



# Anti-terrorism, Crime and Security Act 2001

## 2001 CHAPTER 24

### PART 12

#### BRIBERY AND CORRUPTION

#### **108 Bribery and corruption: foreign officers etc.**

- (1) For the purposes of any common law offence of bribery it is immaterial if the functions of the person who receives or is offered a reward have no connection with the United Kingdom and are carried out in a country or territory outside the United Kingdom.
- (2) In section 1 of the Prevention of Corruption Act 1906 (c. 34) (corrupt transactions with agents) insert this subsection after subsection (3)—
  - “(4) For the purposes of this Act it is immaterial if—
    - (a) the principal’s affairs or business have no connection with the United Kingdom and are conducted in a country or territory outside the United Kingdom;
    - (b) the agent’s functions have no connection with the United Kingdom and are carried out in a country or territory outside the United Kingdom.”
- (3) In section 7 of the Public Bodies Corrupt Practices Act 1889 (c. 69) (interpretation relating to corruption in office) in the definition of “public body” for “but does not include any public body as above defined existing elsewhere than in the United Kingdom” substitute “and includes any body which exists in a country or territory outside the United Kingdom and is equivalent to any body described above”.
- (4) In section 4(2) of the Prevention of Corruption Act 1916 (c. 64) (in the 1889 and 1916 Acts public body includes local and public authorities of all descriptions) after “descriptions” insert “(including authorities existing in a country or territory outside the United Kingdom)”.

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*Status: This is the original version (as it was originally enacted).*

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## **109 Bribery and corruption committed outside the UK**

- (1) This section applies if—
  - (a) a national of the United Kingdom or a body incorporated under the law of any part of the United Kingdom does anything in a country or territory outside the United Kingdom, and
  - (b) the act would, if done in the United Kingdom, constitute a corruption offence (as defined below).
- (2) In such a case—
  - (a) the act constitutes the offence concerned, and
  - (b) proceedings for the offence may be taken in the United Kingdom.
- (3) These are corruption offences—
  - (a) any common law offence of bribery;
  - (b) the offences under section 1 of the Public Bodies Corrupt Practices Act 1889 (c. 69) (corruption in office);
  - (c) the first two offences under section 1 of the Prevention of Corruption Act 1906 (c. 34) (bribes obtained by or given to agents).
- (4) A national of the United Kingdom is an individual who is—
  - (a) a British citizen, a British Dependent Territories citizen, a British National (Overseas) or a British Overseas citizen,
  - (b) a person who under the British Nationality Act 1981 (c. 61) is a British subject, or
  - (c) a British protected person within the meaning of that Act.

## **110 Presumption of corruption not to apply**

Section 2 of the Prevention of Corruption Act 1916 (c. 64) (presumption of corruption in certain cases) is not to apply in relation to anything which would not be an offence apart from section 108 or section 109.