

SCHEDULE 6 OFFENCES

Bribery

- 12 (1) A person commits the offence of bribery in connection with the referendum if the person—
- (a) gives any money to or procures any office for—
 - (i) any voter,
 - (ii) any other person on behalf of any voter, or
 - (iii) any other person,in order to induce any voter to vote or refrain from voting in the referendum,
 - (b) corruptly makes any gift or procurement as mentioned in paragraph (a) on account of any voter having voted or refrained from voting in the referendum,
 - (c) makes any gift or procurement as mentioned in paragraph (a) to or for any person in order to induce that person to procure, or endeavour to procure, any particular outcome in the referendum, or
 - (d) upon or in consequence of any such gift or procurement as mentioned in paragraph (a), procures or engages, promises or endeavours to procure any particular outcome in the referendum.
- (2) A person commits the offence of bribery in connection with the referendum if the person—
- (a) advances or pays or causes to be paid any money to or for the use of any other person with the intent that the money or any part of it is to be expended in bribery in connection with the referendum, or
 - (b) knowingly pays or causes to be paid any money to any person in discharge or repayment of any money wholly or partly expended in bribery in connection with the referendum.
- (3) A voter commits the offence of bribery in connection with the referendum if, whether before or during the referendum, the voter receives, agrees or contracts for any money, gift, loan or valuable consideration, office, place or employment for the voter or for any other person for—
- (a) voting or agreeing to vote in the referendum, or
 - (b) refraining or agreeing to refrain from voting in the referendum.
- (4) A person commits the offence of bribery in connection with the referendum if, after the referendum, the person receives any money or valuable consideration on account of any person—
- (a) having voted or refrained from voting in the referendum, or
 - (b) having induced any other person to vote or refrain from voting in the referendum.
- (5) Sub-paragraphs (1) to (4) apply regardless of whether an act is done—
- (a) directly or indirectly,
 - (b) by the person or by another person on the person's behalf.
- (6) For the purposes of sub-paragraph (1)—

Status: This is the original version (as it was originally enacted).

- (a) references to giving money include references to giving, lending, agreeing to give or lend, offering, promising, or promising to procure or to endeavour to procure any money or valuable consideration,
 - (b) references to procuring any office include references to giving, procuring, agreeing to give or procure, offering, promising, or promising to procure or to endeavour to procure any office, place or employment.
- (7) Sub-paragraphs (1) and (2) do not apply to any money paid or agreed to be paid for or on account of any legal expenses incurred in good faith at or concerning the referendum.
- (8) A person commits a corrupt practice if the person commits the offence of bribery in connection with the referendum.
- (9) In this paragraph, the expression “voter” includes—
- (a) a proxy for a voter, and
 - (b) any other person who has or claims to have a right to vote in the referendum.