



Bill Summary

The Prevention of Bribery of Foreign Public Officials and Officials of Public International Organizations Bill, 2011

- The Prevention of Bribery of Foreign Public Officials and Officials of Public International Organizations Bill, 2011 was introduced in the Lok Sabha on March 25, 2011 by the Minister of State for Personnel, Public Grievance and Pensions, Mr. V. Narayanasamy.
- India had signed the United Nations Convention against Corruption on December 9, 2005. The Bill is necessary for the ratification of the Convention. It provides a mechanism to deal with bribery among foreign public officials (FPO) and officials of public international organizations (OPIO).
- The Bill empowers the Central Government to enter into agreements with other countries (contracting states) for enforcing this law and for exchange of investigative information.
- The Bill criminalizes the following acts :
 - Acceptance or solicitation of bribes by FPO and OPIO for acts or omissions in their official capacity;
 - Offering or promising to offer a bribe to any FPO and OPIO for obtaining or retaining business;
 - Abetment or attempting either of the above acts.
- Any person who commits offences under the Bill shall be liable to imprisonment between six months and seven years and a fine. Extradition treaties entered into by India with other countries that are signatories to the convention are deemed to be amended to include offences under the Bill.
- In case the evidence required for investigating an offence under the Bill is available in a contracting state, an application may be made by the Investigation Officer to the Special Judge appointed under the Prevention of Corruption Act, 1988.
- Similarly, when a letter of request is received by the Central Government from a contracting state the same shall be forwarded to the Special Judge for executing the request in accordance with the provisions of the Bill and Criminal Procedure Code, 1973.
- The government of India or the Special Judge may impose conditions upon the imprisonment of persons being transferred from India. Reciprocally, the Bill provides for compliance with conditions imposed by a contracting state when a prisoner is transferred to India.
- The High Court shall hear appeals over the decisions of the Special Judge.

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