

South Australia

**Criminal Law Consolidation (Bribery and
Corruption) Amendment Bill 2005**

A BILL FOR

An Act to amend the *Criminal Law Consolidation Act 1935*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Criminal Law Consolidation (Bribery and Corruption) Amendment Act 2005*.

5 2—Commencement

This Act will come into operation on a day to be fixed by proclamation.

3—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

10 Part 2—Amendment of *Criminal Law Consolidation Act 1935*

4—Section 249—Bribery or corruption of public officers

Section 249, after subsection (3) insert:

(4) A person who—

- 15 (a) negotiates, or offers to negotiate, a corrupt agreement between a public officer and a third person; or
- (b) represents to a public officer that he or she is, or may be, in a position to negotiate a corrupt agreement between the public officer and a third person; or
- 20 (c) represents to a third person that he or she is, or may be, in a position to negotiate a corrupt agreement between the third person and a public officer,

is guilty of an offence.

Maximum penalty: Imprisonment for 7 years.

- (5) A ***corrupt agreement*** is an agreement or understanding under which a public officer, in consideration of an improper inducement, exercises power or influence the public officer has (or is supposed to have) in his or her official capacity in a particular way.