

**Prevention of Corruption Act
(CHAPTER 241)**

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Legislative History

PREVENTION OF CORRUPTION ACT (CHAPTER 241)

(Original Enactment: Ordinance 39 of 1960)

REVISED EDITION 1993

(15th March 1993)

An Act to provide for the more effectual prevention of corruption.

[17th June 1960]

Short title

1. This Act may be cited as the Prevention of Corruption Act.

Interpretation

2. In this Act, unless the context otherwise requires —

“agent” means any person employed by or acting for another, and includes a trustee, administrator and executor, and a person serving the Government or under any corporation or public body, and for the purposes of section 8 includes a subcontractor and any person employed by or acting for such subcontractor;

“Director” means the Director of the Corrupt Practices Investigation Bureau appointed under section 3;

“gratification” includes —

- (a) money or any gift, loan, fee, reward, commission, valuable security or other property or interest in property of any description, whether movable or immovable;
- (b) any office, employment or contract;
- (c) any payment, release, discharge or liquidation of any loan, obligation or other liability whatsoever, whether in whole or in part;
- (d) any other service, favour or advantage of any description whatsoever, including protection from any penalty or disability incurred or apprehended or from any action or proceedings of a disciplinary or penal nature, whether or not already instituted, and including the exercise or the forbearance from the exercise of any right or any official power or duty; and
- (e) any offer, undertaking or promise of any gratification within the meaning of paragraphs (a), (b), (c) and (d);

“principal” includes an employer, a beneficiary under a trust, and a trust estate as though it were a person and any person beneficially interested in the estate of a deceased person and the estate of a deceased person as though the estate were a person, and in the case of a person serving the Government or a public body includes the Government or the public body, as the case may be;

“public body” means any corporation, board, council, commissioners or other body which has power to act under and for the purposes of any written law relating to public health or to undertakings or public utility or otherwise to administer money levied or raised by rates or charges in pursuance of any written law;

“special investigator” means a special investigator of the Corrupt Practices Investigation Bureau.

[25/81]

Appointment of Director and officers

3.—(1) The President may appoint an officer to be the Director of the Corrupt Practices Investigation Bureau:

Provided that the President acting in his discretion may refuse to appoint or revoke the appointment of the Director if he does not concur with the advice or recommendation of the Cabinet or a Minister acting under the general authority of the Cabinet.

(2) The President may appoint a Deputy Director of the Corrupt Practices Investigation Bureau and such number of assistant directors and special investigators of

the Corrupt Practices Investigation Bureau as he may think fit.

(3) Any powers conferred on and duties to be performed by the Director under this Act may, subject to the orders and directions of the Director, be exercised or performed by the Deputy Director or an assistant director of the Corrupt Practices Investigation Bureau.

(4) The Deputy Director and an assistant director of the Corrupt Practices Investigation Bureau may exercise the powers conferred by this Act on a special investigator.

(5) The President may create such different grades for assistant directors and special investigators as he may think fit.

[25/81]

[11/91]

Director and officers deemed to be public servants

4.—(1) The Director, Deputy Director, assistant directors and special investigators of the Corrupt Practices Investigation Bureau shall be deemed to be public servants within the meaning of the Penal Code.

(2) A certificate of appointment signed by the Director shall be issued to every officer of the Corrupt Practices Investigation Bureau and shall be evidence of his appointment under this Act.

[25/81]

Punishment for corruption

5. Any person who shall by himself or by or in conjunction with any other person —

- (a) corruptly solicit or receive, or agree to receive for himself, or for any other person; or
- (b) corruptly give, promise or offer to any person whether for the benefit of that person or of another person,

any gratification as an inducement to or reward for, or otherwise on account of —

- (i) any person doing or forbearing to do anything in respect of any matter or transaction whatsoever, actual or proposed; or
- (ii) any member, officer or servant of a public body doing or forbearing to do anything in respect of any matter or transaction whatsoever, actual or proposed, in which such public body is concerned,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 5 years or to both.

[29/89]