

BRIBERY ACT 2010

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedule 2

87. This Schedule contains repeals and revocations.
88. The three Prevention of Corruption Acts are repealed in their entirety. These offences are wholly replaced by the offences under this Act.
89. [Criminal Justice Act \(Northern Ireland\) 1945 \(c. 15 \(N.I.\)\)](#) – section 22 amended section 4 of the Public Bodies Corrupt Practices Act 1889 and section 2(1) of the Prevention of Corruption Act 1906 to provide for proceedings to be taken in Northern Ireland only with the consent of the Attorney General for Northern Ireland. Given the 1889 and 1906 Acts will be repealed the section will become redundant.
90. [Electoral Law Act \(Northern Ireland\) 1962 \(c.14 \(N.I.\)\)](#) – section 112(3) amended paragraphs (c) and (d) of section 2 of the 1889 Act and will be redundant following the repeal of the 1889 Act.
91. [Increase of Fines Act \(Northern Ireland\) 1967 \(c. 29 \(N.I.\)\)](#) – section 1(8)(a) and (b) provide that a court may impose a fine whether greater or less than the amount limited by section 2 of the Public Bodies Corrupt Practices Act 1889 or section 1(1) of the Prevention of Corruption Act 1906 respectively. These references will become redundant once those two Acts are repealed.
92. [Criminal Justice \(Miscellaneous Provisions\) Act \(Northern Ireland\) 1968 \(c. 28 \(N.I.\)\)](#) – the entry in the table in Schedule 2 relating to the Prevention of Corruption Act 1906 increased the penalty in Northern Ireland for the offence under section 1(1) of the 1906 Act from 4 months imprisonment to 6 months imprisonment. That entry will become redundant upon repeal of the 1906 Act.
93. [Local Government Act \(Northern Ireland\) 1972 \(c.9 \(N.I.\)\)](#) – paragraph 1 of Schedule 8 amended the 1889 Act and will be redundant following the repeal of the 1889 Act.
94. [Civil Aviation Act 1982 \(c. 16\)](#) – section 19(1) designates the Civil Aviation Authority as a public authority for the purposes of the Prevention of Corruption Acts 1889-1916 and will be redundant once they are repealed.
95. [Representation of the People Act 1983 \(c. 2\)](#) – section 165(1) makes certain provision where a candidate at a Parliamentary or local election engages as agent or canvasser an individual who has been convicted and disenfranchised, including under the Public Bodies Corrupt Practices Act 1889. That entry becomes redundant upon repeal of the 1889 Act.
96. [Housing Associations Act 1985 \(c. 69\)](#) – paragraph 1(2) of Schedule 6 provides that the Housing Corporation is a public body for the purposes of the Prevention of Corruption Acts 1889 to 1916. That paragraph becomes redundant upon repeal of those Acts.
97. [Criminal Justice Act 1988 \(c. 33\)](#) – section 47 inserts provisions about penalties into the three Prevention of Corruption Acts, and becomes redundant upon repeal of those Acts.

98. [Criminal Justice \(Evidence etc.\) \(Northern Ireland\) Order 1988 \(S.I. 1988/1847 \(N.I.17\)\)](#) – article 14(1) amended paragraph (a) of section 2 of the 1889 Act and will be redundant following the repeal of the 1889 Act.
99. [Enterprise and New Towns \(Scotland\) Act 1990 \(c. 35\)](#) – paragraph 2 of Schedule 1 provides that Scottish Enterprise and Highlands and Islands Enterprise are public bodies for the purposes of the Prevention of Corruption Acts 1889 to 1916. That paragraph becomes redundant upon repeal of those Acts.
100. [Scotland Act 1998 \(c. 46\)](#) – section 43 provides that the Scottish Parliament shall be a public body for the purposes of the Prevention of Corruption Acts 1889 to 1916. This section will be redundant once those Acts are repealed.
101. [Anti-terrorism, Crime and Security Act 2001 \(c. 24\)](#) – sections 108 to 110, which extend the geographical scope of the offences under the Prevention of Corruption Acts 1889 to 1916, will be redundant once those Acts are repealed.
102. [Criminal Justice \(Scotland\) Act 2003 \(asp7\)](#) – sections 68 and 69, which extend the geographical scope of the offences under the Prevention of Corruption Acts 1889 to 1916, will be redundant once those Acts are repealed.
103. [Government of Wales Act 2006 \(c.32\)](#) – section 44 provides that the Welsh Assembly and the Assembly Commission shall be public bodies for the purposes of the Prevention of Corruption Acts 1889 to 1916. This section will be redundant once those Acts are repealed.
104. [Armed Forces Act 2006 \(c. 52\)](#) – those paragraphs in the list in Schedule 2 which refer to offences under the Prevention of Corruption Acts are repealed. This repeal is a corollary of the amendment to that list in Schedule 1 to this Act.
105. [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#) – section 217(1) (a) gives the Secretary of State power to define an “entity under the control of a local authority” and an “entity jointly controlled by bodies that include a local authority” for the purposes of section 4(2) of the Prevention of Corruption Act 1916. Section 217(1)(a) becomes redundant upon the repeal of the 1916 Act. Paragraph 1 of Schedule 14 to the 2007 Act, which contains amendments to the 1916 Act and section 244(4) which makes provision as to the extent of a repeal contained in that paragraph, are also repealed.
106. [Housing and Regeneration Act 2008 \(c.17\)](#) – paragraph 16 of Schedule 1 provides that the Home and Communities Agency is a public body for the purposes of the Prevention of Corruption Acts 1889 to 1916. This section will be redundant once those Acts are repealed.