*CHAPTER 263

PREVENTION OF CORRUPTION (PLAYERS) ACT

To provide for the prevention of corruption of players.

8th June, 1976

ACT XIX of 1976, as amended by Acts XIII of 1983 and XXIV of 2001; and Legal Notice 423 of 2007.

Short title.

1. The short title of this Act is the Prevention of Corruption (Players) Act.

Interpretation. *Amended by: XXIV. 2001.80.*

2. In this Act, unless the context otherwise requires -

"consideration" includes any consideration of any kind, whether in money or otherwise;

"game or sport" includes any football match or other game, other than a "game" as defined in the Lotteries and Other Games Act, and any race or other sporting event to which the public, or any section thereof, is admitted whether on payment or otherwise;

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"official" means any referee, linesman, umpire, steward, or any other person managing, directing or supervising any game or sport;

"organiser" means any club manager, member of a club's committee, trainer or any other person organising or concerned in the administration and/or organisation of any game or sport;

"player" includes any person who takes part in any game or sport.

Corrupt practices by players, officials, etc.

3. (1) Any player who accepts or obtains, or agrees to accept or obtain, or attempts to obtain, from any person for himself or for any other person whomsoever any gift or consideration as an inducement or reward for doing or for omitting from doing, or for having, after the enactment of this Act, done or omitted from doing, any act the doing or omission of which is against the interests of the side for which he plays, or those of the person or club by whom or by which he is engaged or whom or which he represents, shall be guilty of an offence.

(2) Any official or organiser who accepts or obtains, or agrees to accept or obtain, or attempts to obtain, from any person for himself or for any other person whomsoever any gift or consideration as an inducement or reward for doing or for omitting from doing, or for having, after the enactment of this Act, done or omitted from doing, any act in relation to any game or sport in or with which he is concerned, other than such as is lawfully due to him, or for showing or exercising favour or disfavour to any person or side taking part in any game or sport, or for otherwise influencing the course or result of any game or sport, shall be guilty of an offence.

*Repealed by Act XXXV of 2018.

(3) Any person who gives, or agrees to give or offers or proposes to another person, directly or indirectly, that such other person should give or agree to give or offer any gift or consideration to any player or to any official or organiser as an inducement or reward for doing or for omitting from doing, or for having, after the commencement of this Act, done or omitted from doing any act which, if done or omitted, would be in contravention of subarticle (1) or (2), shall be guilty of an offence.

Duty to report corrupt practice.

4. Any official, player or organiser who has knowledge, whether verbally, in writing, or otherwise, that an offence has been committed against any of the provisions of article 3, shall communicate such knowledge to the Commissioner of Police and, if he fails to do so within a period of three months from the date in which he became aware of such knowledge, he shall be guilty of an offence:

Provided that this section shall not apply to the husband or wife, the ascendants or descendants, the brother or sister, the father-in-law or mother-in-law, the son-in-law or daughter-in-law, the uncle or aunt, the nephew or niece, and the brother-in-law or sister-in-law of a principal or an accomplice in the crime so not disclosed.

Bets or wagers.

5. *Deleted by Act XXIV. 2001.80.*

Bona fide gifts.

6. No gift or other consideration given or offered to any player by the management or by any member of the committee of the club to which such player is attached or engaged (provided such member has been previously authorised so to do by the committee of the said club) shall be deemed to be in contravention of any provision of this Act if such gift or consideration is offered or given and accepted for genuine efforts by the player concerned in furtherance of the interests of the club in question.

Exemption from punishment.

7. Where two or more persons take part in the commission of any offence against any of the provisions of this Act, any one of them who, prior to the initiation of any criminal proceedings, gives first information thereof and reports the other offender or offenders to the competent authorities shall be exempt from punishment.

Liability of licensees of shops. *Amended by: XIII. 1983.5; L.N. 423 of 2007.*

8. (1) Where a licensee of any shop is aware that an offence against any of the provisions of this Act has been committed in his shop and he does not give notice thereof to the Commissioner of Police within twenty-four hours from the time in which he had become so aware, he shall be guilty of an offence and shall, on conviction, be liable to a fine (*multa*) of not less than two hundred and thirty-two euro and ninety-four cents (232.94) but not exceeding one thousand and one hundred and sixty-four euro and sixty-nine cents (1,164.69).

(2) The Commissioner of Police shall withdraw the licence of any person who has been found guilty of an offence under subarticle (1).

(3) For the purposes of subarticle (1), a licensee shall not be deemed to have given the required notice to the Commissioner of

Police unless he gives to the said Commissioner all particulars in his knowledge relating to the offender or offenders.

Penalty. *Amended by: XIII. 1983.5; XXIV. 2001.80; L.N. 423 of 2007.*

9. (1) Saving the provisions of article 8, any person who is guilty of an offence against -

(*a*) the provisions of article 3 shall be liable, on conviction, to a fine (*multa*) of not less than four hundred and sixty-five euro and eighty-seven cents (465.87) but not exceeding two thousand and three hundred and twenty-nine euro and thirty-seven cents (2,329.37) and to imprisonment for a term of not less than four months but not exceeding two years;

(*b*) the provisions of article 4 shall be liable -

(i) on a first conviction, to a fine (*multa*) of not less than two hundred and thirty-two euro and ninety-four cents (232.94) but not exceeding one thousand and one hundred and sixty-four euro and sixty-nine cents (1,164.69), or to imprisonment for a term not exceeding three months, or to both such fine and imprisonment, and

(ii) on a second or subsequent conviction, to a fine (*multa*) of not less than four hundred and sixty-five euro and eighty-seven cents (465.87) but not exceeding two thousand and three hundred and twenty-nine euro and thirty-seven cents (2,329.37), and to imprisonment for a term from four months to six months.

(2) In the case of a prosecution under the provisions of this Act, any person who in any way whatsoever has taken part in the commission of an offence, and whose evidence is required in support of such charge, shall be compellable to answer any question respecting that charge, notwithstanding that the answer thereto will expose him to criminal prosecution; but in any such event, any person who shall have given evidence in respect of such charge, and who shall have made a true and faithful statement touching such charge, to the best of his knowledge, shall thereupon obtain from the court a certificate to that effect, and he shall, in consequence, be exempted from all punishment in respect of his participation in the offence forming the subject-matter of the charge upon which he gave evidence as witness.

Saving. *Substituted by: XXIV. 2001.80.* Cap. 438.

10. Nothing in this Act shall prejudice the operation of, or shall be deemed to substitute or to derogate any of the provisions of, the Lotteries and Other Games Act.