



**Isle of Man**  
**Government**

*Reiltys Ellan Vannin*



## Department of Home Affairs

### BRIBERY ACT 2013

SUMMARY OF RESPONSES TO THE  
CONSULTATION ON THE GUIDANCE  
ABOUT PROCEDURES WHICH RELEVANT COMMERCIAL  
ORGANISATIONS CAN PUT INTO PLACE TO PREVENT PERSONS  
ASSOCIATED WITH THEM FROM BRIBING

## **1. The Bribery Act 2013**

- 1.1. The aim of the Bribery Act 2013 is to ensure the Island's legislation to combat bribery meets current international standards.
- 1.2. Section 12 of the Act requires the Department to prepare and publish Guidance about procedures that relevant commercial organisations can put in place to prevent persons associated with them from committing the offence of bribery.
- 1.3. The Department decided to consult on the guidance document, consider responses and make any changes, if appropriate, before publishing the guidance and bringing the Act into operation by appointed day order.

## **2. The consultation**

- 2.1. The Department published the draft guidance for consultation on 30 July 2013 and the consultation period closed on 15 October 2013.
- 2.2. In line with the Isle of Man Government's Code of Practice on Consultation the document was sent directly to the following persons or organisations –
  - Members of Tynwald;
  - The Attorney General;
  - Clerk of Tynwald;
  - Chief Officers of Government Departments, Offices and Statutory Boards;
  - Isle of Man Society of Chartered Accountants;
  - ACCA (Isle of Man branch);
  - Isle of Man Constabulary;
  - Isle of Man Trades Union Council;
  - Representatives on the Joint Anti-Money Laundering Group;
  - Positive Action Group;
  - Organisation for Economic Co-operation and Development.
- 2.3. The document was also published on the Isle of Man Government's consultation website and, following a press release issued on 30 July 2013, received significant coverage in the local media<sup>1</sup>.

## **3. Outline and summary of responses to the consultation**

- 3.1. The Department received 5 responses to the consultation, of which –
  - three were from Government Departments or Offices; and
  - two were from local businesses.
- 3.2. Of these responses, two expressed no comment, one other made no comment other than to request removal of a reference to the organisation, one wished to clarify the issue of tips or gifts at Christmas time and one raised an issue concerning the liability of officers for any action or neglect to take action attributable to that officer as specified in the Act.

## **4. Outcome of the consultation**

- 4.1. The Guidance document is published and will be effective when the Act is brought into operation on the 16<sup>th</sup> December 2013. It will take the form in which it was consulted on subject to the removal of the reference to a Government Department in Case Study 5 on page 26 of the consultation copy of the document.

**28 November 2013**

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<sup>1</sup> Including an article on page 13 in issue 32, August 7<sup>th</sup> 2013, of the Manx Advertiser.



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