



# THE BRIBERY ACT



Ministry  
of Justice



# OUTLINE

- Overview of the Act
- Concepts
- Enforcement



Ministry  
of Justice



# OVERVIEW OF THE ACT

- General offences – active/passive, public/private
- Foreign public officials
- Corporate failure to prevent liability
- Penalties
- Consent & connivance
- Territorial application and jurisdiction



Ministry  
of Justice



# CONCEPTS

- What is bribery? – general offences - inducement to improper performance
- Expectation test
- Foreign public officials – influence model
- Failure to prevent – strict liability
  - Commercial organisation – global reach
  - Associated person



Ministry  
of Justice



# ENFORCEMENT

- Corporate self referrals
- Deferred Prosecution Agreements
- Bribery Act cases
- Policy – Corporate good governance



Ministry  
of Justice