TRUE OR FALSE

10 THINGS YOU NEED TO KNOW ABOUT BRIBERY
1. The crime of Bribery has 4 elements.

   True.
   The elements are:

   1. PARTICIPANTS
      For bribery:
      (i) A person over 16 years of age who gives the bribe, and
      (ii) An official who accepts the bribe.

   2. CRIMINAL INTENT
      Intention to give, accept, or facilitate the bribe.

   3. COMMISSION OF CRIME
      Actual commission of the crime of bribery.

   4. DAMAGE TO STATE
      The bribe damages the interests of the State.

2. If I am asked for a bribe, it’s not my fault and I can’t go to jail for bribery.

   TRUE.
   The crime occurs when the bribe is paid and knowingly accepted by the recipient who then has full control over the substance of the bribe.
3. Only the person who receives the bribe is guilty of a crime.

FALSE. The person who GIVES the bribe is also guilty of a crime, as is the person who FACILITATES the bribe.

4. A bribe is only a crime if it is for a large amount of money.

FALSE. ANY amount of money asked or paid as a bribe is a crime, although the amount of the bribe may affect the degree of punishment.
5. If I pay a bribe and inform the police about it, I am not guilty of a crime.

TRUE.
Citizens are encouraged to help contribute to the enforcement of laws.

6. If I bribe a doctor who is in private practice to give my family better medical care, it is a crime.

FALSE.
Bribery is a crime against the State. In this case, “State” includes the national government, the local government (such as the Akimat) and the Armed Forces. Bribes are crimes if they are paid to:
- Officials representing the state authorities (such as the police),
- Managers or administrators of state bodies,
- Persons who the law makes responsible for the direct function of the state and its authorities (such as members of Parliament).

In other words, extra value given to a doctor in a State hospital or clinic is a bribe.
7. It doesn’t matter whether I give the official money or a gift, it’s still a bribe.

TRUE.
A bribe can consist of any of value. This means money, securities, property (or the right to property), or any other benefits of a material nature.

8. It’s only a crime if I ask the official to actually do something. If I ask him not to do something, it’s not a crime.

FALSE.
It is a crime to bribe an official to do or not do something in abuse of his powers or beyond the scope of those powers. It is also a crime to pay an official for general protection or permissiveness.
9. To be a crime, a bribe has to be accepted by one person who is an official.

FALSE.
An organized group of people, such as officials, may agree ahead of time to accept bribes, in which the entire group is guilty of bribery through collusion.

10. The punishment for bribery is not very serious.

FALSE.
The punishment for giving bribe can be one or more of the following:
- Fine of $1500 - $14,500;
- Monthly salary for a period of two to twelve months;
- Correctional Labour (public service) for up to two years;
- Restriction of freedom up to five years;
- Detention under arrest for three to six months;
- Imprisonment for up to five years.
APPENDIX


Article 307
Abuse of Official Powers

Article 311
Receipt of a Bribe

Article 312
Giving a Bribe

Article 313
Mediation in Bribery

Don’t Give In to Bribery!