

STATES OF JERSEY

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DRAFT CORRUPTION (JERSEY) LAW 2006 (APPOINTED DAY) ACT 200-

**Lodged au Greffe on 2nd February 2007
by the Minister for Home Affairs**

STATES GREFFE



Jersey

DRAFT CORRUPTION (JERSEY) LAW 2006 (APPOINTED DAY) ACT 200-

REPORT

This Appointed Day Act will bring into force the Corruption (Jersey) Law 2006, which was adopted by the States on 25th October 2005. The Law received Royal Assent on 9th May 2006 and was registered in the Royal Court on 26th May 2006.

The Law creates new offences of corruption, abolishes the customary law offence of bribery and is intended to be the basis for the extension to Jersey of the United Kingdom's ratification, acceptance or approval of the Criminal Law Convention on Corruption of the Council of Europe, done at Strasbourg on 27th January 1999 and the Convention on Combating Bribery of Foreign Public Officials in International Transactions of the Organisation for Economic Co-operation and Development ("OECD") adopted by the Negotiating Conference on 21st November 1997.

Correspondence with the Department for Constitutional Affairs on the question of ratification of the OECD Convention has indicated that some amendments of the Law will probably need to be made before ratification can be extended to Jersey, but these could be made by means of Regulations under the Law and they are not a reason to delay further the bringing into force of the Law.

It is anticipated that the amendments will involve expanding the definition of "public body" in Article 3(1) of the Law by including in the part of the definition that applies to foreign public bodies, any foreign legislative or administrative body, any body exercising a public function, including public agencies or enterprises, and public international organisations and the definition of "public official" in Article 4(1) will probably be amended to extend it to include persons who hold judicial or administrative office in foreign countries or are officials of foreign public organisations.

There are no financial or manpower implications for the States arising from this Act.

Re-issue Note

This projet is re-issued because an early draft of the report was incorrectly sent to the States Greffe as the version for printing.

Explanatory Note

This Act would bring the Corruption (Jersey) Law 2006 into force 7 days after this Act is made by the States. The Law (then P.198/2005) was adopted by the States on 25th October 2005.



Jersey

DRAFT CORRUPTION (JERSEY) LAW 2006 (APPOINTED DAY) ACT 200-

Made

[date to be inserted]

Coming into force

[date to be inserted]

THE STATES, in pursuance of Article 17 of the Corruption (Jersey) Law 2006^[1], have made the following Act –

1 Commencement of Law

The Corruption (Jersey) Law 2006 shall come into force 7 days after this Act is made.

2 Citation

This Act may be cited as the Corruption (Jersey) Law 2006 (Appointed Day) Act 200-.

[1]

L.12/2006