

**CHAPTER 584**

**PUBLIC BODIES (PREVENTION OF CORRUPTION)**

*Ordinances*  
Nos.49 of 1943,  
53 of 1946,  
*Act*  
No. 13 of 1950.

AN ORDINANCE TO PROVIDE FOR THE PREVENTION AND PUNISHMENT OF BRIBERY AND CORRUPTION OF AND BY MEMBERS OF LOCAL AUTHORITIES.

[3rd December, 1943.]

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**1.** This Ordinance may be cited as the Public Bodies (Prevention of Corruption) Ordinance.

five thousand rupees or to imprisonment of either description for a term not exceeding two years, or to both such fine and imprisonment.

Offer or giving of gratification to member of public body or to influence a member.

**2.** (1) Any person who corruptly gives, promises or offers to any member of a public body, whether for the benefit of such member or of another person, any gift, loan, fee, reward or advantage whatsoever as an inducement to or reward for such member doing or forbearing to do any official act, shall be guilty of an offence.

(2) The Court which convicts any person of any offence under this Ordinance may, in addition to the penalties prescribed in subsection (1), order as a further penalty, that the whole or any part of the amount or value of any gift, loan, fee or reward received by that person shall be recovered from him in the same manner as a fine imposed by the court; and any sum so recovered shall be disposed of in such manner as the court may direct.

(2) Any person who corruptly gives, promises or offers to any other person, whether for the benefit of that person or of another person, any gift, loan, fee, reward or advantage whatsoever, as an inducement to or reward for influencing any member of a public body to do or forbear to do any official act, shall be guilty of an offence.

(3) Notwithstanding anything in the Code of Criminal Procedure Act, the High Court shall have jurisdiction to try, on indictment, any offence under this Ordinance and to impose any penalty prescribed in the preceding provisions of this section.

Taking of gratification by member of public body or to influence a member.

**3.** (1) Any member of a public body who corruptly solicits or receives or agrees to receive, for himself or for any other person, any gift, loan, fee, reward or advantage whatsoever as an inducement to or reward for such member doing or forbearing to do any official act, shall be guilty of an offence.

(4) No prosecution for any offence under this Ordinance shall be instituted except by or with the written sanction of the Attorney-General.

(2) Any person who corruptly solicits or receives or agrees to receive, for himself or for any other person, any gift, loan, fee, reward or advantage whatsoever as an inducement to or reward for influencing any member of a public body to do or forbear to do any official act, shall be guilty of an offence.

**5.** (1) Any member of a public body who is convicted of an offence under section 2 or section 3 shall vacate his seat or office with effect from the date of such conviction. Vacation of seat and disqualification.

Penalties for and trial of offences under this Ordinance.

**4.** (1) Any person who commits any offence under this Ordinance shall, on conviction, be liable to a fine not exceeding

(2) Any person who is convicted of an offence under section 2 or section 3 committed during his membership of a public body shall, for a period of five years reckoned from the date of such conviction, be disqualified from being registered as a voter or from voting at any election of

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members of any public body or from being elected, nominated or appointed, or from sitting or voting, as a member of any public body.

(3) Where any person who is convicted of an offence under section 2 or section 3 appeals against such conviction, the following provisions shall have effect :—

- (a) nothing in subsection (1) or subsection (2) shall apply unless such conviction is affirmed in appeal;
- (b) where the conviction is so affirmed, the provisions of those subsections shall apply as though the references therein to the date of his conviction were references to the date of the affirmation of his conviction in appeal; and
- (c) if such person is, between the date of his conviction and the date of the affirmation of the conviction in appeal, elected, nominated or appointed as a member of any public body, that person shall, with effect from the date of the affirmation of the conviction, vacate his seat or office as a member of that public body.

(4) Where any commission of inquiry appointed under the Commissions of Inquiry Act finds at the inquiry held by the commission and reports to the President that any person, while being a member of a public body, had—

- (a) corruptly solicited, received or agreed to receive, for himself or for any other person, any gift, loan, fee, reward or advantage whatsoever as an inducement to or reward for such member doing or forbearing to do any official act, or
- (b) corruptly given, promised or offered to any other member of a public body, whether for the benefit of such other member or of any other person, any gift, loan, fee, reward or advantage whatsoever as an inducement to or reward for such other member doing or forbearing to do any official act,

the President shall cause the finding to be published as soon as may be in the Gazette, and the person against whom the finding is made—

- (i) shall, for a period of five years reckoned from the date of the publication of the finding in the Gazette, be disqualified from being registered as a voter, or from voting at any election of members of any public body, or from being elected, nominated or appointed, or from sitting or voting, as a member of any public body, and
- (ii) shall, if he is a member of any public body at the date aforesaid, vacate his seat as such member with effect from that date.

(5) Every finding of a commission which is referred to in, and published as required by, subsection (4) shall have effect as provided in that subsection, notwithstanding anything in any other law, and shall not be called in question in any court.

(6) Where any person, by reason of the operation of any of the preceding provisions, vacates his seat or office as a member of any public body, the provisions of the enactment by or under which that public body is constituted shall apply for the purpose of filling the vacancy so occurring in like manner as they would have applied if such member had resigned his seat or office.

**6.** In this Ordinance, unless the context Interpretation. otherwise requires—

" advantage " includes—

- (a) any office or dignity, and any forbearance to demand any money or money's worth or valuable thing, and
- (b) any aid, vote, consent or influence, and
- (c) any promise or procurement of or agreement or endeavour to procure, or the holding out of any expectation of, any gift, loan, fee, reward, or advantage as hereinbefore defined ;

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" official act", when used with reference to any member of a public body, includes any act which that member is, by or under the provisions of any law for the time being in force relating to that public body, empowered, authorized, entitled or required to do or forbear to do in respect of any matter or transaction

whatsoever, actual or proposed, in which the public body is concerned ;

" public body" means any Municipal Council, Urban Council, Town Council, or Village Council, and includes any standing or select or other committee of any such Council.