

(H. B. 3680)

(No. 68)

(Approved February 20, 2004)

AN ACT

To amend the first paragraph of Section 7 of Act No. 84 of June 18, 2002, known as the "Code of Ethics for Contractors, Suppliers and Applicants for Economic Incentives of the Executive Agencies of the Commonwealth of Puerto Rico," in order to require the executive government agencies to deliver to any person to whom said Act is applicable, a copy of said provision of law, and that said contractors, providers of goods and services and applicants for economic incentives attest to having received said copy.

STATEMENT OF MOTIVES

The present government administration has been characterized for its initiatives to prevent and openly attack corruption. To such effect, this Legislature has passed countless laws that are being strictly implemented by the Executive Branch. In fact, the Comptroller of Puerto Rico has acknowledged to the press that it is the volition of the administration of the Hon. Sila M. Calderón to continue in said direction.

One of these laws is Act No. 84 of June 18, 2002, which established the "Code of Ethics for Contractors, Suppliers and Applicants for Economic Incentives of the Executive Agencies of the Commonwealth of Puerto Rico." The avant garde parameters included in this statute are effective instruments to prevent the commission of acts of corruption and legally prosecute persons who incur in this type of conduct.

However, the Legislature deems it necessary to strengthen the provisions of the abovementioned Act No. 84 by requiring that executive government agencies deliver a copy of said provision of law to any person to whom said Act is applicable, and that said contractors, suppliers of goods and services and applicants for economic incentives attest to having received the same. In this manner, the soundest administration of the assets and resources of the People of Puerto Rico shall be promoted, and the efforts geared to prevent violations of the norms of ethics in question shall be broadened.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- The first paragraph of Section 7 of Act No. 84 of June 18, 2002, is hereby amended to read as follows:

“Section 7.- It shall be the responsibility of every executive agency of the Commonwealth of Puerto Rico to ensure compliance with the provisions of the Code of Ethics established herein. On doing so, it shall deliver a copy of this Act to every contractor, provider of goods and services and applicant for economic incentives at the time they attend a bid process in any of its stages or when a contract is executed with the concerned agency, whichever occurs first, and the person who receives the same shall attest to it by

signing, and shall make a commitment to comply with the provisions of the Government Ethics Act. The duly certified document that attests to said delivery shall be part of the record of the bid or contract. The failure to comply with the requirement provided in this paragraph shall not exempt the contracting parties from the obligations contracted among them nor from compliance with the provisions of said Code of Ethics.

...”

Section 2.- This Act shall take effect thirty (30) days after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 68 (H.B. 3680) of the 7th Session of the 14th Legislature of Puerto Rico:

AN ACT to amend the first paragraph of Section 7 of Act No. 84 of June 18, 2002, known as the "Code of Ethics for Contractors, Suppliers and Applicants for Economic Incentives of the Executive Agencies of the Commonwealth of Puerto Rico," in order to require the executive government agencies to deliver to any person to whom said Act is applicable, a copy of said provision of law, and that said contractors, providers of goods and services and applicants for economic incentives attest to having received said copy,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 17th of May of 2004.

Elba Rosa Rodríguez-Fuentes
Director

