

Steps taken to implement and enforce the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions

SOUTH AFRICA

(Information as of 22 May 2009)

Date of deposit of instrument of ratification/acceptance or date of accession

The instrument of accession was deposited with the Secretary-General of the OECD on 19 June 2007 and came into force on 19 August 2007.

Implementing legislation

The Prevention and Combating of Corrupt Activities Act, 12 of 2004 gives effect to the OECD Convention on Bribery of Public Officials in International Business Transactions.

Other relevant laws, regulations or decrees that have an impact on our country's implementation of the OECD Convention or the Recommendations

Promotion of Access to Information Act, 2 of 2000

Promotion of Administrative Justice Act, 3 of 2000

The Prevention of Organised Crime Act, 121 of 1998

Financial Intelligence Centre Act, 28 of 2001

International Cooperation in Criminal Matters Act, 75 of 1996

The Criminal Procedure Act, 51 of 1977

The Public Finance Management Act, 1 of 1999 as amended by Act 29 of 1999

National Prosecuting Authority Amendment Act, 2008

South African Police Service Amendment Act, 2008

On 27 January 2009 the President of the Republic of South Africa signed the NPA and the SAPS Amendment Bills into Acts. On 20 February 2009, section 13 of the NPA Amendment Act, 2008 and the entire SAPS Amendment Act, 2008 came into effect, which paves away for the establishment of the Directorate for Priority Crimes Investigations. This Unit will replace the Directorate for Special Operations.

Signature/Ratification of other relevant international instruments

South Africa has ratified the following international and regional instruments on preventing and combating corruption:

- United Nation Convention on Transnational Organized Crime: Signed on 14 December 2000, ratified on 20 February 2004.
- United Nations Convention against Corruption: signed on 9 December 2003, ratified on 22 November 2004.
- African Union Convention on Preventing and Combating Corruption: signed on 16 March 2004, ratified on 11 November 2005.

Relevant Internet links to national implementing legislation

The relevant internet link to obtain the wording of (any) national legislation (including national legislation to implement the OECD-Convention) is: www.gov.za

Working Group on Bribery Monitoring Reports

Phase 1: Review of Implementation of the Convention and 1997 Recommendation
<http://www.oecd.org/dataoecd/51/30/40883135.pdf>