

THE CORRUPTION PREVENTION ACT

Cap. 78.

[19th March, 1931.]

1. This Act may be cited as the Corruption Prevention Act. Short title.

PART I. *Preliminary*PREVENTION OF BRIBERY AND CORRUPTION OF AND BY
MEMBERS, ETC., OF PUBLIC BODIES

2. In this Part of this Act—

“public body” means any municipal corporation also any parish council or any other board, commission, or other body which has power to act under or for the purposes of any enactment relating to local government or the public health or to poor law or otherwise to administer money raised by rates in pursuance of any public general Act;

“public office” means any office or employment of a person as a member, officer, or servant of such public body;

“public servant” means and includes any person in the public service of the Island or, unless the context otherwise requires, in the service of any municipal corporation, parish council, or public body;

“advantage” includes any office or dignity, and any forbearance to demand any money or money’s worth or valuable thing, and includes any aid, vote, consent, or influence, or pretended aid, vote, consent, or influence, and also includes any promise or procurement of or agreement or endeavour to procure, or the holding out

Inter-
pre-
tation.

of any expectation of any gift, loan, fee, reward, or advantage as before defined.

Corruption
in office a
misdemeanour.

3.—(1) Every person who shall by himself or by or in conjunction with any other person, corruptly solicit or receive, or agree to receive, for himself, or for any other person, any gift, loan, fee, reward or advantage whatever as an inducement to, or reward for, or otherwise on account of 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 the said public body is concerned, shall be guilty of a misdemeanour.

(2) Every person who shall by himself or by or in conjunction with any other person corruptly give, promise, or offer any gift, loan, fee, reward, or advantage whatsoever to any person, whether for the benefit of that person or of another person, as an inducement to or reward for or otherwise on account of any member, officer, or servant of any public body, doing or forbearing to do anything in respect of any matter or transaction whatsoever, actual or proposed, in which such public body as aforesaid is concerned, shall be guilty of a misdemeanour.

Public
servant
taking a
gratification
other than
legal remuneration.

4. Every person who, being or expecting to be a public servant, accepts or obtains or agrees to accept or attempts to obtain from any person, for himself or for any other person, any gratification whatever other than legal remuneration—as a motive or reward for doing or forbearing to do any official act, or for showing or forbearing to show, in the exercise of his official functions, favour or disfavour to any person, or for rendering or attempting to render any service or disservice to any person with the Senate or House of Representatives or Executive Government of Jamaica, or with any public servant as such, shall be guilty of a misdemeanour.

In the interpretation and explanation of this section and of the succeeding sections, of this Part the word "gratification" is not restricted to pecuniary gratifications or to gratifications estimable in money, and the words "legal remuneration" are not restricted to the remuneration which a public servant can lawfully demand but includes all remuneration which he is permitted by the Government which he serves to accept, and the words "a motive or reward for so doing" include in their interpretation a person who receives a gratification as a motive for doing what he does not intend to do or as a reward for doing what he has not done.

5. Every person who accepts or obtains, or agrees to accept or attempts to obtain, from any person, for himself or for any other person, any gratification whatever as a motive or reward for inducing, by corrupt or illegal means, any public servant to do or to forbear to do any official act, or in the exercise of the official functions of such public servant to show favour or disfavour to any person, or to render or attempt to render any service or disservice to any person with the Senate or House of Representatives or the Executive Government of Jamaica or with any public servant as such, shall be guilty of a misdemeanour.

Taking a gratification in order by corrupt or illegal means to influence a public servant.

6. Every person who accepts or obtains, or agrees to accept or attempts to obtain, from any person, for himself or for any other person, any gratification whatever, as a motive or reward for inducing, by the exercise of personal influence, any public servant to do or to forbear to do any official act, or in the exercise of the official functions of such public servant to show favour or disfavour to any person, or to render or attempt to render any service or disservice to any person with the Senate or House of Representatives or the Executive Government of Jamaica, or

Taking a gratification for the exercise of personal influence with a public servant.