AN ACT

ADOPTING A NEW TITLE 17(a) OF THE LIBERIAN CODE OF LAWS REVISED TO ESTABLISH A NATIONAL ANTI-CORRUPTION COURT, DEFINE ACTS CONSTITUTING CORRUPTION, AND PROVIDE PENALTIES FOR THE COMMISSION THEREFOR.



REPUBLIC OF LIBERIA

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REPUBLIC OF LIBERIA

APPROVED _____ _____, _____

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MINISTRY OF FOREIGN AFFIARS
MONROVIA, LIBERIA

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AN ACT ADOPTING A NEW TITLE 17(a) OF THE LIBERIAN CODE OF LAWS REVISED, TO ESTABLISH A NATIONAL ANTI-CORRUPTION COURT, DEFINE ACTS CONSTITUTING CORRUPTION, AND PROVIDE PENALTIES FOR THE COMMISSION THEREFOR.

PREAMBLE

WHEREAS, Articles 29 and 34 of Chapter V of the Constitution vests the legislative power of the Republic in the two separate houses of the Legislature to enact all legislation and resolutions for the Republic, provide various categories of criminal offenses and provide for the punishment thereof, create specialized courts, as well as to make any and all other laws which shall be necessary and proper for carrying into execution all such powers and those vested in the Government of the Republic, or in any department or office thereof; and,

WHEREAS, Article 34 of the Constitution enumerates said legislative power to include, inter alia, to constitute courts inferior to the Supreme Court, with prescribed jurisdictional powers as may be deemed necessary for the proper administration of justice throughout the Republic; and,

WHEREAS, the Legislature, in the exercise of said power, passed Joint Resolution 001/'24 **(JR001/24)** in April 2024, authorizing the establishment of an "Extraordinary Criminal Court and a Domestic Corruption Court for War and Economic Crimes Respectively; and,

WHEREAS, the President approved the said JR#001/'24 in April and on May 2, 2025, issued Executive Order No. 131, creating the Office for the Establishment of War and Economic Crimes Court with mandate to develop mechanisms and lead the establishment of a Special War and Economic Crimes Court and a National Anti-Corruption Court for Liberia; and,

WHEREAS, the actions of the Government is consistent and in furtherance of the implementation of the recommendations of the Truth and Reconciliation Commission of Liberia contained in its Report of 2007, and with the Government's resolve to undertake measures to decisively combat and thereby prevent corruption efficiently and effectively throughout the Republic, consistent with the United Nations and other International Conventions, Agreements, and Treatises on the prevention and elimination of corruption; and,

WHEREAS, the Government has also determined that perpetuation of acts of corruption, illicit enrichment and unethical conducts are menaces that violate the rights to equality, dignity and access to public services, and continue to significantly contribute to the underdevelopment of the Country; and

WHEREAS, acts of corruption deprive citizens of health, education, justice and other essential services that amount to violation of socio-economic and human rights; and,

WHEREAS, the reality in the justice system is that the existing court structures and criminal laws of the Republic are inadequate and lack the capacity to efficiently and effectively aid in the fight to rid the Country of these menaces; and,

WHEREAS, in the face of these inadequacies and incapacities, it is evident there is a compelling need to dedicate the fight against these dangers to a special justice process encompassing both a court and laws that are responsive to the current situation and foreseeable ones; and;

WHEREAS, such a system requires the establishment of a separate and distinct judicial body within the judicial system, with extraordinary powers and special procedures to avoid hurdles in advancing the fight against these menaces.

NOW, THEREFORE, It is enacted by the Senate and the House of Representatives of the Republic of Liberia in Legislature assembled:

Part I: Preliminary Provisions

Chapter 1. General Application

§1. Creation of Title 17(a), Anti-Corruption Court Act

That immediately after the passage of this Act, approval by the President, and publication in handbills, a new Title 17(a) shall become a part of the Liberian Code of Laws Revised, for the purpose of establishing a National Anti-Corruption Court, and combating and eliminating corruption throughout the Republic.

§2. Effect of the creation of Title 17(a):

The creation of this separate title as an integral part of the Liberian Code of Laws Revised removes any direct or incidental relationship as to conflict of law or references or reliance of this Title to any other title in the Liberian Code of Laws Revised for any reason of substitution or parallel application, thereby making this Title a stand-alone statute making it the sole law controlling the National Anti-Corruption Court for Liberia, save the Constitution.

§3. Purposes

The general purposes of this title are to establish a system of prohibitions, penalties and precedence that deals with conduct that unjustifiably and inexcusably amount to acts of corruption, encourages illicit enrichment, condones violations of ethical responsibilities, and inures society and people through deprivation and other human rights violations and abuses. In furtherance thereof, the provisions of this title are directed at the achievement of the following objectives:

3.1 To define succinctly the term corruption and delineate the different types and categories of corruption.

3.2 To provide specifically the acts of corruption that constitute crimes and those that are civil in nature, thereby, safeguarding the sanctity of prosecution and the need to award damages in such cases.

3.3. To create a program of redress for communities and people affected by acts of corruption through reparation and other such remedies.

3.4. To ensure the safety and judicious utilization and management of public resources by persons entrusted with them through (a) the deterrent influence of the penalties herein provided; (ii) the removal of possibility to engage in such acts especially be repeated offenders through sanctions of various kinds; and (iii) to instill public confidence in the public sector as well encourage investment through assurances of respect for the rule of law.

§4. Applicability

This Act shall apply to all claims, allegations and proceedings within the definitions and categories of corruption herein provided, and shall apply to all persons except as textually provided in the Constitution or opinions rendered by the Supreme Court after the effective date of this Act.

§5. Presumption of Innocence

The presumption of innocence as construed under liberally statutory provisions is inapplicable to this title; where there is a reasonable basis to believe that an act of corruption was engaged into by an accused, the burden shall be on the accused to counter that belief.

§6. Primacy / Conflict of laws:

6.1 This Act shall have primacy over any other statute in relation to any issue of corruption; where any of its provision is in conflict with any other law, the former shall supersede that law.

To the extent that the Construction Law inhibits certain provisions from being applied to satisfy the objectives of this title, such as the rule that criminal provision is to be strictly construed, such inhibition does not apply to this title; rather, the provisions of this title shall be construed according to the fair import of their terms. When the language of any provision in this title is susceptible to differing constructions, it shall be interpreted to further the general purposes and effect of this title, and in that case, the inherent purposes of the particular provisions involved.

6.2 The court shall have primacy over any other court within the Republic of Liberia in relation to issues of corruption, to the extent that any court conducting trial or hearing cases involving crime with elements of corruption shall be requested for and transferred as a matter of law to the NACC for trial, subject to the court's primacy in corruption cases.

Chapter 2. Creation. Structural Arrangement, and Jurisdiction of the National Anti-Corruption Court for Liberia

§2.1. Creation

There is hereby established in the Judiciary the National Anti-Corruption Court for Liberia, referred to as the NACC, to exist and operate as a court structure throughout the Republic, as the Legislature shall determine, taking into consideration regionalization and the purposes and effect of this Act.

§2.2. Structure and operationalization

The separate courts of the NACC, as a national court and the judges in each court, shall have concurrent jurisdiction irrespective of location; all appeals therefrom shall be to the Supreme

Court. It shall have the powers to hear and determine criminal and civil charges and claims of the commission of all acts of corruption.

§2.3. Composition

(a) Judges and other personnel: Number and Qualification

i. **Judges:** Each court shall comprise a panel of three judges, including a Chief Judge, appointed by the President, consistent with the Constitution, after a process of vetting of applicants by a vetting committee represented only by a senior officer of the Liberian National Bar Association **(LNBA)**, Ministry of Justice, Judicial Inquiry Committee, Louis Arthur Grimes School of Law, and Liberia Anti-Corruption Commission.

ii. Every judge of the court shall maintain his or her active license status, be a member in good standing of the LNBA, a counselor-at-law for at least five years who has argued at least five cases before the full bench of the Supreme Court of Liberia. He/she must have been certified after successfully completing the Special anti-corruption training program for judges at the James A.A. Pierre Judicial Institute.

iii. **Court Administrator:** The Administrator of the NACC and all other staff below the rank of administrator, shall be civil servants. The administrator shall be a member in good standing of the LNBA and a counsellor-at-law, with proven active law practice for at least five years before the courts of Liberia. He/she must have been certified after successfully completing the Special anti-corruption training program for court administrators at the James A.A. Pierre Judicial Institute.

iv. **Ministerial officers:** The NACC shall have a sheriff appointed by the President as a member of the Ministry of Justice with the rank of Captain, and a corps of bailiffs as shall be determined and appointed by the Chief Justice.

v. **Clerical Staff:** The clerical staff shall comprise a clerk of court, assistant clerk of court, a recorder, two assistant recorders, three filing clerks and other staff as the Chief Justice shall determine.

(b) Research Assistants/Law Clerks:

The Chief Justice shall appoint a corps of highly trained researchers in the research office of the court as law clerks for the judges, with each judge assigned one from the pool.

Chapter 3. General definitions

§3.1. Limitation: In this title, unless a different meaning is plainly required or given, the following definitions shall control:

(a) "Act" means this title or the Act establishing the National Anti-Corruption Court.
(b) "Actor" means any natural person and, where relevant, an organization or association.

(c) “Administrator” means the head of administration appointed by the President to oversee the day-to-day administration of the court.
(d) “Affirmative defense” means evidence presented by the defendant that conclusively negates the claim of commission of the alleged act of corruption.
(e) “Application” means any request made to the court for a decision in a case or subsequent to a case but within the authority of the court to grant under any circumstance.
(f) “Bail” means the temporary release of a person accused of a crime, granted by the court, upon the provision of security (such as money, bond and/or a guarantee), to ensure that the accuse appears in court while awaiting trial or further proceedings
(g) “Bias” means an unfair preference for or prejudice against a person, group, idea or outcome, often without objective reasoning or evidence
(h) Bribery” means offering, giving, receiving, or soliciting of anything of value to influence action as official or in discharge of legal or public duty
(i) “Civil corruption” means a dishonest act involving an abuse of entrusted power for personal gain, whether the gain is directly accrued or for a third person, the result of which is compensation for damages and/or return of assets.
(j) “Civil servant” means person (s) employed in the public service holding positions in Government ministries, agencies, or public institutions, who appointments are made in accordance with the civil service laws and regulations and who are paid from public funds
(k) “Corruption” means the abuse of entrusted power, involvement in dishonest or illegal behavior, especially by a person in power or authority, or impairment of moral principal, for personal or private gain.
(l) “Code of Conduct” means the code of conduct as promulgated by the Government of Liberia applicable to all Public Officials and Employees of the Government of Liberia.
(m) “Corrupt” means morally dishonest or unethical behavior, especially involving the abuse of power for personal or other gain…
(n) “Criminal corruption” means the dishonest and unlawful use of entrusted power or authority for personal gain, involving crimes like bribery, embezzlement, illicit enrichment, misapplication of entrusted property, trading in influences, abuse of office or functions, illicit acquisition of wealth, illicit prosecution and false acquisition, unlawful compensation and criminal concealment and/or retention, fraud, or misrepresentation, whether in government or in private sector, irrespective of the gain.
(o) “Cronyism” means where a person in authority makes a decision for the benefit of another without regard to qualification for appointment to a postion, the grant of contract or other benefit or uses his or her influence to achieve that result “Conspiracy” means where two or more persons agree to carry on illegal acts for dishonest gains or benefits.
(p) “Economic crime” means a criminal act committed to obtain financial or economic benefits illegally, often at the expense of individuals, businesses, or the state.
(q) “Element of corruption or unethical conduct” means (i) the act as defined herein; (ii) a forbidden conduct within the realm of acts of corruption; (i) the required culpability or any required result as specified herein; (iv) the non-existence of a substantial defense as to which there is reasonable basis to establish a belief of commission of the act alleged.
(r) “Embezzlement” means the misappropriation or theft of money that is entrusted to a person or which belongs to his or her employer, whether for his or her own or another person’s gain.

(s) “Extortion” means the act of taking or obtaining something through force, intimidation, threat irrespective of the value of the thing so taken or obtained.
(t) “False statement: means deliberate provision of untrue information to mislead the public or authorities
(u) “Financial crime” means fraud, money laundering, embezzlement and tax crimes
(v) “Fraud’ means deliberate misrepresentation for unlawful gain, including mail and wire fraud
(w) “Fraudulent claim” means submission of false documents of any kind or oral statement to obtain benefits
(x) “Government” means the Government of Liberia inclusive of the three branches
(y) “Illicit gain” means unlawful enrichment through corruption or manipulation of contracts
(z) the improper use of one’s position, authority, relationship, or perceived power to affect the decisions or actions of a public official or institution for private or undue benefit.
(aa) “Insider trading” means abuse of privileged information for personal gain.
(bb) “Intentional” means acts of corruption carried out deliberately, not accidentally. “Judiciary” means the Judicial Branch of the Government comprising all courts and its structures.
(cc) “Knowingly” means when one or more person(s) are aware of wrong doing yet proceed to commit the wrong doing.
(dd) “Misrepresentation” means distortion of facts for corrupt advantage.
(ee) Money laundering” means an act of concealing the origins of illegally acquiring money, typically by transferring it through complex banking transaction or foreign accounts or business(es), to make it appear lawful.
(ff) “Offender” means a person who has been tried by court consistent with its trial procedure and found guilty or liable of the commission of the act alleged.
(gg)
(hh) “Peddling” means using political or social influence to secure favor or contracts.
(ii) “Person” means any individual or human being, or a legal person, with rights or obligations, or both.
“Police” means any state security officer enpowered under the laws of Liberia to arrest suspects, investigate crimes, maintain public order, enforce court orders and laws, and protect citizens and property.
(jj) “Presumption of innocence” means there exists no reasonable evidence to presume that the accused committed or could have committed the act alleged.
(kk) “Public property” means property or assets owned by Government.
(ll) “Public authority” means a statutory institution that is funded by public of government money or other resources because of its statutory status.
(mm) “Public servant” means an officer or senior employee of the Government; a person authorized to act for or on behalf of the Government; or serving the Government as an advisor or consultant.
(nn) “Purposely or with purpose” means to engage consciously in the conduct alleged or for the purpose of accruing the result of such a conduct. It is sufficient for a determination of negligence, recklessness, willfulness, and culpability.
(oo) Tax avoidance” means legal but aggressive strategies to minimize tax liability.
(pp) Tax evasion” means illegal non-payment or concealment of taxes.

(qq) Transparency means the right of the public to examine the process of decision-making in government and politics, or even in business, or the obligation of the government or other authority to make public the information on such process.

(rr) "Unethical conduct" means action violating moral standards of governance even if not strictly illegal.

§3.2. Affirmative defenses:

(a) Generally prohibited: Except where this title specifically provides a ground as an affirmative defense or the Constitution so provides, affirmative defenses shall not be admissible in a trial for acts of corruption.

(b) Exception to general prohibition: When the affirmative defense is convincingly embedded in a fact peculiarly within the knowledge of the defendant on which he or she can fairly be required to adduce the supporting evidence, such an affirmative defense shall be allowed.

PART II: SPECIFIC CRIMINAL CORRUPTION AND RELATED OFFENSES

Chapter 4: Criminal Corruption

§4.1. Categories:

4.1.1 A person commits an act of criminal corruption if his or her conduct falls within one of the following categories:

a. Where she or he occupies a position of trust whether in public or private service irrespective of his or her status.

b. If the value of the subject matter of the crime is substantial relative to the sector in which it is committed.

c. Where he or she knew or had reason to know that his or her action amounts to the commission of a crime.

d. Where the action of person(s) has adverse effects or consequences on the the criminal justice system or society as a whole.

4.1.2 Specific Criminal Corruption:

a. **Petty Corruption:** A person has committed petty corruption if, as a junior or mid-level official of the government, he or she engages in conduct which is more of an annoyance, such as the taking of a small gift which in the eyes of a reasonable person, is or could be improper; or as a person with personal connection, uses such connection to influence or manipulate government procedures.

b. **Grand Corruption:** A person has committed grand corruption if, as a senior-level official of an institution, he or she engages in conduct by commission or omission, which makes him or her responsible for significant diversion or control over a political, or economic system, irrespective of whether he or she benefits directly or indirectly.

c. **Judicial Corruption:** A judge has committed judicial corruption if he or she engages in conduct of dishonesty or misuse of power, including latent bias in a hearing or judgment, in which his or her decision clearly favors one party over the other, provided however that an administrative inquiry is first exhausted and a determination is made to forward him or her to court for a judicial determination.

d. **Police Corruption:** A police officer, especially a senior or commanding officer, has committed police corruption if he or she receives a bribe, or selectively pursues, or fails to pursue, a criminal investigation or arrest, for the purpose of financial or other gain, including career advancement, or defies the procedures or set code of conduct in order to ensure that a suspect is convicted, such as falsifying evidence, lying about a procedure to obtain evidence, or other unethical conduct.

§4.2. Grading and Sentencing:

a. Petty corruption: A person who has committed a petty corruption is guilty of the commission of a misdemeanor of the first degree, punishable by fine, restitution and imprisonment in the public jail for a period of one calendar year.

b. Grand corruption:

i. **Felony of the first degree:** A person who has committed grand corruption is guilty of the commission of a felony of the first degree; if the crime does not result in the deprivation of the rights of the public to the subject matter, in which case he or she shall be imprisoned for a period not exceeding ten years. If the person convicted is a senior-level government official, his or her conduct rises to the level of political corruption and, until a determination of any appeal is made in his or her favor by the Supreme Court, he or she shall be imprisoned, and shall be barred forever from holding any public office.

ii. **Felony of the first degree:** A person who has committed grand corruption is guilty of the commission of a felony of the firstdegree if the crime results in the deprivation of the rights of the public to the subject matter, in which case he or she shall be imprisoned for a period not exceeding twenty years but not less than fifteen years. If the person convicted is a senior-level government official, his or her conduct rises to the level of political

corruption and, until a determination of any appeal is made in his or her favor by the Supreme Court, he or she shall be imprisoned, and shall be barred forever from holding any public office.

c. Judicial corruption: A judge who has been found to have committed judicial corruption is guilty of felony of the first degree and he or she shall be imprisoned for a period not exceeding fifteen years but not less than ten years, without the right to any impeachment proceedings, and until a determination of any appeal by the Supreme Court is made in his or her favor, he or she shall be imprisoned and barred forever from holding any public office.

d. Police corruption: A police officer as described above, who has been found to have committed police corruption is guilty of felony of the first degree and he or she shall be imprisoned for a period not exceeding thirteen years but not less than ten years, and until a determination of any appeal by the Supreme Court is made in his or her favor, he or she shall be imprisoned and barred forever from holding any public office.

Chapter 5: Corruption as a violation of human rights:

5.1 The provisions of the UNCAC, as ratified by the Republic of Liberia in 2005 are applicable to the extent of the ratification.

5.2 Pursuant to Article 13 of UNCAC, this court shall recognize the role of Civil Society Organizations in promoting transparency, accountability and public interest in corruption related proceedings, and may be granted standing to participate in proceedings where the alleged acts of corruption have caused or are likely to cause harm to the public interest or collective rights. Civil Society may participate:

a. The court may, upon application or invitation permit CSO with relevant expertise to appear as amicus curiae to provide legal, technical or contextual insight that may assist the court in determining matters of public interest.

b. A registered CSO may initiate or join proceedings before the court in matters of public interest involving corruption, provided that:

i. The CSO demonstrates a legitimate interest in the subject matter;
ii. The action is not frivolous or vexatious;
iii. The CSO has demonstrated record of engagement in anti-corruption or public accountability work.

c. CSOs may be invited to participate in hearings related to restitution or repurposing of recovered assets, particularly where such assets are to be returned to affected communities or use for public benefit.

d. Accredited CSOs shall have the right to observe and report on proceedings of the court subject to rules or procedure and confidentiality. The court shall facilitate access to non-confidential records and decision to promote public oversight.

e. The participation of CSO shall not interfere with the rights of the accused, the independence of the judiciary, or the integrity of the proceedings. The court may limit or revoke participation where it is abused or prejudicial to justice.

5.3 Pursuant to Article 31 and 57 of UNCAC, victims of corruption may be entitled to compensation for damages suffered including economic loss and denial of access to public goods. The court shall have authority to order restitution, assets recovery, and reparation for collective harm caused by systemic corruption.

PART III – SPECIAL PROSECUTOR, FUNDING AND ADMINISTRATION

CHAPTER 6 – The National Anti-Corruption Prosecutor

6.1 There is established an Office of the National Anti-Corruption Prosecutor (NAP). The NAP shall be the principal Officer responsible for indicting and prosecuting corruption offenses for the NACC.

6.2 The NAP shall be appointed by the President of the Republic of Liberia with the consent of the Senate.

6.2.1 The appointment shall be based on proven integrity, professional competence and at least ten (10) years of legal practice, to include experience in criminal or financial crimes.

6.2.2 The NAP shall maintain his or her active license status, be a member in good standing of the LNBA, a counselor-at-law for at least five years who has argued at least five cases before the full bench of the Supreme Court of Liberia. He/she must have been certified after successfully completing the Special anti-corruption training program for prosecutors at the James A.A. Pierre Judicial Institute.

6.2.3 The NAP shall serve for a fixed term of three (3) years, renewable once, and subject to performance review.

6.2.4 The NAP may only be removed for cause including gross misconduct, incapacity or violation of ethical standards upon recommendation of a special inquiry body, established by the Ministry of Justice that will comprise the Judiciary Inquiry Commission, LACC, LNBA, Louis Arthur Grimes School of Law, and OWECC-L.

6.3 The NAP shall be responsible to:

6.3.1 Prepare and file indictments before the NACC;

6.3.2 Prosecute corruption cases with diligence, impartiality, and adherence to due process, collaborate with the LACC, the GAC and other oversight body to gather evidence;

6.3.3 Submit quarterly report to the Minister of Justice;

6.4 The NAP shall have the power to:

6.4.1 Subpoena documents, records, and witnesses relevant to corruption.

6.4.2 Freeze assets and accounts suspected to be proceeds of corruption subject to judicial authorization;

6.4.3 Enter into plea bargains and cooperation agreements, subject to approval by the NACC;

6.4.4 Initiate contempt proceedings against individuals obstructing investigations or prosecution of corruption.

6.5 The Office of NAP shall operate independently of political influence and all other prosecutorial body will guarantee budgetary allocations approved by the Legislature.

6.5.1 All action of NAP shall be subject to judicial oversight by the Minister of Justice to prevent the abuse of prosecutorial discretion;

6.5.2 The NAP shall be bound by the Code of Conduct for public officials of Liberia and International Anti-corruption standards.

Chapter 7 – Funding and Administration

7.1 The NACC shall be funded through a dedicated budget line in the national budget of Liberia.

7.1.1 Funding shall be mandatory and non-discretionary to ensure the court's independence from political or executive interference.

7.1.2 The Legislature shall appropriate sufficient resources annually to cover salary, operations, infrastructure among others, consistent with the court's specialized nature.

7.1.3 Funds allocated to the NACC shall not be reduced or withheld except by an act of the Legislature and only for reasons of national fiscal emergency.

7.2 The NACC shall have full administrative autonomy over its internal operations to include staffing, procurement and case management systems.

7.2.1 The Chief Judge of the National Anti-Corruption Court shall serve as the Administrative Head of the Court with authority to appoint the Administrator, who will supervise the administrative staff.

7.3 Salaries and benefits of judges, prosecutors and staff of the NACC shall be commensurate with those of the equivalent position in the Judiciary.

7.3.1 Adequate resources shall be provided for:

a. Modern Case Management and digital record system;
b. Training program for judges, prosecutors and staff in anti-corruption law and financial crimes;
c. Security measures for judges, prosecutors, and witnesses; and
d. Public outreach and transparency initiative to include publication of judgments and reports.

7.4 The NACC shall submit an annual financial report to the judiciary detailing expenditure and resource utilization.

7.4.1 The General Auditing Commission (GAC) shall conduct independent audits of the NACC finances and reports made public.

7.4.2 No external body shall interfere with the internal allocation within the NACC, except as provided by law.

PART IV - CRIMINAL DEFENDANT'S RIGHTS AND INDICTMENT

Chapter 8 - Rights to Bail and Non- Jury Trial

8.1 A person(s) charged and in custody for the commission of criminal corruption may be entitled to bail as a matter of law subject to Section 5.1.2 – Specific Criminal Corruption of this Act.

8.2 A person arrested for an offence under Section 5.1.2(a) – Petty Corruption of this Act shall be released on bail upon the posting of sufficient bail bond properly secured by sureties in keeping with 13.1.2 – Offences less than Capital of the Criminal Procedure Law; provided however, that in each case half of the amount of the bail bond shall be in liquid assets, i.e., cash or near cash items. The bail amount shall be determined consistent with Liberia' Criminal Justice System.

8.3 A person(s) arrested and in custody for an offence under Section 5.1.2(b) – Grand Corruption, Section 5.1.2(c) - Judicial Corruption, and Section 5.1.2(d) – Police Corruption of this Act

shall be treated as “grave offenses”, and shall not be entitled, as a matter of law, to be admitted to bail.

8.4 All cases brought before the National Anti-Corruption Court shall be be tried exclusively by judges sitting without jury.

Chapter 9 – Indictment

9.1 The power to indict a person accused of corruption offenses shall rest exclusively with the office of the National Anti-Corruption Prosecutor. No indictment shall be filed in the NACC, unless reviewed and approved by the Special Prosecutor to ensure that charges are supported by sufficient evidence and legal grounds.

9.2 An indictment shall be in writing signed by the National Anti-Corruption Prosecutor, and filed with the Clerk of the National Anti-Corruption Court.

9.2.1 The indictment shall clearly state the name and particulars of the accused, the particular of the accused, the specific act constituting corruption, and the statutory provision alleged to have been violated; and

9.2.2 Indictments may consolidate multi offenses arising from the same transaction or series of transactions, to ensure judicial economy.

9.3 Upon filing, the indictment shall be subject to preliminary review by the NACC to determine its sufficiency in law and evidence.

9.3.1 If the indictment is found defective, the court may order the Prosecutor to amend or withdraw it before trial commences.

9.3.2 The accused shall be entitled to receive a copy of the indictment and supporting documents within seven (7) days of filing.

9.4 Given the gravity of corruption offenses, indictment shall not be quashed on mere technicalities if the substance of the allegation is clear and supported by evidence. The NACC shall prioritize corruption indictments for speedy trial, recognizing the national urgency of combating corruption.

Chapter 10 – Final Provisions

Section 10.1 Superseding Authority and Effective Date

10.1.1 **Primacy of the Act:** The primacy of this Act and the provisions therein shall be upheld by all authorities and persons and all of its provisions shall supersede any other law on any of the subjects herein.

10.1.2 **Effective Date:** This Act shall take effect immediately upon publication into Handbills

ANY LAW TO THE CONTRARY NOTWITHSTANDING.