

Blackstones Guide To The Bribery Act 2010

The Law Relating to Financial Crime in the United Kingdom
The Bribery Act 2010
Countering Economic Crime
Der UK Bribery Act 2010, der Foreign Corrupt Practices Act und das österreichische Korruptionsstrafrecht
Bribery Act 2010
Explanatory Notes
The Bribery Act
Halsbury's Laws of England
Modern Bribery Law
Parting the Fog of the UK Bribery Act 2010
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UCLA Journal of International Law and Foreign Affairs
Michigan Journal of International Law
Minnesota Law Review
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outlining the different types of financial crime and its impact this book is a user friendly up to date guide to the regulatory processes systems and legislation which exist in the uk each chapter has a similar structure and covers individual financial crimes such as money laundering terrorist financing fraud insider dealing market abuse and bribery and corruption offences are summarized and their extent is evaluated using national and international documents detailed assessments of financial institutions and regulatory bodies are made and the achievements of these institutions are analysed sentencing and policy options for different financial crimes are included and suggestions are made as to how criminal proceeds might be recovered drawing the different themes of the book together the final chapter makes recommendations for the future and will provoke further thought and discussion on this topical subject each chapter also has a section on recommending reading it will be a valuable resource for students studying vocational courses and will be a key text for undergraduate and post graduate students in law schools departments of criminal justice and business schools

eoin o shea explains the new uk bribery act 2010 in detail and provides practical guidance on critical issues for businesses

economic crime is a significant feature of the uk s economic landscape and yet despite the government s bold mission statements to hold those suspected of financial wrongdoing to account as part of their day of reckoning and serious about white collar crime agenda there is a sense that this is still not being done effectively this book examines the history of the creation of the uk s anti economic crime institutions and accompanying legislation providing a critique of their effectiveness the book analyses whether the recent regulatory regime is fit for purpose as well as being appropriate for the future in order to explore how the uk

s economic crime strategies could be improved the book takes a comparative approach analysing policy and legislative responses to economic crime in the united states and australia in order to determine whether the uk could or should import similar structures or laws to improve the enforcement of uk economic crime

doktorarbeit dissertation aus dem jahr 2014 im fachbereich jura zivilrecht handelsrecht gesellschaftsrecht kartellrecht wirtschaftsrecht leopold franzens universität innsbruck strafrecht sprache deutsch abstract das am 01 07 2011 in großbritannien eingeführte antikorrupptionsgesetz uk bribery act 2010 findet aufgrund seines extraterritorialen anwendungsbereichs in vielen ländern bei unternehmensjuristen aufmerksamkeit kritisiert werden insbesondere die unbestimmten gesetzesbegriffe die bei entsprechender auslegung aus europa und völkerrechtlicher hinsicht fragwürdig erscheinen nicht zuletzt werfen sich in diesem zusammenhang rechtsethische fragestellungen auf im hinblick auf eine Ähnlichkeit in inhalt und aufbau des uk bribery act 2010 ist das us amerikanische antikorrupptionsgesetz foreign corrupt practices act zu erwähnen der verfasser der vorliegenden arbeit versucht im rahmen eines rechtsvergleichs gemeinsamkeiten und unterschiede aus dem uk bribery act 2010 dem foreign corrupt practices act und dem österreichischen korruptionsstrafrecht zu behandeln bzw abzuleiten dabei werden die verschiedenen tatbestände im öffentlichen und privaten sektor des jeweiligen antikorrupptionsgesetzes untersucht und gegenübergestellt im weiteren wird auf die wachsende bedeutung von corporate compliance in zusammenhang mit der internationalen korruptionsbekämpfung eingegangen in einem eigenen kapitel wird die wahrnehmung des uk bribery act 2010 aus österreichischer sicht behandelt der verfasser versucht den uk bribery act 2010 mit seinen äußerst unbestimmten tatbeständen aus europa und völkerrechtlicher sicht kritisch zu beleuchten hier stellt sich beispielsweise die frage in welchem ausmaß dieses britische gesetz für andere länder verbindlich ist bzw ob dessen

extraterritoriale durchsetzung überhaupt zulässig ist in diesem zusammenhang rückt die frage des doppelbestrafungsverbots in den vordergrund

the purpose of the act is to reform the criminal law of bribery to provide for a new consolidated scheme of bribery offences to cover bribery both in the united kingdom uk and abroad the act replaces the offences at common law and under the public bodies corrupt practices act 1889 the prevention of corruption act 1906 and the prevention of corruption act 1916 known collectively as the prevention of corruption acts 1889 to 1916 and which will be repealed with two general offences the first covers the offering promising or giving of an advantage broadly offences of bribing another person the second deals with the requesting agreeing to receive or accepting of an advantage broadly offences of being bribed the formulation of these two offences abandons the agent principal relationship on which the previous law was based in favour of a model based on an intention to induce improper conduct the act also creates a discrete offence of bribery of a foreign public official and a new offence where a commercial organisation fails to prevent bribery

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the bribery act is among the most controversial pieces of legislation of recent years it creates a comprehensive scheme of bribery offences that will revolutionise courts and prosecutors responses to bribery at home or abroad it will also force big changes to how businesses deal with bribery the new edition of the bribery act 2010 a practical guide will provide the most detailed and up to date analysis of this important legislation it deals with the law in context covering the general bribery offences bribery of foreign public officials and the specific bribery offence applicable to businesses alone

the bribery act 2010 is the most significant reform of uk bribery law in a century this critical analysis offers an explanation of the act makes comparisons with similar legislation in other jurisdictions and provides a critical commentary from both a uk and a us perspective on the collapse of the distinction between public and private sector bribery drawing on their academic and practical experience the contributors also analyse the prospects for enforcement and the difficulties facing lawyers seeking asset recovery following the laundering of the proceeds of bribery international perspectives are provided via comparisons with the law in spain hong kong the usa and italy together with broader analysis of the application of the law in relation to eu anti corruption initiatives international development and the arms trade

the bribery act 2010 the act received royal assent in april 2010 finally coming into effect on july 1 2011 as jack straw indicated at the 5th european forum on anti corruption in june 2009 the aim of the act is to foster a zero tolerance culture towards corruption in business in furtherance of this aim compliance advice the ministry of justice s moj guidance for relevant commercial organisations has been released while the moj was required by the act to publish this guidance

businesses should not treat the guidance as fully authoritative since the guidance does not change the wording of the act nevertheless the guidance provided is comprehensive focusing in particular on how the adequate procedures defence to the s 7 offence failure of commercial organisations to prevent bribery may be established despite the guidance however there remains considerable uncertainty among businesses on the key issues of corporate hospitality and facilitation payments as well as the potential costs of prosecution under the act this article will address those uncertainties and will be split into two parts the first part will discuss all of the general offences under the act but will focus in particular on s 1 which covers corporate hospitality and s 6 which covers facilitation payments the second part focuses on the enforcement aspects of the act which will help businesses in undertaking their own cost benefit analysis to rationalise whether or not compliance with the act is worth their while the importance of this analysis cannot be overestimated since the act's intention is to allow for a systemic shift whereby bribery is not seen as a legitimate operational cost of business in this regard it appears that the act will be used in a way to punish recalcitrant offenders much more severely if they continue to brazenly engage in bribery while at the same time being more lenient towards those who are determined to rid their companies of corrupt practices it is therefore the aim of this article to demonstrate precisely that the above proposition is true and that businesses will seek to lose much more if they do not comply with the act

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the research shows that under the Bribery Act 2010 1 companies can face unlimited fines while directors can be imprisoned for up to ten years for failing to have adequate procedures to prevent bribery 2 hospitality including common practices such as combining business with skiing golf or shooting publicity insider information and donations to charity could all be considered as bribes in certain circumstances 3 an individual can be liable for accepting an advantage even if he/she did not know that the other party intended to induce improper conduct 4 companies can be liable for bribes paid by subsidiaries agents or partners in joint ventures 5 whilst some parts of the City engage in core business activities where there is a higher risk of corruption many businesses in sectors that are generally low risk also occasionally engage in high risk activities

this book looks into different aspects of implementing ESG into real estate contracts from a European perspective it covers general aspects contract type specific aspects and then property usage type specific aspects general topics cover legal frameworks the social and governance perspective based on EU sustainable finance regulations contract type specific questions cover different contract types the team of authors then addresses specific issues relating to different types of property use such as office retail logistics hospitality and data centres the focus of the work is on EU so that the content can provide food for thought for the work in different EU countries the book thus supports practitioners in compiling their personal toolkit for use in individual cases content terms concepts and basics of sustainability CSR and ESG what ESG in real estate contracts means standards for non financial sustainability reporting CSRD and ESRS climate litigation energy and renewables data sustainability and competition

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