

MEMORANDUM FOR THE CABINET
BY THE HON. ACTING PRIME MINISTER

Amendment to the Prevention of
Corruption (Players) Ordinance, 1946

According to the Commissioner of Police experience has shown that the Prevention of Corruption (Players) Ordinance, 1946, is not sufficiently effective, since in most cases investigated by the Police the proposal to bribe a player has not reached the player himself, with the consequence that the Attorney-General advises that there is not a legal case for prosecution.

2. The Commissioner therefore suggested that the law be amended to remedy the position.

3. The Attorney-General advised that the amending legislation should take the form of the draft Bill attached which, if enacted, would make the relative subsection of the principal law read as follows:-

"2. (c) If any person corruptly gives or agrees to give or offers or corruptly proposes to another person that such other person should give or agree to give or offer any gift or consideration to any player or to any official or organizer as an inducement or reward for doing or omitting to do, or for having after the commencement of this Ordinance done or omitted to do, any act in contravention of paragraph (a) or (b) hereof; he shall be guilty of an offence against this Ordinance, and shall be liable on conviction to imprisonment for a term of not less than four months but not exceeding thirty months to which a fine (multa) may be added not exceeding five hundred pounds."

4. Though the Commissioner of Police has not given details as to the frequency of this 'offence' but merely stated that 'experience has shown', it is quite conceivable that such an 'offence' is often committed and the suggested amendment would provide for the nipping in the bud of any offence against the principles of the Ordinance.

5. Honourable Ministers are asked to say whether they agree that the proposed enactment be made.

9th June, 1964

lev

L-Arkivji Nazzjonali ta' Malta

A BILL
entitled

AN ACT further to amend the Prevention of
Corruption (Players) Ordinance, 1946.

ENACTED by the Legislature of Malta:-

- Short title
1. This Act may be cited as the Prevention of Corruption (Players) (Amendment) Act, 1964, and shall be read and construed as one with the Prevention of Corruption (Players) Ordinance, 1946, hereinafter referred to as "the principal law".
- Amendment of section 2 of the principal law.
2. In paragraph (c) of section 2 of the principal law, immediately after the words "agrees to give or offers" there shall be inserted the words "or corruptly proposes to another person that such other person should give or agree to give or offer".

Objects and Reasons

The Prevention of Corruption (Players) Ordinance, 1946, has proved, in practice, not to be sufficiently effective, since it fails to provide for cases where the bribery of a player is attempted through a third person but such attempt does not reach the player concerned. The object of this Bill is to make it an offence directly the proposal to bribe a player is made, however and to whomsoever it is made.