Public Financial Management Regulations

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Part I – Preliminary

1- Citation and application

(1) These Regulations shall be cited as the Public Financial Management Regulations.

(2) These Regulations apply to all agencies, entities and institutions mentioned in Section 1(3) of the Amendment and Restatement of the Public Financial Management Act, 2019.

2- Interpretation
In these Regulations, unless a term is as otherwise as defined here, the definitions in the act apply.

"Accounting Officer" means a head of a government agency and every constitutional institution.

"Act" means the Act called "Amendment and Restatement of the Public Financial Management Act of 2019".

"Activity" is a specific component of a program classified into relevant recurrent and capital expenditure economic budget classifications.

"Appropriation Act" means an act of parliament that provides for the provision of money to pay for supply of service.

"Basic Salary" means the basic payment to public servants.

"Batch Sheets" means a transactions processed in a group

"Budget Ceilings" means the maximum amount that the government allocates in a given year to a target sector, vote or expenditure category.

"Budget Circular" means a written instruction issued by the Minister providing broad guidelines on the budget process of government.

" Budget Call Circular 1" means a written instruction issued by the Minister provides guidance to government agencies on preparation of the budget. It includes the macro fiscal outlook police guidance and indicative budget ceilings.

"Budget Call circular 2" it means a written instructions by the Minister which lays out specific guidelines, procedures and timelines for budget preparation and finalization. It contains firmed up macro fiscal outlook and bidding budget ceilings.

"Budget Classification" It is the manner in which budgetary data is classified in form of standard codes

"Budget Framework Paper" It is a document prepared annually containing overview of the economy and fiscal trends and sector strategies. It is submitted to cabinet for approval.

"Budget holder" means the one with the designated authority to initiate expenditure.

" Chart of Accounts" It is the list of codes given to various items of expenditure and revenue for accounting purposes. It is the codes used for recording and reporting transactions

"Comptroller" means the highest-ranking accountant in the government agency.

"Commissioner General" means the Commissioner General of the Liberia Revenue Authority.

“ Consolidated Fund” means the fund that consolidates all government revenues of the Republic of Liberia, and is used for making disbursement, as defined in section 5 of the Public Financial Management Act as amended and reinstated in 2019.

Contingency Fund” It is a fund set aside to meet any urgent and unforeseen expenditure which cannot be deferred to the next budget.

“County Fund” Are funds set aside for purpose of use by the county governments.

“Earmarked funds” refers to funds specified and set aside for a specific purpose.

“Electronic Document” means information that is created, generated, communicated, stored, displayed or processed by electronic means.

“Electronic Fund Transfer” means any transfer of funds, other than a transaction originated by check, draft or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument, point-of-sale terminal, stored value card terminal, debit card, Automated Teller Machine (ATM), computer magnetic tape or any other electronic device so as to order, instruct, or authorize a financial institution to debit or credit an account.

“Equity Participation by Government” It when government participates by buying shares in a public company.

“ Imprest Account ” means a specific account established with the authority of Accountant general and into which a limited sum of cash is advanced by the Consolidated Fund for purpose of making small payments in cash.

“ Integrated Financial Management Information System”- refers to the automation of public financial management processes relating to budget preparation and execution, accounting and reporting it is also referred to as Integrated Financial Management System.

“Internally Generated Funds” means Non-Tax Revenues that are generated through the activities of the government agencies.

“Journal Entry” It is a record of transactions in books of accounting.

“Minister” means the Minister of Finance and Development Planning.

“Ministry” means the Ministry of Finance and Development Planning.

"MACs" means Ministries, Agencies and Commissions of Liberia.

“National Project Data Bank” it is a listing of projects to be considered for funding in subsequent years.

“Non-Tax Revenue” means the resources mentioned in Section 5(2) (b) to (j) of the Act.

"Professional Accountancy body" has the meaning of a professional accountancy body such as the Association of Chartered Certified Accountants (ACCA), the Institute of Certified Public Accountants of Kenya (ICIPAK) or its equivalent

"Programs" are groupings of government activities in relation to specific government objectives. Program classification applies this principle across all government activities.

"State Owned Enterprises" it means a commercial enterprise or any other organization established by law, in which government has controlling shares which produces good or services for the market and finances its operations largely on the basis of its own revenues.

"Statutory Agency" It means an agency that is established through a statute.

"Salary Advance" It is amount of money given to a public officer often equivalent to the amounts paid monthly through the payroll but which recovery is made in a future date

"virement" means the act of changing a provision either adding or reducing.

Part II. Authority and Responsibilities for the Budget and Public Financial Management

3- Authority of the President

(1) In accordance with Section 9 of the Act, the President has overall responsibility for all policy matters related to the National Budget and public financial management system of the Republic of Liberia.

(2) The President may delegate, make decisions and take actions that are in accordance with the Act other laws and regulations necessary to carry out such responsibilities.

(3) For the purpose of Section 17(1) of the Act, the President shall cause to be prepared and laid before Legislature at least two months before the end of the fiscal year estimates of the revenues and expenditure of the Government of Liberia for the following fiscal year.

(4) Notwithstanding subsection (2), for the purpose of subsection 9 (2) of the Act only the President shall present to Legislature the national budget and any supplementary or revised budgets.

(5) When the budget is approved and an appropriation made by Legislature, payment shall not be made out of the Consolidated Fund except upon warrant of the President in accordance with Article 34(d)(ii) of the Constitution.

4 - Responsibilities and Authority of the Minister

(1) The Minister is responsible for all technical matters related to the proper functioning of public finance and management system, subject to the overall policy guidance from the President.

(2) The Minister shall be responsible to the President for developing and implementing a macro economic and fiscal policy framework for Liberia and shall supervise and monitor the finances of the country, co-ordinate international aid and intergovernmental financial and fiscal relations.

(3) Subject to the provisions of any enactment or to the directions of the President, the Minister shall be the principal authority responsible for the planning, determination, and allocation of resources, preparation, publication, implementation, monitoring, evaluation and control of the National Budget.

(4) The Minister shall, subject to the provisions of the Act, and any other enactments, have responsibility for the management and control of the Consolidated Fund and other public funds and of matters relating to the financial affairs of the Government.

(5) Approval for withdrawal from the Consolidated Fund of monies allocated by Legislature shall be by a Warrant signed by the President to the Minister in accordance with Article 34 (d)(ii) of the Constitution.

(6) Without limiting the provisions of subsection (1) the Minister shall advise Government on the total resources to be allocated to each government agency and the appropriate level of resources to be allocated to individual programs and activities within any government agency.

(7) For the purpose of Section 10 of the Act, the Minister shall:

- (a) ensure that transparent systems are established and maintained to provide a full account to the Legislature for the use of resources and public moneys; and ensure the exercise of regularity and propriety in the handling and expenditure of public funds and is responsible for matters related to the proper functioning of the public finance management system with the overall policy guidance from the President;
- (b) ensure that there is an efficient cash management system to equitably meet the budgetary spending requirements of all government agencies;
- (c) coordinate, supervise, and monitor the management of government financial and physical assets and liabilities, including grants and loans;
- (d) ensure that major public financial management platforms, including but not limited to systems used for revenue management, public procurement, civil service management, budget planning and management, disbursement, accounting, reporting and managing public funds, are integrated and use an effective document management function for the purpose of efficient management of public monies and nonfinancial data and to support the General Auditing Commission and other relevant stakeholders obtain relevant public information in real time for the discharge of their respective duties;
- (e) prescribe the timeline and the content of the reports prepared by government agencies for the purpose of meeting fiscal and financial reporting requirements set out in the Act;
- (f) promote and enforce transparency and accountability in budget management, including the publication of reports on revenue performance, budget execution and financial statements as defined in Sections 48 and 49 of the Act;
- (g) ensure that the financial management of State-owned Enterprises is exercised with probity and within the ambit of the Act;
- (h) ensure that the Legislature is kept informed, on a regular basis, on macroeconomic and budgetary developments, through regular financial reports;
- (i) ensure on a regular basis, that public officers delegated to use the national budget, respect their responsibilities and are accountable for their actions and inactions;
- (j) adopt and implement a public participation mechanism for budget preparation, execution and reporting;
- (k) submit the annual consolidated public accounts to the Auditor General;
- (l) ensure that periodically and not less than once a year,
  - (i) he causes to be prepared the proposed budget for the President and executes the national budget when it is approved,
  - (ii) he causes to be prepared the annual, bi-annual, monthly revenue performance and quarterly fiscal outturn reports and other reports pertaining to the National Budget, and the management of government financial assets,

including revenues, debt and government guarantees in line with the fiscal policy of Government.

(m) ensure that systems are established throughout the public sector to plan and budget for the efficient use of public resources

(n) ensure that the national budget shall show the current and projected state of the economy;

(o) ensure that any directions given under these Regulations are brought to the notice of persons directly affected.

(8) Notwithstanding the generality of paragraph 7(g) above, the Minister shall prepare appendices summarizing the financial plans and budgets of SOEs to accompany budget estimates of the following fiscal year as well as a statement of their overall performance for the preceding financial year.

(9) The Minister may give such directions not inconsistent with the Act and these Regulations as may appear to the Minister to be necessary and expedient for the proper implementation of the intent and purpose of the laws and the safety, economy and advantage of public resources including revenues and properties.

(10) The Minister may order the inspection of the books, records and offices of a government agency.

(11) Subject to the provisions of any enactment or to the directions of the President, the Minister shall establish structures/units within the Ministry for implementing the requirements under these regulations

5- The Authority and Responsibilities of Ministers of Line Ministries, and Heads of Government agencies

(1) The Ministers of line ministries and Heads of government agencies shall be responsible for ensuring that the government agency has sufficient public financial management systems to undertake adequate budget preparation, execution, reporting, accounting and internal control.

(2) Ministers of line ministries and Heads of government agencies shall be responsible for preparing the annual budget estimates and the medium-term budget framework for their government agencies.

(3) Ministers of line ministries and Heads of government agencies shall be responsible for the planning, execution, monitoring and oversight of their budget to ensure that all expenditures are in conformity with appropriations.

(4) Ministers of line ministries and Heads of government agencies shall be responsible for ensuring that appropriations for the government agencies are spent solely for the purposes specified in the budget.

(5) Ministers of line ministries and heads of government agencies shall be responsible for proposing, in a timely manner, the forecast of cash flow requirements on an annual basis with monthly updates, as necessary, as directed by the Ministry of Finance.

(6) Ministers of line ministries and heads of government agencies shall be responsible for conducting periodic performance reviews and reviewing the monthly, quarterly and annual financial reports before submitting them to the Ministry for consolidation.

(7) A line minister and a head of government agency shall ensure the timely preparation of the periodic and annual financial statements and reports of the government agencies under him/her in accordance with these Regulations and other enactments and cause these statements and reports to be forwarded to the Minister, the Auditor General and the Comptroller and Accountant General.

(8) Ministers of line ministries and heads of government agencies are responsible for maintaining accounts and records of ministries and agencies in a manner and format ordered by the Minister.

(9) A line minister and a head of government agency whose government agency is separately identified in the Annual Appropriations Act is:

   (a) responsible for the proper and efficient execution of their budget in accordance with the instructions and guidelines issued by the Minister.

   (b) fully accountable to the President and the Legislature for their performance in the implementation of their budgets;

(10) Ministers of line ministries and heads of government agencies shall be responsible for providing technical advice to the Minister over the financial management affairs of public corporations under their purview.

(11) Ministers of line ministries and heads of government agencies shall be responsible for providing any other information as may be required from time to time by the President, the Legislature, the Minister and the Auditor General.

(12) Ministers of line ministries and heads of government agencies shall take into considerations local government laws and ensure that the financial affairs of counties are managed by county treasury offices.

6- Duties of the Deputy and Assistant Ministers in the Ministry

(1) Authority and responsibility specifically granted to the Minister may be delegated to deputies or other key designated officials of the Ministry.

(2) Any responsibility delegated under this section does not divest the Minister of the responsibility under the Act.

(3) The Deputy Ministers shall assist the Minister in carrying out the responsibilities of the Minister and especially perform those duties and functions delegated to them by the Minister.

(4) The Assistant Ministers shall assist the Deputy Ministers and the Minister in carrying out the responsibilities of the Minister and the Deputy Ministers and especially perform those duties and functions delegated to them by the Deputy Ministers.

7- Comptroller and Accountant General

(1) There shall be appointed on such terms and conditions as shall be specified in the appointment, and sworn into office by the President, a Comptroller and Accountant General who shall be accountable to the Minister.

(2) Notwithstanding subsection (1), the Comptroller and Accountant General shall be a professional member of a recognised professional accountancy body, with no less than a Bachelor's degree in Accountancy or Business Administration or Finance and shall have a minimum ten (10) years relevant work experience in accountancy, five of which must be in senior management position within a reputable organization.

(3) The Comptroller and Accountant General shall be responsible to the Minister for the compilation and management of the accounts and the custody and safety of the public money and public property of the Government, and for that purpose the Comptroller and Accountant General may, in the manner ordered by the Minister, give such instructions of a general or specific character to heads of government agencies as may be necessary for the effective implementation of the purposes and provisions of the Act.

(4) Without prejudice to the generality of the provisions of sub section (3), the Comptroller and Accountant General:

(a) shall receive all public monies payable into the Consolidated Fund, provide secure custody for these monies, and make disbursements on behalf of the Government in accordance with the Act or any other enactment;
(b) shall ensure the safety and integrity of the Consolidated Fund and all other public funds of the Government of the Republic of Liberia;
(c) supervise the disbursement of county and social development funds;
(d) shall be the Chief Accountant, and also the head of the treasury for the Government of the Republic of Liberia and shall advise the Minister and the government on accounting matters and on public finance management issues and publish financial statements in accordance with this Act and any other enactment;
(e) may designate, in accordance with Section 12(4) of the Act, comptrollers to act within government agencies, on his behalf, in the discharge of his duties, and such comptrollers shall be accountable to the Comptroller and Accountant General for the proper discharge of such duties in accordance with any enactment or instructions issued by the Comptroller and Accountant General;
(f) shall establish treasury offices staffed by officers, for the receipt, custody and disbursement of public monies as may be required by circumstances of public financial management;

8- Accounting officers

Every Government agency and every constitutional institution shall have an accounting officer who shall be the head of government agency as defined below:

(a) The line minister shall be the accounting officer in the Ministry,
(b) The head of government agency shall be the accounting officer for that Government agency, and
(c) The Chief Executive Officer of a constitutional institution shall be the accounting officer of that agency.

9- Acting Heads of Government agencies

When a head of a government agency is absent or otherwise unable to perform the functions of an accounting officer, or during a vacancy, the functions of accounting officer must be performed by the official acting in the place of that head of government agency following an official written hand-over of the said functions.

10- Responsibilities of Accounting Officers

(1) A head of a government agency shall be personally and pecuniarily responsible to Legislature for the use of funds under his/her control.
(2) A head of government agency shall have overall responsibility and accountability for the collection and receipt of all revenues and the financial administration of the monies approved by Legislature for, or applied by statute to, the services under the control of his or her government agency.
(3) Without limiting the generality of sub regulation (1) and (2), a head of government agency shall:
    (a) ensure that agency uses the integrated public financial management system;
    (b) ensure that the agency's unique accounting system has been approved by the Comptroller and Accountant General in consultation with the Auditor General;

(c) manage and operate the agency's accounting systems, so as to ensure the accountability of all officers transacting such business and facilitate the efficient discharge of such business;
(d) secure the efficient and effective use of appropriations under the agency's control in compliance with any enactment, or instructions issued under the authority of any enactment;
(e) secure the due and proper collection of government revenue collectable by the agency within the terms of any enactment;
(f) make good any deficiency in cash for which that head of government is responsible;
(g) ensure that all books of accounts under his or her control are correctly posted and kept up-to-date;
(h) produce, when required by the Minister, the Comptroller and Accountant General, head of internal audit or Auditor-General or by such officers as may be authorized by any of the above, all cash, books, records, vouchers or other items of value in his or her charge;
(i) establish an effective internal audit function in collaboration with the Internal Audit Agency;
(j) ensure the disciplining of staff who contravene the law;
(k) manage and reconcile the bank accounts authorized for the government agency by the Comptroller and Accountant General under these Regulations;
(l) preserve in good order and secure the economical use of all equipment and inventories used by the government agency;
(m) answer questions raised by the Auditor General in respect of the financial transactions and accounts of the government agency;
(n) appear before the Legislature to give any explanations required by the Committee in respect of the annual accounts; and
(o) in collaboration with the General Services Agency compile and maintain an assets register of the government agency as determined by the Comptroller and Accountant General.

(4) A head of government agency shall have custodial responsibility from the time when:
(a) monies are paid to a collector to the time when the monies are deposited into the Consolidated Fund;
(b) appropriations are lodged into the bank accounts of departments until the time when the funds have been fully utilised for the purposes for which they were appropriated; and
(c) an imprest or advance has been issued to a government agency officer until the time it has been duly retired in accordance with the relevant part of these Regulations.

11- Delegation of Duties by a Head of Government Agency

(1) For the purpose of Section 13(3) of the Act, unless a delegation is expressly prohibited or restricted by an enactment or in instructions, a head of government agency may, in writing, delegate authority for the performance of any of his or her functions to a subordinate officer who, having regard to the requirements of the assigned functions, is competent and capable.
(2) A head of government agency may provide for the delegation of his/her duties in accordance with the Act or any other enactment.
(3) Delegation of authority to perform functions or duties under these Regulations does not diminish the accountability of the head of government agency or relieve him or her of responsibilities provided in these Regulations.

(4) This regulation shall be applicable, with the necessary adaptations, in case of decentralization or transfer of responsibilities and duties.

Part III. Budget Preparation and Approval

12- Context of the Budget preparation and Medium-term Expenditure Framework

(1) The preparation of the National Budget shall be in the context of a Medium-Term Fiscal Framework (MTFF) and Medium-Term Expenditure Framework (MTEF) for the purpose of achieving macro-economic stability and objectives.

(2) The MTEF provides a link between the National Vision, the five-year development plan and the annual budget cycle.

(3) The objectives of the MTEF in relation to the budget preparation are-

- (a) Allocating resources in line with national priorities;
- (b) Ensuring fiscal discipline by spending what the public sector can afford over the medium-term;
- (c) Ensuring resources are used as efficiently as possible.

13- Budget Cycle

(1) The budget preparation shall be in accordance with key activities and dates set forth in Section 17 of the Act, which will be further supplemented by a detailed timetable or a published annual budget calendar to be issued by the Minister.

(2) The budget preparation cycle shall consist of two phases:

- (a) the first, strategic, concentrating on the preparation of a budget framework paper and the budget call circular, and
- (b) the second, operational, concentrating on the preparation of the detailed annual budget that addresses the policies and priorities set out in the budget framework paper.

14- The First Phase of the Budget Cycle

(1) The first phase of the budget cycle shall comprise of the following steps:

- (a) prepare revenue estimates, medium-term fiscal framework;
- (b) prepare project projections and spending reviews, including, but not limited to review of financial performance, spending in key policy areas, projects and recurrent cost analysis;
- (c) update sector strategies;
- (d) prepare the draft Budget Framework Paper, reflecting sector strategies, for Cabinet approval;
- (e) issuance of the Budget Call Circular 1, containing guidance to government agencies on preparing strategic budget submissions;
- (f) prepare the budget policy notes in line with guidance in Budget Call Circular 1;
- (g) First draft of the Budget Framework Paper informed by Budget Policy Notes and Sector Strategies.

(2) The medium-term expenditure framework shall review revenue and spending of the past fiscal year and estimated outturns of the current fiscal year, and establish indicative spending ceilings for the upcoming budget year as well as two subsequent years in line with policy priorities, through a consultative process that encourages effective consensus and ownership.

(3) The first phase shall be completed by the end of August of the exiting period before the start of the next fiscal year.

(4) The Minister shall prepare, for approval of the President and Cabinet, and submission to the Legislature, a budget framework paper which will be used to guide the detailed budget preparation.

15- Budget guidelines

(1) The Minister shall by the end of June in each fiscal year issue a Budget Call Circular 1 detailing the timetable for the preparation and submission of the government's macroeconomic policy statement and budget.
(2) The budget guidelines shall specify the sectoral and agency constraints within which heads of government agencies will prepare their budget submissions.
(3) The preparation of the budget guidelines shall be done in consultation with the deputy minister responsible for Budget and any other officer whose office is critical in the budget formulation and implementation processes.
(4) The budget guidelines shall be published in the Ministry's website and broadly made available to the public.
(5) The Minister shall, after the executive budget hearings and by the end of August in each fiscal year, submit a Budget Framework Paper to the President, Cabinet and Legislature, outlining the draft preliminary constraints for the next budget period.

16- Budget Instructions in the Budget Call Circular 1

The Budget Call Circular 1 shall include instructions concerning:

(a) Background information on the macro-fiscal outlook and economic assumptions used to derive the fiscal framework;
(b) Indicative medium term fiscal forecast;
(c) Government priorities, including new government policies and programs;
(d) Indicative budget ceilings for annual budget and medium-term projections for sector/ government agency and an explanation on how the ceilings were derived;
(e) Policy guidance on efficiency measures of public spending;
(f) Costing of on-going projects and activities as well as costing of new projects;
(g) Detailed instructions for completion of the Budget Policy Notes;
(h) Sector Strategic Plans
(i) Calendar of Annual Budget activities;

17- Supplementary Instructions by Government Agencies

Every head of government agency shall within the provisions of the Budget Circular, and in conformity with any direction of the Minister, issue a circular to direct attention to the Ministry's policy and to any special procedural arrangements required.

18- Government Agency Budget Instructions

Every head of government agency in consultation with the budget committee, shall ensure the procedures necessary for preparation of the agency's estimates are executed in conformity with budget guidelines and other relevant policies in force.

19-Project Formulation

(1) All approved projects undertaken by the Government and development partners shall be included in the Public Sector Investment Plan (PSIP) and financed, where applicable, through the Development Fund, established under Section 6 of the Act.

(2) All projects including projects emanating from State-owned enterprises and counties must be implemented and administered in accordance with the policies, guidelines, requirements and standards set by the Ministry.
(3) The MACs are allowed to submit projects throughout the year for vetting by the Ministry.
(4) The Ministry through the unit responsible for public investment and the unit responsible for aid management and coordination shall communicate to the government agencies, the deadline for projects to be considered for funding in the next fiscal year, and new projects submitted after the deadline shall be placed in the national Project Data bank and considered for funding in subsequent year(s) based on availability of funding.
(5) Feasibility studies may be commissioned by the Ministry's unit responsible for public investment and, or aid management and coordination and executed by the government agency or an external agency and the findings therefrom shall be verified by the relevant public investment management stakeholders.
(6) In case there is contingent revenue, from sources that are not guaranteed, concerned projects should be considered for funding only if the revenue is realized.
(7) If a project is approved with both core and contingent funding, the Ministry shall help government agencies manage risks around the delivery of the contingent portion of their project.
(8) Development Partners' funded projects will also be included in the Public Sector Investment Plan, in consultation with the department responsible for aid management and coordination, ensuring that the budget is comprehensive, in order to inform the decision-
    (a) Whether the government should continue funding a project for which donor funding is coming to an end;
    (b) Whether the government funding should target sectors that receive relatively less donor support;
    (c) Whether the government should negotiate with donors on which priority projects are to be funded.

20- Submission of projects

Before submitting any project information into the National Project Data-Bank, the following inputs are required:

(a) Each government agency should lead the project development cycle consistent with the guidelines set by the Ministry and in collaboration with the Ministry's department responsible for aid management and coordination.
(b) The Sector Working Group shall review, for selection, projects submitted by government agencies consistent with their sector strategy.
(c) The Ministry shall convene the National Budget Committee and/or the Public Investment Board to review and approve projects submitted by the government agencies and counties for inclusion in the draft National Budget of the fiscal year under consideration.

21- Project Appraisal

1. All projects shall be submitted for review and appraisal to the Minister for finance
2. Project shall be appraised consistent with the following criteria:
    (a) The project must contribute to achieving specific targets outlined in the National Development Plan;
    (b) The project must be linked to the sector's plan/strategy or county development plan;
    (c) The government agency should only provide services or undertake projects that are in accordance with the institution's mandate and should work in coordination with

the units of the Ministry responsible for aid management and coordination and for public investment and relevant sectorial institutions;

(d) Cost-benefit analysis shall be performed for all large-scaled projects;

(e) An Environmental Impact Assessment shall inform the cost-benefit analysis by measuring the impact of the project on the environment;

(f) Synergy with the Government's policy on aid management and coordination and development partner financing, that agree to fund a project but may require government to provide counterpart funding;

(g) Readiness to execute the project, whether feasibility studies have been completed, and if there is evidence of a procurement plan, or the current status of the procurement process;

(h) Compliance with the Ministry's appraisal standards.

22- Budget Framework Paper

(1) The Budget Framework Paper (BFP) shall set out the government's fiscal policy.

(2) The BFP is compiled by the Ministry's department responsible for Economic Management, with the contributions of the department of the Ministry responsible for Fiscal Affairs, Liberia Revenue Authority, department of the Ministry responsible for Budget and Development Planning and the Sector Working Groups.

(3) The BFP shall form the basis for discussion with the National Legislature, to consult and engage the Legislature early in the process on revenue and expenditure priorities.

(4) The BFP shall contain:

(a) An overview of the macro-economy, providing an assessment of recent macroeconomic performance and a macroeconomic outlook for the coming years. The outlook shall set out clear economic assumptions underlying forecasts about the resource envelope, particularly tax and non-tax revenue, and shall provide context for choices about expenditure in the budget.

(b) A fiscal outturn report presenting an overview of the macro-economy, domestic performance of revenue collected, expenditure by sectors and development pillars, fiscal targets, fiscal risks, aid flow, debt stock and service.

(c) An MTFF, establishing the resource envelope available over the three-year period of the MTEF, designed to capture all sources of revenue, including tax revenue, non-tax revenue and grants, any likely borrowing, both domestic and foreign, and changes in tax policies that may affect the resource envelope.

(d) An MTEF shall spell-out the fiscal rules that the government has agreed to abide by and provides a top-down estimate of the amount of resources available to meet spending needs.

(e) The MTFF shall be accompanied by an overview of fiscal risks, both on the expenditure and revenue sides, to be used to prioritise expenditures and projects during the strategic and execution phases of the Budget, and to develop appropriate risk management and mitigation strategies.

(f) Medium term spending plans and priorities, setting out the Government's policy priorities, broken down by sector, and explaining how these will be reflected in the budget, including a presentation of projects that have been successfully vetted by the departments responsible for public investment and aid management and coordination and that require funds from the Government or development partners.

(g) list all the PSIP Projects and donor financed projects approved for funding in the National Budget, the implementing government agency and the medium-term project cost.

24- The Second Phase of the Budget Cycle

(1) The second phase of the budget cycle shall start with the preparation and issuance of the Budget Call Circular 2 by the Minister.

(2) The annual Budget Call Circular 2 shall be issued by the end of August;

(3) The circular shall lay out specific guidelines, procedures and timetable for budget preparation and finalization, including but not limited to-

(a) Key policy and expenditure decisions from Cabinet in respect of the Budget Framework Paper;

(b) Binding Budget ceilings for annual budget and indicative ceilings for the subsequent years;

(c) Templates for budget submissions which shall include-

i. Personnel costing template;

ii. Detailed recurrent budget template with costing assumptions;

iii. Detailed PSIP capital costing template;

iv. Detailed PSIP recurrent additional funding requests with justifications and costings;

v. Quarterly Work Plan;

vi. Monthly Spending Plan.

(d) Detailed instructions for completion of templates.

(4) The medium-term estimates must be comprehensive, developed collaboratively (involving all costs centers) within the government agency (led by the Budget Committee) and documented using the templates provided with the Budget Call Circular 2, to ensure that a standard process is followed.

(5) Government agencies must submit their budget requests within the parameters, timeframe and format set forth in the Budget Call Circular 2.

(6) The Ministry shall oversee the consolidation of the budget submissions and the finalization of the budget through a series of budget hearings with government agencies.

(7) At the end of the second phase of the cycle, the Minister shall prepare the draft annual national budget, along with the accompanying documents required under this Act, for approval of the President.

(8) The President shall submit the draft annual budget and accompanying documents to the Legislature no later than the end of October

25- Gross Basis and Coverage of the Budget

(1) In accordance with Section 15 of the Act, all revenues and expenditures of the central government shall be budgeted on a gross basis.

(2) The gross basis referred in subsection (i) includes-

(a) transfers of any kind from the National Budget to sub-national governments, autonomous agencies and funds, public or private enterprises or financial institutions, non-government agencies or institutions, or private persons, and

(b) all donor funding, including general budget support, basket or pooled funding of sectors, and funding of government projects, reflected on both the revenue and expenditure sides of the National Budget, in such a way as the funding source is clearly identified consistent with the Chart of Accounts.

(3) The National Budget shall be a single unified budget including both recurrent and capital expenditures.

26- Documents and Contents of Draft Annual National Budget

In addition to documents required in Section 18 of the Act, the Draft Annual National Budget to be presented to the Legislature shall be accompanied by-

(a) The budget framework paper updated to reflect the draft budget submitted to the Legislature.
(b) The detailed annual budget estimates, which shall show the previous budget year actual outcomes, the requested budget as well as the projection for the next two years outturn based on available data.
(c) The detailed draft annual budget,, will include overall as well as agency level summaries, both revenues projections and expenditures requests, and these will be structured according to the classifications specified in Section 14(2)(d) of the Act.
(d) The draft Appropriation Bill, and, possibly, a Revenue Bill.
(e) Any additional supporting documents, or more specific requirements on the contents of the draft annual National Budget, as may be proposed from time to time, either by the President or by the Legislature

27- The Appropriation Bill

(1) When presenting the proposed National Budget, the President shall also submit an Appropriation Bill for the Legislature's consideration and approval, based on the detailed annual estimates, which specifies the individually appropriated budget lines to be discussed and approved by the Legislature.
(2) The appropriation Bill shall be accompanied by:
    (a) an annex stating the maximum level of additional borrowing that the Legislature authorizes the Minister to undertake to finance the budget deficit, if any;
    (b) an annex stating the maximum level of other public sector borrowing that might be approved for a third party, as envisaged in Section 35 of the Act, and for which an explicit or implicit government guarantee is given;
    (c) an annex stating the amounts of outstanding public debt and guarantees, along with the amounts of currently outstanding lending and equity participation by the Government;
    (d) an annex summarizing the financial operations of each autonomous agency, semi-autonomous agency and special funds, indicating in each case the resources to be transferred from the National Budget;
    (e) an annex summarizing the operations of each state-owned enterprise or financial institution, indicating its expected dividend payment into the National Budget where a surplus is projected, or, where a deficit is projected, whether the deficit will be covered by borrowing or by subsidy from the National Budget; and
    (f) an annex summarizing the collection of internally generated funds and projected collections for the budget year;
    (g) an annex identifying in summary form all donors financing, and distinguishing financing in support of the central government from other external financing.

28- President's Budget Message

For the purpose of Section 18(3) of the Act, the draft national budget presented to the Legislature shall be accompanied by the President's budget message highlighting the major priorities that the budget is intended to address during the fiscal year.

29- Uniform Chart of Accounts and Budget Classification

(1) The National Budget submitted by the President to the Legislature for approval shall be classified using the chart of accounts and the budget classification issued by the Comptroller and Accountant General.
(2) Revenue and expenditure estimates as approved by Legislature shall be arranged according to the Government of Liberia budget classification or Chart of Accounts as well as any other classification approved by the Minister.
(3) Expenditure estimates shall be classified under Capital and Recurrent sections with appropriate economic item codes, ensuring clear distinction and ensuring that no capital expenditure is classified under a recurrent head of expenditure. Specific attention shall be made with reference to PSIPs having both recurrent and capital components, to classify them in separate sections and under relevant economic item codes.
(4) Accounting and reporting for the National Budget and the appropriations for the central government as well as that of all government agencies shall be according to the budget classification and the Chart of Accounts.
(5) Budget classifications shall be designed to meet generally accepted international standards and the Minister shall in consultation with the Auditor General determine when to adopt any of the International Public Sector Accounting Standards.

30- Classification of Confidential Expenditures

(1) For the purpose of Section 14.2 (a) of the Act, expenditures related to National Security policy may be considered as confidential
(2) the details of such confidential classification shall be presented to the Legislature for approval.
(3) Upon the approval of the Legislature, the summary, subtotal or total of national security expenditures shall be shown in the National Budget or added to another figure in the National Budget or the Supplementary Budget.

31- Changes in Budget Classification

(1) In accordance with Section 14(2)(c) of the Act, where changes are introduced to the classifications which may alter the presentation of documents sent to the Legislature, the Minister shall provide advance notification of such changes at least one calendar month before the submission of the draft national budget. However, such changes shall not be allowed between the capital and recurrent Sections.
(2) The Minister shall ensure that the Legislature and the Auditor General are provided with full details of the new classifications and implications of such classifications.

32- Revenue Estimates

(1) Consolidated Fund revenue includes tax revenues and non-tax revenues as defined in these Regulations.
(2) In estimating revenue for a budget year, a head of government agency shall-
    (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 identified under 32(2)(b) and calculate the revenue arising from them; and
(d) produce a monthly forecast identifying when revenue flows are projected to take place; and
(e) produce quarterly and annual forecasts indicating underlying assumptions as well as risks involved.

(3) The Liberia Revenue Authority shall review the revenue estimates for a budget period provided by a head of government agency under subsection (2), including a review of the administrative efficiency of the collection, the accuracy of past estimates and the relevance of rates and charges to current economic conditions or financial and fiscal policies.

(4) Estimates of Consolidated Fund Revenue for the budget year shall be based on current rates or charges and proposals for change of rates or charges shall indicate the revenue impact of such changes.

(5) All government agencies that have legislative approval to retain and utilize portions of their internally generated funds shall be required to project these resources as part of their annual non-tax revenue estimate.

33- Classification of Expenditure and Payments

(1) For the purposes of budgeting and accounting, the expenditures and other payments of government agencies shall be classified by administrative or institutional unit responsible for spending, appropriated at government agency level, and shall be further classified in accordance with the following major categories of spending:

(a) Recurrent expenditures further subdivided by:
i. Wages, salaries and other allowances;
ii. Goods and services (recurrent nature);
iii. Current subsidies and transfers;
iv. External interest payments on debt;
v. Domestic interest payments on debt;

(b) Capital expenditures further subdivided by:
i Acquisition of fixed or non-financial assets, such as land, buildings, machinery and equipment further subdivided in accordance with the Chart of Accounts;
ii Lending;
iii Equity participation;
iv Repayment of external debt- principal component.
v Repayment of or domestic debt- principal component.

(2) Non agency specific expenditures for which the Minister is responsible, such as general claims, debt service and other mandatory or constitutionally prescribed spending, shall be established in the same manner and classification as stipulated in subsection (1) above.

(3) Budgeting and booking of expenditures under appropriate Recurrent and Capital sections where applicable with appropriate economic classifications shall be the responsibility of concerned Ministry Agencies and Commissions (MACs). Budget Directorate and the Accountant General's Department will also be responsible to ensure appropriate classification in budget and expenditure booking.

(4) In particular, MACs shall ensure that the classification of expenditures under omnibus heads like 'Operational Expenses' and 'Other General Expenditure' are not permitted by ensuring complete classification under the available economic item codes. In case any expenditure cannot be appropriately classified under the available economic item

codes, the MACs will be responsible to get the suitable economic code opened to reflect the true economic nature of expenditure. The MACs will be responsible to complete this exercise prior to making their budget proposal, in consultation with Budget Directorate and Accountant General's Department.

For the PSIPs that have both capital and recurrent components of expenditure, they should be classified accurately making separate provisions for the capital and recurrent components of expenditures in a PSIP. The MACs shall furnish a certificate stating capital and recurrent expenditures in their PSIP proposals have been reviewed and appropriately classified.

34- Expenditure Estimates

(1) In estimating Consolidated Fund expenditure for a budget period, a head of government agency shall:
   (a) take into consideration the Government's macro-economic framework, Government resources and priorities, and any ceilings approved by the National Budget Committee and Cabinet;
   (b) consider the government agency' strategic plan which shall include a definition of the Government agency's mission, goals, objectives, outputs and activities;
   (c) make an analysis of the past year's budgetary performance to guide expenditure projections of next year's programs;
   (d) make an analysis of the composition of expenditure of the agency with particular focus on the fixed costs of its budget;
   (e) take into account recurrent costs of development projects whose implementation may come to a close in the budget year;
   (f) take into account the cost unfinished components of projects initiated in the previous fiscal year(s);
   (g) consider budgetary implications of new policies and laws;
   (h) cost and prioritize the activities of the government agency taking into consideration the resource ceiling;
   (i) prepare the budget statement in accordance with these Regulations;
   (j) prepare a detailed procurement plan consistent with the annual work plan of the agency; and
   (k) prepare a cash forecast projecting when expenditure outflows will occur in a manner consistent with the agency's work and procurement plans mentioned in paragrap1(j) above.

(2) A head of government agency, in estimating expenditure, shall consider expenditure, which contributes to the production of the agency's required output and desired policy outcome.

(3) A government agency that has legislative approval to retain and utilize portions of its internally generated fund shall plan for the use of that fund as part of its expenditure budget.

35-Submission of Budget Proposals

(1) Budget proposals from a head of government agency shall be sent directly to the deputy minister responsible for Budget incorporating budget proposals of semi-autonomous agencies under the auspices of the government agency.

(2) Budget proposals from other agencies under the Office of the President shall be routed through the Office of the President to the deputy minister responsible for budget,

(3) Subject to any other enactment, subsection (1) to (3) do not apply to Autonomous Agencies unless a specific alternative procedure has been approved by instruction for them by the Minister.
(4) All government agencies that have legislative approval to retain and utilize portions of their internally generated funds shall submit to the Ministry' department responsible for budget and planning comprehensive information on these resources.

36- Examination of Budget Proposals
(1) The Minister may require any budget proposals to be examined and reported on by any other government agency and may issue directions for the routing of submissions accordingly.
(2) Any officer of a government agency under sub-regulation (1) 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 Regulations.
(3) The Minister may call for any information that is required for the proper discharge of the Minister's responsibilities from a government agency and the information shall be promptly and correctly given.
(4) A person who fails under subsection (1) to provide information or submits information which that person knows to be misleading or incorrect, is in breach of financial discipline as defined in Regulation 308.

37- Executive Budget Hearing
(1) On receipt of estimates from ministries and government agencies, the Minister shall conduct budget hearings to review strategic plans and estimates of the government ministries and agencies concerned in order to ensure that these plans and estimates are in accordance with the Government's macro-economic policy and fiscal framework and supported by the public expenditure tracking reports.
(2) Where necessary, the Minister may require a government ministry or agency to make adjustments to its strategic plans and estimates in order to fulfil the requirements of the Government's macro-economic policy and fiscal framework.

38- Budget Approval
(1) For the purpose of Section 9(2) of the Act, the proposed budget shall be presented to Legislature by the President.
(2) Except otherwise provided in Section 20 of the Act, the Legislature shall inform the President when the national budget is approved.
(3) For the purpose of Section 21 of the Act, the Minister shall cause Legislature proposals to modify the National Budget to be analysed, in order to ensure the Legislature is informed about the impact of the modification on the fiscal and development objectives of the government and on allocation efficiency.

39- Budget Committees and their Responsibilities
(1) Every head of government agency shall establish a Budget Committee which shall oversee budget formulation, execution, implementation, monitoring, evaluation and reporting and which shall be constituted by the following members:
    (a) The head of government agency, who shall be the chairperson;
    (b) Heads of budget management centres or cost centres;
    (c) Budget and planning officer of the government agency;
    (d) Monitoring and evaluation officers;

(e) Finance and procurement officers; and
(f) Any other member as invited the head of government agency.

(2) A Budget Committee shall:
(a) review and formulate the strategic plans based on the policies of government;
(b) review activities relating to collection of the Government's revenue;
(c) allocate resources based on objectives, outputs and activities;
(d) coordinate, and consolidate the budget;
(e) monitor, and evaluate budget performance; and
(f) report in accordance with these Regulations.

40- Sector Working Groups

(1) To facilitate sector level coordination around the budget cycle, Sector Working Groups shall be constituted.

(2) The Sector Working Groups shall have the following members:
(a) The Minister for the lead Government Agency, as chairperson;
(b) A lead development partner, involved in the sector, preferably providing funds;
(c) Line Ministry Budget Analysts and planning official from the Ministry, who shall act as secretariat, being the planning officers responsible for convening the meetings, supported by the Budget Analysts;
(d) Ministry' Sector Coordinators, who shall provide support on key policy issues with regards to the budget external development assistance and National Development Plan.
(e) Representative of Civil Society Organizations, and Non-Governmental Organizations; and
(f) Private sector representatives that significantly contribute to the sector.

(3) Duties and Responsibilities of Sector Working Groups:
(a) Review, revise and approve the Sector Strategic Plans aligned to the National Development Plan and other national policies.
(b) Review, prioritize, and recommend sector projects to be proposed for funding by various government agencies within the sector.
(c) Review and harmonize Budget Policy Notes prepared by the Budget Committees of the government agencies in the sector.
(d) Compile budget proposals within the resource ceilings for budget hearings.
(e) Consolidate work plans of the government agencies in the sector to produce quarterly work plans in line with the sector strategy.
(f) Review budget execution and prepare quarterly, bi-annual and annual sector performance reports to address bottlenecks and ceilings for submission to the Minister for Finance

41- Budget Working Group

(1) The Budget Working Group shall support the efforts of the Ministry's department responsible for Budget and Development Planning to coordinate stakeholders and manage the budget preparation processes.

(2) The Budget Working Group shall be comprised of senior technical officials from key departments in the Ministry, as determined by the Minister.

(3) The Budget Working Group shall have the following functions:
(a) Review the proposed budget calendar and familiarize all stakeholders on their roles, mandates and responsibilities;
(b) Establish the process of information sharing requirements in the preparation of the Medium-Term Expenditure Framework;

(c) Monitor and adjust as necessary, the timeframes for deliverables across the departments;
(d) Work collaboratively to execute and monitor each budget preparation element of the budget calendar.

42 – National Budget Committee

(1) The Minister shall establish a National Budget Committee, which is a subcommittee of the Cabinet, composed of –
   (a) Minister of Finance, as chairperson;
   (b) Minister of State for Presidential Affairs;
   (c) Director-General of Civil Service Agency
   (d) Director-General of General Services Agency
   (e) Commissioner General of Liberia Revenue Authority;
   (f) Executive Director of Public Procurement and Concessions Commission;
   (g) A representative from Bureau of State Enterprises.
(2) The National Budget Committee shall be responsible for –
   (a) Conduct the Executive budget hearings;
   (b) make decisions in relation to the Budget Framework Paper, the National budget, and Supplementary Estimates;
   (c) determine expenditure ceilings to be published in a budget call circular;
   (d) make recommendations on use of the Contingencies Fund, special warrant of the President, and unallocated head of expenditure;
   (e) decide on projects to be funded in the budget;
   (f) scrutinizing and approve a fiscal report before it is submitted to Legislature;
   (g) providing the Cabinet an opinion on any new policy with financial implication; and
   (h) performing such other functions as may be specified by the Cabinet.
(3) The National Budget Committee shall meet at least quarterly or whenever called by the Minister.

43- Resource allocation

(1) The Ministry shall project the allocation of total resources available over a three-year period from different revenue sources.
(2) The National Budget Committee shall determine the allocation of resources and consider the following in making the determination: :-
   (a) The total projected resource envelope;
   (b) Past performance by government agencies (financial and non-financial);
   (c) Statutory obligations;
   (d) Policy priorities;
   (e) Sectors medium term costs of projects.
(3) Resource allocation shall be communicated to all government agencies in the Budget Call Circular to guide detailed budget preparation and impose increased discipline to the process.

44- Policy notes and strategic plans

(1) Government agencies shall develop policy notes and strategic plans, which shall be costed, in line with the National Development Plan.

(2) The following items shall be addressed by or considered in the preparation of the policy and strategic plans mentioned in subsection (1):
    (a) Definition of goals and objectives;
    (b) Identification of projects and recurrent costs;
    (c) Projects and recurrent costs should be costed over a three-year period. This involves ensuring there is an integrated approach to costing the budget;
    (d) Planning for and costing donor funded activities to obtain a comprehensive picture of different revenue streams;
    (e) Improving the classification and presentation of the budget so that the cost of achieving the planned outputs and objectives can be seen more clearly;
    (f) Identifying and monitoring the projects and performance measures to meet the agreed objectives;
    (g) Use the performance reports produced by the monitoring and evaluation function, verified by the Ministry's department responsible for monitoring and evaluation, to inform the project preparation process;
    (h) To increase harmonization in the budget preparation through a participatory and consultative process;
    (i) To ensure that the budget is Gender Responsive and Climate Sensitive.

45- Policy costing and fiscal impact of new legislation

(1) For the purpose of section 25 of the Act, before a new policy with financial implications is introduced to the Cabinet, the head of government agency shall produce and provide the Minister with a report that includes the cost information and assessment of affordability and impact on the revenue and expenditure for the budget of the current fiscal year and the future three fiscal year(s).
(2) A new policy with financial implications introduced to the Cabinet for decision, whether in a form of a draft Bill or otherwise, shall be accompanied by the Minister's opinion on its cost information and assessment of affordability and impact on the revenue and expenditure for the budget of the current fiscal year and future three fiscal years.
(3) The Minister shall issue a circular to establish the timeframe for proposing a new policy with financial implications and other instructions for implementation of this regulation.

46- Public Access to the Budget

(1) The budget preparation, implementation and monitoring shall be executed on a consultative basis throughout the country.
(2) The consultative process referred to in sub-regulation (1) includes inviting inputs from the various stakeholders including civil society groups.
(3) The draft budget shall be circulated to all Ministries and agencies and the public after the Legislature has received it, and the approved Budget published to afford the public the right to information about the budget.
(4) All government agencies shall develop and implement systems and platforms to ensure public access to all public finance related plans and reports.

Part IV. Budget Execution

Subpart I – Revenue management

47- Responsibility for revenue collection

(1) The Liberia Revenue Authority is responsible for assessing and collecting national revenue, in accordance with the Revenue Code and other laws and regulations providing for tax and non-tax revenue of the State.
(2) The Liberia Revenue Authority shall ensure that adequate safeguards exist and are applied for the collection of non-tax revenue.
(3) A head of government agency is personally responsible for ensuring that adequate safeguards exist and are applied for the assessment of such revenues and other public monies relating to their entities.
(4) The Liberia Revenue Authority shall be afforded full, free and unrestricted access to all assessment records and relevant personnel to carry out its collection functions.
(5) All government agencies shall provide to the Ministry in their annual budgetary estimates, their expected revenue collections and internally generated funds in such time and in such format as determined in the Budget Call Circular.
(6) The Liberia Revenue Authority and the Comptroller and Accountant General shall deploy revenue systems to manage revenue collection.
(7) The Liberia Revenue Authority shall maintain a revenue information processing module of the integrated public financial management information system linked with the Consolidated fund account.

48- Forecasting of tax and non-tax revenue

For the purpose of Section 18 of the Act, the department of the Ministry responsible for macro-fiscal and the department responsible for modelling and revenue forecasting shall, no later than three months before the start of the fiscal year, produce the baseline forecasts for tax and non-tax revenue for inclusion in the budget framework paper.

49- Collection of revenue

(1) Revenue collection shall start from the first working day of the fiscal year.
(2) For the purpose of Section 3 of the Act, new rates or charges become effective from the date specified in the amending enactment or any other instrument authorizing the change.

50- Difficulty in Collection of Moneys to be Reported

The Liberia Revenue Authority or the Government Agency, as the case may be, shall report to the Minister any case in which it is considered, after due inquiry, that the payment of government revenue is falling unduly into arrears.

51- Prohibition of Public Officers to Collect Revenue

(1) No public officer shall collect public moneys unless he/she is specifically authorized to do so by the Commissioner General.
(2) Except with the specific authority of the Commissioner General, no public officer whose duty involves the posting of assessment registers, rent rolls and similar documents shall be authorized to collect public moneys nor to post collections into cash book.

52- Public Moneys not to be used

(1) No use of any public money shall be made by any public officer in any manner between the time of its receipt and payment into the bank, Treasury or other public office

designated by the Commissioner General and no public money shall be lent or borrowed in any manner or for any purpose by any such public officer that is unauthorized to do.

(2) No money received shall be used by a public officer or any other public officer to cash any check other than a Government check.

(3) No public officer shall convert public moneys received in local currency into foreign currency.

53- Assessment of non-tax revenues

(1) Any person carrying out activities subject to the payment of non-tax revenues shall provide to the competent government agencies, in the best possible way, accurate and sufficiently detailed information, necessary for the assessment of payable amounts.

(2) The accounting officer concerned shall determine the assessment value based on the laws providing for non-tax revenues and their decision is final.

(3) When the accounting officer concerned is not satisfied with the information submitted or in case there is a disagreement on the value of the assessment the accounting officer may issue a provisional assessment.

(4) All accounting officers involved in the assessment of non-tax revenue, shall send to the Liberia Revenue Authority all relevant non-tax revenue assessment information.

(5) Any person shall comply with the obligation to submit information within (5) five working days of the receipt of the request

54- Notice of Liability to Pay Revenue

(1) A notice to a member of the public stating revenue due from that member shall be on a serially pre-numbered form to be specified by the Commissioner General and the form shall be controlled as value book in accordance with these Regulations.

(2) The form under subsection (1) shall contain details that enable the person receiving the form to check the amount properly due and shall also inform the person:

(a) of where, and at what times, payment may be made;

(b) of what means of payment is acceptable; and

(c) about the precautions to be observed when making payments

55- Payment of Revenue

(1) If available payments of non-tax revenue shall be made by electronic fund transfer.

(2) Payments of non-tax revenue may also be made by cash or check when payments by electronic fund transfer are not available.

(3) The Liberia Revenue Authority and government agencies, where applicable, shall ensure that tax and non-tax revenue and other moneys owed to the Government of Liberia, are, within forty-eight hours, paid-

(a) At an office of the Central Bank of Liberia or any other commercial bank with which the Government has a transitory revenue account;

(b) By electronic fund transfer to the Central Bank or any other commercial bank with which the Government has a transitory revenue account; and

(c) To a cashier of an office of the Liberia Revenue Authority or government agency, where applicable.

(4) The following payments are prohibited, unless specifically authorised by the Commissioner-General of the Liberia Revenue Authority:

(a) payments in foreign currency, notes or coins, foreign stamps or checks drawn in foreign currency;
(b) payments in kind are necessary for collection of delinquent claims.

56- Official receipts

(1) The following documents shall represent evidence of receipts of tax and non-tax revenue and other moneys owed to the Government of Liberia-
   (a) A deposit-slip issued by the Central Bank or a commercial bank for deposit into a transitory revenue account or the Treasury Single Account;
   (b) An electronically generated deposit-slip of an electronic fund transfer to a transitory revenue account or the Treasury Single Account;
   (c) All official receipts issued by a cashier of an office of the Liberia Revenue Authority or a government agency, where applicable.
(2) An official receipt referred to in sub regulation (1) (c) shall be in a form determined by the Commissioner General.
(3) Temporary receipts or receipts other than in the form determined by the Commissioner General.
(4) Any receipt book shall be approved by Commissioner-General of the Liberia Revenue Authority or the government agency.
(5) Notwithstanding subsection (1), all receipts shall contain-
   (a) a serial number;
   (b) the number of the document containing the liability to pay and one of the following numbers, where applicable:
      i. the number of the check if payment was made by check;
      ii. the number of the bank payment-slip if payment was made into a bank account;
      iii. the number of the electronic document if payment was made by electronic means;
   (c) the name and Taxpayer' Identification Number of the payer;
   (d) issuance date;
   (e) sufficiently detailed information on the revenue base;
   (f) payment date;
   (g) amount paid;
   (h) signature of an authorized officer.
(6) No alterations shall be made to any receipt.
(7) Revenue collectors/officers shall ensure that receipt copies are clear and legible in every aspect.
(8) All receipt books issues shall be acknowledged in writing by the officer to whom the issue is made.
(9) All receipt books shall be kept by the issuer in accordance with the requirements of the Commissioner-General of the Liberia Revenue Authority.
(10) When receipts are issued from counterfoil books, the officer signing the receipts shall initial the counterfoil and shall ensure it contains all the necessary detail and that it accords with the original.
(11) No original, counterfoil, or copy of a receipt shall be destroyed or receipt data entry deleted.
(12) The Liberia Revenue Authority and the government agency concerned are responsible for safe custody of receipt books.
(13) Before being entered in a register, all receipt books shall be checked to ensure that they are correct and consecutively numbered.

(14) The officer in charge of the register shall ensure that details of receipt books are fully and correctly entered as soon as they are received.

(15) The integrated financial management information system shall reflect sub regulations (7) to (14).

57- Payment due

Unless provided otherwise in other laws, when a liability-creating event occurs, any non-tax revenue that is due and payable is a debt owed to the Government.

58- Responsibility for enforcement of delinquent non-tax debts

(1) The Commissioner-General and a government agency's accounting officer, where applicable, shall enforce any delinquent debt of non-tax revenue to the Government, where applicable-
   (a) in accordance with the Revenue Code;
   (b) in accordance with any other laws or regulations providing for non-tax revenues; and
   (c) making use of the same process as that for tax revenue, as enacted in revenue laws or regulations.

(2) A debt becomes delinquent when payment is not made within the due date specified in the Notice of Liability to pay.

59-Penalty on debts

(1) A person who fails to pay non-tax revenue by the due date is liable for a penalty of 2.5 percent of the amount of the non-tax payable that is unpaid at the due date.

(2) The penalty is imposed on the due date for payment and separately each month that the non-tax or a part of the non-tax remains unpaid.

60- Interest on debts

(1) Non-tax debts are subject to payment of interest.

(2) Interest shall-
   (a) be calculated on a simple interest basis;
   (b) accrue from the date of delinquency; and;
   (c) continue to accrue on the unpaid amounts until the debt is fully paid or otherwise resolved.

61-Waiver

(1) The Commissioner-General or a government agency's accounting officer, where applicable, may waive collection of interest and penalties, if he determines that the Government is unable to collect the amount in full within a reasonable time by enforced collection proceedings.

(2) The Minister shall report to the Legislature waivers granted in accordance with sub regulation (1) every six months.

62-Assessment of interest and penalties

(1) The Commissioner-General or a government agency's accounting officer, may assess interest and penalties owed to the Government in accordance with this regulation, the Revenue Code, and the revenue laws applicable.

(2) Where an assessment is made under this section, the Commissioner-General or a government agency's accounting officer shall serve the person liable with a written notice of assessment, which may be incorporated with another notice of assessment under a revenue law, stating –
   (a) the name of the person and the person's Taxpayer Identification Number;
   (b) the assessment value of the interest and penalties;
   (c) the manner in which the assessment is calculated;
   (d) the reason why the assessment was made;
   (e) the date by which the interest or penalties shall be paid; and
   (f) the procedure by which a person liable may object the assessment.

(3) The imposition of interest and penalties under this subpart is in addition to any other duty imposed by a revenue law and does not relieve any person from liability to criminal proceedings.
(4) Where a particular failure incurs interest or a penalty both under this regulation and another revenue law, the Commissioner General or a government agency's accounting officer shall assess the person under one law only, at the Commissioner General or a government agency's accounting officer decision.

63- Acceptance of Checks
(1) A check drawn in the local currency shall be accepted in payment of moneys due to the government so long as it is a manager's check and if the officer receiving it has no reasonable grounds for believing that the check will not be honoured.
(2) All checks received shall be made payable to the government and shall be crossed "Account Payee Only" and any check not so crossed on receipt shall immediately thereafter be crossed.
(3) Post-dated checks shall not be accepted in payment of moneys due to the Government.
(4) Officers accepting checks in payment of moneys due to the government shall ensure that –
   (a) the check is correctly dated (that it is neither time-expired nor post-dated);
   (b) the amount in words and figures agree; and
   (c) the check is signed; and
   (d) all alterations to any details of the check are validated by the full signature of the drawer, and one shall not accept any check which contravenes any of these conditions.
(5) When payment is made by check, the officer receiving it shall write the check number on all copies of the document and record the serial number of the book or document on the back of the check.

64- Dishonoured Checks
(1) If a check received by an officer is dishonoured by the bank and cannot be immediately corrected and re-presented, the officer shall:
   (a) if the check has been received in payment of a government agency license or similar pre-paid item, debit the appropriate revenue item by the entry of a debit item in the revenue cash book and inform the Liberia Revenue Authority or the head of government agency concerned in order that appropriate action can be taken (such as the revocation of the license);
   (b) if the check has been received in settlement of a debt owed to Government (for example, the settlement of an imprest), debit the appropriate advance account by entering a debit item in the revenue cash book and informing the head of government agency in order that appropriate action can be taken; or

(c) if the check has been received as a condition for services to be performed by the Government (for example, the clearance of goods for custom purposes), initially debit the amount involved to the advance account, in the name of the person concerned.

(2) Without prejudice to sub-regulation (1), all necessary steps shall be taken to obtain the revenue including where appropriate, legal actions, in respect of the dishonoured check.

(3) In the case of paragraph (c) of sub-regulation (1), all outstanding balances in the advance account shall be closed at the end of the financial year by crediting that account and debiting the revenue item.

(4) All amounts involved with dishonoured checks shall be included in the Register of Losses.

(5) No dishonoured check shall be held as part of a cash balance.

(6) The name of the drawer and the amount of a dishonoured check shall be included in a schedule to be maintained by the Comptroller and Accountant General and when the revenue is collected from the debtor, the entry shall be removed.

65- Comptroller and Accountant General to be Informed of Dishonoured Checks

The Comptroller and Accountant General shall be informed immediately of any instance of a dishonoured check relating to the Consolidated Fund and other funds under his control.

66- Postings of Receipt

Receipt of government agency moneys shall be posted into the cash book/system at the time of the actual transaction or as soon as possible thereafter on the day of the transaction.

67- Surplus Collection

(1) The head of government agency or other person doing a spot check shall investigate any surplus moneys found when balancing the cash book with the collections.

(2) If no explanation of the surplus is discovered which will enable the matter to be corrected immediately, the cash shall be credited to miscellaneous receipts (unreconciled credits) and a report made to the Comptroller and Accountant General.

68- Revenue Collectors to Keep Records

(1) Where a system for revenue collection is not in place, revenue collectors shall keep records of moneys collected in such form and for such periods as the Comptroller and Accountant General may determine.

(2) The records shall show the persons from whom revenue is due, description of liability, the amount payable, the date, location, receipt number and amount of the collections made.

(3) The records shall, wherever possible, be self-balancing and shall be reconciled with the cash collections monthly.

69- Assessment Registers

The officer who posts revenue assessment registers, rent rolls, ledgers and similar documents shall inform the officer-in-charge of revenue collection whenever the amount collected differs from the amount due and such differences shall immediately be investigated and appropriate action taken.

70- Payment of collections into a bank other than the Consolidated Fund

(1) When moneys are being paid into a bank by check, the amount and serial number of the check and the name of the bank shall be recorded and retained with the Liberia Revenue Authority or the government agency copy of the Bank Payment Slip.

(2) The Treasury Officer or officer-in-charge receiving the collections shall, where appropriate verify that all receipts issued have been entered in the receipt vouchers and that the totals in the vouchers are correct and correspond with the amount acknowledged in the serially numbered bank lodgement slip.
(3) If the treasury officer or officer-in-charge is satisfied with the accuracy of the records and documents he shall stamp and sign the receipt.
(4) The treasury officer or officer-in-charge shall issue treasury receipt for the collections paid in and post details of the receipt into the Liberia Revenue Authority or government agency's system.

71- Checking of Records
The Liberia Revenue Authority or a head of government agency shall ensure that his accounts are properly maintained and are correct at all times.

72- Surprise Checks
The Liberia Revenue Authority or a head of government agency, as the case may be, shall arrange that from time to time and at least every three months, a surprise inspection is carried out by an officer more senior to the checking officer.

73- Refund of Revenue
Revenue shall be refunded in the following circumstances:
(a) overcollection made in error,
(b) where provision exists in the enactment or instruction for the revenue to be reclaimed in given circumstances, in the form of a rebate or drawback.

74- Donor Funds
Where a government project receives from a donor a disbursement or a reimbursement of earlier expenditure, whether by way of grant or loan, the actual amount received shall be classified and accounted for in accordance with the government Chart of Accounts and where the amount is in foreign currency, it shall be brought to account at the equivalent in local currency at the official rate of exchange, as published by the Central Bank of Liberia, on the date of receipt.

75- Reconciliation of revenue collections
(1) The Commissioner General shall, on a daily basis, reconcile the general revenue account by matching the Bank Payment Slips with the manager's check receipt and matching the revenue to the daily collections listing and subsequently the bank statement.
(2) Revenues accruing to government through donor funding but operating outside of the Consolidated Fund shall be recorded using the government Chart of Accounts.
(3) The Comptroller and Accountant General shall ensure there are adequate mechanisms to reconcile project funds and the proposed county treasury accounts.
(4) All payment receipts shall be reconciled with bank statements.

76- Reporting of revenue collection
(1) The Liberia Revenue Authority and any other government agency as determined by the Minister shall provide to the Minister, on a the following information:
(a) the total revenue collected for the fiscal year;
(b) a projection of revenue to be collected for the remainder of the fiscal year;
(c) the total revenue that is in arrears; and

(d) any other information as required by the Minister.

(2) The departments of the Ministry responsible for macro-fiscal and modelling and revenue forecasting shall work in collaboration with the Liberia Revenue Authority to-
   (a) Reconcile the information submitted under sub regulation (1) with the information obtained from the integrated financial management system;
   (b) Review the projections of revenue collection and the collection of revenue arrears.

77- Date of Transaction in Accounts

(1) The date of receipt of any sum of money determines the date of record of the transaction in the accounts.
(3) No outstanding item of revenue shall be carried to a revenue item as a charge to an advance account pending the collection of the amount.
(4) Revenue collected in any year shall not be placed on deposit or held in suspense accounts with the object of transferring it to revenue in the following year.
(5) A register in the form ordered by the Minister shall be kept in each office for Government revenues as the Comptroller and Accountant General may direct.
(6) The register shall be maintained by an officer to be designated by the Liberia Revenue Authority or government agency and such officer shall ensure that details of receipt books are fully and correctly entered in it as soon as they are received.

78- Transitory Revenue Account

(1) The transitory revenue accounts shall be utilized for collection of fees from activities various government agencies in accordance with statutory mandates.
(2) The transitory revenue accounts shall serve only as temporary holding accounts for the payment of Government revenue.
(3) The Comptroller and Accountant General may open Transitory Revenue Accounts in the commercial banks.
(4) The commercial banks may open collection windows at various institutions or places of collection outside of their banking premises.
(5) Notwithstanding sub regulation (2), collection windows must be directly linked electronically to the transitory accounts for timely and accurate recording of all revenue collected.
(7) All openings of Transitory Revenue Accounts by the Comptroller and Accountant General shall be requested by the Liberian Revenue Authority and notified to the Central Bank of Liberia at the time of account opening.

79- Sweep requirement and procedures

(1) All funds collected through Transitory Revenue Accounts on a certain business day, shall be swept into the General Revenue Account at the Central Bank of Liberia, by the commercial bank, on the "Next Clearing Day" by check, debit instruction or electronic payment.
(2) The sweep shall cover deposits made for the certain business days until the "Next Clearing Day".
(3) Commercial banks may also credit the offshore account of the Central Bank of Liberia in settlement of the amounts due provided that all current account balances at the Central Bank of Liberia are insufficient to settle the amounts due.
(4) The SWIFT acknowledgement of the transfer on the stipulated sweep days shall be kept by the Comptroller and accountant General.
(5) All transfer related charges, in relation to electronic transfers, shall be on the account of the commercial bank.

(6) The Central Bank of Liberia shall automatically debit the commercial bank current account by close of day on the stipulated sweep days of the week for any amount not swept to the General Revenue Account.
(7) Notwithstanding, the sub regulations above, should there be a need for earlier sweeps, the Minister shall authorize the sweep to the General Revenue Account.
(8) If balances in the commercial bank's current account at the Central Bank of Liberia are insufficient to cover any amount due to the Government on the stipulated sweep days of each week, the Central Bank of Liberia shall automatically debit the current amount for the full revenues payable by the close of day and the commercial bank shall be subject to all penalties governing the rules of the Clearing House.

80- Restrictions
(1) No check shall be written against the Transitory Revenue Account of any withdrawal made there from except for duly authorized internal debits on account of service fees by the commercial bank and contractual pre-financing cost as specified and expressly authorized in an appropriate Memorandum of Understanding entered between and among the Ministry, the commercial bank and the coordinating government agency, and attested to by the Central Bank of Liberia.
(2) No commercial bank shall open any account for the collection of fees from the sale of Government of Liberia revenue generating instruments without an expressed Memorandum of Understanding duly signed by the Minister and attested to by the Central Bank of Liberia.
(3) Notwithstanding sub regulation (2) no commercial bank shall open any account for the collection of general tax revenues without ensuing that the account is in the name of the Central Bank of Liberia and also notifying the Central Bank of Liberia in writing of such account opening.

81- Reporting
(1) The commercial banks shall in their "Next Day Sweep" advice to the Central Bank and the Ministry provide a statement of the Transitory Revenue Accounts.
(2) Notwithstanding subsection (1), on the first clearing day of each month, the commercial bank shall provide a detailed report in a format agreed upon by the Central Bank and the Ministry to facilitate their monitoring of Transistory Revenue Account transanctions and the preparation of their consolidated statement:
(i) a report on the total collection and remittance for the week period of Monday to Saturday
(ii) any bank statements relating to the transitory revenue accounts
(iii) access to the Transitory Revenue Accounts.
(3) The commercial bank shall collaborate with the Ministry in the weekly and daily reconciliation of the Transitory Revenue Accounts.

82- Penalty for failure to report
(1) A commercial bank that fails to submit the agreed report on the first clearing day of the month and that failure continues for forty-eight hours after the report due date, the defaulting commercial bank shall pay a penalty of L$50,000 for each day of default starting from the original due date.
(2) The amount mentioned in sub regulation (1) shall be debited from the commercial bank's current account by the Central Bank of Liberia upon written notification by the Ministry and shall be credited to the General Revenue Account.

83- Accounting and Disclosure of Non-Tax Revenue

(1) A head of government agency, where applicable, shall fully disclose all non-tax revenues collected, deposited into the transitory revenue account d or retained as part of the monthly revenue collection and quarterly government agency account or financial report to the Minister and the Auditor General.

(2) The reporting format shall include, but not limited to:
   (a) the Government agency's collection points in the regions and districts by type of Non-Tax Revenue;
   (b) the extent to which the government agency revenue target for the month has been achieved and measures that need to be taken to address any shortfall;
   (c) expenditure incurred out of retained Non-Tax Revenue including Internally Generated Funds classified according to the Budget Classification;
   (d) non-Tax Revenue including Internally Generated Funds due but not collected;
   (e) any Non-Tax Revenue including Internally Generated Funds leakages and measures to address them; and
   (f) certification confirming reconciliation of lodgements with collections.

Subpart II- Expenditure control

84- Expenditure subject to commitment control

For the purpose of Section 32 of the Act, a commitment for the following expenditure and payments, of a government agency, shall be made in the integrated financial management system within a commitment ceiling issued according to budget availability:

(a) Recurrent and capital expenditure including personnel costs financed by the Consolidated Fund;
(b)
(c) Recurrent and capital expenditure including personnel costs financed by internally generated funds;
(d) Recurrent and capital expenditure including compensation of workforce financed by donor funds;
(e) Advance payments regardless of the funding source; and
(f) Advances and payments to create and replenish imprest, revolving funds any other trusts and special funds.

85- Annual plans and budget allotments

(1) For the purpose of Section 29 of the Act, the department of the Ministry responsible for budget and development planning, shall issue, upon approval of the Minister, budget implementation instructions to all government agencies, within 10 days after the beginning of each fiscal year, detailing the procedures and requirements in implementing the approved budget.

(2) For the purpose of Section 30 of the Act, a head of government agency shall, no later than 40 days after the submission of the Proposed Budget to the Legislature, approve and submit to the department of the Ministry responsible for budget and development planning, an annual spending plan and timing of revenue inflows, where applicable, broken down by month, which may be revised as per request of the Minister.

(3) The plans submitted in accordance with sub regulation 2 shall include cash flow forecasts of the government agency for the fiscal year and any other data and information required by that agency for inclusion in the integrated financial management system.

(4) For the purpose of Section 30(3)(g) of the Act, the department responsible for budget and development planning shall prepare budget allotments, which shall be within available funds and quarterly cash forecasts.
(5) The quarterly budget allotments shall apply to expenditures and payments of government agencies.

86- Budget warrant

(1) Within 10 days before the beginning of every January, April, July, and October, the Minister shall, on the advice of the department responsible for budget and development planning, issue to all government agencies a budget warrant which specifies a ceiling on commitment to be made during the quarter for the expenditures subject to commitment control.
(2) A budget warrant shall be based on consolidated cash forecasts produced in accordance with Part VI of these Regulations.
(3) Commitment ceilings under a budget warrant shall be set at a level of heads of expenditure, as defined in Section 18(4) of the Act.
(4) The Minister may issue a budget warrant which specifies a commitment ceiling for a period longer than a quarter.

87- Provisional Warrant

(1) Where the Appropriation Bill is not approved before the first working day of the fiscal year, the Minister shall pursuant to Section 22 of the Act collect revenues and approve withdrawal of funds , in line with the proposed budget, up to one-twelfth (1/12) of the budget of the previous year.
(2) Public funds withdrawn under subsection (1) shall be for the purpose of meeting expenditure on Government programmes and activities in respect of the period expiring-
    (a) one month from the beginning of the financial year; or
    (b) immediately before the approval of the National Budget, whichever is earlier.
(3) Upon the issue of a General Warrant the authority conveyed by a Provisional Warrant shall lapse, and all expenditure made under the Provisional Warrant shall be deemed to have been made under the authority of the Warrant.

100- Budget warrant

Notwithstanding Regulations 86 and 88, the Minister shall issue a budget warrant which covers –

(a) the entire amount of appropriations under the National Budget for –
    i. salaries, wages, and other personnel costs;
    ii. grants, subsidies, and transfers, including social benefits, that are legally obligated;
    iii. debt services in accordance with Section 29(3) of the Act; and
    iv. any other expenditure and payment that is not covered by a budget warrant; and
(b) the entire amount of expenditure and payment to be charged on the Consolidated Fund.

89- Unused balance of a commitment ceiling

A balance of a commitment ceiling that remains unused shall lapse at the end of the fiscal year.

90- Changes in commitment ceilings

(1) When a budget appropriation was created or changed because of the following reason, the department responsible for budget and development planning shall make necessary changes in a commitment ceiling for the budget appropriation and communicate the changes to the Comptroller and Accountant General:
    (a) the approval of a supplementary estimate under section 23 of the Act;
    (b) the withdrawal of the Contingencies Fund under section 8 of the Act; and
    (c) the approval for reallocation under section 33 of the Act.

(2) The department of the Ministry responsible for budget and development planning shall process in the computerized financial management system changes in a commitment ceiling made under sub-regulation (1).

91- Distribution of commitment ceiling

(1) An accounting officer of a government agency may distribute commitment ceilings that have been approved by the Ministry of Finance, to the agency's subordinated units.

(2) All distributions of commitments set under sub-regulation (1) shall be recorded in the integrated financial management system.

92- Commitment requisition

(1) For a requisition of a commitment for expenditure subject to the commitment control, an officer of a government agency shall prepare and submit to the accounting officer a commitment requisition –
    (a) in case of procurement, before awarding a contract;
    (b) in case of increases in prices or occurrence of additional payments under ongoing projects or existing procurement contracts, before approval by a procurement committee of price variations; and
    (c) in case of grants, subsidies, or transfers, before competent authorities' decisions that result in expenditure.

(2) An officer of a government agency shall not commence with the procurement or the decisions on grants, subsidies, or transfers, until a commitment requisition is approved.

(3) When a government agency has no access to the integrated financial management system, a commitment requisition shall be submitted to the Comptroller and Accountant General for validation.

(4) The Comptroller and Accountant General may issue guidance on the commitment requisition procedure including on the submission process and the required supporting documents.

93- Commitment requisition approval

(1) The accounting officer of a government agency may approve a commitment requisition only when the requested commitment is within an available balance of a commitment ceiling as determined by the allotment and spending and procurement plans approved by the Minister, in the integrated financial management system.

(2) At minimum a procurement plan shall include proper descriptions of the procurement items, the estimated contract value, the value and procurement method relating to the annual portion of a multiyear contract and when the item(s) is/are needed.

(3) Any changes to approved procurement plan during the year shall be approved by the head of government agency and the Public Procurement and Concessions Commission and the Minister shall be notified of the relevant changes no later than seven (7) days following the quarter in which those changes occurred.

(4) In case of a commitment requisition that requires multiple payments that cross fiscal years, the accounting officer of a government agency may approve a requisition of the commitment only when –
    (a) the entire amount of the payments to be made during the current fiscal year is within an available balance of the commitment ceiling; and
    (b) the Minister has approved the commitment if it is a multiannual commitment.
(5) On the approval of a commitment requisition, the accounting officer shall record the approved commitment in the integrated financial management system and provide the requesting officer the following document generated by the integrated financial management system:
    (a) a Local Purchase Order; or
    (b) a Commitment Control Form in case of a commitment –
        i. for subsidies, grants, and transfers; or
        ii. that does not use a purchase order.
(6) In case of a commitment requisition from a government agency that has no access to the integrated financial management system, the Comptroller and Accountant General shall record commitment requisitions on the integrated financial management information system after they are approved in other stand-alone systems (manual or automated as used by those entities), certified by the Government of Liberia.

94- Multiannual commitment
(1) A government agency shall, in accordance with the instructions of the Minister, make a requisition of a multi-year expenditure commitment for the approval by the Minister.
(2) The Minister shall approve or reject a requisition of a multiannual commitment within one week after the requisition was submitted by the government agency.
(3) When the Minister rejects a requisition of a multiannual commitment, it shall be returned to the head of government agency, who shall in turn return it to the requesting officer.
(4) When the Minister approves a requisition of a multiannual commitment, the head of government agency shall only approve the requisition in respect of a portion of the multiannual commitment that will be paid during the current financial year.
(5) When both the Minister and the head of government agency approve a requisition of a multiannual commitment, the accounting officer of the government agency shall record all commitments that will arise in the current and future years in the integrated financial management system.
(6) In case of a requisition of a multiannual commitment from a government agency that has no access to the computerized financial management system, the Comptroller and Accountant General shall record all commitments that will arise in the current and future years into the integrated financial management system.

95- Commitment control number
A unique commitment control number shall be given by the computerized financial management system to each Local Purchase Order and an expense order.

96- Provision in a procurement contract
(1) Any framework agreement that is made under the Public Procurement and Concessions Act, in force and requires expenditure from the National Budget shall be deemed to include the following provisions:
    (a) an order or call-off made under the framework agreement is valid only when it is made by a Local Purchase Order or expense order with a unique commitment control number; and

(b) the contractor shall not be entitled to compensation for any performance provided in response to an order or call-off that was not made by a Local Purchase Order or expense order with a unique commitment control number.

(2) Any contract, other than a framework agreement, that is in force under the Public Procurement and Concessions Act, in force, and requires expenditure from the National Budget shall be deemed to include the following provisions:

(a) the contract shall be suspended automatically, if the contractor receives no expense order with a unique commitment control number when they enter into the contract; or a local purchase order; and

(b) the contractor shall not be entitled to compensation for any performance provided during the suspension of the contract until the contractor receives an expense order or a local purchase order with a unique commitment control number.

97- Increase in amount of an approved commitment

(1) When an amount of an approved commitment is increased, the increase shall be treated as a new commitment.

(2) An increase in amount of an approved commitment shall be null and void and of no effect, unless it is approved and recorded in accordance with these Regulations.

98- Cancellation or reduction in price of an approved commitment

Where an approved commitment is no longer required because of the cancellation of a procurement, contract or the decision of a competent authority, the records of the commitment shall be modified by the accounting officer.

99- Cut-off date of a commitment

(1) The Comptroller and Accountant General shall annually determine a cut-off date of submission of a commitment requisition.

(2) After the cut-off date and before the beginning of the next fiscal year, the accounting officer, or the Comptroller and Accountant General, as the case may be, shall not approve any new commitment.

101 - Recording of commitments for personnel costs

A commitment for personnel costs of government agencies shall be recorded by the Comptroller and Accountant General in the integrated financial management system when running the payroll in the payroll system.

102 - Commitment register

The Comptroller and Accountant General shall develop in the integrated financial management system a commitment register, into which a committed and available balance of each budget provision and a commitment ceiling and the following information on each commitment to the extent applicable is recorded:

(a) a name of supplier or recipient;
(b) a chart of account object code;
(c) a date of commitment approval;
(d) a commitment control number;
(e) a date and amount of an invoice and payment made under the commitment; and
(f) an amount outstanding on the commitment;
(g) an amount payable on the commitment, unpaid for–

i. less than 30 days after the due date;
ii. more than 30 days but less than 90 days after the due date;
iii. more than 90 days after the due date; and

(h) an amount of a multiannual commitment to be paid in each future financial year.

103- Monthly reporting of commitments

(1) The Comptroller and Accountant General shall close accounts of unpaid commitments and payables in the commitment register at the end of every month and carry forward their balances to the next month.

(2) After the end of each month, the Comptroller and Accountant General shall prepare and submit to the Liquidity Management Committee a monthly commitment report which includes, in respect of each provision of the National Budget, –

(a) the original and revised budget provision and the available balances at the end of the month;

(b) the approved commitment ceiling and the available balances at the end of the month;

(c) the opening and closing balances of the outstanding commitments at the beginning and end of the month and the amount of commitments made during the month;

(d) the opening and closing balances of the payments at the beginning and end of the month and the amount of payments made during the month;

(e) the closing balances of the unpaid commitment at the end of the month, broken down to those unpaid for –

i. less than 30 days after the due date;
ii. more than 30 days but less than 90 days after the due date; and
iii. more than 90 days after the due date; and

(f) the closing balances of the multiannual commitments at the end of the month, broken down to the amount to be paid in each future financial year.

104- Commitment reporting from all government agencies

(1) The Comptroller and Accountant General shall request from any entity in the National government information on commitments to be paid from the National Budget, donor funds, internally generated revenues, and any other funding source.

(2) The Comptroller and Accountant General may specify a list of entities subject to the commitment reporting framework under sub-regulation (1) and the frequency, forms, and procedures for the reporting.

105 Urgent additional expenditure

(1) A head of government agency shall not incur or settle any commitment for which public money has not been provided by the National Budget or authorized to be charged on the Consolidated Fund.

(2) In case of unforeseeable and urgent need for additional expenditure that cannot be covered by the voted budget, head of government agency shall request from the Minister additional appropriations, to be funded primarily by virements or, failing that, by the Contingency Fund;

(3) In case the contingency fund is exhausted, such unforeseeable and urgent expenditure can be covered by an additional appropriation granted by a Minister decision, and immediately communicated to the Legislature that will be invited to ratify, as soon as possible, by the end of the fiscal year; unless exceptional circumstances and national case of force majeure, such decision cannot deteriorate the initially voted fiscal balance.

(4) In case additional appropriation must be granted this shall not exceed 10% of original voted expenditure for a MAC for that year.

(5) The Minister shall issue a circular that sets out the instructions for implementation of this section

106- Evasion of Expenditure Control

(1) A head of government agency shall not vary the normal course of payment to avoid causing an excess on any item of expenditure or to avoid lapse of funds after the 90 day period provided in Section 34 of the Act and in particular shall not:
    (a) make payments in advance for goods or services to be delivered beyond 90 days in the subsequent fiscal year;
    (b) place funds on deposit, with a service provider or any other agency to avoid the consequences of lapse of funds beyond 90 days in the subsequent fiscal year.

(2) Failure to comply with sub-regulation (1) is a breach of financial discipline and shall be liable in accordance with Part XI of these Regulations and any other applicable laws.

107- Ineligible Spending

(1) Except as provided for in the Act, and these Regulations, a head agency may not authorize payment to be made out of funds earmarked for specific activities for purposes other than those activities.

(2) A person who makes a payment contrary to sub regulation (1) is in breach of financial discipline and shall be liable in accordance with Part XI of these Regulations and any other applicable laws.

Subpart III – In-year Adjustments

108- Mid-year review

(1) All government agencies included in the National Budget shall report to the Minister, in such form and by such time as the Minister may order, an analysis of revenue collections and expenditure performances in the first six months of the fiscal year.

(2) The Minister shall report to the legislature on the implementation of the budget of a government agency in the mid-year review.

(3) Notwithstanding sub-regulation (2), all government agencies in the National Budget shall, during the fiscal year, report to the Minister, any circumstances that are likely to affect materially the budgetary results either through revenue and expenditure or other receipts and payments of the government agency.

109- Supplementary budget and mid-year review

(1) Where in the course of the review it is found that the amount of monies appropriated by the Appropriation Act for any purpose is insufficient or that a need has arisen for expenditure for a purpose for which no sum of money has been appropriated by that Act, or additional resources have been recorded, a revised budget or supplementary budget estimates showing the sum of money required or monies in excess of the projections, shall be submitted to the Legislature.

(2) For the purpose of Section 23 of the Act, a Supplementary Budget shall not increase the total expenditure of the National Budget, unless the increase in the total expenditure –
    (a) is required due to contingency expenditure; or

(b) is required because of increased activity costs that could not be foreseen when the annual estimates were presented or for which the approved budget is proven to be insufficient and the application for supplementary estimate is made to the Minister through the Line Minister, Sector Minister, or appropriate authority and is accompanied by a memorandum explaining how the extra costs or the supplementary budget, as the case may be, became necessary;

(c)

(3) In addition to information required under Section 23(2) of the Act, a Supplementary Budget shall be accompanied by a justification for its proposal.

(4) When a Supplementary Budget increases the total expenditure of the National Budget, the Minister shall submit to the Legislature, at least, the following information:

(a) revised fiscal forecasts, including revenues, expenditures, deficit, and debt, of the National Budget for the next three years or more;

(b) the impact on achievement of the fiscal objectives and the adjustments to be made towards its achievement; and

(c) a source of financing.

(5) All government agencies shall request additional funds through a Supplementary Budget in accordance with a circular that may be issued annually by the minister on preparation of a Supplementary Budget.

110- Transfer of functions

(1) When a function is to be transferred between heads of government agencies, the Minister shall be consulted in advance, and a head of government agency to which a function is transferred shall submit to the Minister a memorandum that proposes a Supplementary Budget to cover the additional costs of the transferred function for the Minister's approval.

(2) A circular issued for the purpose of a Supplementary Budget shall include instructions for implementation of this regulation.

111- Notification of Revised Budget

(1) After Legislature approval, the Minister shall communicate the revised budget to the Comptroller and Accountant General, the Auditor-General and the Government agency concerned.

(2) The funds shall be disbursed to the beneficiary government agency in accordance with the provisions of the Act and these Regulations.

112- Reallocations or virements

(1) For the purpose of Section 33 of the Act, the reallocation of an amount of an item of expenditure under the National Budget shall be prohibited where the reallocation is made-

(a) from any mandatory expenditures, such as those related to the payment of public debt or any other legal or contractual obligation;

(b) from capital expenditure to recurrent expenditure;

(c) from or into personnel expenditure without written approval of the Civil Service Agency;

(d) from the budget of one government agency to the budget of another government agency, except to address national emergencies which the President had notified the National Legislature.

(2) For the purpose of Section 33 of the Act, the reallocation of an amount of an item of expenditure within a government agency is allowed through virements if requested by the head of a government agency.

(3) Reallocation between programs within a government agency may be approved on an annual basis for an amount not exceeding ten (10) percent of the total original appropriation.
(4) For the purpose of Section 33(2) of the Act, the Minister shall include cumulative virements in the quarterly fiscal outturns to be submitted to the Legislature.

113- Procedure for reallocation
(1) Approval of reallocation shall be the responsibility of the Minister.
(2) For a reallocation proposal to be approved, the following conditions must be met:
    (a) Reallocations shall be approved in the integrated financial management information system;
    (b) On approval of a reallocation application by the Minister or sector minister, a reallocation warrant shall be issued by the Minister or Sector Minister or any authorised officer;
    (c) Reallocation warrants shall be numbered consecutively within the year of issue and shall be laid before Legislature prior to the subsequent budget;
    (d) Sufficient funds must exist in the budget from which they will be transferred to cover the cost of the increased expenditure in the receiving budget, after recognition of planned expenditure and future commitments;
    (e) Controls must be in place to ensure compliance with the new appropriation;
    (f) If more than one budget holder is involved, all budget holders must agree to the proposed reallocation;
    (g) The expenditure for the proposed activity or event must not conflict with the priorities and objectives of the government agency.
    (h) The head of government agency or the accounting officer must maintain a register of all budgetary reallocations; and
    (i) The head of government agency shall submit to the Minister a quarterly report that specifies all virements that the agency made during the quarter.

Subpart IV – Contingency Fund

114- Use of Contingency Fund
(1) The use of the Contingency Fund shall be in accordance with section 8 of the Act.
(2) Expenditures that may not be funded by the Contingency Fund include those that:
    (a) were considered but could not be funded by the National Budget;
    (b) are as the result of tariff adjustments or price increases; and
    (c) relate to an extension of existing services or creation of new services that are not urgent.
(3) The head of government agency requesting for contingency funds shall be responsible for justifying the urgency of the request.
(4) The Minister shall obtain the President's approval before exercising his authority for the Contingency Fund under section 8 of the Act.
(5) When rejecting a request for the use of the Contingency Fund, the Minister shall convey the decision to the affected agency.
(6) For the purpose of sections 8 and 23 of the Act, expenditure paid during a financial year by using the Contingency Fund, shall be reflected in a Supplementary Estimate, if any is submitted within the financial year.

Subpart- V– Personnel Emoluments

115-Definition of Personnel Emoluments

(1) For the purposes of this Regulations the term "personnel emolument" cover all payments due to public servants as remuneration for employment and include:
    (a) Basic salaries payable to public servants;
    (b) Wages payable to public servants employed in daily rated post;
    (c) Allowances for special duties, overtime, acting, entertainment, housing, medical, transportation, fuel, light, clothing or allowances in lieu of accommodation, domestic servants, and any additional remuneration due to public servants as part of their conditions of service; and
    (d) Pensions, gratuities, contributions of the employer towards pensions, gratuities and social security.

(2) Subject to any enactment, basic salary shall be used for computation of allowances, pensions, gratuities or any other entitlement of public servants except where the allowances have been incorporated into the salaries.

(3) Subject to any enactment or amendment to this sub-regulation by the Minister, overtime for public servants shall be computed based on the number of overtime hours worked and a 25 per cent ceiling on the basic salary. The overtime shall be prearranged and prior approval shall be given by the supervisor. The overtime hours and the daily rate shall be computed as follows:
    (a) The number of overtime hours worked shall be calculated as 1.5 times the actual overtime hours worked on weekdays and two times the actual overtime hours worked on weekends and holidays.
    (b) The hourly overtime rate shall be determined by dividing the daily rate by eight hours.
    (c) The daily overtime rate shall be derived by dividing the basic monthly salary by 22 days.

117- Payment by bank transfer or check

(1) An employee of a government agency shall be paid by bank transfer.

(2) Notwithstanding sub-regulation (1), an employee of a government agency may be paid by check if the employee has made in writing a specific request and obtained the prior-approval of the Comptroller and Accountant General.

(3) An employee of a government agency paid by check shall sign a payroll report when collecting the check.

(4) For the purpose of ease of monitoring cut off period and in the interest of enhancing consistency in dating, all individuals and entities doing business with the Government of Liberia, such individual and entity shall use the date format Month/Day/Year or mm/dd/yyyy.

(5) The accounting officer of a government agency shall ensure that any unclaimed employee compensation to be paid out, shall be appropriately refunded to either the Consolidated Fund or to the government agency account, in the subsequent month.

120- Payroll payment of government agencies

(1) Unless authorised by the Comptroller and Accountant General, no payment for costs related to personnel costs of a government agency shall be made, unless:
    (a) the employee has been registered on the payroll system; and
    (b) the costs have been processed on the payroll system.

(2) After the payroll date, the head of government agency shall certify that all employees listed on the payroll are entitled to the payments.
(3) The accounting officer of each government agency shall ensure that all payroll approvals required under sub-regulation (2) have been made monthly through the payroll system.
(4) (a) Subject to paragraph (b) and after receiving the approved payroll, the Comptroller and Accountant General may make payroll payments for all employees of government agencies by drawing checks, the payees of which are payroll processing banks; and
(b) The Comptroller and Accountant General may make payroll payments by sending a payment instruction through the integrated financial management system.
(5) Payroll processing banks shall acknowledge receipt of checks drawn under sub-regulation (4) in such manner as specified by the Comptroller and Accountant General.

121- Payroll payment of Autonomous funds and special funds
(1) The payroll payments of an autonomous fund or a special fund has access to the payroll system shall be made in the same process as that for payroll payments of a government agency under regulation 120.
(2) An autonomous fund or a special fund that has no access to the payroll system shall submit to the Comptroller and Accountant General a certified payroll report in such form and by such date as determined by the Comptroller and Accountant General.
(3) After receiving approved payroll, the Comptroller and Accountant General shall make payroll payments for all employees of autonomous funds or special funds by drawing checks or sending a payment instructions through the integrated financial management system.
(4) Payroll processing banks shall acknowledge receipt of checks drawn under sub-regulation (3) in such manner as specified by the Comptroller and Accountant General.
(5) In case of an autonomous fund or a special fund that has access to the payroll system, the Comptroller and Accountant General shall make journal entries for compensation of employees based on the paid payroll.
(6) In case of an autonomous fund or a special fund that has no access to the payroll system, the accounting officer shall return the paid payroll report to the Comptroller and Accountant General who shall make journal entries for compensation of employees if applicable.

133- Certification for Salary Payment

(1) Notwithstanding Regulations 120 and 121, a head of government agency or a head of management unit shall examine and certify the personnel emolument payment vouchers to ensure that-
    (a) only staff belonging to the agency or unit are on the payroll;
    (b) in the case of staff on posting or transfer out of the agency, the name is deleted within three months;
    (c) retirement, resignation, termination, vacation of post, death is reflected in the payroll;
    (d) any over payment of Personnel Emolument is recovered;
    (e) newly employed staff and those posted or transferred to the unit appear on the payment voucher; and
    (f) any salary instructions issued by the Minister are complied with.
(2) A head of government agency or management unit who fails to comply with sub-regulation (1) is liable for disciplinary action including-
    (a) stoppage of salary until the anomaly is rectified;

(b) required to pay where the non-compliance has occasioned financial loss to the state; and
(c) any other sanctions applicable that the Minister considers appropriate.

122- Stoppage of Salary Payments

(3) A head of government agency shall cause the immediate stoppage of payment of salary to a public servant excepting past due amounts when that public servant has:
    (a) been absent from duty without permission or reasonable cause for a period as stipulated in the administrative regulations of the establishment;
    (b) been absent from duty on leave without pay;
    (c) been convicted of an offence involving theft or fraud, or a sentence of imprisonment;
    (d) resigned;
    (e) retired; or
    (f) died.
(4) All other payments due to the public servant must also be stopped in the circumstances provided for in sub-regulation (1).
(5) Where the Minister is of the opinion that there is an overpayment or an underpayment with a salary or any other payment due to the public officer, he/she may cause the stoppage of payment of the salary or the other payment to the public officer and shall within ten working days inform the head of government agency of the affected officer of the overpayment or underpayment and the stoppage.

123- Notification of Stoppage

(1) The occurrence of any of the circumstances resulting in stoppage of salary payment shall immediately be brought to the notice of the head of government agency, the Minister or the intermediate disciplinary authority, as the case may be.
(2) The notification under subsection (1) shall indicate the effective date of the stoppage and confirm that action has been taken to prevent further payment.
(3) Action under subsection (1) and (2) includes:
    (a) notification to the Minister to stop payment yet to be made where salary payments are made direct to the officer's bank account;
    (b) notification and request to the bank for repayment into the Consolidated Fund of salary or other payments credited to the public servant's bank account;
    (c) issue of the appropriate salary notice to responsible unit or department responsible for stopping payments on the payroll; and
    (d) notification to the internal auditor.
(4) Failure to effect the stoppage within the time may result in sanctions under Part XI of these Regulations and any other applicable legislations.

124- Subsequent Payments

When salary payments to public servants have been stopped, no restoration of pay or payment of other amounts due may be made except on the written authority of the head of government agency or other appropriate disciplinary authority.

126- Deductions from Salary

(1) Recoveries from official salaries of public servants under these Regulations and any other enactment shall commence from the salary of the next complete month after the month in which the advance was made.
(2) A head of government agency shall ensure that deductions made from salaries are paid directly into the Consolidated Fund unless otherwise stated in the agreement covering the advance.

127- Duty to Report Non-Deduction

(1) The duty of the head of government agency to deduct advance recoveries from the salary payments of public servants will not diminish the responsibility of a public officer, who has received an advance, to repay it according to the agreement and to report any failure to make deductions from salary when due.
(2) Failure by the beneficiary to report the absence of deduction is a breach of financial discipline as defined in regulation 308.

128- Conditions for Grants of an Advance

(1) An advance payment to a public officer shall be approved by the head of a Government Agency and shall not be made under these Regulations if-
    (a) any advance of the same class made to the public officer has not been fully repaid;
    (b) any advance of any class in made to the public officer is not being regularly recovered;
    (c) any advance is outstanding against the officer on account of losses, uncleared checks or unretired imprest; and
    (d) the normal instalment of recovery shall cause total advance deductions to exceed 50 per cent of net monthly salary after tax or other statutory deductions.
(2) The authority to pay an advance issued under these Regulations shall contain a certificate that the officer granting the advance is satisfied that the applicant is not disqualified by any of the conditions under sub-regulation (1)
(3) The violation of sub-regulation (1) and (2) shall be a breach of financial discipline as per regulation 308.

134- Reconciliation with the payroll system

(1) The Comptroller and Accountant General shall reconcile financial data on all personnel transactions on a monthly basis.
(2) The reconciliation under sub-regulation (1) shall be made at a level of totals per personnel transaction type and for each payroll processing.
(3) The Comptroller and Accountant General shall be responsible for clearing errors in payroll postings on the payroll system during the reconciliation under sub-regulation (1).
(4) The Comptroller and Accountant General shall retain the results of the reconciliation and all source documents used for the reconciliation for audit purposes.
(5) After the payroll system is fully integrated into the integrated financial management system, the reconciliation under sub-regulation (1) shall be made automatically through the system.
(6) Procedures to be followed in payments of salaries, wages and related allowances shall be provided in the accounting instructions to be issued by the Minister in consultation with the Auditor General.
(7) No system shall be used in payment of public servant's personnel emolument without the prior approval the Minister.

(8) Deduction shall not be made from Personnel Emoluments, except for statutory deductions, deductions authorized under these Regulations, disciplinary awards and voluntary deductions authorised by the head of management unit upon authority of administrative instructions issued by the head of government agency.

Subpart VI - Payment Process

135- Responsibility for payment

(1) An accounting officer of a government agency shall be personally responsible for ensuring in respect of each payment to be made by the respective government agency-
   (a) The validity, accuracy, and legality of the payment request, including compliance with applicable procurement rules;
   (b) The evidence of services received, certificates, for work done, required assets register with the General Services Agency in accordance with these Regulations any other laws and any other supporting documents;
   (c) That the commitment for the payment has been approved in accordance with these Regulations through the Purchase Order being generated under the integrated financial management system; and
   (d) That there is a sufficient unspent amount from an appropriation for making the payment.
(2) Where an unauthorised or irregular payment has been made as a result of an incorrect certificate or document, the officer who signed the certificate or document shall be liable in accordance with Regulation 315.
(3) Where an unauthorised or irregular payment has been made as a result of a forged certificate or document, the officer who signed the certificate or document shall be required to explain the circumstances leading to the forgery and he shall be investigated and prosecuted in accordance with the laws of Liberia.
(4) The Comptroller and Accountant General or his/her designee shall reject a request for payment out of the Consolidated Fund or any other public fund if that payment-
   (a) would not be a lawful charge against the appropriation.
   (b) would result in expenditure in excess of the appropriation; or
   (c) would reduce the balance available in the appropriation in such a manner that it would not be sufficient to meet commitments already charged against it.
(5) All government agencies shall use the integrated financial management system from commencement of the procurement through to payment.

136- Certification of completion of works or supply of goods and services

(1) When certifying completion of works or supply of goods or services, the accounting officer or his authorized officer and the department of the Ministry responsible for physical audit shall prepare an inspection report that includes the date, quantity and particulars of the works and supply, the date, method, and results of the inspection, and any evidences supporting the results, and attach the report to the payment request and, record this information in the designated financial management system.
(2) If the accounting officer or his authorized officer and the Department of the Ministry responsible for physical audit identify that works, goods, or services rendered or their prices are inconsistent with the contracts, he shall specify necessary remedial actions in an inspection report.
(3) When inspection of works, goods, or services under sub-regulation (1) requires specific expertise, the department of the Ministry responsible for physical audit may be supported by an independent person or firm as an inspector.

(4) The independent person or firm mentioned in sub regulation (3) shall work under the supervision of the department of the Ministry responsible for physical audit.

137- Inspection of completion of works

(1) When certifying completion of works, the accounting officer or his authorized officer and the department of the Ministry responsible for physical audit shall inspect the physical output of the works in the field.
(2) Inspection of completion of works shall be carried out –
    (a) when works are fully completed; and
    (b) before a progress payment required under a contract is made, in order to certify progress in works required for the progress payment.
(3) The accounting officer or his authorized officer and the department of the Ministry responsible for physical audit shall not certify completion of works, unless –
    (a) the contractor has complied with all provisions in the contracts;
    (b) the measure of the physical output is consistent with the design and specifications; and
    (c) the quality and performance of the physical output is consistent with the design and specifications.
(4) Officers authorized to carry out inspection under subsection (1) shall have adequate professional experience and knowledge of civil works and contracting.
(5) When necessary for inspecting the measure, quality, or performance of a physical output of a work, the accounting officer or his authorized officer and the department of the Ministry responsible for physical audit shall carry out the inspection.
(6) The Minister, on the recommendation of the Minister responsible for public works, shall issue guidelines specifying methodologies for certifying completion of works under this regulation.

138- Certification of payment vouchers

(1) No payment from the Consolidated Fund or a donor fund, where applicable, or special fund shall be made without a payment voucher:
    (a) signed by the public officer of a government agency as to validity, accuracy and legality of the claim; and
    (b) verified by the accounting officer of a government agency as to –
        i. whether a complete set of supporting documents, including a contract, Purchase Order, invoice, and an inspection report, has been submitted to the accountant officer;
        ii. through the review of the journal entries, whether the claim has been already paid;
        iii. through the review of the Purchase Order, whether the Purchase Order has been generated by, and the commitment has been authorized and recorded in, the integrated financial management system; and
        iv. whether there is a sufficient available balance of an appropriation.
(2) A sequential number shall be assigned to each payment voucher through the integrated financial management system.
(3) An accounting officer may in writing authorize by name or position an officer in his government agency to sign a payment voucher on behalf of the accounting officer within such financial limit and under such conditions as determined by the accounting officer.
(4) The accounting officer may in writing authorize by name or position a public officer to verify a payment voucher on behalf of the accounting officer, but verification of a payment

voucher under subsection(1)(b) shall only be made by the accounting officer and may not be made such a public officer.

139- Submission and record of payment vouchers and supporting documents

(1) The accounting officer of a government agency shall use the integrated financial management system to record certified payment vouchers and batch sheets and to send them to the Comptroller and Accountant General.

(2) When the integrated financial management system is not available for a government agency, a government agency shall: -–
   (a) prepare two copies of certified payment vouchers and batch sheets;
   (b) send one copy, together with supporting documents, to the Comptroller and Accountant General by such time and in such manner as determined by the Comptroller and Accountant General;
   (c) retain one copy for the government agency's record; and
   (d) keep a logbook in which copies of batch sheets and payment vouchers and their supporting documents are recorded.

(3) On receipt of batch sheets and certified payment vouchers under subsection(2)(b), the Comptroller and Accountant General shall review the batch sheets and if in order, return one copy of the batch sheets to the accounting officer as an acknowledgement of the receipt.

(4) A government agency shall send supporting documents of each payment voucher to the Comptroller and Accountant General in a paper-based form in such manner and by such date as determined by the Comptroller and Accountant General.

(5) subject to subsection (4), the Comptroller and Accountant General may by instructions require a government agency to send supporting documents through the integrated financial management system.

(6) The Comptroller and Account General shall not approve for payment for any goods and services that were not included in the procurement plan and that were contracted for outside the procurement procedures.

140- Processing of payment vouchers for payment made by a government agency

(1) Notwithstanding regulation 139, this regulation applies to –
   (a) payment by self-accounting government agencies approved to do so; and
   (b) payments by a government agency from donor funds.

(2) In order to make payments listed in sub-regulation (1), the accounting officer of the government agency shall –
   (a) record a certified payment voucher and supporting documents into the integrated financial management system; and
   (b) send a copy of a certified payment voucher, together with supporting documents, to the Ministry's unit responsible for project financial management to process the payment or to a signatory of a check or an officer authorized to send a payment instruction for electronic fund transfer, as the case may be.

141- Payment by Check

(1) To make a payment from the bank accounts opened for the Treasury Single Account with the Central Bank of Liberia a check to make a payment from accounts opened for grants and loans from donors, may be drawn only by the Comptroller and Accountant General.

(2) A check to make a payment from bank accounts opened for government agencies or the donor or special funds may be drawn by the government agency, unless otherwise instructed by the Comptroller and Accountant General.

(3) A check may be drawn by the Comptroller and Accountant General or government agency under sub-regulations (1) or (2) only when the payment voucher is duly signed and verified by the accounting officer.
(4) A check drawn by the Comptroller and Accountant General or government agency under sub-regulations (1) or (2) shall be printed through the integrated financial management system, except for payments from donor funds, special funds, imprest funds and bank accounts of government agencies that are not brought into the integrated financial management system.

142 - Types of Check
(1) A check drawn by the Comptroller and Accountant General, a government agency or an autonomous fund shall be crossed, except when an open check is specifically requested by the payee and approved by the Comptroller and Accountant General or head of government agency for which the check was drawn.
(2) If an open check is remitted by post, it shall be sent to the payee under registered cover.

143- Signatories of a Check
(1) A check drawn by the Comptroller and Accountant General shall be signed by two officers authorized by the Comptroller and Accountant General.
(2) A check drawn by the government agency shall be signed by two or more officers authorized by the accounting officer of the government agency.
(3) The signatories of a check shall verify that the amount and payee of the check is in accordance with the certified payment voucher and supporting documents.
(4) The Comptroller and Accountant General and the department of the Ministry responsible for accountant services shall daily –
    (a) examine certified payment vouchers and copies of checks against a report on issued checks to verify if the serial numbers of check issued are all accounted for; and
    (b) make journal entries into the integrated financial management system.

144- Payment by electronic fund transfer
(1) An electronic fund transfer to make a payment from bank accounts opened for the Treasury Single Account with the Central Bank of Liberia may be initiated only by the Comptroller and Accountant General.
(2) The Comptroller and Accountant general shall not initiate funds transfer either electronically or through issuance of a cheque before confirming availability of funds in the Treasury Single account.

(3) An electronic fund transfer to make a payment from a bank account opened for government agencies and autonomous funds or donor or special funds may be initiated by the accounting officer of the government agency, unless otherwise instructed by the Comptroller and Accountant General.
(4) When initiating an electronic fund transfer, the Comptroller and Accountant General or the accounting officer of a government agency, as the case may be, shall send a payment instruction through the integrated financial management system.
(5) A payment instruction may be sent under sub-regulation (1) only when a payment voucher is duly certified by both the accounting officer and the department of the Ministry responsible for accounting services.

Subpart VII – Imprest

145- An imprest is created by a decision of the Comptroller and Accountant General upon the head of agency request.
Such decision, which shall be published, defines:

- The type of expenditures that can be paid by this imprest;
- The maximum amount of the imprest, defined on a monthly basis
- The imprest account details and code;
- The class of imprest account referred to in regulation 147;
- The budget appropriation lines on which these expenditures will imputed;
- The name and function of the imprest holder;
- The modalities of the payment process and the related reporting obligations;
- The duration of the imprest and the modalities of its termination.

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146- Issuance of Imprest Accounts Code

(1) A head of government agency shall submit a request to operate an imprest account to the Comptroller and Accountant General together with the name position and rank of the imprest holder.
(2) The Comptroller and Accountant General shall approve and assign an imprest accounts code and inform the head of government agency accordingly.

147- Classes of Imprest

(1) The imprest are of two classes or categories, namely standing and special imprest.
(2) Establishment of standing and special imprest funds of a government agency requires the prior-approval of the Comptroller and Accountant General.
(3) Standing imprest are held throughout the financial year by the imprest-holder and replenished of amount spent when necessary, by submission of receipts and paid payment vouchers to the head of government agency for approval and replenishment of the amount spent.
(4) As per section 45, special imprest are issued to the imprest holder for making a particular payment, or group of payments and the amount given must be fully retired by the date specified in the approval to operate the imprest.

148-Administration and Payments from Imprest

(1) The procedures for applying, granting, disbursing and retiring of imprest shall be in accordance with these Regulations and subsequent instructions.
(2) Payments may only be made from the imprest on the authority of a payment voucher prepared and signed in accordance with these Regulations.
(3) The imprest holder is responsible for ensuring that:
    (a) Funds are available based on a General Warrant; and
    (b) Vouchers are properly authenticated.
(4) A head of government agency shall submit to the Comptroller and Accountant General at least 15 working days before the beginning of each fiscal year a list of required standing imprest, which shall be supported by an analysis and costing of activities or events on a monthly basis, from which a monthly float can be determined.
(5) A head of government agency shall submit to the Comptroller and Accountant General as the need arises a request for special imprest using a special imprest form supported by an analysis and costing of activities or events requiring funding at least 7 working days before the special imprest is required or the commencement of the activities or events.

149- Imprest-holder

(1) The head of government agency may delegate, in writing, his or her powers in respect of each standing and special imprest account to an imprest holder.
(2) An imprest-holder is responsible for –
    (a) safeguarding public money included in the imprest fund;
    (b) ensuring that an imprest fund is used wholly and exclusively for the purposes for which it is issued;
    (c) ensuring that the full amount of the imprest is fully accounted for at all times in cash, invoices and receipts, and bank accounts, payment vouchers; and
    (d) maintaining accounting records in respect of the imprest account using the Government chart of accounts.
(3) On any change in an imprest-holder, the handing-over and taking-over imprest-holders shall –
    (a) prepare a statement of accounts on the imprest, which shall –
        i. show how the imprest is made up at the time of handing-over; and
        ii. be signed by both the handing-over and taking-over imprest-holders; and
    (b) Submit a copy of the signed statement of accounts to the Comptroller and Accountant General.
(4) An imprest-holder shall be personally responsible for loss or shortage of the imprest fund under his or her control and such loss or shortage shall be recovered from the salary, other emoluments or any other amount due to imprest holder as civil debt due to the Government.
(5) An imprest-holder shall not be relieved from his or her personal responsibilities for loss or shortage of the imprest funds until the full surrender to the Comptroller and Accountant General have been examined and found to be correct.
(6) The use of imprest moneys for purposes other than those authorised shall be sanctioned in accordance with these Regulations and any other applicable enactment and shall be remitted to the competent authorities for investigation.

150- Authorised Imprest holders

The head of a government agency shall specify officers, designated by position, who may hold imprest and their authorised cash balances.

151- Advances to an imprest Account

(1) An imprest Account of a government agency shall be funded and replenished by advances from the Consolidated Fund.
(2) Advances under subsection (1) shall be within an amount of a line item in the National Budget.
(3) The Comptroller and Accountant General shall make an advance to an imprest account by drawing check or making bank transfer, at such frequency as he determines.
(4) Public money advanced to an imprest account shall be deposited by the imprest-holder into a bank account opened for the government agency, and the imprest-holder shall not keep cash in hand.
(5) The Comptroller and Accountant General may require an imprest-holder to deposit imprest funds into a bank account specifically opened for the imprest.

152-Regularization of advances to an imprest account

When a payment is made from an imprest account, the Comptroller and Accountant General shall record the expenditure in the integrated financial management system and regularize the corresponding amount of advances made to the imprest account

153- Sub-Imprest

(1) An imprest holder may issue part of the imprest to a subordinate officer provided that it is done in writing and used solely for the purpose for which the main imprest was issued.
(2) The imprest holder shall be responsible for the proper custody and accounting for the sub-imprest, and it shall be replenished only from the main imprest.

154- Surrender of Imprest

(1) All imprests shall be surrendered as soon as the necessity for their use ceases to exist and in any event, except as provided in subsection (4) of this Regulation, by the close of business on the last working day of the financial year in which they were issued.
(2) Except as provided in subsection (4) of this Regulation, where a public officer to whom an imprest of whatever nature has been issued fails to surrender it in full within thirty days after the close of the financial year, or otherwise on the demand of the Controller and Accountant General—
    1. the amount outstanding may forthwith be recovered from any salary or other emoluments or from any other amounts due to the public officer; and
    2. where no such salary, emoluments or amounts are available from which to recover the imprest, the amount may be charged as a personal advance in the name of the imprest holder, and may be recovered as a civil debt due to the Government.
(3) Imprest holders are not relieved of their responsibilities under this Regulation until payment vouchers or approved electronic documentation submitted have been examined and found to be correct.
(4) Notwithstanding the general rule that all imprests must be retired by the close of the financial year, a temporary imprest advance issued in one financial year in respect of a duty journey which has not been completed by the end of that financial year may be retained by the public officer; but it shall be accounted for as soon as the public officer returns to his normal place of work.

155- Monitoring and Reporting of imprest funds

(1) The Comptroller and Accountant General shall monitor utilization and determine replenishment of an imprest accounts through the integrated financial management system.
(2) The government agency shall report utilization and request replenishment of an imprest accounts on a monthly basis or in such manner and at such frequency as determined by the Comptroller and Accountant General.

Subpart VIII– Advanced payments

156- Approval of advance payment for goods and services and civil works

(1) An advance payment for goods and services and civil works to be financed by the National Budget or donor funds shall meet the following conditions:
    (a) the advance payment is required by a written public contract;
    (b) the amount is no more than 30 percent of a total price to be paid under the contract or 10 percent of the total price to be paid under the contract financed by donor funds;
    (c) a supplier or contractor has obtained from a financial institution a guarantee on payments of damages to the Government in case of its non-performance of contractual obligations;
    (d) the term of the guarantee covers the period until all goods and services covered by the guarantee are delivered; and

(e) the financial institutions issuers of the guarantee–
   i. are licensed by the Central Bank of Liberia or are properly regulated foreign institutions; and
   ii. meet the regulatory requirements of capital adequacy and solvency.

(2) The powers of the Minister for approving an advance payment for goods and services and civil works may be delegated to the Comptroller and Accountant General.

(3) When seeking for the approval of an advance payment for goods and services or civil works under sub-regulation (1), a government agency shall submit to the Comptroller and Accountant General a payment voucher for the disbursement signed by the accounting officer and verified by the accounting officer, together with the following documents:
   (a) a written public contract for the goods and services or civil works; and
   (b) a guarantee certificate issued by a financial institution.

(4) A payment voucher and supporting documents required under sub-regulation (3) shall be submitted –
   (a) through the integrated financial management system; or
   (b) if the government agency has no access to the integrated financial management system or the advance payment is to be disbursed from donor funds, in such manner as determined by the Comptroller and Accountant General.

(5)The Comptroller and Accountant General may approve an advance payment for goods and services and civil works, only when it meets all the conditions specified under sub-regulation (1).

(6)Any advance payment for goods and services and civil works to be financed from the National Budget or donor funds that violates any of the conditions specified in sub-regulation (1) shall be null, void and of no effect, and the recipient shall repay the advance payment to the extent in violation of sub-regulation (1) within one month after the Comptroller and Accountant General requires the repayment.

157- Disbursement of advance payment for goods and services and civil works

(1) An advance payment for goods and services and civil works from bank accounts opened for the Treasury shall be disbursed only by the Comptroller and Accountant General.
(2) In case of disbursement of an advance payment for goods and services and civil works from a bank account opened for a government agency, an officer authorized by the accounting officer of the agency shall make disbursement only after the approval under Regulation 156.

158- reconciliation of advance payment for goods and services and civil works

An advance payment for goods and services and civil works made in a fiscal year shall be reconciled when –
   (a) goods and services are delivered or civil works are completed; or
   (b) payments for work done.

159- Database of advance payment for goods and services and civil works

(1) The Comptroller and Accountant General shall maintain a database of advance payments for goods and services and civil works, which cover all approved advance payments of government agencies to be disbursed from the National Budget or donor funds.
(2) The database mentioned in subsection (1) shall at least include, in respect of each advance payment, –
   (a) the amount and date of the advance payment;
   (b) the name of the guaranteeing financial institution; and
   (c) the date, amount, and reason of the reconciliation.

160- Reporting of advance payment for goods and services and civil works

(1) Every month, the accounting officer of each government agency shall submit to the Comptroller and Accountant General, a report showing information listed in Regulation 159 in respect of each advance payment disbursed from bank accounts opened for the government agency.
(2) The Comptroller and Accountant General may, at any time, require an accounting officer of a government agency to provide such information as the Comptroller and Accountant General deems necessary for maintaining the database mentioned in regulation 159 (2).

161- Staff loan

(1) The Comptroller and Accountant General may provide a staff loan under the conditions approved by the Minister.
(2) The National Budget shall include a provision for a gross amount of staff loan to be provided in a financial year.
(3) In the integrated financial management system or otherwise, the Comptroller and Accountant General shall maintain a database on staff loans, which at least includes, in respect of each loan, –
    (a) the name of the borrower;
    (b) the amount and date of the loan; and
    (c) the repayment period and repaid amount;

(4) Only the Comptroller and Accountant General may disburse a staff loan by electronic fund transfer.

162- Prohibition of other advance payment

No advance payment other than those specified in this subpart of these Regulations shall be made from the Consolidated Fund or donor or special funds or by government agencies.

163- Inclusion of advance payments and staff loans in financial reports and statements

(1) The monthly statements of the Consolidated Fund and its annual financial statements prepared shall include at least opening and closing balances of –
    (a) advance payments for goods and services and civil works made from the National Budget or donor, funds of government agencies, special funds and
    (b) staff loans.
(2) The annual financial statements of donor and special funds and government agencies shall present opening and closing balances of advance payments.

Part V. Borrowing, Public Debt, Government Guarantees and Aid Management

Subpart I - Borrowing, Public Debt, Government Guarantees

164- Debt Management Committee

(1) Pursuant to Section 35 of the Act, there shall be a Debt Management Committee (DMC), chaired by the Minister of Finance and Development Planning and includes the Governor of the Central Bank of Liberia, the Minister of Justice and the Minister of State for Presidential Affairs, as members.

(2) The Debt Management Committee shall perform the following duties:
    (a) Meets periodically to discuss and decide debt policy;
    (b) Approves new borrowing for submission to the Legislature for approval;
    (c) Monitors debt management operations.
    (d) Sets an annual borrowing ceiling of government's debt and guarantees which may be undertaken throughout the calendar year.
    (e) Identifies funds to be borrowed from domestic and external sources at a minimum cost and in compliance with the government plan.

(3) The Debt Management Committee shall meet the last Friday of every quarter to discuss and decide debt matters. However, the DMC shall convene a meeting whenever the need arises other than the quarterly meetings.

165- Ministry's Unit responsible for Debt Management

(1) The Ministry's Unit responsible for Debt Management shall be responsible for designing and implementing public debt management policy and practices that meets government financing needs in a manner that supports economic development while managing market and operational risks.

(2) The Ministry's unit responsible for Debt Management shall perform the following duties:
    (a) Undertake analytical functions that enable the Government to meet its financing needs at the lowest possible cost within a prudent level of risk in the medium to long term;
    (b) Monitor compliance with the approved Debt Management strategy, cost and risk limits as well as to assess and coordinate different types of risks, including market, refinancing, liquidity, operational, and contingent including strategies to mitigate both operational and credit risk;
    (c) Analyse the sustainability of the debt, and to ensure that the financial and economic implications of any new borrowing are fully taken into account before additional debt is taken on;
    (d) Record new debt data in the debt recording system, reconciling and validating the recorded data, and ensuring debt service payments, data quality control, and debt reporting;
    (e) Keep an up-to-date records of the public debt;
    (f) Perform risk monitoring and compliance, including but not limited to monitor whether all government debt management operations are within the authorities and limits set by government policies; and comply with statutory and contractual obligations as well as financial reporting requirements;
    (g) Support fiscal and monetary policy through-
        i. updating projections monthly for the purposes of cash management;
        ii. inform all stakeholders of the revised debt service costs due to changes in the variables that affect it, including but not limited to: exchange rate, actual disbursement.
    (h) Provide adequate support coordination to the Ministry's unit responsible for Economic Policy in the preparation of the Debt Sustainability Analysis.
    (i) Develop and distribute an annual borrowing plan and put forth calendar for domestic debt securities in accordance with the chosen debt management strategy. This will be communicated to the Central Bank of Liberia and updated regularly in conjunction with the Central Bank of Liberia to improve liquidity and ensure that government is able to issue treasury bills and bonds at reasonable costs.

(j) Design and execute liability management operations, such as debt buy-backs and exchanges within the context of the Debt Management Strategy and annual borrowing plan.
(k) Implement strong controls and well-documented procedures for settlement of transactions, maintenance of the financial records, and access to the debt management system.
(l) Develop documented procedures for controlling access to the debt management information system and for debt and transactions data recording and validation, as well as storage of agreements and debt administration records, including-
    i. Ensure debt data in the debt recording or management system is secure, the system is located in a locked area, and access to the system by users and information technology specialists is tightly controlled through access permissions and password controls.
    ii. Secure all loan agreements and debt administration records, including payments (that is, controlled access to cash, checks, and electronic payment systems that are located in locked areas), with controls to ensure that a minimum two-person authorization process is used to validate and process payments.
    iii. Ensure that the backup of the Ministry's unit responsible for Debt Management recording system and soft copies of all debt related documents are stored with the Ministry data centre and shall be updated on a regular basis.
    iv. Ensure that the Ministry's unit responsible for Debt Management receives copies of new loan contracts upon signing and ratification of such for recording and storage.
(m) Assess whether the expected terms and conditions from external creditors are the most beneficial available;
(n) Confirm the terms and conditions of any debt transactions with external creditors.
(o) Monitor and report on domestic and international market conditions and market participants, including an analysis of the investor base for government debt;
(p) Provide advice on new debt of public sector entities as well as on-lending proposals;
(q) Provides secretariat to the Debt Management Committee;
(r) Validate debt transactions by cross – checking internal records with those of the lender;
(s) Support external and internal audits, including the provision of requested financial information;
(t) Develop a comprehensive compliance program and a code of conduct based on international sound practice in Public debt Management;
(u) Evaluate funding requests by SOE's and subnational;
(v) Prepare on a timely basis and publish a statistical bulletin of central government debt, contingent liabilities and total non-financial sector public debt;
(w) undertake analytical functions that enable the government to develop its funding and meet its financing needs.
and
(x) Other as determined by the Minister or provided for under these Regulations.

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166-Segregation of functional responsibilities

(1) In performing its debt management functions, the Ministry's unit responsible for Debt Management shall ensure that there shall be a separation between who record debt and who initiate payments.

(2) Operational responsibility for debt management activities shall be separated into front, middle, and back offices with distinct functions and accountabilities, and separate reporting lines.

167- Conditions for Government Debt

(1) All financial obligations undertaken on behalf and for the account of the Republic of Liberia in full compliance with the Act, shall be government debt, and shall be a liability of the government.
(2) All government borrowing terms and conditions shall be consistent with Part V of the Act.
(3) Where the government debt is revalued in Liberian dollars, obligations denominated in foreign exchange other than the United States dollar shall be translated at the exchange rate of the Central Bank of Liberia as of the date of revaluation.
(4) The government debt shall be undertaken through:
    (a) issuance of government securities;
    (b) government loan agreements.
(5) For the purpose of Section 35(1) of the Act:
    (a) short-term borrowing means borrowing that has an original maturity of less than one year; and
    (b) long-term borrowing means borrowing that has an original maturity of one year or longer.
(6) Refinancing may be used for the following purposes:
    (a) to reduce the present value of government debt servicing expenses;
    (b) to extend the average weighted maturity (modified duration) of government debt;
    (c) to balance distribution of government debt payments.
(7) The conditions that investment projects and specific programs approved by the National Legislature should meet, and the procedure for their consideration shall be determined by the Debt Management Committee.
(8) The government debt may be agreed upon, issued and paid in local currency, United States dollars, or in any other convertible foreign currency.
(9) The amounts due as interest and principal payments on the government debt shall be a priority payment of the general government.
(10) The Minister in consultation with the Debt Management Committee may effect financial transactions in view of reducing the risk in relation to the government debt structure.

168- Power to raise loans

(1) For the purpose of Section 36(1) of the Act, the Minister shall undersign on behalf of the government loan agreements on the grounds of a decision of the Debt Management Committee pursuant and to the applicable legislations.
(2) Government debt may be taken up in the following cases:
    (a) Financing budget deficit;
    (b) Treasury and monetary policy management purposes;
    (c) Obtaining foreign currency;
    (d) On-lending to an approved institution; or
    (e) Otherwise defraying expenditure which may lawfully be defrayed.
(3) Negotiation of external loan on behalf of the Government of Liberia shall be led by the Division of External Resources and Debt Management and shall have the following representatives-
    (a) The Ministry's unit responsible for Aid Management;
    (b) The Ministry's unit responsible for Debt Management;

(c) The Ministry of Justice;
(d) The Legal section of the Ministry;
(e) The Ministry's Macro-economic division;
(f) The Ministry's Department responsible for budget;
(g) Representative(s) of the implementing agencies.

(4) A loan agreement for the purposes specified in Section 36(2) of the Act shall be approved by a resolution of the Legislature and signed by the Minister.
(5) Sub regulation (2) shall not be applicable to a loan agreement raised for treasury and monetary management purposes in accordance with Section 36(2) (b) of the Act.
(6) Government securities shall be issued by the Central Bank on behalf of Ministry.
(7) The Minister of Justice shall prepare a legal statement of opinion on the fact of ratification, which shall serve as a notification to the creditors in the cases where government debt agreements or guarantee agreements are ratified by the Legislature.
(8) The Minister may extend the funds of the loan to government bodies, financial institutions and/or other legal entities pursuant to the conditions of the agreement, where a government loan agreement provides for target financing.
(9) Government bodies and financial institutions may extend funds to finance investment projects or other activities of third parties that meet creditors' requirements, and an agreement to this effect shall be concluded with the Minister. To obtain such funds, the third parties shall provide a security in an amount covering the principal and interest due.
(10) All money raised by loan shall be deposited into the Consolidated Fund and shall form part if it and be available in the manner in which that fund is available.
(11) Notwithstanding sub-regulation 9, in accordance with Section 36 (5) of the Act, the Minister may, by order signed by him, after the approval of the Debt Management Committee, direct that the whole or a part of the amount of money raised by loan be paid into and form part of the Development Fund or special fund.

169- Computerized Debt Management System

(1) For the purpose of Section 42 of the Act, the Ministry's unit responsible for Debt Management shall develop a software for assessing and analysis costs and risks, including scenarios and sensitivity analysis.
(2) The Ministry's unit responsible for Debt management shall maintain a computerized debt management system that includes records of:
(a) Outstanding government debts;
(b) Derivative transaction entered into by Government;
(c) Guarantees issued by Government;
(d) Government lending transactions;
(e) Finance lease agreements entered into by the Government;
(f) Any other relevant record in respect of Government debt obligation.

(2) A new loan agreement shall be entered into the debt recording system within three weeks of signing a loan contract.
(3) The Computerized Debt Management System shall interface or integrate with and transfer the required data directly to the Integrated Public Financial Management System.

170- Debt Management Strategy

(1) For the purposes of Part V of the Act, the principal objective of debt management shall be to ensure that Government's financing needs at the lowest possible cost and payment obligations are met on a timely basis, subject to a prudent balance between costs, risks and major infrastructure need and to develop the domestic debt market.

(2) The Ministry's unit responsible for Debt Management shall develop and submit to the Minister, a three-year government debt management strategy, which shall be approved by the Debt Management Committee and endorsed by the Cabinet.
(3) The Ministry's unit responsible for Debt Management shall liaise with fiscal policy units and the central bank on the framework for and risks to Debt Management Strategy
(4) The strategy under sub-regulation 2 shall be updated on an annual basis and shall be submitted together with the three-year budget projection for approval by the Debt Management Committee and adoption by the Cabinet.
(5) The annual review mentioned in sub-regulation (3) shall include an assessment on how the Ministry's unit responsible for Debt Management operations have complied with the Debt Management Strategy including the annual borrowing plan, guarantees, on-lending and restructured loans.
(6) The Debt Management Strategy shall be made public through the Website of the Ministry.
(7) The Ministry's unit in responsible for Debt Management will hold discussions with stakeholders as part of the process of designing the debt management strategy, including discussions with fiscal and monetary authorities, investors, and the legislature.

171- Public Debt Reporting and information

(1) The Ministry's unit responsible for Debt Management shall prepare and submit to the Minister for approval a quarterly report on the state of the government debt, containing:
   (a) commentary on domestic and external debt operations over the previous quarter, including debt service payments, adjustments, disbursements and settlement of payments transactions;
   (b) a breakdown of the domestic and external debt composition by outstanding debt and debt servicing costs, instrument type, creditor; necessary review of the government chart of accounts will be undertaken in consultation with the Department of Budget and Development Planning and the CAG, to ensure all debt and debt servicing, including the breakdown among interest, charge, and principal repayments are adequately codified in concerned segments of Chart of Accounts (CoA) codes, and related data are fully reflected in terms of CoA codes both in the budget and accounts. The broad classification structure of public debt principal repayment and debt servicing components between appropriate Capital and Recurrent sections in Regulation 33(1) may be referred to.
   (c) a currency composition of external debt;
   (d) information on debt maturity, the interest rate and the basis upon which interest is calculated;
   (e) an analysis of the quarterly change in debt composition by instrument type;
   (f) information on Treasury Bills which should be reported as government debt liability, the underlying loans of government guarantees, and maturing debt profiles.
   (g) inclusion of, where applicable, basic debt ratios.
   (h) accumulated arrears to suppliers which are considered as debt for the purposes of Section 42(2) of the Act.
   (i) A report on different financial markets and market participants.
   (j) Report on debt -related risks.
   (k) Pursuant to paragraph (a) the Debt management Unit to report on the financial performance of debt management operations.
(2) The quarterly report under sub regulation (1) shall be considered by the Debt Management Committee and shall be submitted to the Legislature as an integral part of the annual government budget performance report.

(3) The official information on the consolidated government and government guaranteed debt shall be published on a quarterly basis on the website of the Ministry.
(4) A debt bulletin shall be published, on an annual basis, to provide additional information on debt performance and market development.
(5) Within 30 days prior to undertaking the debt or issuing a guarantee, the National Social Security Corporation or other social security companies and provident funds shall be obligated to inform the Ministry about their intentions to undertake any debt or to issue a guarantee.
(6) The Minister in consultation with the Debt Management Committee shall determine the procedure, manner and time limits for provision of information on the state and funds movement of debts of the National Social Security Corporation or other social security and provident funds to be set up in future.

172- Debt Limit

(1) The Debt Management Committee shall for a respective year set forth:
    (a) the maximum amount of the new government debt and the government guarantees which may be undertaken throughout the year;
    (b) the maximum amount of government debt as at the end of the budget year.
(2) For the purposes of monitoring compliance with the limits under sub-regulation (1), the amount of government debt and government guarantees which are not denominated in Liberian dollars or United States dollars shall be recalculated at the exchange rate of the Central Bank of Liberia as of the date of occurrence of the liability.
(3) Where government securities are issued with a discount or a margin, the limit shall be calculated on the basis of the face value of the government securities.
(4) The outstanding portion of the consolidated government debt at year-end as a ratio of the projected gross domestic product of that year, may not exceed 60 per cent.
(5) For the purposes of calculating the ratio under sub-regulation (4), the amount of the gross domestic product at current prices, taken from the three-year budget projection approved by the Debt Management Committee, and the amount of the consolidated government debt in Liberian dollars or United States dollars translated at exchange rates set in the three-year budget projection approved by the Debt Management Committee, shall be used.
(6) In the event of any risk of noncompliance with the requirement under sub-regulation (5) the Debt Management Committee may propose some restrictions on the issuance of debt and Social Security debt in the National Budget for the respective year.

173- Repayment, conversion, and consolidation of loans

(1) For the purpose of Section 37(1)(a) of the Act, when paying loan related debt services or repaying principal of domestic and external debt, the Comptroller and Accountant General, on the debt service payment advice prepared by the Ministry's unit responsible for Debt Management, shall send a payment instruction to the Central Bank of Liberia.
(2) The Ministry's unit responsible for Debt Management and the Central Bank of Liberia shall each prepare and send to the Comptroller and Accountant General, debt service payment schedules for external and domestic debt in such manner and by such date as determined by the Comptroller and Accountant General.
(3) All debt service payments shall be recorded in the integrated financial management system within (1) month of the payment.
(4) For the purpose of Section 37(1) (b) and (c) of the Act, conversion and consolidation of loans shall be recommended by the Debt Management Committee and approved by the Minister.

(5) For the purpose of Section 38 of the Act, the Comptroller and Accountant General shall pay and account all expenses incurred or incidental to the raising of loans through the Consolidated Fund.
(6) The debt service appropriations in the budget shall only be used on projected debt service payments as provided for in the budget.
(7) The Ministry's unit responsible for Debt Management shall have user/viewing right on the integrated financial management information system to enable the Unit monitor and reconcile all debt service accounts in the system on a monthly basis.

174 - Government Guaranteed Debt

(1) All financial obligations for which the Debt Management Committee has issued guarantees on behalf and for the account of the government, in full compliance with Act, shall be government guaranteed debt.
(2) The Minister shall participate in the negotiations on the extension of a government guaranteed loan and shall undersign on behalf of the government agreements on the issuance of a government guarantee or guarantee letters pursuant to a Debt Management Committee decision.
(3) The Debt Management Committee shall participate in the negotiations of government guaranteed loans, together with the Minister.
(4) The Debt Management Committee through its secretariat (Ministry's unit responsible for Debt Management) shall conduct a sustainability analysis of any guaranteed instrument(s) to ensure that the borrower has a debt carrying capacity.
(5) The Debt Management Unit should monitor guaranteed debt and creditors.
(6) Any proposals for amendments to the loan or guarantee agreement, in the cases of government guarantees already issued, shall be made with the prior approval of the Minister in consultation with the Debt Management Committee.
(7) Borrowers under government guaranteed loans shall provide to the Minister, on a monthly basis by the 15th of the month, information on the state and movement of funds under the loan.
(8) Where necessary, the Minister may request additional information on the government guaranteed loans from the government authorities that have proposed the issuance of the guarantee, and they shall provide it within 15 days from the receipt of the request.
(9) The terms and conditions that projects applying for government guaranteed financing should meet, and the government guarantee issuance procedures shall be determined by the Debt Management Committee.
(10) Interest and principal payments of government guaranteed debt shall be paid by the borrowers.
(11) Payment under a government guarantee shall be due only in the event:
   (a) a borrower has not effected a full or partial payment on a loan in accordance with the loan agreement terms and conditions;
   (b) a creditor has taken the steps and actions provided for in the respective loan agreement for collection of the amounts due from the borrower.
(12) In the cases under sub-regulation 10, the borrower and the creditor shall notify the Minister within three days.
(13) Where the requirements under sub-regulation 10 (b) have not been provided for in the government guarantee issuance agreement, the Minister shall determine together with the creditor the actions to be taken where a payment on a government guarantee is due, as well as the time limits within which the government should pay the overdue amount.
(14) From the date of the payment under a government guarantee, the government shall enter into the creditors rights under the loan agreement to the amount of the payment made.

(15) The borrower shall reimburse in full the amounts paid to the creditor under a government guarantee, and the expenses incurred in relation to the payment.
(16) The Minister shall take any actions under the effective legislation to recover the amounts paid under the government guarantee.

175- Debt of the Central Bank of Liberia, and Social Security
(1) The debt of the Central Bank of Liberia shall not be guaranteed by the government and shall not constitute a liability of the Government, except for the cases where a government guarantee has been issued according to the appropriate procedure.
(2) The Central Bank of Liberia may undertake debt pursuant to the provisions of the Law establishing the Central Bank of Liberia.
(3) The debt of Social Security shall not be guaranteed by the government, and shall not constitute a liability of the government, except for the cases where a government guarantee has been issued according to the appropriate procedure.

177- Government Debt Agent
(1) For the purposes of Section 35 of the Act, the Minister and the Central Bank of Liberia shall conclude an agreement setting the terms and conditions within which the Central Bank of Liberia will act as fiscal agent for the government.
(2) To perform its functions under sub-regulation (1), the Central Bank of Liberia shall remit on behalf of the Government, debt service payments to external creditors and regulate and participate in government securities market.
(3) The relations under sub-regulation (1) shall be provided for in an agency agreement, and the Ministry shall pay a commission for the agency services rendered by the Bank.
(4) For the purpose of performing its agency functions, the Central Bank of Liberia shall:
   (a) establish and organize a system for conducting auctions and subscriptions for sale of government securities. The participants in the system shall be determined by the regulations under sub-regulation 6(a);
   (b) register government securities issues, secondary market transactions in government securities, and shall provide conditions for the development of the secondary market;
   (c) establish and organize a government securities settlement system in which three or more members participate, who may be primary dealers, sub-depositories of government securities or other entities, specified by the Minister and the Central Bank of Liberia pursuant to sub-regulation (6), based on general rules guaranteeing the implementation of responsibilities related to the participation in the system pursuant to an agreement as:
      i. an order for registering a transfer sent to the system pursuant to its rules cannot be repealed after the time specified in the settlement system rules;
      ii. operations conducted by a participant in the system or by a third party after this time and aiming to withdraw or repeal the transfer order shall be deemed invalid;
      iii. withdrawal of a license for conducting bank activity of a bank or a foreign bank branch, or initiation of bankruptcy proceedings against another participant in the settlement system shall not affect the systems obligations to process and execute settlement of the transfer orders submitted for registration by this participant, nor the validity; and controversy of such orders to third parties in case they have been entered into the system in compliance with its rules.

(d) select, jointly with the Ministry of Finance, government securities primary dealers and other participants on the government securities market and to take measures against them in case of infringement based on rules and criteria set forth by the Minister and the Governor of the Central Bank of Liberia;
(e) provide information on the financial position of government securities primary dealers;
(f) ensure that the use of Treasury Bills for purposes other than domestic borrowing, are announced with the auction and reported in the Ministry and the Central Bank of Liberia publications;
(g) perform other mutually agreed activities.

(5) Sub-depositories of government securities issued on the domestic market may be only credit institutions accredited by the Central Bank of Liberia.

(6) The Central Bank of Liberia shall in consultation with the Minister issue regulations on the terms and procedure for acquisition, registration, redemption, and trade in government securities, excluding trading in financial instruments on regulated markets and multilateral trade facilities-
(a) The Central Bank of Liberia shall regulate the government securities market and issue regulations on the control over transactions therein, excluding those executed on regulated markets in financial instruments and multilateral trade facilities.
(b) The Central Bank of Liberia shall in consultation with the Minister issue regulations on government securities settlement which shall provide for keeping government securities accounts with the Central Bank of Liberia and with the entities under sub-regulation 4.

(7) The Minister may sign agency agreements with other residents and non-residents.

178- Responsibility for Donor Funding

(2) For the purposes of Section 40 of the Act, the department of the Ministry responsible for aid management and coordination shall:
(a) Provide support to Minister and act as institutional link between the President's Office, and implementing bodies of the Government and the donors, as regards to aid management;
(b) Maintain a full database of aid flows and produce reports on statistical records of aid flows data, including progressively bringing off-budget aid flows onto the budget;
(c) Co-ordinate plans for loan financing, subject to Part V of the Act, these Regulations and any other enactment;
(d) Co-ordinate plans for all general budget support and targeted budget support financing, as part of the national budget process;
(e) Manage the pooled funding mechanisms;
(f) Liaise with the other government agencies for the planning of future donor and NGO impact on the budget and for identification and planning of future external financial resources;
(g) Prepare Annual and Mid-Term Reviews with various donors.

179- Responsibilities of Government agencies for Donor Funding

(1) All government agencies which are beneficiary of donor funding not channelled through the budget shall:
(a) within seven (7) working days, submit copies of relevant cooperation agreements and memoranda of understanding to the Minister;

(b) fully disclose to the Minister all information related to donor funding not channelled through the national budget, using the Government's Chart of Accounts and Budget Classification to classify expenditures and revenues.

(2) The unit of the Ministry responsible for aid management and coordination shall ensure that there are adequate arrangements to gather, Inventory, analyze and report on the information in sub regulation (1).

180- Accounting for Donor Funding

(1) All moneys received by way of loans, grants, and donations shall constitute public moneys and shall be paid into the Consolidated Fund.
(2) The Minister shall make provision in the budget estimates for loans, grants and donations receivable in cash.
(3) Where the quantum of the loan, grant or donation referred to in sub-regulation (2) is not known a provision shall be included in the estimates and when the quantum becomes known a supplementary estimate shall be raised for the amount involved.
(4) Where loans, grants and donations are receivable in kind, the value of such donations shall be determined and included in the estimates and reflected as expenditure in the fiscal year.
(5) Moneys received for specified projects which have been paid into the Consolidated Fund shall be released when required to the appropriate project bank account.
(6) The Comptroller and Accountant General shall—
   (a) cause to be kept and maintained in separate and proper books and records and in the integrated financial management information system, where applicable, information on all projects and donors, and for appropriate audited financial statements to be included in the financial report; and
   (b) ensure that whenever projects are completed, the project assets including buildings, plant, vehicles, furniture, fittings and equipment are properly recorded and handed over to Government or other appropriate authorities within the time frame provided for in the agreement.
(7) Where no timeframe is provided for in an agreement, assets shall be handed over within three months from the date of the closure of the project.
(8) In the absence of any instructions to the contrary any unexpended balance standing to the credit of any project account shall be paid into the Consolidated Fund.

181- Responsibilities of Non-Governmental Organisations (NGOs)

For the purposes of Section 40 (3) of the Act, NGOs that implement development programs funded by public funds, including donor funding totalling US$50,000 (Fifty Thousand United States Dollars) or more a year, shall be accountable through regular financial reporting and submission of annual audited accounts to the Minister, and oversight line ministries.

182- Documents to be Attached

(1) Documents to be attached to the financial reports and annual audited accounts in regulation 181 shall include but not limited to:
   (a) A certificate of registration confirming that the NGO:
      i. is a body corporate and separate from its members, with perpetual succession;
      ii. can engage in public interest activities and public fund-raising throughout Liberia;

iii. is eligible for such fiscal or other benefits and privileges, as may be applicable to NGOs from time to time.

(2) Every registered NGO, on an annual basis, and by such date as prescribed by applicable legislation, shall file with the Registrar's office the following documents and information which shall be part of the Registry accessible to the public:
   (a) audited annual financial statements;
   (b) its annual report outlining the activities undertaken by the NGO in the year and such other information as may be prescribed by the Minister;
   (c) an annual return reflecting details of its trustees, directors, office bearers, auditors and such other information as may be prescribed by the Board;
   (d) in the event of any amendment to its constitution or governance instrument, a certified copy of such amendment, within sixty days of such amendment being adopted; and
   (e) any such further documentation or information regarding the officers and activities of a registered NGO which the Board may require.

(3) Copies of the documents in sub regulation (1) and (2) shall be forwarded to the Minister and oversight line ministries.

Part VI. Cash Management and Banking Arrangements

Subpart I – Cash management

183- Liquidity Management Committee

(1) The Liquidity Management Committee is responsible for the analysis of the liquidity position of the Government and for making appropriate recommendations to enable decision making on cash management by the Treasury Management Committee.

(2) The Liquidity Management Committee shall be chaired by the Assistant Minister responsible for cash management function.

(3) The Director responsible for Cash Management shall serve as head of secretariat and the Committee shall be composed of representatives of-
   (a) Department responsible for budget and development planning, director responsible for budget policy and coordination;
   (b) Department responsible for economic management, directors responsible for aid management and coordination, debt management and macro-economic policy;
   (c) Department responsible for revenue and tax policy
   (d) Comptroller and Accountant General Department, director responsible for treasury services.

(4) The Liquidity Management Committee shall carry on the following duties:
   (a) Review and approve the annual cash flow plans for government agencies at the beginning of the fiscal year;
   (b) Review and approve monthly and quarterly cash flow plans at the start of each month or quarter;
   (c) Review transfers and extra-budgetary expenditures requests and, on the advice of the departments responsible for budget and development planning and cash management, either accept or reject, or refer them to the Treasury Management Committee;
   (d) Disseminate updated cash plans to budget users;
   (e) Propose, for approval of the Treasury Management Committee, the liquidity policy and procedures of the Government short-term borrowing; and

(f) Determine the needs for short-term borrowing on a monthly basis, as set out in the liquidity policy and procedures approved by the Treasury Management Committee.

(5) The Treasury Management Committee shall meet on a monthly basis.

184- Treasury Management Committee

(1) The Treasury Management Committee is responsible for overseeing the prudent, efficient, and cost-effective use of cash resources of the Government of Liberia.

(2) The Treasury Management Committee shall be chaired by the Deputy Minister of Fiscal Affairs and composed of-

(a) Deputy Minister responsible for Budget and Development Planning;
(b) Deputy Minister responsible for Economic Management;
(c) Comptroller and Accountant General; and
(d) Representatives of the Central Bank of Liberia;
(e) Any other public official as may be specified by the Minister.

(3) The Treasury Management Committee shall have the following duties:

(a) Review and approve the consolidated annual cash flow plans;
(b) Review and approve the consolidated quarterly cash flow plans at the start of each quarter;
(c) Approve the liquidity policy and procedures of the Government's short-term borrowing;
(d) Review the Government liquidity requirements and make deficit financing decisions where necessary;
(e) Review and decide whether to adjust significant transfers or extra-budgetary expenditures; and
(f) Any other functions assigned by the Minister or under these Regulations.

(4) The Treasury Management Committee shall meet on a quarterly basis or as necessary to perform its duties.

(5) For the purpose of performing its duties the Treasury Management Committee shall have access to –

(a) Bank statements of any account opened for a government agency;
(b) All information about the Treasury Single Account;
(c) The cash forecast and data on budget execution of government agencies.

(6) For the purpose of Section 45(3)(c) of the Act the Treasury Management Committee shall report to the Minister about-

(a) the management of bank accounts or the Treasury Single Account;
(b) The transaction and operation of the Treasury Single Account;
(c) Recommendations on the development of the Treasury Single Account; and
(d) Consolidated cash plans.

185- Ministry's unit responsible for Cash Management and Financial Approval

(1) For the purpose of Section 45(3)(b) of the Act, the Ministry's unit responsible for Cash Management and Financial Approval is responsible for the formulation and implementation of a credible cash management framework in respect of the approved budget and provides recommendations for expenditure based on analysis of expenditure data, spending plans and cash receipts.

(2) The Ministry's unit responsible for Cash Management and Financial Approval shall have the following duties in relation to cash management:

(a) Prepare an annual consolidated cash flow plan following passage of the Annual Budget based on inputs provided by budget users containing projected cash inflows and cash outflows on a monthly or quarterly basis that includes contingency

measures, outlining what the consequences of monthly shortfalls or surpluses would be to the cash plan;

(b) Consolidate the revenue and expenditure of government agencies in order to provide reliable and forward-looking information that forms the basis for decision-making process on cash projections;

(c) Prepare every month, on a rolling basis, a quarterly consolidated cash flow plan, based on inputs from government agencies;

(d) Update on a weekly basis, the quarterly cash flow plan in light of actual weekly revenues and expenditures on the basis of information provided by the unit responsible for bank reconciliation of the Office of the Comptroller and Accountant General.

(e) Produce a monthly report for the Minister showing actual cash flows compared to the planned cash flows, showing variances and remedial measures in case of negative variances;

(3) The Ministry's unit responsible for Cash Management and Financial Approval shall have the following duties in relation to financial approval:

(a) Approve all Allotments in Financial Budget base on available resources for government agencies following legislative approval of the Budget;

(b) Compile allotments and in collaboration with the department responsible for budget and development planning communicate and approved allotments to budget users;

(c) Analyze spending ceilings to government agencies based on available resources and in consultation with the department responsible for budget assess all the requests for additional funding/supplementary allotments;

(d) Work along with the department responsible for budget and development planning on the issuance of allotments to government agencies;

(e) Ensure that government agencies account for allotments/disbursements before additional releases;

(f) Receive historical expenditure data from the Comptroller and Accountant General's Office, analyze cash receipts projections from the department responsible for revenue and tax policy, use all the data collected to conduct analysis of the Government cash position and make recommendations on how to proceed with expenditure.

(5) the Ministry's unit responsible for Cash Management and Financial Approval shall-

(a) Adjust the cash releases and update the cash plans in cases of reversal of allotments and transfer of appropriations, on the basis of the information received from the department responsible for budget and development planning;

(b) Analyse the request of the extra-budgetary expenditures received from the Department responsible for budget and submit to the Liquidity Management Committee for review and approval.

(c) Support the process of decision-making in case of revenue shortfall or increase and idle allotment balances and review the cash flow forecasts by producing, -

i. Quarterly consolidated report showing revenue performance, shortfall, and the government bank balances for submission to the Liquidity Management Committee

ii. Quarterly consolidated report showing revenue performance, increase, and the government cash balances and submit to the Liquidity Management Committee

iii. Quarterly consolidated report showing allotments issued and idle allotment balances for the quarter.

186- Annual Cash planning

(1) For the purpose of Section 45(3)(a) of the Act all users of the budget shall submit an annual cash flow plan to the Minister within 30 days after the submission of the Draft National Budget to the Legislature, providing a monthly break down of planned receipts and payments.

(2) The consolidated annual cash plan and consolidated quarterly cash flow forecasts shall be prepared by the Ministry's unit responsible for Cash Management and Financial Approval, on the basis of cash balances submitted by –

(a) Government agencies;
(b) Social Development Fund through the Ministry responsible for Internal Affairs;
(c) County and social development funds through the counties;
(d) Department responsible for revenue;
(e) Department responsible for debt management;
(f) Department responsible for aid management and coordination;
(g) Department responsible for budget and development planning;
(h) Comptroller and Account General's Department;
(i) Department responsible for reconciliation and financial reporting.

(3) Annual cash flow plan shall contain at least-

(a) Information about spending plans consolidated by the Department responsible for Budget and Development Policy;
(b) Information about cash inflow broken down into major categories, the revenue collection plan, including tax and non-tax revenue and budget support revenue;
(c) Debt projections and payment schedule, provided by the department responsible for Debt Management;
(d) Cash flow analysis and factors that might affect the annual cash flow plan.

(4) The Ministry's unit responsible for Cash Management and Financial Approval shall consolidate the annual cash flow plan no later than 15 days before the beginning of the Fiscal Year, which shall be reviewed by the Liquidity Management Committee and recommend financing decisions to be approved by the Treasury Management Committee.

(5) The Treasury Management Committee shall approve the annual cash flow plan and financing decisions no later than 10 days before the beginning of the Fiscal Year.

(6) No later than 10 days before the beginning of the Fiscal Year, the Department responsible for Cash Management shall notify all budget users of their approved annual cash plan and shall send a copy of the approved plans to the department responsible for Budget for issuance of allotments and to the department responsible for monitoring.

(7) In case of amendments of the proposed Budget by the Legislature, in accordance with Section 21 of the Act, the adjustments to the annual cash plan and its approval shall follow the procedures of this regulation.

187- Cash forecasting

(1) The Ministry's unit responsible for Cash Management and Financial Approval shall prepare a cash forecasting template that will be used to capture all the data required for cash forecasting and this shall contain the following information:

(a) Payment dates;
(b) Type and amount of payments;
(c) Expected weekly cash inflow and outflow;
(d) Weekly net balance;
(e) Historical trends of cash flows patterns; and
(f) Any change in the cash flow plan and justification.

(2) For the purpose of Section 45(3)(a) of the Act, all users of the budget shall submit to the Minister no later than 10 days before the beginning of every month –

(a) A revised monthly and quarterly spending plan;
(b) Any change(s) to their monthly and quarterly cash flow plans
(c) Transfer from one budget line to another requests; and
(d) Extra-budgetary expenditure requests.

(3) The Ministry's unit responsible for Cash Management and Financial Approval shall consolidate all spending plans approved by the department responsible for budget and development planning no later than 5 days before the beginning of every month.

(4) No later than 5 days before beginning of every month, the Ministry's unit responsible for Cash Management and Financial Approval shall prepare, a monthly, and a rolling quarterly cash flow forecast, including a weekly break down for the month beginning and aggregate information for the following two months and providing details of expected receipts and payments, taking into account changes in circumstance during the quarter, including but not limited to-
(a) Deviations from planned revenues;
(b) Revenue against expenditure performance,
(c) Delays in expenditure; and
(d) Changes in economic conditions and in-year policy adjustments.

(5) No later than 4 days before the beginning of every month, the Liquidity Management Committee shall review the monthly cash plans and approve any spending plan adjustments, including transfers and extra budgetary requests and financing decisions.

(6) No later than 4 days before the beginning of each quarter the Treasury Management Committee shall approve the quarterly cash plan, including transfers and extra-budgetary requests, financing options, borrowing programs.

(7) No later than 1 days before the beginning of every month, the Ministry's unit responsible for Cash Management and Financial Approval shall notify all users of the budget of their approved cash plans and send this information to the department responsible for Budget for the purposes of issuance of or adjustments to, as the case may be, the allotments.

(8) No later than 5 days after the beginning of every month, the Ministry's unit responsible for Cash Management and Financial Approval shall register the monthly cash releases on the financial management system.

(9) For the purposes of Section 45(3)(c)(d) of the Act, the Department responsible for cash management and financial approval shall:
(a) Provide the Central Bank of Liberia with a monthly liquidity forecast, no later than 10 days after the end of each month;
(b) Consolidate and submit for approval the monthly and quarterly cash forecasting reports;
(c) Identify the daily cash position provided by the Comptroller and Accountant General Department by highlighting any shortage or surplus of funds within the consolidated statement of the Treasury Single Account;
(d) Record at least the following data: actual revenue and expenditure of budget users; macroeconomic data; historical cash flow patterns; known dates of large revenue and expenditure payments; forecast data submitted by budget user; and past cash forecasts.

(10) The information mentioned in the previous sub-regulation shall be made available to-
(a) Central Bank of Liberia;
(b) Comptroller and Accountant General
(c) Director responsible for Debt Management

(11) The budget users shall promptly report to the Ministry's unit responsible for Cash Management and Financial Approval any significant change on the cash forecasting.

(12) If changes have a great impact on the net cash flow or the balance sheet of the Treasury Single Account, the Treasury Management Committee shall convene to address the problem.
(13) Each budget user shall make the necessary adjustments to their cash plan in order to maintain consistency with the Budget.

Subpart II – Banking Arrangements

188- Establishment of Treasury Single Account

(1) For the purpose of Section 46 of the Act the Minister shall establish a Treasury Single Account structure, through which sub-accounts of government agencies are managed as one from cash flow perspective.
(2) In order to minimize borrowing costs or maximize interest-bearing deposits, operating cash balances shall be kept to a minimum through consolidation into a Treasury Single Account.

189- Operations of a Treasury Single Account

(1) The Treasury Single Account shall reflect, at a minimum the following features:
   (a) Under the responsibility of the Minister or designee, government agencies hold accounts at the Central Bank which are subsidiary accounts of the Treasury Single Account
   (b) Government agencies' accounts are zero-balance accounts, with money being transferred to these accounts as specific approved payments are made; government agencies' accounts are automatically swept at the end of each day;
   (c) Daily centralization of the cash balance (when possible) where the Central Bank consolidates the government position at the end of each day including balances in all the government accounts;
   (d) Transactions recorded into this account in a manner that is consistent with the classifications used in the Chart of Accounts.

   (e) All operational and domestic accounts including escrow accounts of the government shall form part of the Treasury Single Account domiciled at the Central Bank of Liberia (CBL) with MACs having full management of these accounts. State-Owned Enterprises and Donor-Funded projects accounts are exempted from the TSA coverage;

   (f) All MACs with internally generated funds will maintain a Transitory Account at commercial banks and funds collected on these accounts will be swept daily to their respective MACs accounts at Central Bank of Liberia there shall be no withdrawal transactions on these accounts at commercial banks.

(2) Cash advances requested by constitutionally established and other statutory institutions of the State, will be deposited on sub accounts of the main treasury account, but will be considered to be part of the Treasury's cash resources in line with the principles of the Treasury Single Account.

190- Extension of the Treasury Single Account

(1) All revenues and expenditures of donor funds and autonomous funds where applicable shall be deposited into and paid from a commercial bank account (s) excluded from the Treasury Single Account ;

(2) All bank accounts opened for government agencies, including autonomous agencies, donor funds, where appropriate, and special funds may be closed or included in the Treasury Single Account.
(3) The scope of the full Treasury Single Account may be extended, by Cabinet, to all or some of revenues and expenditures when provided by enactment.

191- Fiscal Decentralization and County Treasury Offices

(1) The unit of the Ministry responsible for fiscal decentralization shall ensure the Intergovernmental Fiscal Framework aimed at providing long- and short-term development of fiscal arrangements, including the assignment of expenditure, revenue responsibilities, intergovernmental transfers, county and social development funds, and coordinating the institutional mechanisms of the county treasury offices for local governments or counties are enhanced.
(2) In accordance with these Regulations and for the purposes of the Local Government Act, the Comptroller and Accountant General shall work with Ministry's department or unit responsible for fiscal decentralization, the Ministry's department responsible for budget and development planning and the Internal Audit Agency to set up treasury offices in the counties, and to appoint financial management officers, budget officers, and internal auditors to be responsible for the sub-treasury bank account for each ministry, Government Agency, county, district or any institution for which the bank account has been opened.
(3) Every financial management process associated with allotment, check printing shall be done in the counties by the county treasury offices with the consent of the Comptroller and Accounting General, the Ministry's department or unit responsible for fiscal decentralization, Ministry's department responsible for budget and development planning so as to be consisted with the local government act and the decentralization process in the country.
(4) Every payment out of the Sub-Treasury Account relating to an appropriation shall be made under the direction and control of the head of the ministry, government agency, county, district or government agency concerned, by check directed by this regulation.
(5) The Comptroller and Accountant General may, in consultation with the Auditor-General and with the approval of the Minister give instructions for the destruction of checks or other negotiable instruments.

192- Service Level Agreement

(1) The Minister and the Central Bank of Liberia shall conclude a Service Level Agreement that specifies, in respect of the core Treasury Single Account structure, –
    (a) the responsibilities of the Central Bank for the operation of the Treasury Single Account, including but not limited to –
        (i) handling and transmission of receipts, notices, and other transactional documents;
        (ii) handling of government checks;
        (iii) processing of payment instructions;
        (iv) processing of transfer between sub-ledger accounts;
        (v) processing of refunds and repayments;
        (vi) handling of public money held in trust;
        (vii) record-keeping of sub-ledger accounts;
        (viii) reporting to the Comptroller and Accountant General; and

(ix) cooperation with the Ministry's unit responsible for Cash Management on cash forecasting;

(b) use of intra-day overdraft of the Treasury Single Account;

(c) remuneration on a credit balance and charge on a debit balance of the Treasury Single Account;

(d) other fees to be paid to the Central Bank of Liberia for the operation of the Treasury Single Account; and

(e) any other matters necessary for the operation of the Treasury Single Account.

(2) The Service Level Agreement between the Minister and the Central Bank of Liberia shall be revised along with any extension of the Treasury Single Account.

193- Investment of Surplus Balances of the Treasury Single Account

(1) The amount of money that periodically constitutes an idle balance and it is considered as surplus balance in the Treasury Single Account system will be determined by the Comptroller and Accountant General.

(2) The Comptroller and Accountant General, in consultation with the Central Bank, will establish a short-term plan aimed at making the most efficient use of these idle balances, based on principles agreed by the Minister, and with due regard to the short-term spending requirements in the cash flow plans.

(3) The short-term plan may include the re-purchase of Treasury Bills or other financial instruments issued by the Central Bank on behalf of the Government or investment in short-term financial instruments recommended by the Central Bank.

(4) Prior approval of the Minister is required before such plans can be implemented.

194- Banking arrangements

(1) Government agencies shall not open a bank account without the written approval of the Comptroller and Accountant General.

(2) Government agencies may hold accounts at commercial banks and at the Central Bank of Liberia which are subsidiary accounts of the Treasury Single Account.

(3) The Comptroller and Accountant General may require a government agency, the Central Bank and commercial banks to close any account opened with a commercial bank or the Central Bank of Liberia, whenever necessary for the effective operation of the Treasury Single Account.

(4) Any account opened with a commercial bank for a government agency shall not be overdrawn, and no advance or loan shall be obtained from the account, without the prior approval of the Minister.

(5) The central government banking arrangements, will follow, to the extent possible within the constraints of the banking system, the principles of a Treasury Single Account system.

(6) The Comptroller and Accountant General may set a minimum or maximum balance of any account of the Treasury Single Account opened with a commercial bank or the Central Bank of Liberia for a government agency.

(7) A service level agreement shall be approved by the Comptroller and Accountant General in advance of opening an account with a commercial bank for a government agency.

(8) The Comptroller and Accountant General shall ensure that all government payments are executed, without any exception, only through electronic fund transfer system of

the banking system. In exceptional circumstances, mainly for procuring small inventories, cash payments up to US$ 100 may be authorized.

(9) A service level agreement with a commercial bank shall specify, at least, –
   (a) the requirements to implement the Comptroller and Accountant General's instruction on opening, transfer, and closure of the bank accounts;
   (b) the requirements of handling and transmitting receipts, notices, and other transactional documents;
   (c) the requirements for handling of government checks and processing of payment instructions;
   (d) the requirements for record-keeping and reporting to the Comptroller and Accountant General and cooperation with the Ministry's unit responsible for Cash Management on cash forecasting;
   (e) the prohibition of overdraft, loan, and advance without the prior-approval of the Minister;
   (f) remuneration on a credit balance and charge on a debit balance of the bank account;
   (g) other fees to be paid to the commercial bank for its services; and
   (h) the requirements for the operation of the Treasury Single Account, when the bank account is included in the Treasury Single Account.

195- Registers and records of government bank accounts

(1) The Comptroller and Accountant General shall maintain a register of all bank accounts opened by any government agency or public body, including bank accounts holding extra-budgetary funds and funds supporting donor funded projects.
(2) The Central Bank of Liberia shall maintain a list of government accounts, which it shall reconcile periodically with the register required to be maintained by the Comptroller and Accountant General in subsection (1).

196- Authority to have access to government bank accounts

(1) The Comptroller and Accountant General or his designee are authorized to on a monthly basis, to receive and obtain detailed bank statements for their respective bank accounts;
(2) Should there be any infringements of these Regulations, the Comptroller and Accountant General may impose sanctions to block, and, in extreme cases, in consultation with the Minister, to close bank accounts.

197- Bank reconciliation

(1) Accounting officers of government agencies shall conduct a monthly bank reconciliation of all bank accounts managed by them and submit that reconciliation to the Comptroller and Accountant General as an addendum to the quarterly financial statement.
(2) Notwithstanding sub-regulation (1), the Comptroller and Accountant General may require bank reconciliation more frequently than once a month.
(3) Bank reconciliation shall also be carried out –
   a. when a responsibility for any bank account or check book is handed over from one officer to another;
   b. When the Comptroller and Accountant General so requires.

Part VII. Monitoring, Accounting, Financial Reporting, Auditing and Asset and Inventory Management

Subpart I – Monitoring

198- Monitoring and evaluation function of the Government agencies

(1) There shall be established a monitoring and evaluation (M&E) function in each government agency which will strengthen the link between planning and budgeting and budget execution and shall ensure improvement in public sector performance by addressing a broad range of issues relating to efficiency, effectiveness and sustainability.

(2) The monitoring and evaluation function shall be responsible for:

(a) Monitoring and Evaluation of policies, programs and projects being implemented by the government agency;

(b) Monitoring, Evaluation and assessment of the development projects/schemes, generating vital data for effective development planning;

(c) Produce in collaboration with the Ministry's M&E, reports for the government agency's development projects including PSIP;

(d) Produce results of concurrent evaluation of on-going programs to support making mid-course corrections in implementation, if applicable;

(e) Any other function as determined by the Minister.

199- Monitoring and Evaluation function of the Ministry

(1) There shall be established a M&E function in the Ministry to develop clear, comprehensive and robust results frameworks and systems for the monitoring and evaluation of all government program activities, including externally funded programs and projects (including NGO activities) and ensure that they are consistent with the national development priorities.

(2) The Ministry's M&E function shall:

(a) Develop relevant national M&E policies and implementation frameworks;

(b) Undertake monitoring and evaluation of all development programs and projects and prepare quarterly reports for submission to the Minister and onward dissemination to key stakeholders;

(c) Undertake evaluation and impact assessment of development programs and projects to assess the performance and outcomes against stated objectives and targets, impact on the beneficiaries, social impact and adequacy of the delivery system and implementation arrangements;

(d) Identify needs for capacity building in the various M&E units of the government agencies and support with the development of the capacity building plans;

(e) Advise on the implementation of development programs and projects ;

(f) Provide technical backstopping and capacity development to the M&E units of the government agencies in result-based management;

(g) Collect and analyse data from government agencies and units responsible for Regional Planning, Public Investment, and aid management and coordination to assess the progress being achieved against national plans;

(h) Conduct joint monitoring with government agencies to ensure quality assurance of M&E reports emanating from the government agencies on the implementation of development projects;

(i) Collect, analyse and consolidate M&E reports emanating from government agencies and county levels Regional Development offices and submit to the unit responsible for plan development and coordination for the development of quarterly and annual development performance and results-focused reports, which show progress toward targets at the output and outcome levels for dissemination to key stakeholders;
(j) Support the unit responsible for plan development and coordination in the development of the national plan.

(3) All spending agencies and managers of donor projects shall present a progress report on a quarterly basis to the National M&E unit on the status of projects.
(4) The National M&E unit shall monitor and present a report to the Deputy Minister for Budget and Development Planning for decision making.
(5) Projects that fail to present reports on progress shall not receive funding for their next activities.
(6) There shall be joint monitoring of the Ministry's M&E unit and the implementing agency that will be carried out with spending agencies and donor projects.

200- Expenditure Tracking

(1) The unit of the Ministry responsible for Expenditure tracking shall undertake a public expenditure tracking survey and all persons affected shall cooperate in providing accurate accounts and information to the survey team on the budgeted and actual transfer of resources to service delivery units.
(2) On completion of the survey, the public expenditure tracking survey function shall, after consultation with the Internal Audit Agency, Comptroller and Accountant General and the unit responsible for public financial management reform, make recommendations to the Minister on how to improve accountability, transparency and efficiency of transfer of resources.
(3) The Minister shall present the findings and recommendations of the expenditure tracking surveys to the Cabinet for deliberation, guidance and adoption of an action plan to implement the recommendations, showing what actions are to be taken, when such actions are to be taken and who is responsible for implementation and reporting back to the Cabinet.
(4) The recommendations of successive surveys shall be integrated into the action plan of respective government agencies for subsequent fiscal years.
(5) Each affected government agency shall prepare its own internal action plan to implement the recommendations and ensure that this is integrated within its strategic plan.

Subpart II – Accounting

201- Accounting Standards

(1) For the purpose of the Sections 10(4), 12(6)(a)(i), 12(8) and 47(2), of the Act, the Minister and the Comptroller and Accountant General shall in consultation with the Auditor General, adopt accounting standards and prescribe relevant policies, systems and procedures for all government agencies.
(2) In accordance with Section 47(1) of the Act, the accounting policies, systems and procedures prescribed under sub-regulation (1) shall be in accordance with internationally accepted accounting standards.
(3) For the purpose of Section 47(1) of the Act all government agencies shall establish an accounting system which must comply with guidance and instructions provided by the Comptroller and Accountant General from time to time. At minimum, the accounting systems shall include the following:

(a) Double Entry Bookkeeping
(b) Voucher Management System with multiple layers of control
(c) Relevant ledgers and subsidiary ledgers including cashbooks
(d) Ledgers on internally generated funds
(e) Ability to generate flat files for upload into IFMIS

202- Accounting basis

(1) The accountings basis of a government agency for the record of revenue, expenditure, assets, and liabilities shall be on cash basis of accounting, and-
    (a) Revenue shall be recognized only when cash or cash equivalent is received; and
    (b) Expenditure shall be recognized only when cash or cash equivalent is paid.
(2) Revenue that is received on account of the previous fiscal year, (90) days after the end of the fiscal year, shall be reported as actual revenue of the National Budget of the fiscal year when the revenue is received.
(3) For the purpose of Section 34(2) of the Act, expenditure on the account of the previous fiscal year, paid 90 days after the end of the fiscal year, shall be reported as actual expenditure of the National Budget of the fiscal year when the expenditure was paid.

203- Accounting basis of the financial statements of the Consolidated Fund

(1) The comparison of budget and actual amounts of revenues and expenditure in the quarterly statements and the annual financial statements of the Consolidated Fund shall be made on the cash basis of accounting.
(2) Without prejudice to sub-regulation (1), the Comptroller and Accountant General may require government agencies to record amount of such accruing revenues and expenditures, receivables, payables, and other assets and liabilities as the Comptroller and Accountant General deems appropriate, in order to monitor, manage, and present in the quarterly statements and annual financial statements the revenues, expenses, assets, liabilities, and net assets on the accrual basis of accounting.
(3) The recording of accruing revenues and expenses under sub-regulation (2) shall be made in addition to the recording of revenues and expenditure on the cash basis of accounting required under regulation 202.

204-Accounting basis of Autonomous Agencies, Semi-autonomous agencies and Special Funds

(1) For the purpose of Section 53(1) of the Act, the budget of autonomous and semi-autonomous agencies and special funds may be prepared on a cash basis of accounting in accordance with the standards set by the International Public Sector Accounting Standards Board and regulation 202 applies to recognition of revenue and expenditure in terms of the budget of the autonomous, semi-autonomous agency or special fund.
(2) The comparison of budget and actual amounts in the financial statements of the autonomous, semi-autonomous agency or special fund, shall be made on the cash basis of accounting and accrual basis when appropriate.

205- Chart of Accounts

(1) For the purpose of Section 47(4) of the Act, The minister shall cause the Comptroller and Accountant General shall in consultation with the Auditor General develop, implement and manage the chart of account of the Government for purpose of public financial management.
(2) The Chart of Accounts of Government shall apply to all government agencies.

(3) The classification used in the Chart of Accounts of Government shall be consistent with relevant international standards.
(4) The Comptroller and Accountant General shall ensure a regular update of the Chart of Accounts of Government to reflect emerging needs including changes in Government policy direction and operation.
(5) The Comptroller and Account General may with the approval of the Minister, effect a significant change to the Chart of Accounts of Government.
(6) For the purpose of sub-regulation (5), "significant change" includes a structural adjustment, a reconfiguration or a recognition of the Chart of Accounts of Government.

206- Accounting records and registers of the Consolidated Fund
(1) The Comptroller and Accountant General shall maintain –
    (a) a record of all receipts and payments of the Consolidated Fund, consisting of cash receipt and disbursement journals, general journals, general ledger and subsidiary ledgers, through the integrated financial management system, but except for receipts and payments mentioned in sub-regulation(2)(a) and (b);
    (b) databases of advance payments and staff loans mentioned in regulation 159 and 161;
    (c) a register of Illegal and Improper Payments.
(2) The Accounting Officer of a government agency shall maintain –
    (a) a record of all receipts and payments of donor and special funds administered or overseen by the government agency and its imprest Accounts;
    (b) a record of payments of expenditure accounting for other recurrent expenditure accounts or capital expenditure accounts through the integrated financial management system, in case of a government agency responsible for the printing of their checks.
(3) The office responsible for debt management shall maintain a register to record details of each external and domestic borrowing of the Consolidated Fund.
(4) The General Services Agency shall maintain the National Asset Register.
(5) The Liberian Revenue Authority and accounting officers, where applicable, shall maintain a register to record details of tax and non-tax arrears of the Consolidated Fund.
(6) Retention, transfer, access, destruction/ deletion and disposal of Archival Records shall be in accordance with the applicable legislation.

207- Journal entry for the Consolidated Fund
(1) The Comptroller and Accountant General shall make a journal entry for all revenue and expenditure of the Consolidated Fund, except for those mentioned in sub-regulation (2).
(2) The Accounting Officer of a government agency shall make a journal entry for recording the following revenue and expenditure of the Consolidated Fund:
    (a) revenue and expenditure of donor funds and special funds administered or overseen by the government agency and its imprest funds; and
    (b) expenditure accounted for in other recurrent expenditure accounts or capital expenditure accounts of the government agency
(3) The Comptroller and Accountant General or the Accounting Officer, as the case may be, shall make adjusting journal entries necessary for ensuring that revenues and expenditures are recorded in the period when they are received or paid.
(4) A journal entry shall be posted through the integrated financial management system and supported by authentic and verifiable source documents and adequate explanations.

208- Opening of Suspense Accounts

(1) Where in the course of transactions, difficulties are met in immediately allocating receipts or payments to the correct account classification; a suspense account may be opened into which amounts may be temporarily posted.
(2) Suspense accounts shall be opened only by the Comptroller and Accountant General with the approval of the Minister and subject to the following circumstances: -
    (a) In the case of payments, such accounts shall be brought to zero balance before the accounts for the financial year are closed;
    (b) In the case of receipts, such accounts may be carried forward to the following year if the Comptroller and Accountant General has reason to believe that a third party may be involved;
    (c) Such accounts shall be converted to deposit accounts under an appropriate title before the accounts for the financial year are closed.
(3) No suspense account shall be used to transfer expenditure from one fiscal year to another.
(4) Suspense account used in contravention of this regulation shall constitute breach of financial discipline in accordance with regulation 308.

209- Closure of Accounts

(1) At the close of business of the last working day of each month or fiscal year, whichever is applicable, all government accounts shall be balanced off.
(2) The receipts and payments that belong to a period or a fiscal year other than the reporting period or fiscal year, shall be shown in the accounts of government and the details shall be given in the notes to the accounts.
(3) In line with Section 34(2) and (3) of the Act, no moneys shall be transferred from the appropriation to a deposit account; or to any other agency, for the purpose of meeting payments after the close of a fiscal year.
(4) Where any payment has been properly charged to an advance account before the end of the fiscal year, or has been incorrectly charged to an appropriation account, the Comptroller and Accountant General may adjust the payments to the correct appropriation account after the end of the financial year.
(5) The Comptroller and Accountant General shall not later than 30 days before the end of the fiscal year, inform government agencies of the date of final closure of the accounts and government agencies shall ensure that their own accounts are in agreement with the public accounts before the date of final closure.
(6) Closing the public accounts for any financial year shall conclude the accounting for that year and no further adjustment shall be made to them.

Subpart III – Reporting

210- Monthly revenue report

For the purpose of Section 48(2) of the Act, the Liberian Revenue Authority and an accounting officer of a government agency shall, where applicable, prepare and submit, within 10 days after the end of the month, to the Comptroller and Accountant General a monthly financial statement of revenues for the month, including a comparison with the corresponding budgeted amounts for the fiscal year.

211- Quarterly expenditure performance report

For the purpose of Section 48(2) of the Act all government agencies shall submit to the Minister, in such format as approved by the Comptroller and Accountant General, within

15 days after the end of each quarter an expenditure performance report, containing a description of:

(a) The status of implementation of the programmes of the government agency for the preceding quarter;
(b) The forecast commitments for the ensuing quarter; and
(c) Cash positions.

212- Quarterly Government agency or Fund accounts

(1) For the purpose of Section 48(3) of the Act, there shall be prepared by each government agency and transmitted to the Auditor-General, the Minister and the Comptroller and Accountant General in respect of each quarter commencing from the beginning of the fiscal year, the accounts covering all Public Funds under its control.
(2) The accounts shall be submitted within a period of 30 days after the end of each quarter commencing from the beginning of the fiscal year.
(3) The accounts shall include statements and documents to be specified in the International Public Sector Accounting Standards as adopted by the Government of Liberia.
(4) Notwithstanding, sub-regulations (1) and (2) the Minister shall give written directives including report templates and trial balances to indicate the commencement date for the quarterly reporting for all or individual ministries and government agencies pursuant to the provisions of Section 48 of Act.

213- Quarterly Consolidated Fund Account

(1) For the purpose of Section 48(4), there shall be prepared by the Comptroller and Account General and transmitted to the Auditor-General and the Minister the accounts of the Consolidated Fund within a period of 45 days after the end of each quarter commencing from the beginning of the fiscal year.
(2) The consolidated quarterly report shall contain a comparison between expenditure and revenues collected as provided for in the National Budget.
(3) The accounts shall be published in the Gazette and shall comprise statements and documents to be specified in the International Public Sector Accounting Standards as adopted by the Government of Liberia.

214- Annual Government Agency Accounts

(1) For the purpose of Section 49 of the Act, there shall be prepared by government agencies and transmitted to the Minister and the Comptroller and Accountant General in respect of the year, accounts covering all Public Funds under their control.
(2) The accounts shall be submitted within a period of two months after the end of each fiscal year, or such other period as may be determined by the Minister and shall include statements and documents to be specified in the International Public Sector Accounting Standards as adopted by the Government of Liberia.

215- Final Account of the National Budget

1. The Comptroller and Accountant in line with section 49 of the Act, shall within a period of four months after the end of each fiscal year, or such other period as required by Legislature, shall prepare the final accounts of the Consolidated Fund for the Minister's transmittal to the Auditor-General, including:
   (a) a statement of the 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 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 fiscal year;
(c) a statement of the revenue and expenditure of the Consolidated Fund for the fiscal year in comparison with the approved and revised estimates for the year;
(d) a financial statement of the Contingency Fund;
(e) a financial statement of the Development Fund;
(f) financial statements of the special funds;
(g) in relation to the Consolidated Fund, 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 out of public funds;
    (v) public loans;
    (vi) equity investments; and

2. in relation to the Consolidated Fund, a cash flow statement for the year.; The Final Account of the National Budget shall be published in the website of the Ministry.

216- Failure to Provide Financial Statements

(1) The Comptroller and Accountant General shall include in the reports, details of heads of government agencies who failed to submit financial statements in accordance with these Regulations.
(2) A head of government agency who fails to submit financial statements of the Government agency is in breach of financial discipline as defined in regulation 308.
(3) the head of government agency who fails to submit financial statements of the government agency shall have his/her emoluments and allowances withheld for so long as the person fails to submit.

217 - Deletion from the Accounts

(1) The Comptroller and Accountant General shall annually review the account balances of the balance sheet items in the public and other government accounts and may delete or adjust subject to Legislature's approval.
(2) Deletion from the accounts does not constitute a remission of an obligation, debt or claim and does not debar subsequent proceedings for recovery, should the Minister consider it necessary.
(3) The obligations, debt and claims deleted from the accounts shall be reported in financial statements.

Subpart IV – External Audit

218- Audit of Accounts

(1) Financial reports and public accounts of the National Budget shall be audited in accordance with Section 49(5) and (6) of the Act and the General Auditing Commission Act, of 2014.
(2) The responsibility of the Auditor-General for examining and certifying government accounts does not relieve any officer responsible for keeping and rendering such accounts from the duty to comply and to ensure that subordinates comply with the provisions of any enactment, these Regulations and with any instructions or directions issued under them.

(3) The Comptroller and Accountant General shall maintain or cause to be maintained by each head of government agency a register of all audit queries, observations and audit inspection reports.
(4) The register referred to in sub-regulation (3) shall contain the reference and date of the audit query, observation or report; and the date on which the audit query, observation or report was answered or otherwise dealt with.

219- Oversight function of the Auditor-General in financial reporting

(1) For the purpose of Section 50 of the Act, the Auditor-General may station in any government agency any person employed in his/her office to make him more effective in carrying out his duties, and such agency shall provide the necessary office accommodation and other facilities for any such officer so stationed.
(2) The Auditor-General shall examine and ascertain whether in his opinion:
    (a) the accounts have been properly kept;
    (b) all public funds have been fully accounted for, and the rules and procedures applicable are sufficient to secure an effective check on the assessment, collection and proper allocation of the revenue;
    (c) public funds have been expended for the purpose for which they were appropriated and the expenditures have been made as authorised and that government agencies have adhered to the law relating to procurement;
    (d) essential records are maintained and the rules and procedures applied are sufficient to safeguard and control public property; and
    (e) Financial business has been conducted with due regard to economy in relation to the results achieved.
(3) The Auditor-General shall:
    (a) examine the annual financial statements of the government and draw the attention of the appropriate authority to any irregularity disclosed during the examination of the annual financial statements as soon as the facts of such irregularity have been established and confirmed;
    (b) as a result of the audit conducted by him, make such queries and observations addressed to the Comptroller and Accountant General or any other public official and call for such accounts, vouchers, statements, documents and explanations as he may think necessary;
    (c) issue queries or observations to the Comptroller and Accountant General or any other public official if necessary which shall, within ten (10) working days after its receipt, reply to the Auditor-General.
(4) The Auditor-General shall, whenever the Minister or the Legislature so requires, and may, of his own motion, inquire into and report on any matter relating to:
    (a) the financial affairs of the Government or any public property; and
    (b) any person or organisation in receipt of financial aid from the Government or in respect of which financial aid from the Government is sought.
(5) For the purpose of Sections 49(6) of the Act and 2.1.9 of the General Auditing Commission Act, 2014, the Auditor General shall publish all Audit reports in the Official Gazette, General Auditing Commission website and make it available to the Legislature, the President, and the public immediately or no later than one month after the completion of the said audit report.

220- Submission of the Audit Report of Annual Consolidated Financial Statements to the Legislature

(1) In line with subsection 49(5) of the act, The Auditor-General shall, within eight months after the end of the immediately preceding fiscal year, submit his audit report to Legislature and shall, in that report, draw attention to any irregularities in the accounts audited and to any other matter which in his opinion ought to be brought to the notice of Legislature.
(2) The Joint Public Accounts, Expenditure and Audit Committee, subject to standing orders and any enactment shall scrutinize and validate the report of the Auditor-General and take action on any matters arising from it.
(3) After the Legislature has completed the scrutiny and validation mentioned in the sub regulation (2) the committee's report and any other documents shall be submitted to the President for action.
(4) The office of the President shall be given a period of 90 days to implement the recommendations included in the report mentioned in sub regulation (3).
(5) Upon the failure of the President of the Republic of Liberia to implement the said recommendations, the Joint Public Accounts, Expenditure and Audit Committee of the Legislature will proceed with official submission of such recommendations to the competent authorities for further action.

221- Failure to Answer Audit Queries

Without prejudice to any other part of the regulations, every person who fails or refuses to reply to an audit query or observation within the period specified in writing by the Auditor-General shall have his/her emoluments and allowances withheld for so long as the person fails to reply.

222- Audit Queries Register

(1) The Comptroller and Accountant General shall maintain or cause to be maintained by each head of government agency a register of all audit queries and inspection reports.
(2) The register shall contain:

(a) the reference and date of the audit query or report;
(b) the date on which the audit query or report was expected to be answered or otherwise dealt with; and
(c) the date on which the audit query or report was answered or otherwise dealt with.

(3) The head of government agency shall examine and initial the register at the end of every month.

Subpart V – Asset and Inventory Management and Losses

223- Objective of Asset Registers and Inventories
Asset registers and inventories shall have the following objectives:
(a) identify, record, bar code/ number all Government-owned fixed assets;
(b) Maintain all functional fixed assets;
(c) Advise on replacement and disposal of fixed assets;
(d) Monitor and protect assets against misuse;
(e) Provide management information data particularly for budgeting purposes.

224- Meaning of Government Inventory

(1) Government inventory is made up of supplies of expendable and un-expendable items which are received, stored and available for issue.
(2) Subject to other provisions in this regulation, for the purpose of sub-regulation (1):
(a) expendable inventory, means inventory of a consumable nature such as foodstuffs, medicines, nails or soap which except for controls to ensure that their use is kept within reasonable and economical limits, do not normally need to be accounted for once they have been issued for use; and
(b) un-expendable inventory: means inventory such as furniture, equipment, computers, linen, machinery, tools or vehicles, which have a life span assigned to them and when they are worn out, will still remain in being.
(3) Government Inventory must-
    (a) be physically visible, movable and not yet issued out for use; and
    (b) not include scraps, obsolete items and unserviceable items.

225- Determination of Inventory

(1) The General Services Agency shall determine for each government agency, the items of inventory which shall be regarded by it as expendable.
(2) The General Services Agency shall, in making the determination in subsection (1), not only consider the nature of the item but also the extent of usage of the item so that full accountability is retained for large stocks and expensive inventory even though they are expendable.
(3) Where small quantities of expendable inventory of low value are received in departments or offices which do not maintain storage facilities, they may be issued for use without being first brought to account in inventories ledger; in which case the payment voucher or inventories voucher shall be certified that the items were received and issued for immediate use.
(4) The procedure set out in sub-regulation (3) shall not be used to avoid normal accountability for more substantial inventory item.
(5) Undependable inventory shall, when issued, remain on the records of the agency until finally disposed of by destruction, sale, and write off or otherwise.

226 - Procurement of Inventory

(1) Procurement of government Inventory for departments out of public funds shall be in accordance with the Public Procurement and Concessions Commissions Act, as amended or under an enactment of Legislature.
(2) In addition to subsection (1), all government agencies shall procure government inventory in accordance with the specifications issued by the General Services Agency, when available.

227- Joint Acquisition of Inventory

1. Two or more government agencies may, for the purposes of economy or convenience, acquire or be assigned inventories together.
2. Heads of government agencies acquiring or getting assigned joint inventories shall be responsible for their respective share of resources committed to the joint Inventories.

228- Transfer of Government Inventory

1. All transfers of fixed assets between government agencies must be approved by Government Services Agency for the purpose of processing and recording.
2. Donation of assets to a government agency shall be processed through the General Services Agency.
3. Where fixed assets of a government agency are transferred to another Government agency, the accounting officer for the transferring government agency shall-
    a. Draw up an inventory of such assets;
    b. Provide the accounting officer for the receiving government agency with substantiating records;
    c. The accounting officers of both government agencies shall sign the inventory when the transfer takes place.
4. Transfers of inventory shall be recorded in the integrated financial management information system and reflected in the annual financial reports of the government agencies concerned, in such manner as prescribed by the Comptroller and Accountant General.

229- Management of Government Inventory

(1) Each government agency shall maintain adequate records of inventories assigned to it in the integrated financial management system.
(2) The General Services Agency may give instructions governing the technical specification for the acquisition, receipt, custody, control, issue and disposal of the inventories.

230- Responsibility for Government Inventory

(1) A person is responsible for the proper custody, care and use of government inventories under the control of that person.
(2) Notwithstanding sub-regulation (1), the head of government agency is responsible for the general management of government inventories held within the government agency and for the due performance of the duties of subordinate staff in relation to the government inventories.

231 - Recording of Inventories in Ledgers

Expendable and un-expendable inventories shall be recorded in separate parts of the inventories ledger or in separate ledgers

232 - Financial Management Implications

(1) Any officer responsible for the financial management of a government agency shall ensure that acquisition of government inventories or those assigned to it by the Government Services Agency are made and applied to public purposes in the most economical way.
(2) Subject to the provisions of any enactment, a head of government agency shall be the chief authority in relation to the utilisation of government inventories.
(3) A head of government agency shall be accountable for the proper care, custody and use of Government inventories from the time of acquisition or assignment from the General Services Agency until they have been used or otherwise disposed of in accordance with these Regulations.
(4) A government agency shall procure government inventories from persons whose business is registered by the Registrar General's Office and any government agency

that requires an exemption for any specific case shall apply to the head of government Service Agency with the necessary justification.

233- Discharge of Accountability for Government Inventories

(1) The head of government agency is accountable for the government inventories from the time of acquisition or assignment from the General Services Agency to the time they are of no further use or value to government.
(2) Accountability is discharged when government inventories have been-
    (a) consumed in the course of public business and records are available to show that the government inventories have been consumed;
    (b) worn out in the normal course of public business and deletion from the accounts has been approved by the General Services Agency and they have been disposed of in accordance with Sections 123 and 124 of the Public Procurement and Concessions Commission Act;
(3) If the Director General of the General Services Agency is satisfied that the retention of any government inventories is no longer in the public interest, the Director General may authorise disposal in accordance with the General Services Act and these Regulations and subject to any enactment governing the disposal.
(4) Authority for deletion from the accounts of government agencies, rests with the Minister who may by regulations delegate powers of deletion to the Comptroller and Accountant General.
(5) Deletions from the accounts under sub-regulation (4) shall be reported to the Director General of the General Services Agency and in the annual financial statements of the government agency concerned in such manner as prescribed by these Regulations.

234- Special Enquiry

1. Where the Minister has good reason to believe that a malfeasance has occurred in connection with government inventories, the Minister shall bring this to the notice of the Director General of the General Services Agency, the Legislature and the Auditor-General.
2. The Legislature may, request the Auditor-General to enquire into and report on the matter.

235- Application of Inventory

Subject to any other enactment, government inventories shall not be applied for any purpose other than towards the furtherance of the programmes and objectives of government agencies.

236- Liability for Keeping Government Inventory

(1) Where the Comptroller and Accountant General or the Treasury officer has reason to believe that any person-
    (a) has received government inventory and has not duly handed it over;
    (b) has received government inventory for which the person is accountable but has not duly accounted for it; or
    (c) has in hand government inventory which has not duly been applied to the purpose for which they were collected,

    the Comptroller and Accountant General or the Treasury officer shall serve a notice on the person requesting that within a time specified in the notice, the person shall pay for, account for, or apply the inventory and submit to the

Comptroller and Accountant General or Treasury officer satisfactory evidence that this has been done.

(2) In a situation where the person referred to in subsection (1) is dead, the notice shall be served on the legal personal representative of the deceased person.

(3) Where a person fails to comply with a notice served under subsection (1) within the time stipulated, the Comptroller and Accountant General or the Treasury officer shall cause to be stated an account between the person and the Government of Liberia, showing the amount of the money owed with interest at the prevailing bank rate as indebtedness to the Government of Liberia from the date the amount became due.

(4) Where government inventory is lost due to the misconduct, neglect of duty or negligence by any person in charge of the inventory or has custody of them, the person is accountable for the inventory, as if the person had collected and received the inventory and it shall be recovered from that person as if he collected and received it.

(5) The provisions of this regulation shall apply with modification to government inventories or the value of the inventory where appropriate as they apply to government money.

237- Responsibility for Asset Management

(1) The procurement, custody, disposal and management of government assets shall be governed by the Public Procurement and Concessions Act 2005, as amended and the General Services Agency Act.

(2) For the purposes of Section 13 (5) (b) of the Act, a head of government agency must take full responsibility of assets assigned to him by the General Services Agency and ensure that proper control systems exist for assets and that:

    (a) preventive mechanisms are in place to eliminate theft, losses, wastage and misuse; and

    (b) inventory levels are at an optimum and economical level.

(3) The head of government agency must ensure that processes and procedures are in place for the effective, efficient, economical and transparent use of the assets assigned to the institution.

238- Assets Accruing to the State by Operation of Law

Where any money, property or right accrues to the government by operation of law, the relevant Government agency shall notify the General Services Agency to exercise all powers, authority and prerogatives, and fulfil any obligation on behalf of the State.

239- Register of Lands and Buildings

(1) The head of government agency shall be responsible for maintaining a register of lands and buildings under his control or possession as prescribed by the General Services Agency Act.

(2) The register of lands and buildings shall record the details from the General Services Agency of each parcel of land and each building and the terms on which it is held, with reference to the conveyance, address, area, dates of acquisition, disposal or major change in use, capital expenditure, lease terms, maintenance contracts and other pertinent management details.

(3) All acquisitions or assignment of land with or without buildings from the General Services Agency shall be notified by the head of a government agency to the National Commission on Land or Land Title Registry.

240- Master Inventory of Fixed Assets

(1) Furniture, and equipment issued for Government quarters or offices or vehicle and other fixed asset shall be recorded in a master inventory of the Government agency.
(2) The master inventory shall record under each category of item:
    (a) the date and other details of the voucher or other document on which the items were received or issued;
    (b) their serial numbers, model, type, colour, where appropriate; and
    (c) their distribution to individual locations and conditions and the total quantity held.
(3) In respect of each individual location, there shall be made two copies of the inventory showing all items held at the location; one copy of the inventory shall be kept with the master inventory and the other copy at the location and the information shall be recorded in the integrated financial management system.
(4) The dates and other details of all receipts and issue of items to or from the location shall be recorded on both copies of the inventory as they occur.
(5) All entries of items of inventory into the master inventory register shall be validated by the signature of the officer having the use of the items, or where there is more than one officer, the most senior of them.

241- Disposal and Letting of Assets

1. The conditions and terms of disposal or sale of immovable or movable assets shall be determined by the General Services Agency.
2. The conditions and terms of letting of immovable state property (excluding state housing for officials and political office bearers) shall be determined by the General Services Agency. No state property may be let free of charge without the prior approval of the General Services Agency.
3. The head of government agency must review, at least annually when finalising the budget, all fees, charges, rates, tariffs or scales of fees or other charges relating to the letting of state property to ensure sound financial planning and management.

242- Definition

A loss shall be considered to have occurred when the government is deprived of the use of any public or trust moneys, Government property, inventories or any other financial or physical asset otherwise than in the normal course of public business.

243- Responsibility of the Head of government agency

When a loss as defined in this regulation is discovered, including by the discovery of any deficiency within the accounts by any public officer, the head of government agency shall investigate the circumstances of the loss-

(a) to ascertain the extent and amount of the loss;
(b) to determine whether control or operational arrangements need to be improved in order to prevent the occurrence of similar losses in the government agency or in any other Government agency; and
(c) to determine whether the conduct of a public officer was the cause of or contributed to the loss.

244- Disclosure of Offences

The investigation of a loss does not constitute a disciplinary enquiry and if the investigation reveals that an offence has been committed, it shall be dealt with separately by the-

(a) Liberian Anti-Corruption Commission, in accordance with the Act to Establish the Liberian Anti-Corruption Commission;
(b) Liberia National Police, if a criminal offence is involved; and
(c) disciplinary authority, if there is a breach of financial discipline in accordance with regulation 308.

245- Declaration of Losses

i. Upon the determination of a loss following the investigation referred to in section 243 such a loss shall be confirmed by a declaration that a loss occurred by any one of the following; the Minister;
ii. the Comptroller and Accountant General;
iii. the Auditor General;
iv. other public officers specified by any other legislation; or
v. any persons who are deputies of the said officers respectively;

any persons who are employees of the Government agency.

246 - Duty of the Head of government agency

A head of government agency shall-

(a) ensure that adequate investigation is made of a loss;
(b) direct action to be taken and ensure that action is taken in:
    i. rectification of systems;
    ii. discipline of staff; and
    iii. recovery of a loss; and
(c) authorise disposal of a case of loss after complying with paragraphs (a) and (b) by:
    i. write-off;
    ii. allowing transactions to stand charged; or
    iii. verifying full recovery, as the case may be, with written permission of the Comptroller and Accountant General.

247- Categories of Losses

(1) Cash deficiency is a loss arising from a deficiency of cash or other negotiable instrument, whether it arises from a simple cash shortage or from the use of fictitious entries or vouchers to conceal the existence of a deficiency.
(2) Revenue losses may arise from-
    (a) uncollectable revenue when debts due to government cannot be collected by reason that the debtor cannot be traced or is insolvent; and
    (b) loss of revenue, arising from failure to assess or collect in circumstances which preclude subsequent assessment or collection, and include any loss of interest caused by delay in making payments into the appropriate public funds or from the making of irregular advances.
(3) Expenditure losses may arise from:
    (a) irrecoverable overpayments, when an excess payment has been made by error and recovery cannot be effected because the recipient cannot be traced or is otherwise incapable of making repayment;
    (b) nugatory payments, which arise in circumstances such as, the incurrence of a penalty in which government has been legally obliged to make payment, but for which no corresponding receipt of goods or services has been derived;

(c) improper payments arising from transactions that are contrary to law, but which do not involve any offence under the criminal code, and which have been declared to be improper including cases of gross waste or extravagance;
(d) excess expenditure, which is a special case of improper payment which arises when payments have been made in excess of approved estimates without the prior authority of Legislature; and
(e) fraudulent payments which arise from transactions which involve a breach of the criminal code, by the use of falsified documents or certificates to steal money or other property belonging to the state.

(4) Inventory and equipment losses may arise from:
(a) deficiencies, including fraudulent issues from stock and issues without proper evidence of use;
(b) damage or deterioration of goods in stock; or
(c) loss by accident in so far as they relate to equipment and inventories in use.

(5) Financial Losses may arise from:
(a) irrecoverable advances and loans when moneys due to government cannot be recovered by reason of a debtors default and include default on Government guarantees;
(b) irregular advances and loans when money cannot be recovered because government cannot establish a claim against any person or institution, as in the case of expenditure wrongly charged to advances, or advances and loans made without agreement for recovery;
(c) reduction of financial asset where the value of any financial asset has to be reduced by reason of failure or capital restructuring of an enterprise, or
(d) losses on sale of securities where the losses are aggregated with gains over the financial year, and any net loss is written off at the end of the year.

248- Discovery of Loss

1. Any officer who discovers a loss, or suspects that a loss has occurred shall immediately report the matter to the head of government agency.
2. Failure to make a report under sub-regulation (1) is a breach of financial discipline as defined in regulation 308.

249- Initial Action by Head of government agency

(1) A head of government agency shall be responsible for investigation and taking action on any loss.

(2) If a head of government agency is satisfied that a loss has occurred, the head shall-
(a) place any accounts, vouchers and other relevant records into safe custody and make any alternative arrangements immediately necessary for the conduct of further business;
(b) if the circumstances of the loss indicate the likelihood that a criminal offence has been committed, report the matter to the police or the Liberian Anti-Corruption Commission;

(3) Investigation and subsequent actions under sub-regulation (1) shall be completed within 48 hours of the discovery and the loss shall be reported to-
(a) the Minister;
(b) the Sector Minister in relation to an Autonomous Agency;
(c) The Liberian Anti-Corruption Commission;
(d) the Comptroller and Accountant General; and
(e) the Auditor-General.

250- Investigation of Every Case of Loss

(1) A head of government agency shall cause an investigation to be conducted into every reported case of loss, and where the head of government agency is implicated in the loss, the sector minister or in the case of an Autonomous Agency, the governing board or council that is not under any sector minister, shall be the appropriate authority to cause investigation to be conducted.
(2) In the case where the line minister is involved the investigating authority shall be the Office of the President.
(3) The authority responsible for investigating and dealing with a loss shall submit progress reports to the appointing authority at such times and in such form as may be specified in subsequent instructions.

251- Immediate communication to the Liberian Anti-Corruption Commission

(1) Any loss should be communicated to the Liberian Anti-Corruption Commission.
(2) If a loss involves a criminal offence, the investigating authority shall liaise with the Police investigators and shall give them such assistance as they require and records taken into custody by the Police may be subject to examination by the investigating authority.
(3) On the basis of the findings of the investigation, the investigating authority is required to make recommendations as to the further disposal of the case by
    (a) initiation of disciplinary proceedings;
    (b) the development of remedial administrative or accounting action; or
    (c) taking any other action as is appropriate considering the circumstances of the case

252 - Conduct and Coordination of Investigation and Prosecution

The conduction and coordination of an investigation and prosecution shall be performed in accordance with Parts X and XI of the Act establishing the Liberian Anti-Corruption Commission 2008, as amended and related Regulations.

253- Disciplinary Action for Non-Criminal Offence

(1) Where an officer has committed an offence which does not involve any criminal offence, disciplinary proceeding shall be instituted by the head of government agency.
(2) Disciplinary proceedings arising from a case of loss shall be completed before the investigating authority approves final disposal of the case.

254- Defective Systems

If the report of the investigating authority indicates that systems currently in operation, including those for the training of staff are defective, the head of government agency shall consult with the Comptroller and Accountant General, to consider measures for rectification.

255- Remedial Action to be Commenced

Once action has been agreed upon and initiated, a case of loss may be submitted for disposal to the authorities concerned, for remedial action to be commenced.

256- Financial Liability of Officers

(1) Recovery of the value of a loss, whether by recovery proceedings under these Regulations or by a surcharge by the Auditor-General, constitutes a settlement of a civil claim against the officer arising from the loss.
(2) Recovery of a loss shall not be a substitute for criminal prosecution or disciplinary proceedings.

257- Offer to Repay

If an officer freely accepts financial responsibility for a loss, the officer may offer to pay the amount back into the Consolidated Fund or the relevant Public Fund, in which case the authority responsible for disposal of the loss may-

(a) accept the offer to repay, if the disciplinary offence is not serious enough to necessitate further proceedings against the officer.
(b) accept the offer in mitigation of the offence with the repayment being considered as a partial fulfilment of any penalty that may be imposed.

258- Liability to Repay

A public officer may become personally responsible for repaying the value of a loss if-

(a) the loss is one falling within the ambit of these Regulations;
(b) the loss has been the subject of disallowance and or surcharge by the Auditor-General under the authority of an Act.

259- Monetary Liability

If a head of government agency considers that the report of the investigating officer shows that an officer may have received moneys that the officer has neither paid over, accounted for nor applied for the purpose for which they were received, the head of government agency may on behalf of the Comptroller and Accountant General issue a notice to that officer.

260- Order for Recovery

Where a person to whom a notice has been issued in accordance with these Regulations fails to respond to the notice within the time specified in the notice, the head of government agency shall inform the Comptroller and Accountant General of this failure in writing and the Comptroller and Accountant General shall take action as required under Part XI of these Regulations.

261- Recovery

1. Where an order for recovery has been made, the amount shall be recovered as a debt due to the government.
2. The head of government agency may, if the officer remains in public employment, arrange for payment by instalments as laid down in these Regulations or else the documents shall be the basis of a civil claim against the officer or the officer's estate.

262- Cash Liability for Loss

1. The procedures laid down in regulations 258 to 260 are applicable only to moneys or inventories received and held by a public officer.
2. If losses arise by reason of failure to collect, or by a deficiency occurring after collection, recovery of the amount lost may be ordered if it is established that the loss was occasioned by an officer's misconduct, neglect of duty or negligence.

3. If a loss occurs under sub regulation (2) the head of government agency shall first initiate disciplinary proceedings against the officer concerned; and if the officer is found responsible for the loss, the head of government agency shall establish and recover the amount as laid down in these Regulations.

263- Surcharge Proceedings

The imposition of a surcharge by the Auditor-General constitutes a claim against the officer concerned, and the head of government agency shall immediately recover the full amount surcharged from that officer, in accordance with these Regulations and other applicable legislations.

264- Completion of Useful Action

1. When an action of a case of loss case has been completed, and the head of government agency is satisfied that no useful purpose will be served by any further action, the head of government agency may proceed to dispose of the case.
2. The head of government agency shall in any case of loss act in accordance with the powers conferred on the head in these Regulations and shall where necessary forward the case with recommendations to the appropriate authority for disposal.

265- Quarterly Reports of Losses Disposed of

1. Every subordinate disposal authority shall submit reports at the end of each March, June, September and December of losses disposed of during the preceding quarter.
2. Reports shall be sent to the head of government agency, with copies to the Comptroller and Accountant General, and the Auditor-General

266- Rulings

Where any doubt arises on the correct classification of a loss or the accounting procedure required, the directions of the Comptroller and Accountant General shall be sought.

267- Remittances and Transfer

Where a loss occurs in any remittance of cash or transfer of inventories, responsibility for dealing with the loss shall rest with the remitting or transferring officer, unless the recipient has formally accepted delivery at the office of remittance or inventory of issue.

268- Claims

Where goods are received damaged or incomplete, and such goods are subject to a claim against suppliers, insurers or carriers; they do not constitute a loss until the claims prove irrecoverable.

269- Investigation of Bad Debts

1. The fact that losses arise from uncollectable revenue, irrecoverable overpayments, or irrecoverable claims at the time of disposal does not preclude the investigation of circumstances of the losses.
2. Applications for write-off shall be accompanied by an investigation report indicating whether remedial accounting or other action is necessary.

270- Power of Intervention

The Comptroller and Accountant General and the Auditor-General may intervene in the disposal of any case of loss, and may-

(a) call for further information to be supplied; or
(b) put forward directions as to the action to be taken.

271- Authority of the Auditor-General.
The authorisation of disposal of a case of loss does not prejudice the right of the Auditor-General to carry out further investigation.

272- Publication of Significant Findings
A head of government agency shall ensure that matters of significance arising from the investigation of losses are brought to the notice of the public through the publishing in the agency's Website and through the media.

Part VIII. Internal Control and Audit

273- Establishment of Internal Audit Functions
(1) For the purpose of Section 52 of the Act, there shall be established in each government agency, including Executive, Legislative Judicial branches of Government and the Central Bank of Liberia an internal audit function which shall constitute a part of that institution.
(2) The internal audit functions mentioned in sub regulation (1) shall be managed by the Internal Audit Agency.
(3) The Internal Audit function shall be headed by a Director.
(4) The Internal Audit Agency shall recruit for each internal audit function the director and other personnel required to ensure an effective and efficient internal auditing of the institution concerned.

274- Internal Audit function
(1) Internal Audit functions within a government agency, autonomous agency, social security fund, or state-owned enterprises shall examine the accounting systems, internal controls, risk management and governance processes of the entity, including all aspects of compliance with public financial management laws.
(2) An internal audit function shall operate in accordance with the operational procedures outlined within the Internal Audit Manual and any other guidance promulgated by the Internal Audit Agency.
(3) The head of government agency is responsible under these Regulations for ensuring that the status and powers of the internal audit function in each entity referred to in sub-regulation (1) conforms to the procedures established by the Internal Audit Agency.
(4) The role of the internal audit function is to provide an independent and objective assurance and consulting services designed to add value and improve the entities' operations.
(5) The internal audit function shall provide independent assurance on:
    (a) Pre-compliance with all policies, plans, procedures, laws, and regulations;
    (b) safeguarding and use of public funds as intended;
    (c) effectiveness and efficiency of operations and deployment of resources;
    (d) reliability and integrity of management and financial information processes, including the means to identify, measure, classify, and report such information;
    (e) consistency of operations or programs with established objectives and goals and effective performance;
    (f) identification, assessment and management of risks; and
    (g) Safeguarding of assets.

(6) The responsibility of the internal auditor for checking and reporting shortcomings in connection with the accounts, finances and related operations of the entity, does not absolve any public officer from responsibility for complying, or securing compliance with instructions within the scope of his or her own authority.
(7) The prevention, detection and investigation of fraud are the responsibility of management, although in conducting audit assignments the internal auditor shall be alert to potential weaknesses that could allow fraud; and where fraud is suspected, the appropriate authorities within the department shall be informed.
(8) The internal audit function shall assist accounting officers by providing advice on internal controls, risks and governance matters.
(9) The internal audit function shall assist the accounting officers in achieving the objectives of the institution by evaluating and developing recommendations for the enhancement or improvement of the processes through which –
    (a) objectives and values are established and communicated;
    (b) the accomplishment of objectives is monitored;
    (c) accountability is ensured; and
    (d) corporate values are preserved.

275- The Internal Audit Agency to improve and develop internal audit standards
The Internal Audit Agency shall be responsible, in accordance with the Internal Audit Agency Act, for the improvement and development of the standards, framework and guidelines of internal audit in the public sector.

276-Risk management and internal controls
The accounting officer shall ensure that there is an effective risk management process that determines all risks to which the entity may be exposed.

277-The head of government agency to establish risk management strategy
The head of government agency shall establish entity wide risk management approach which:
    (a) contributes to the development of an internal audit strategy and plans relevant to the risks facing the entity; and
    (b) Assists in determining the resources and skills necessary to effectively deliver the internal audit plans.

278- Head of government agency to ensure effective system of internal control
The head of a government agency shall ensure that there is an effective system of internal control over the financial and operational processes in the entity, that includes:
    (a) management policies and methods for ensuring that the requirements of the Act and these Regulations are met;
    (b) sound practices for the efficient, effective and economical management of each function within the entity;
    (c) a system of authorization and recording of transactions to provide accounting and related controls in relation to assets, liabilities, receipts and payments of the entity;
    (d) proper segregation of functional responsibilities; and
    (e) Procedures to review the adequacies of and compliance with the entity's internal control system.

279- Management of the internal audit function

An entity's internal audit function shall prepare for approval by, the head of government agency –

(a) a rolling three-year strategic internal audit plan based on its assessment of key risk areas for the department, including those identified in the department's strategic plan and risk management strategy;
(b) an annual internal audit plan for the first year of the rolling three-year strategic internal audit plan;
(c) plans indicating the scope of each audit in the annual internal audit plan;
(d) operating procedures to guide the audit and stakeholders' relationships;
(e) a quality assurance and improvement programme which allows for evaluation of the function's performance and implementation of strategies towards the progressive improvement in scope, quality and value of internal audit services provided; and
(f) A financial budget which supports the programmes and activities of the internal audit function.

280- Access to documents and information

(1) For the purpose of performing any function under these Regulations, Internal Auditors shall be afforded full, free and unrestricted access to all the entities' records, physical property, and personnel to carry out audit engagements and fulfil its agreed-upon objectives and responsibilities.
(2) All employees are to assist internal audit activity in fulfilling its role and responsibilities.

281- Independence of internal audit

(1) Internal Audit shall not be subjected to any direct or indirect influence or control by an auditee.
(2) The Minister or the head of government agency may request the Director-General of the Internal Audit Agency to carry out specific investigations, as may be considered reasonable by the Director-General.
(3) Internal Audit shall not perform or direct any operational duties for an auditee.

282- Reporting

(1) An auditee shall respond within seven working days after an internal auditor has issued a draft audit report in writing.
(2) The final report shall be sent to the auditee.
(3) An internal audit function shall conduct annual follow up reviews on the annual report of the Auditor-General and report to the Internal Audit Agency, the Minister and the Auditor General.

Part IX. Autonomous Agencies and semi-autonomous agencies and Special Funds

283- Autonomous Agencies and semi-autonomous agencies and Special Funds

(1) Autonomous agencies and semi-autonomous agencies and special funds shall be governed by Sections 53 to 56 of the Act.
(2) The Minister shall publish in Official Gazette the updates of a list of Autonomous agencies.
(3) Financial management systems and rules of autonomous agencies, semi-autonomous agencies and Special Funds shall aligned with those in central Government and their fiscal calendar shall be the same as that of the Government.

(4) It is the duty of head of autonomous agency to maintain systems, books of accounts and records and for such specific periods as may be prescribed in Accounting Regulations under the Act or any other enactment.

(5) Heads of autonomous agencies shall prepare and submit their budget proposals for review to the Minister at least four months before the commencement of the next fiscal year by presenting a balanced budget based on objective projections of resources and expenditures. In each case, they shall indicate any current or potential external donor funding, outstanding debt including accumulated arrears to suppliers as at the end of the preceding year.

(6) Quarterly financial reports shall be submitted by all autonomous and semi-autonomous agencies to the President, Minister and Auditor General within 30 days after the end of the quarter, comprising at least a statement on revenue and expenditure, cash flow statement and balance sheet.

(7) Annual accounts of all autonomous and semi-autonomous agencies shall be submitted to the President, Minister and Auditor General within two months after the end of the preceding fiscal period, showing at least revenues, and expenditure performance with a narration for variances, if any, statement of cash flow, changes in the balances sheet, accumulated arrears as at year-end, and outstanding debt.

(8) At the end of the fiscal year, and after all books of account of all agencies has been closed, the accounting officer must surrender within seven working days, to the Comptroller and Accountant General any unexpected voted money, for redepositing into the Consolidated Fund.

(9) All income accruing to an autonomous agency in form of internally generated funds shall be deposited into the Consolidated Fund within seven working days, except where an agency is under legal obligation to keep a portion or all the funds for discharge of responsibilities as prescribed by specific enactment.

284- Over-collection of fees and charges

(1) For the purpose of section 56 of the Act, within one month after the end of every quarter, the department of the Ministry responsible for autonomous and semi-autonomous agencies shall assess and report to the Minister whether each autonomous and semi-autonomous agency has over-collected fees and charges in excess of their estimates included in the National Budget, on the basis of quarterly financial statements balances submitted under regulation 283.

(2) When the department of the Ministry responsible for autonomous and semi-autonomous agencies reports that an autonomous and semi-autonomous agency has over-collected fees and charges under subsection (1), the Minister shall require the autonomous and semi-autonomous agency to transfer the amount of over-collection to the Consolidated Fund within two months after the end of the quarter when the over-collection was made.

(3) Transfer required under subsection (2) shall be made by depositing or transferring into the Consolidated Fund.

(4) If an autonomous and semi-autonomous agency fails to transfer the over-collection to the Consolidated Fund by the deadline under subsection (2), the Minister shall –

   (a) reduce the amount of transfer from the National Budget to the autonomous and semi-autonomous agency by the amount of the over-collection; and

   (b) take other financial corrective actions specified in section 62 of the Act, as he deems necessary.

(5) The department of the Ministry responsible for autonomous semi-autonomous agencies shall notify reduction of transfer from the National Budget under sub-regulation (4) to the Deputy Minister responsible for Budget, who shall introduce the reduction of a budget appropriation in the integrated financial management system.

285- Special Funds

(1) A Special Fund can be established under sections 7 and 53 of the Act.
(2) A Special Fund shall be established by an enactment or other legal instrument approved by the Legislature, which shall specify the purposes of the Fund, the administering authority, amounts receivable and payable, and any special rules necessary for the transaction of business.

286- Disbursements of Special Funds

All disbursements out of a Special Fund shall be made by authorisation of the administering authority of the Special Fund, pursuant to the rules governing the operation of the Fund and any rule pertaining to the particular transaction.

287- Accounting and Reporting for Special Funds

(1) A head of government agency responsible for administering a special fund shall cause the integrated financial management information system to be used for all financial operations of the fund and keep accounts of all transactions in accordance with the Government Chart of Accounts procedures, procedures laid down in Regulations and government agencies accounting Instructions as approved by the Comptroller and Accountant General.
(2) A head of government agency responsible for administering a Special Fund shall submit quarterly budgetary performance reports within thirty days of the end of the preceding quarter to the Minister and the President comprising at least an income statement and a detailed account of the funds received, year-to-date balances, purpose, achievements, constraints, a statement of accumulated arrears to suppliers and current or potential external funding provided or to be provided by donors.
(3) The receipts, earnings and accruals of such funds at the end of the financial year shall not be repaid to the Consolidated Fund but shall be retained by each Special Fund for the purposes for which they were established.
(4) Upon winding up any special fund, any funds standing to the credit of such fund at the tune of winding up shall be paid into the Consolidated Fund.

288- Annual Accounts of Special Fund

(1) A head of government agency responsible for administering a special fund shall prepare an annual report and financial statements of transactions in relation to the special fund, which shall be separately certified by the Auditor-General.
(2) A head of government agency responsible for administering a special fund shall prepare annual financial statements and submit them within two months after the end of the fiscal year to the President, the Minister and the Auditor General.
(3) Unless the rules relating to the special fund require separate publication, the annual reports and financial statements of the fund shall be included in the agency's annual statement of account prepared in accordance with sections 55 of the Act.

Part X. Specific Provisions Related with State Owned Enterprises

289- Governance of State-Owned Enterprises

(1) State-Owned Enterprises shall be governed by Sections 35, 36, 37, 38, 39, 41 and 42 on borrowing, public debt and guarantees, and Sections 57 to 60 of the Act regarding mandate

and scope, annual financial plan, in-year reporting and submission of annual accounts, and dividend policy.

(2) Notwithstanding subsection (1), the sector minister and the Minister may give general directions in writing to the Board on matters of policy in as much as these directives do not conflict with any other enactment. The State Owned Enterprises shall be bound to follow any general directions given by the Minister.

(3) All heads of State-owned-owned enterprise shall seek validation from the Bureau of State-Owned Enterprises for the opening of any bank accounts in their corporate name, who shall submit the request to the Minister for approval.

(4) The Bureau of State Enterprises shall advise the Minister on the closure of a State-owned enterprise account when it is dormant, duplicative of functions, proliferation, and accumulations of excessive charges.

290- Bureau of State Enterprises to oversee State Owned Enterprises

(1) The Bureau of State Enterprises shall oversee each State-Owned Enterprises' efficiency, promote of monetary stability and the soundness of the financial system in the management of State-Owned Enterprises.

(2) For the purpose of Section 57 to 60 of the Act, State Owned Enterprises shall, subject to the laws creating State Owned Enterprises submit to the Bureau of State Enterprises-

(a) Strategic, Financial Plans & Management Policy for the operations and its management;

(b) quarterly financial and operation reports not later than the 30th day of the fourth month;

(c) Board Meeting Minutes and a copy of Board resolution;

(d) personnel listing and manpower development plan as well as programs gear toward manpower training and development;

(e) Assets' registry and status of each asset. Additionally, the list of assets for disposal;

(f) its financial liabilities and institutions with which State-Owned Enterprises holds an account;

(g) Statement of Corporate intent/ annual business plan by or before 15th December of each year;

(h) copy of its' annual budget;

(i) outsourcing and disposal of assets for the approval of Bureau of State Enterprises;

(j) Procurement plans, to be attested to by the Bureau of State Enterprises before submission to the Public Procurement Concession Commission;

(k) Information about all Board of Directors meetings for the purpose of regulatory compliance;

(l) The Bureau State Enterprises shall serve as the public corporate sector head signatory on all contracts by the State Owned Enterprises before the signing of the Minister of Finance and the Minister of Justice, where applicable;

(m) All payments on settlements of arrears emanating from contracts awarded by SOEs must meet the approvals of the Bureau of State Enterprises for compliance purposes;

(n) All requests from State Owned Enterprises for financing, for approval, before submission to the Ministry.

(3) Pursuant to Section 60 of the Act, the Bureau of State Enterprises shall provide Dividend Policy Guidelines to be approved by the sector minister.

(4) The Bureau of State Enterprises shall monitor compliance with the Dividend Policy Guidelines by the Boards of Directors of State Owned Enterprises.

(5) The Bureau of State Enterprises with approval from the Minister and sector Minister, shall monitor, inspect and investigate whenever necessary, the activities of all State-Owned Enterprises.
(6) State-Owned Enterprises shall grant access to the Bureau of State Enterprises or produce at all times its books, accounts, vouchers and information that in the opinion of the Bureau of State Enterprises, are relevant to any and all exercises that the Bureau of State Enterprises may desire to conduct.
(7) All State-Owned Enterprises shall accord the Bureau of State Enterprises the right to inspect all projects and outsourced services for which a contract is awarded by the State-Owned Enterprise.

291- Fiscal Year
The fiscal year of a state-owned enterprise shall be the same as the fiscal year of the Government.

292- Funds of State-Owned Enterprises
The funds of a State-Owned-Enterprise shall include:
(a) money that may be provided by Legislature upon its approval;
(b) loans and guarantees granted to the enterprise upon approval by the Minister and the Debt Management Committee pursuant to the provisions of sections 35, 39 and 41 of the Act; and
(c) monies accruing to the enterprise in the exercise and performance of its functions.

293- Borrowing and guarantees of State-Owned Enterprises
(1) Subject to the provisions of Sections 35, 39 and 41 of the Act, State-Owned enterprises are permitted by the Government to borrow directly from domestic sources or from abroad on the principle "self-borrowing and self-repayment", to carry out development projects, subject to approval of the Bureau of State Enterprises, the Minister and the Debt Management Committee.
(2) The capital projects or non-recurrent expenditures of state-owned enterprises for which a government guarantee is requested, shall meet the following requirements:
(a) Being feasible projects that are approved or decided by the SOE through a transparent due-diligence process in accordance with current provisions, which states clearly the borrowing and repayment plan to ensure the repayment at the due date and that projects or non-recurrent expenditures merit the government guarantee for foreign or domestic borrowing;
(b) Provision of a written approval by the competent agency for the capital project or non-recurrent expenditure and a draft of commercial agreements (consultancy contract, equipment supply contract, contract with contractor etc.) in accordance with current provisions;
(c) The commercial contracts, loan contracts and other documents of the capital project or other non-recurrent expenditure must be consistent with each other in respect of the conditions upon which the guarantee is to be granted;
(d) Terms of the guarantee shall be determined by the Minister and the Debt Management Committee, on the advice of the Bureau of State Enterprises to cover among other things the following aspects:
i. value of the loan principal to be guaranteed;
ii. desired characteristics of the potential lender;
iii. minimum term of the loan;
iv. margin interest, loan interest;

v. Other fees and expenses.

(e) The Ministry's unit responsible for debt management shall develop guidelines for approval of the Debt Management Committee, responsibilities and obligations of guarantee issuing agencies and related agencies; and sequence and procedure of issuing a government guarantee.

294- Debt contracting and reporting

(1) For the purpose of Section 41 of the Act, a State-Owned Enterprises shall before the commencement of the fiscal year, notify the Bureau of State Enterprises, the Minister and the Debt Management Committee of the annual borrowing plans immediately following the board's approval of the annual financial plans of a state-owned enterprise.

(2) Repayment of accumulated arrears to suppliers for a period exceeding ninety days constitute debt of the enterprise and shall require written approval of the Board, Minister and the Debt Management Committee, on the advice of the Bureau of State Enterprises.

295- Investments of Moneys

(1) A State-owned enterprise may invest its moneys in such manner as the board may approve and in consultation with the responsible sector minister and the Minister may reinvest any of its investments.

(2) Notwithstanding sub-regulation (1), a State-owned enterprise, shall not invest its money in government securities.

296- Award of Contracts

The Bureau of State Enterprises, may make regulations or issue instructions on the conditions upon which an enterprise or institution may undertake contractual commitments for minister's approval.

297- Reserves

The Minister may upon recommendation of the Board of Directors of the enterprise or institution direct the enterprise to make provision for reserves, for extensions, depreciation of assets, for uncollectable debts and for other purposes.

298- Books, Accounts and Audit

(1) A State-owned enterprise shall keep proper books of accounts and proper records in manner approved by its board of directors.

(2) For the purpose of Section 59 of the Act, the financial statements of the State Owned Enterprise shall comprise-

(a) a balance sheet of the assets and liabilities of the corporation as at the end of the year;

(b) a statement of revenue and expenditure of the corporation for the year;

(c) the cash flow statement of the corporation for the year.

(3) The financial statements shall be prepared and transmitted to the Auditor-General, the Minister, the sector minister, and the Bureau of State Enterprises by the head of the enterprise.

(4) The accounts submitted under Section 59 of the Act and this regulation shall:

(a) be prepared in accordance with International Financial Reporting Standards and in accordance with any instructions issued by the Minister in consultation with the Auditor-General; and

(b) state the basis of accounting used in preparation and identify significant departures from the principles and the reasons for the departure.

(5) The Auditor-General shall audit accounts of all state-owned enterprises governed by these Regulations.

(6) State-owned enterprise shall submit a summary of their annual audited accounts to the Minister for consolidation into the national final accounts.

(7) The Minister may determine the format in which the annual audited accounts information will be prepared

(8) In accordance with section 49(3) of the Act, rates and amounts of the audit fees to be charged shall be determined by the Minister in consultation with the Auditor General during the budget preparation.

(9) The amount mentioned in sub regulation (8) shall be placed in the budget of the General Audit Commission.

(10) In determining the rates and amounts referred to in subsection (8), profitability, complexity of financial operations, historical rates and amounts, and industry norms shall be considered.

299- Quarterly Report

(1) Within one month after the end of the previous fiscal quarter financial statements covering the previous quarter shall be prepared by each State-owned enterprise and transmitted to the Auditor-General, the Minister, the Sector Minister, the Bureau of State Enterprises, and the Comptroller and Accountant General in respect of each quarter.

(2) In addition to the financial statements specified in Regulation 298, the report shall include statements and documents relating to borrowing and debt servicing, including government guaranteed debt, as well as any debt they have restructured, and any outstanding arrears to suppliers more than 90 days overdue.

300- Annual Report

(1) For the purpose of Section 59 of the Act, the board of directors of State-owned enterprises shall, within two months after the expiry of each financial year to which the financial statements relate, submit an annual report to the Minister, the Sector Minister, the Auditor General and the Bureau of State Enterprises dealing generally with the activities and operations of the enterprise within that year.

(2) The annual report shall include:

(a) a copy of the audited accounts of the enterprise;

(b) a statement of any directions given by the sector minister to the Board or Bureau of State Enterprise within that year in accordance with the Act and the enactment under which the enterprise exists; and

(c) such other information as the sector minister may in writing reasonably request.

(3) A copy of the annual report of the Board of Directors of an enterprise shall also be sent by the Board to the head of the Liberia Institute of Statistics and Geographical Information's Systems; the Governor of the Central Bank of Liberia; and any other person that the Minister may determine.

(4) The Auditor General shall review the annual report and present his/her opinion to the Legislature alongside the audit report of government financial operations for the previous year.

(5) The Minister shall present a statement of the overall performance of State-owned enterprises to the Legislature alongside the budget proposals for the following year.

301- The Board of Directors' Responsibility

(1) The Board of Directors of each State Owned Enterprise shall ensure the efficient management of the financial resources of the enterprise including the collection and receipt of moneys due to that enterprise.

(2) If it appears to the Auditor-General from any examination, audit or inspection that Stae Owned Enterprise has wilfully or negligently omitted to ensure the collection or receipt of moneys due to the enterprise, , the Minister may withdraw or suspend the emoluments of the Board of Directors whether jointly or severally upon the recommendation of the Auditor-General.

302- The Minister's Right to Supervise an Enterprise

(1) Notwithstanding anything in this part and the competencies of the Bureau of State Enterprises, the Minister shall cause the efficient and operational auditing of an enterprise or institution to be conducted.

(2) The Bureau of State Enterprises shall design the procedures by which the Minister and the Bureau of State Enterprises shall monitor the strategic plans of each State-owned enterprise and assess its performance and achievements.

(3) The sector minister may give general directions in writing to the Board on matters of policy and the Directors shall be bound to implement any of the Minister's written direction..

Part XI. Sanctions

303- Unauthorised, Irregular, Fruitless and Wasteful Expenditure

(1) For the purpose of Sections 63 of the Act, the head of government agency must exercise all reasonable care to prevent and detect unauthorised, irregular, fruitless and wasteful expenditure, and must for this purpose implement clearly defined business processes, identify risk associated with these processes and institute effective internal control to mitigate these risks.

(2) When an official of a government agency discovers unauthorized, irregular or fruitless and wasteful expenditure, that official must immediately report such expenditure to the head of government agency. Such expenditure must also be reported in the monthly report, as required by section 48(2) of the Act.

(3) Where irregular expenditure occurred in contravention of procurement procedures, the relevant procurement committee of the government agency must also be notified.

(4) When the Minister or a head of government agency determines the appropriateness of disciplinary steps against an official or the organization, the Minister or a head of government agency must take into account:
   (a) the circumstances of the transgression;
   (b) the extent of the expenditure involved; and
   (c) the nature and seriousness of the transgression.

(5) Recovery of losses or damages resulting from unauthorized, irregular or fruitless and wasteful expenditure must be dealt with in accordance with Section 62, 63 and 64 of the Act.

(6) The amount of the unauthorized, irregular, fruitless and wasteful expenditure must be disclosed as a note to the annual financial statements of the institution.

304- Compliance with Law and Financial Regulations

(1) Public officers shall conduct government financial business according to the laws of the Republic of Liberia and any instructions given in accordance with these Regulations and should avoid any action that discredits the public office.
(2) It is the duty of any officer conducting financial business to bring to the notice of the appropriate authority any case where application of the law or financial regulations leads to results that may be contrary to the public interest.

305- Duty to Report Irregularity

(1) Any officer who discovers a financial or an accounting irregularity on the part of another officer shall report the matter in writing to the head of government agency.
(2) An officer who fails to report a financial or an accounting irregularity under subsection (1) commits an offence and may be liable to prosecution.

306- Exercise of Judgement in Applying Regulations

(1) In circumstances in which application of these Regulations or accounting instructions appears to be against the interest of the public, and limitation of time precludes prior reference to higher authority, an officer must act according to his own judgement subject to subsection (2).
(2) An officer who acts in accordance with subsection (1) must immediately report the circumstances to his immediate superior in writing, and failure to make such reports within twenty-four hours shall be deemed a breach of financial discipline stipulated in regulation 308.

307- Review of Discretionary Action

(1) On receipt of a report issued in accordance with Regulation 306, the officer to whom the report is made shall inquire into the matter in order to determine whether the action reported was taken in good faith; and if the action is held to have been made in good faith, even if mistaken, and this action is endorsed by his immediate superior in writing, no disciplinary or other proceedings shall be taken against the officer concerned.
(2) If the action is not so upheld, disciplinary proceedings may be instituted against the officer concerned.

308- Breach of Financial Discipline

(1) A public officer is in breach of financial discipline if he or his acts or omits to act in a manner that is contrary to the Act, instructions or directives contained in these Regulations or in accounting instructions or manual for which no variation is permitted except by an appropriate authority.
(2) Any person required to perform any function or duty either under the Act or under these Regulations who fails to perform that function or duty within the time required, is in breach of financial discipline under this regulation.
(3) Disciplinary action for misconduct, omission or non-performance shall be taken against any officer contravening any instruction specified in sub regulation (1).
(4) On the recommendations of the Minister or the Auditor General, disciplinary action for misconduct shall be taken against the head of government agency who has contravened any instruction specified in these Regulations or subsequent instructions.
(5) Further to sanctions determined by Section 64 of the Act, sanctions for breach of financial discipline shall be consistent with the Civil Service Code, and this may include any of the following:

(a) a written or oral reprimand,
(b) suspension with loss of salaries and other remunerations,
(c) demotion in grade with or without reduction in remunerations
(d) interdiction for a period prescribed in the condition or scheme of service,
(e) termination or dismissal from employment,
(f) surcharging the officer with the amount lost and the applicable penalty, if any or
(g) prosecution.

(6) The sanction may include one or a combination of any of the above depending upon the gravity of the offence.
(7) Failure to take disciplinary action where required under this regulation shall itself be a breach of financial discipline under this regulation.

309- Receiving and Giving of Bribe

(1) A public officer or a person acting in an office or employment connected with the collection, management or disbursement of public or trust moneys or with the control of government inventories shall not accept or receive money or any consideration for the performance of official duties.
(2) A public officer shall not demand, accept or attempt to collect, directly or indirectly, as payments of gifts or otherwise, any sum of money, or other thing of value, for the compromise, adjustment or settlement of a charge or complaint for a contravention or alleged contravention of legislation relating to public finance.
(3) No one shall promise, offer or give any money or any other thing of value consideration to any officer or person acting in an office or employment connected with the collection, management or disbursement of public or trust moneys or the control of government inventories with intent to influence:
    (a) a decision or action on any question or matter that is then pending, or may, by law, be brought before the person in an official capacity; or
    (b) the officer or person to commit, or aid and abet in committing any fraud on the government or to connive at, take part in, or allow any opportunity for the commission of the fraud.
(4) Anyone who contravenes subsection (1), (2) or (3) commits a criminal offence punishable under any applicable legislations.

310- Conspiracy to Defraud

(1) No one shall conspire with another person to defraud the Government of Liberia, or create opportunity for another person to defraud the Government or permit the contravention of the law by another person in furtherance of defrauding the government of Liberia.
(2) Anyone who contravenes sub-regulation (1) commits a criminal offence punishable under any applicable legislations.

311- Falsification of Records

(1) No public officer shall wilfully sign certify or make a false entry in a document, book or computerized system , whether it is the duty or not of the person to make an entry, certificate or return.
(2) Anyone who contravenes sub-regulation (1) commits a criminal offence punishable under any other legislations.

312- Failure to Report Contraventions of the Law

(1) Any public officer who fails to report in writing to a senior officer or any state security agency if he has knowledge or information of the contravention of financial law by any person, or fraud committed by any person against the Government under law relating to public finance commits and offence.

(2) Anyone who contravenes sub-regulation (1) commits a criminal offence punishable under any applicable legislations.

313- Other Offences

A person commits an offence if that person-

(a) without reasonable excuse, fails to provide by the due date, any information the Ministry may reasonably require under the Act or these regulations;

(b) without reasonable excuse hinders or obstructs the Minister, the Comptroller and Accountant General or a person authorised by him or her;

(c) opens or causes to be opened any bank account for public or official use without the permission of the Comptroller and Accountant General or in any other way contravenes these Regulations in respect of any bank account ; and

(d) being a head of government agency, without reasonable excuse fails to comply with any regulations, directives or instructions under this or any other law, or fails to execute duties and functions imposed on him or her under these Regulations, the Act or any other law.

314- Sanctions for Committing Offences

(1) Anyone who commits an offence under this part of the Regulations is liable on summary conviction to a fine not exceeding ten thousand United States Dollars (US$10,000) or to imprisonment for a term not exceeding five (5) years or to both except as provided in sub-regulation (2).

(2) Any person who promises, offers or gives any money or other any consideration to any officer or person acting in an office or employment connected with the collection, management or disbursement of public or trust moneys or the control of government stores and inventory commits an offence, and is liable on summary conviction to a fine not exceeding three times the amount so offered or accepted, or to imprisonment for a term not exceeding five (5) years or to both.

(3) Without limiting sub-regulations (1) and (2) above, where any person is required to perform any function or duty under this regulation and the person fails to perform that duty within the time required, the person shall be in breach of financial discipline as defined in regulation 308 and shall be liable to such punishment as prescribed therein.

315- Officer to be Surcharged or Prosecuted

(1) Where an unauthorised or irregular payment has been made as a result of an incorrect certificate or document, the officer who signed the certificate or document shall be required to explain the circumstances leading to the error and if he is found to be negligent, he shall be held responsible and shall be surcharged with any loss arising there from.

(2) Where an unauthorised or irregular payment has been made as a result of a forged certificate or document, the officer who signed the certificate or document shall be required to explain the circumstances leading to the forgery and he shall be investigated and prosecuted in accordance with the laws of Liberia.

Part XII. Final and transitional Provisions

316- Revocation

The Public Financial Management Regulations, 2009 are hereby revoked.