

Section 5

Active and passive corruption

OFFENCE	PENALTIES
<p>A person shall be guilty of an offence where they directly or indirectly corruptly offer, give, agree to give or request, accept, obtain or agree to obtain for themselves or others, a gift, consideration or advantage as an inducement to, or reward for, doing an act in relation to one's office, employment, position or business.</p>	<p>Summary Conviction</p> <p>Maximum fine of €5,000</p> <p>Up to 12 months imprisonment</p> <p>Forfeiture of the gift/consideration/advantage the subject of the charge or land, cash or property of an equivalent value</p> <p>Conviction on Indictment</p> <p>Unlimited fine</p> <p>Up to 10 years imprisonment</p> <p>Forfeiture of the gift/consideration/advantage the subject of the charge or land, cash or property of an equivalent value</p> <p>In the case of an Irish official:</p> <ul style="list-style-type: none"> • forfeiture of any office, position or employment as an Irish official; • prohibition on holding any office, position or employment as an Irish official for a maximum of 10 years.

Section 6

Active and passive trading in influence

OFFENCE	PENALTIES
<p>A person shall be guilty of an offence where they directly or indirectly corruptly offers, gives or agrees to give or requests, accepts or obtains, agrees to accept for themselves or others, a gift, consideration or advantage on account of a person promising or asserting the ability to improperly influence an official to do an act in relation to the office, employment, position or business of the official.</p>	<p>Summary Conviction</p> <p>Maximum fine of €5,000</p> <p>Up to 12 months imprisonment</p> <p>Forfeiture of the gift/consideration/advantage the subject of the charge or land, cash or property of an equivalent value</p> <p>Conviction on Indictment</p> <p>Unlimited fine</p> <p>Up to 10 years imprisonment</p> <p>Forfeiture of the gift/consideration/advantage the subject of the charge or land, cash or property of an equivalent value</p>

Section 7

Corruption in relation to office, employment, position or business

OFFENCE	PENALTIES
<p>1) An Irish official who, directly or indirectly, does an act in relation to their office, employment or position or business for the purpose of corrupting or taking a gift, consideration or advantage of themselves or others shall be guilty of an offence.</p> <p>2) An Irish official who uses confidential information obtained in the course of their office, employment, position or business for the purpose of corruptly obtaining a gift, consideration or advantage of themselves</p>	<p>Summary Conviction</p> <p>Maximum fine of €5,000 Up to 12 months imprisonment Forfeiture of the gift/consideration/advantage the subject of the charge or land, cash or property of an equivalent value</p> <p>Conviction on Indictment</p> <p>Unlimited fine Up to 10 years imprisonment Forfeiture of the gift/consideration/advantage the subject of the charge or land, cash or property of an equivalent value</p> <p>In the case of an Irish official:</p> <ul style="list-style-type: none"> • forfeiture of any office, position or employment as an Irish official; prohibition on holding any office, position or employment as an Irish official for a maximum of 10 years.

Section 8

Giving gift, consideration or advantage knowing that it may be used to facilitate an offence under this Act

OFFENCE	PENALTIES
<p>A person shall be guilty of an offence where they give a gift, consideration or advantage to another knowing or reasonably ought to know, that the gift, consideration or advantage will be used to facilitate the commission of an offence of this section.</p>	<p>Summary Conviction</p> <p>Maximum fine of €5,000</p> <p>Up to 12 months imprisonment</p> <p>Forfeiture of the gift/consideration/advantage the subject of the charge or land, cash or property of an equivalent value</p> <p>Conviction on Indictment</p> <p>Unlimited fine</p> <p>Up to 10 years imprisonment</p> <p>Forfeiture of the gift/consideration/advantage the subject of the charge or land, cash or property of an equivalent value</p> <p>In the case of an Irish official:</p> <ul style="list-style-type: none"> • forfeiture of any office, position or employment as an Irish official; • prohibition on holding any office, position or employment as an Irish official for a maximum of 10 years

Section 9

Creating or using false document

OFFENCE	PENALTIES
<p>A person shall be guilty of an offence directly or indirectly corruptly create or use a document that they believe to contain the statement which is false and misleading with the intention of inducing another person to do an act in relation to their office, employment, position or business to the prejudice of that other person.</p>	<p>Summary Conviction</p> <p>Maximum fine of €5,000</p> <p>Up to 12 months imprisonment</p> <p>Forfeiture of the gift/consideration/advantage the subject of the charge or land, cash or property of an equivalent value</p> <p>Conviction on Indictment</p> <p>Unlimited fine</p> <p>Up to 10 years imprisonment</p> <p>Forfeiture of the gift/consideration/advantage the subject of the charge or land, cash or property of an equivalent value</p> <p>In the case of an Irish official:</p> <ul style="list-style-type: none"> • forfeiture of any office, position or employment as an Irish official; • prohibition on holding any office, position or employment as an Irish official for a maximum of 10 years.

Section 10

Intimidation

OFFENCE	PENALTIES
<p>A person shall be guilty of an offence where they directly or indirectly, themselves or with others, threaten harm to a person with the intention of corrupting influencing that person or another to do an act in relation to the persons office, employment, position or business.</p>	<p>Summary Conviction</p> <p>Maximum fine of €5,000</p> <p>Up to 12 months imprisonment</p> <p>Forfeiture of the gift/consideration/advantage the subject of the charge or land, cash or property of an equivalent value</p> <p>Conviction on Indictment</p> <p>Unlimited fine</p> <p>Up to 10 years imprisonment</p> <p>Forfeiture of the gift/consideration/advantage the subject of the charge or land, cash or property of an equivalent value</p> <p>In the case of an Irish official:</p> <ul style="list-style-type: none"> • forfeiture of any office, position or employment as an Irish official; • prohibition on holding any office, position or employment as an Irish official for a maximum of 10 years.

Section 18(1)

Company Offences

OFFENCE	PENALTIES
<p>A Company shall be guilty of an offence under the Act if it is committed by:</p> <ul style="list-style-type: none"> • A Director, Manager, Secretary or other officer of the Company. • A person purporting to act in that capacity A Shadow Director (pursuant to the Companies Act). • An Employee, Agent or Subsidiary of the Company. <p>with the intention of obtaining or attaining:</p> <ul style="list-style-type: none"> • Business of the Company or • An advantage in the conduct of business for the Company. 	<p>Summary Conviction</p> <p>Maximum fine of €5,000</p> <p>Conviction on Indictment</p> <p>Unlimited fine</p>

Section 18 (3)

Personal Liability of Senior Management

OFFENCE	PENALTIES
<p>Where an offence is committed by a body corporate and it is proved that the offence was committed with the consent or connivance, or was attributable to any wilful neglect of a person who was a director, manager, secretary or other officer of a body corporate, that person shall be guilty of an offence</p>	<p>Summary Conviction</p> <p>Maximum fine of €5,000</p> <p>Up to 12 months imprisonment</p> <p>Forfeiture of the gift/consideration/advantage the subject of the charge or land, cash or property of an equivalent value</p> <p>Conviction on Indictment</p> <p>Unlimited fine</p> <p>Up to 10 years imprisonment</p> <p>Forfeiture of the gift/consideration/advantage the subject of the charge or land, cash or property of an equivalent value</p>

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