

BRIBERY ACT – UPDATE

August 2010

MoJ confirms April 2011 as the date the new Bribery Act will come into force.

What do you need to know?

The Bribery Act 2010 received Royal Assent on 8th April 2010, however late last month the Ministry of Justice announced that it will not come into force until April 2011. This is good news for businesses that now have additional time to prepare for this comprehensive anti-bribery statute.

The Act:

- Introduces a **corporate offence of failure to prevent bribery** by persons working on behalf of a business. A business can avoid conviction if it can show that it has **adequate procedures in place** to prevent bribery.
- Make it a **criminal offence to give, promise or offer a bribe** and to request, agree to receive or accept a bribe either at home or abroad. The measures cover bribery of a foreign public official.
- Increase the maximum penalty for bribery from 7 to **10 years imprisonment**, with an unlimited fine.

We will be providing further advice early next year on the key offences, how to prevent bribery in the workplace and how to ensure compliance with official guidance. The Government will not be consulting on their guidance document until September 2010. Once complete, their guidance is due to be published in early 2011.

In the meantime if you have any questions or concerns, please contact your usual Lawsons' contact or our Corporate & Commercial partner, Stephen Attree.

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