This Revised Act is an administrative consolidation of the Prevention of Corruption Act 1916. It is prepared by the Law Reform Commission in accordance with its function under the Law Reform Commission Act 1975 (3/1975) to keep the law under review and to undertake revision and consolidation of statute law.

All Acts up to and including Companies (Statutory Audits) Act 2018 (22/2018), enacted 25 July 2018, and all statutory instruments up to and including Criminal Justice (Corruption Offences) Act 2018 (Commencement) Order 2018 (S.I. No. 298 of 2018), made 26 July 2018, were considered in the preparation of this Revised Act.

Disclaimer: While every care has been taken in the preparation of this Revised Act, the Law Reform Commission can assume no responsibility for and give no guarantees, undertakings or warranties concerning the accuracy, completeness or up to date nature of the information provided and does not accept any liability whatsoever arising from any errors or omissions. Please notify any errors, omissions and comments by email to revisedacts@lawreform.ie.
Introduction

This Revised Act presents the text of the Act as it has been amended since enactment, and preserves the format in which it was passed.

Related legislation

Prevention of Corruption Acts 1889 to 2010: this Act is one of a group of Acts included in this collective citation (Prevention of Corruption (Amendment) Act 2010, s. 7(2)). The Acts in the collective citation are repealed. The Acts in the group are:

- Public Bodies Corrupt Practices Act 1889 (52 & 53 Vict., c. 69) (repealed)
- Prevention of Corruption Act 1906 (6 Edw. 7., c. 34) (repealed)
- Prevention of Corruption Act 1916 (6 & 7 Geo. 5., c. 64) (repealed)
- Ethics in Public Office Act 1995 (22/1995), s. 38 (repealed)
- Proceeds of Crime (Amendment) Act 2005 (1/2005), Part 5 (s. 23) (repealed)
- Prevention of Corruption (Amendment) Act 2010 (33/2010) (repealed)

Annotations

This Revised Act is annotated and includes textual and non-textual amendments, statutory instruments made pursuant to the Act and previous affecting provisions.

An explanation of how to read annotations is available at www.lawreform.ie/annotations.

Material not updated in this revision

Where other legislation is amended by this Act, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this revision but will be reflected in a revision of the amended legislation if one is available.

Where legislation or a fragment of legislation is referred to in annotations, changes to this legislation or fragment may not be reflected in this revision but will be reflected in a revision of the legislation referred to if one is available.

A list of legislative changes to any Act, and to statutory instruments from 1984, may be found linked from the page of the Act or statutory instrument at
Acts which affect or previously affected this revision

- *Criminal Justice (Corruption Offences) Act 2018* (9/2018)

All Acts up to and including *Companies (Statutory Audits) Act 2018* (22/2018), enacted 25 July 2018, were considered in the preparation of this revision.

Statutory instruments, orders and regulations which affect or previously affected this revision


All statutory instruments up to and including *Criminal Justice (Corruption Offences) Act 2018 (Commencement) Order 2018* (S.I. No. 298 of 2018), made 26 July 2018, were considered in the preparation of this revision.
PREVENTION OF CORRUPTION ACT 1916 (Repealed)

REVISED

Updated to 30 July 2018

ARRANGEMENT OF SECTIONS

Section
1. Increase of maximum penalty in certain cases.
2. Presumption of corruption in certain cases.
3. Time for taking proceedings.
4. Short title and interpretation.
An Act to amend the Law relating to the Prevention of Corruption. [22nd December 1916.]

Be it enacted by the King’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Annotations

Modifications (not altering text):


Repeals

4. The enactments specified in Schedule 2 are repealed to the extent specified in column (3) of that Schedule.

...
De finitions of “activ e corrup-

tion” and “passive corrup tion” in section 40(1)

Criminal Jus tice (The ft and

Fraud Of fences) Act 2001

No. 50 of 2001

Sections 43, 44 and 45(2)

Proceeds of Crime (Amendmen t)

Act 2005

Section 23

Section 23Pr oceeds of Crime (Amendmen t)

Act 2005

The whole Act

No. 1 of 2005

The whole Act

No. 33 of 2010

The whole Act


by National As se t Managemen t Agency Act 2009 (34/2009), s. 16, S.I. No. 545 of 2009.

Preven tion of corrup tion.

16.— (1) To avoid doubt, the provisions of the Prevention of Corrup tion Acts 1889 to 2001 apply to—

(a) every officer of NAMA,

(b) the Chief Executive Officer,

(c) the other members of the Board, and

(d) every director of a NAMA group entity.

(2) Where in any proceedings against a person who performs functions for or on or behalf of

NAMA, or who performs functions connected to the valuation of eligible bank assets, for an offence

under the Public Bodies Corrupt Practices Act 1889 or the Prevention of Corrup tion Act 1906 it is

shown that—

(a) any gift, consideration or advantage has been given to or received by the person, and

(b) the person who gave the gift, consideration or advantage or on whose behalf the gift,

consideration or advantage was given was—

(i) a person who is a debtor in relation to an eligible bank asset, or

(ii) an associated debtor of such a person,

the gift or consideration or advantage shall be taken, unless the contrary is proved, to have been
given and received corruptly as an inducement to or reward for the person performing or omitting
to perform any of those functions.

C3 Application of collectively cit ed Prevention of Corrup tion Acts confirmed (1.01.2003 and 21.05.2004)


Prohibition of favours, rewards, etc.

170.—(1) An employee or a member of a local authority or of a committee of a local authority

shall not seek, exact or accept from any person, other than from the local authority concerned,
any remuneration, fee, reward or other favour for anything done or not done by virtue of his or
her employment or office, and a code of conduct under section 169 may include guidance for the
purposes of this subsection.

(2) Subsection (1) shall not be read so as to exclude the persons to whom that subsection relates

from the application of the Prevention of Corrup tion Acts, 1889 to 1995, and any Act which is to
be construed together as one with those Acts.

Editorial Notes:


and 17, S.I. No. 176 of 1989. Section 16 repealed (1.05.2003) by Central Bank and Financial Services

Authority Act 2003 (12/2003), s. 35 and sch. 1 part 9, S.I. No. 160 of 2003. Section 17 applies to
every person to whom s. 16 relates, and therefore would appear to be obsolete.
1.—F1[...]
amended, and ‘agent’ and ‘consideration’ have the meanings assigned to them by the Prevention of Corruption Act, 1906, as amended.

(3) F4[...]

Annotations

Amendments:
