

AMENDMENTS TO THE LAW REGARDING PEREVENTION OF BRIBERY OF FOREIGN PUBLIC OFFICIALS IN INTERNATIONAL BUSINESS TRANSACTIONS

Law No: 4782

Date: January 2, 2003

Article 1- The statement “paragraph three of article 211 and 213” has been added after the statement “of this Law” in the first paragraph of article 4 of Turkish Criminal Code Law No: 765 dated March 1, 1926 and the second paragraph has been amended as follows.

As the request of Minister of Justice, they shall be judged in Turkey once again whether a decision imposed in a foreign country about them. However, if the act is on forgery of foreign money or implementation of third paragraph of article 211 and article 213 then there shall not be a prosecution in Turkey if a decision imposed in a foreign country.

Article 2- The below paragraph has been added to the to the article 211 of Turkish Criminal Code as the third paragraph.

The offering or the promising or the giving of the benefits directly or indirectly specified in the first paragraph to the officials whether appointed or elected and carrying out a legislative, administrative or judicial function in a foreign country or exercising a public function in the international business transactions for whether obtaining or retaining the business or taking improper advantage or keeping them shall be regarded as bribery.

Article 3- The abolished article 220 of Turkish Criminal Code has been regulated again as stated below.

Article 220-If the bribery offences in this section committed by authorized representatives of corporate bodies besides they are punished, the corporate body shall also be punished by heavy fine from two to three times of the benefit derived from crime.

Article 4- The fourth paragraph of article 85 of Public Procurement Law dated September 8, 1983 with the number 2886 has been amended as stated below.

By committing the bribery offence in the third section of the third chapter of the second book of Turkish Criminal Code and the crimes in the articles 339, 340 and 342, the ones whom the recurrence provisions imposed for the crimes in the scope of this Law shall be prohibited to perform their career and being a contractor under any title.

Article 5- The statement “from 211 to 220” has been added after number “192,” to the 6 th subparagraph of paragraph (a) of Article 2 of The Law On Prevention Of Money Laundering And Amendments To The Law No: 2313 Regarding The Control Of Narcotic Drugs, Law No: 657 Regarding State Personnel And Decree Law No: 178 Regarding Establishment And Functions Of The Ministry Of Finance.

Article 6- This Act shall enter into force on the date of its publication.

Article 7- The Council of Ministers shall execute the provisions of this Act.