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Information Sheet 18/08/2011

The Bribery Act 2010

The UK Bribery Act 2010 came into force on 1st July 2011.

There are four main offences under the Act:

- 1) Bribing another person
- 2) Being bribed
- 3) Bribery of foreign public officials
- 4) Failure of commercial organisations to prevent bribery

An associated person to an organisation could be an employee, agent, sub-contractor, or supplier acting on behalf of the organisation.

It is not necessary for money to have changed hands for an offence to be committed,, the mere intention to pay or receive a bribe is sufficient.

Adequate procedures should be put in place to prevent bribery:

- 1) Procedures should be proportionate to the risk of bribery and size of the organisation.
- 2) Top level commitment by senior management and board members
- 3) The risk of bribery should be assessed throughout the entire business
- 4) There should be due diligence of agents, intermediaries and other parties.
- 5) Policies and procedures should be communicated to employees, agents and contractors
- 6) The risk of bribery and the effectiveness of control to prevent bribery should be monitored

Penalties for breaching the Act can be unlimited fines and up to 10 years imprisonment.

Contact us for further information.

