt books, licenses, tickets or other official forms of receipt shall not be transferred between departments without the consent of the Accountant General.

66. Handing-over certificate

When an officer entrusted with receipt books, licenses, tickets or other official forms of receipt hands over to another officer, the two officers shall sign a handing-over certificate.

67. Destruction of exhausted books

A used book may be destroyed, and its destruction shall be noted in the appropriate register, which shall be signed by the officer authorised to destroy the book.

68. Disposal of obsolete books

(1) Obsolete books shall be returned to the Accountant General.

(2) The Accountant General shall acknowledge receipt of an obsolete book on the duplicate of the covering letter under which the book was returned.

69. Destruction of obsolete books

(1) Obsolete books shall be destroyed only with the authority of and under the direction of the Auditor General and in accordance with the procedure prescribed under regulation 67.

(2) The following officials shall witness the destruction of obsolete books –

- (a) the Accountant General;
- (b) the Auditor General;
- (c) the Director General of Internal Audit;
- (d) the Director of the National Records Service; and
- (e) the Inspector General of Police.

PART X – RECOVERY OF OVERPAYMENTS AND REFUNDS OF REVENUE

70. Recovery of overpayments

(1) In respect of the current year, all receipts in respect of overpayment incurred and recovered in the same financial year shall be credited to the expenditure Head, Sub-head or Item to which the payment was debited.

(2) In respect of previous years, with the exception of those items detailed in sub-regulation (3), receipts in respect of overpayments made in a previous financial year shall be credited to Overpayment Recovery.

(3) In respect of special recoveries, recovery of overpayments made in a previous financial year shall be credited as follows –

- (a) all expenditure charged to the Development Fund shall, if the Capital Project –
 - (i) is still open, be credited to the particular Capital Expenditure code; and
 - (ii) has been closed, with the approval of the Accountant General, be credited to “Development Fund – Other Receipts”; and
- (b) all expenditure charged directly to a below-the-line account shall be credited the account concerned.

71. Authorities for refunds

(1) Normally, refunds of revenue shall be made only in the

following circumstances –

- (c) court fees and fines, where refunds are authorised by the Judge or the Magistrate;
- (d) other refunds specifically provided for by legislation; and
- (e) when a member of the public has overpaid for a particular service and produces a receipt or receipts to substantiate a claim for an overpayment made.

(2) All other refunds of revenue require the approval of the Accountant General.

72. Classification of refunds of revenue

(1) A refund of revenue over collected within the same financial year shall be debited to the same revenue item to which it was originally credited.

(2) Refunds in respect of revenue over collected in a previous financial year shall be debited to code “Refunds of Revenue Collected in Previous Years.”

73. Payment vouchers relating to revenue refunds

(1) A payment voucher on which a refund of revenue is made shall quote the relevant authority and details of the original receipt on which the revenue was collected.

(2) A revenue collector shall, where he or she has to make a refund of double payment, attach the original receipt to the voucher, and a copy of the other receipt.

PART XI – MISCELLANEOUS

74. Legal action

(1) A Vote Controller shall send prompt reminders to a debtor when revenue becomes overdue.

(2) If a debtor fails to produce payment within thirty days of the dispatch of the reminder and the debt exceeds ten thousand dalasis, the Vote Controller shall refer the matter to the Accountant General for further action.

(3) The Accountant General shall refer the matter to the Permanent Secretary detailing out all the necessary information required for legal action.

(4) The Permanent Secretary shall refer the matter to the Attorney General's Chambers for necessary action.

(5) Recovery of revenue may not be waived if revenue has become irrecoverable as a result of delay in enforcing payment.

(6) The officer responsible for the delay in enforcing payment of a debt shall be held personally liable for that debt becoming irrecoverable.

75. Arrears of revenue returns

(1) A Vote Controller shall, one month after the end of each financial year, ensure that revenue collectors, or officers responsible for groups of revenue collectors, prepare the Annual Arrears of Revenue returns, which shall detail all items of revenue outstanding as at 31st December of the previous financial year.

(2) A Vote Controller shall receive the Annual Arrears of Revenue returns and a consolidated return prepared for his department, not later than 31st January of the ensuing financial year.

(3) Copies of the Annual Arrears of Revenue returns and the consolidated return shall be sent to the Accountant General and the Auditor General not later than the 28th March of the ensuing financial year.

(3) The prescribed form of Arrears of Revenue Return is Treasury Form 34 of which –

(a) Part 2 is the collector's return; and

(b) Part 1 is the consolidated return,

(4) Treasury Form 34 contains the full instructions for its completion by the Vote Controller.

76. Repeal of the Financial Instructions

The Financial Instructions for the Implementation of the Government Budget Management and Accountability Act, 2004 are repealed.

[Cap.78:01.]

MADE THIS 21ST DAY OF DECEMBER 2016

**HON. ABDOU KOLLEY
MINISTER OF FINANCE AND ECONOMIC AFFAIRS**