



Bribery Act 2010

2010 CHAPTER 23

Supplementary and final provisions

17 Consequential provision

- (1) The following common law offences are abolished—
 - (a) the offences under the law of England and Wales and Northern Ireland of bribery and embracery,
 - (b) the offences under the law of Scotland of bribery and accepting a bribe.
- (2) Schedule 1 (which contains consequential amendments) has effect.
- (3) Schedule 2 (which contains repeals and revocations) has effect.
- (4) The relevant national authority may by order make such supplementary, incidental or consequential provision as the relevant national authority considers appropriate for the purposes of this Act or in consequence of this Act.
- (5) The power to make an order under this section—
 - (a) is exercisable by statutory instrument^[F1](subject to subsection (9A)),
 - (b) includes power to make transitional, transitory or saving provision,
 - (c) may, in particular, be exercised by amending, repealing, revoking or otherwise modifying any provision made by or under an enactment (including any Act passed in the same Session as this Act).
- (6) Subject to subsection (7), a statutory instrument containing an order of the Secretary of State under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (7) A statutory instrument containing an order of the Secretary of State under this section which does not amend or repeal a provision of a public general Act or of devolved legislation is subject to annulment in pursuance of a resolution of either House of Parliament.

Changes to legislation: There are currently no known outstanding effects for the Bribery Act 2010, Section 17. (See end of Document for details)

- (8) Subject to subsection (9), a statutory instrument containing an order of the Scottish Ministers under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, the Scottish Parliament.
- (9) A statutory instrument containing an order of the Scottish Ministers under this section which does not amend or repeal a provision of an Act of the Scottish Parliament or of a public general Act is subject to annulment in pursuance of a resolution of the Scottish Parliament.
- [^{F2}(9A) The power of the Department of Justice in Northern Ireland to make an order under this section is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (and not by statutory instrument).
- (9B) Subject to subsection (9C), an order of the Department of Justice in Northern Ireland made under this section is subject to affirmative resolution (within the meaning of section 41(4) of the Interpretation Act (Northern Ireland) 1954).
- (9C) An order of the Department of Justice in Northern Ireland made under this section which does not amend or repeal a provision of an Act of the Northern Ireland Assembly or of a public general Act is subject to negative resolution (within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954).]
- (10) In this section—
- “devolved legislation” means an Act of the Scottish Parliament, a Measure of the National Assembly for Wales or an Act of the Northern Ireland Assembly,
- “enactment” includes an Act of the Scottish Parliament and Northern Ireland legislation,
- “relevant national authority” means—
- (a) in the case of provision which would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament, the Scottish Ministers,^{F3}...
- (aa) [^{F4}in the case of provision which could be made by an Act of the Northern Ireland Assembly without the consent of the Secretary of State (see sections 6 to 8 of the Northern Ireland Act 1998), the Department of Justice in Northern Ireland, and]
- (b) in any other case, the Secretary of State.

Textual Amendments

- F1** Words in s. 17(5)(a) inserted (18.10.2012) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2012 \(S.I. 2012/2595\)](#), arts. 1(2), **19(3)(a)** (with arts. 24-28)
- F2** S. 17(9A)-(9C) inserted (18.10.2012) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2012 \(S.I. 2012/2595\)](#), arts. 1(2), **19(3)(b)** (with arts. 24-28)
- F3** Word in s. 17(10) omitted (18.10.2012) by virtue of [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2012 \(S.I. 2012/2595\)](#), arts. 1(2), **19(3)(c)** (with arts. 24-28)
- F4** Words in s. 17(10) inserted (18.10.2012) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2012 \(S.I. 2012/2595\)](#), arts. 1(2), **19(3)(c)** (with arts. 24-28)
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Commencement Information

- I1** S. 17 wholly in force at 1.7.2011; s. 17(4)-(10) in force at Royal Assent, see s. 19(2); s. 17 in force otherwise at 1.7.2011 by [S.I. 2011/1418](#), **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the Bribery Act 2010, Section 17.