



# Organisational Model LB Officine Meccaniche

## Attachment 1

### **MANUAL OF CRIMINAL OFFENCES**



**Document updates:**

<b>Version</b>	<b>Approval date</b>	<b>Description of changes</b>
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OFFENSE DESCRIPTION	REF. ARTS. 231	DATE INTRODUCED	ORIGINAL SOURCE	ART. ORIGINAL SOURCE	Notes
<p>(Misuse of funds to the detriment of the State or a public body) Whoever, outside of the Public Administration, obtains grants, financial assistance or loans from the State or other public entities or Community institutions for the performance of work or activities in the public interest, but does not use them for that purpose, is punished by imprisonment for between six months and four years.</p>	<p>24 (Offences committed in relations with the Public Administration)</p>	<p>04/07/2001</p>	<p>Criminal Code</p>	<p>316 bis</p>	



<p>(Improper collection of grants, loans or other funds from the State, a public body or the European Communities) Unless the fact represents the offence envisaged in art. 640-bis, whoever via the use or presentation of false or untrue declarations or documents, or via the failure to provide required information, improperly obtains for themselves or others grants, loans, assisted loans or other funds of the same type, however described, from the State, other public entities or Community institutions is punished by imprisonment for between six months and three years.</p> <p>When the amount improperly obtained does not exceed € 3,999.96, punishment is limited to an administrative fine of between € 5,164.00 and € 25,822.00.</p> <p>This penalty may not in any case exceed three times the benefit obtained.</p>	<p>24 (Offences committed in relations with the Public Administration)</p>	<p>04/07/2001</p>	<p>Criminal Code</p>	<p>316 ter</p>	<p>penalty increased if the offence results in a particularly serious loss</p>
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<p>(Fraud to the detriment of the State or a public body or the European Communities)</p> <p>Whoever uses tricks or scams to cause other parties to make a mistake, thereby obtaining an unjust profit for themselves or others to the detriment of other parties, is punished by imprisonment for between six months and three years and a fine of between € 51.00 and € 1,032.00. The punishment is imprisonment for between one and five years and a fine of between € 309.00 and € 1,549.00: if the fact was committed to the detriment of the State or other public entities or with a view to exempting someone from military service; if the fact was committed by engendering in the offended party the fear of an imaginary danger or the erroneous conviction that an order from an Authority must be carried out. The offence is punishable if challenged by the offended party, unless any of the circumstances envisaged in the previous paragraph apply, or other aggravating circumstances.</p>	<p>24 (Offences committed in relations with the Public Administration)</p>	<p>04/07/2001</p>	<p>Criminal Code</p>	<p>640 para. 2</p>	
<p>(Aggravated fraud to obtain public funds)</p> <p>The punishment is imprisonment for between one and six years and official action is taken if the fact referred to in art. 640 relates to a grants, loans, assisted loans or other funds of the same type, however described, granted or paid out by the State, other public entities or Community institutions.</p>	<p>24 (Offences committed in relations with the Public Administration)</p>	<p>04/07/2001</p>	<p>Criminal Code</p>	<p>640 bis</p>	



<p>(IT fraud to the detriment of the State or a public body) Whoever alters, in any way, the functioning of an IT or telematic system or modifies in any way, without authorisation, the data, information or programs contained in an IT or telematic system or used by them, in order to obtain an unjust profit for themselves or others to the detriment of third parties is punished by imprisonment for between six months and three years and a fine of between € 51.00 and € 1,032.00. The punishment is imprisonment for between one and five years and a fine of between € 309.00 and € 1,549.00 if one of the circumstances envisaged in art. 640, para. 2.1, is applicable or if the fact was committed by abusing the position of system administrator. The offence is punishable if challenged by the offended party, unless any of the circumstances envisaged in the second paragraph apply, or another aggravating circumstance.</p>	<p>24 (Offences committed in relations with the Public Administration)</p>	<p>04/07/2001</p>	<p>Criminal Code</p>	<p>640 ter</p>	
<p><del>IT documents If any of the false information envisaged in this chapter relates to a public or private IT document used as evidence, the provisions contained in the chapter concerning public deeds and private treaties shall apply. If any of the false information envisaged in this chapter relates to a public IT document used as evidence, the provisions contained in the chapter concerning public deeds shall apply.</del></p>	<p>24 bis (IT crimes and improper data processing) [Article added by art. 7 of Law 48 dated 18 March 2008 Offence replaced by art. 2, para. 1.e), of Decree 7 dated 15 January 2016 in force from 6/02/2016]</p>	<p>05/04/2008</p>	<p>Criminal Code</p>	<p>491 bis</p>	



<p>(Unauthorised access to an IT or telematic system) Whoever obtains unauthorised access to an IT or electronic data communications (telematic) system protected by security measures, or who maintains such access against the express or implied wishes of those entitled to exclude them, is punished by imprisonment for up to three years. The punishment is imprisonment for between one and five years: 1) if the fact was committed by a public official or the provider of a public service, with the abuse of powers or violation of the duties inherent in the related function or service, or by a private investigator even if not properly authorised, or by abusing the position of system administrator; 2) if the culprit used violence against assets or persons in order to commit the fact, or was obviously armed; 3) if the fact resulted in the destruction of or damage to the system or the suspension in whole or in part of its functioning, or the destruction of or damage to the data, information or programs contained therein. If the facts referred to in paragraphs one and two concern IT or telematic systems of military interest or relate to public order, public safety, health or civil protection or, in any case, the public interest, the punishment is, respectively, imprisonment for between one and five years and between three and eight years. In the case envisaged in the first paragraph, the offence is punishable if challenged by the offended party;</p>	<p>24 bis (IT crimes and improper data processing) [Article added by art. 7 of Law 48 dated 18 March 2008]</p>	<p>05/04/2008</p>	<p>Criminal Code</p>	<p>615 ter</p>	
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official action is taken in the other cases.					
<p>(Holding and unauthorised distribution of access codes to IT or telematic systems) Whoever, in order to obtain a profit directly or for others, or to cause a loss for others, improperly copies, obtains, distributes, communicates or gives away codes, passwords or other suitable means of access to IT or telematic systems protected by security measures or, in any case, provides indications or instructions for the above purpose, is punished by imprisonment for up to one year and by a fine of up to € 5,164. The punishment is imprisonment for between one and two years and a fine of between € 5,163 and € 10,329, if any of the</p>	<p>24 bis (IT crimes and improper data processing) [Article added by art. 7 of Law 48 dated 18 March 2008]</p>	<p>05/04/2008</p>	<p>Criminal Code</p>	<p>615 quater</p>	



circumstances referred to art. 617 quater, para. 4, points 1) and 2) are applicable.					
(Distribution of equipment, devices or IT programs intended to damage or crash an IT or telematic system) Whoever, for the intended purpose of illegally damaging an IT or telematic system, or the information, data or programs contained in or used by them, or crashing them in whole or in part, or altering the way they function, obtains, produces, reproduces, imports, disseminates, communicates, gives or, in any case, makes available to others such equipment, devices or IT programs, is punished by imprisonment for up to two years and by a fine of up to € 10,329.	24 bis (IT crimes and improper data processing) [Article added by art. 7 of Law 48 dated 18 March 2008]	05/04/2008	Criminal Code	615 quinquies	



<p>(Interception, prevention or illegal interruption of IT or telematic communications) Whoever fraudulently intercepts communications relating to an IT or telematic system or between several systems, or prevents or interrupts them, is punished by imprisonment for between six months and four years. Unless the fact represents a more serious offence, the same punishment applies to whoever reveals, in whole or in part, the content of the communications referred to in the first paragraph using any means of public information. The offences referred to in paragraphs one and two are punishable if challenged by the offended party. However official action is taken and the punishment is imprisonment for between one and five years if the fact is committed: 1) to the detriment of an IT or telematic system used by the State or a public body or a firm providing public services or public necessities; 2) by a public official or the provider of a public service, with the abuse of powers or violation of the duties inherent in the related function or service, or by abusing the position of system administrator; 3) by a private investigator even if not properly authorised.</p>	<p>24 bis (IT crimes and improper data processing) [Article added by art. 7 of Law 48 dated 18 March 2008]</p>	<p>05/04/2008</p>	<p>Criminal Code</p>	<p>617 quater</p>	
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<p>(Installation of equipment for intercepting, preventing or interrupting IT or telematic communications) Whoever, except as allowed by the law, installs equipment for intercepting, preventing or interrupting communications relating to an IT or telematic system or between several systems, is punished by imprisonment for between one and four years. The punishment is imprisonment for between one and five years in the cases envisaged in art. 617 quater, para. 4.</p>	<p>24 bis (IT crimes and improper data processing) [Article added by art. 7 of Law 48 dated 18 March 2008]</p>	<p>05/04/2008</p>	<p>Criminal Code</p>	<p>617 quinquies</p>	
<p>(Causing damage to information, data or IT programs) Unless the fact represents a more serious offence, whoever destroys, degrades, deletes, alters or suppresses the information, data or IT programs of others is punished, if challenged by the offended party, by imprisonment for between six months and three years. <del>If the circumstances referred to in art. 635, para. 2.1), are applicable or the fact was committed by abusing the position of system administrator, official action is taken and the punishment is imprisonment for between one and four years.</del> If the fact was committed with violence to persons or the threat of violence or by abusing the position of system administrator, the punishment is imprisonment for between one and four years.</p>	<p>24 bis (IT crimes and improper data processing) [Article added by art. 7 of Law 48 dated 18 March 2008 - offence amended by art. 2, para. 1.m), of Decree 7 dated 15 January 2016 in force from 6/2/2016]</p>	<p>05/04/2008</p>	<p>Criminal Code</p>	<p>635 bis</p>	



<p>(Causing damage to information, data or IT programs used by the State or a public body or of public interest) Unless the fact represents a more serious offence, whoever commits a fact intended to destroy, degrade, delete, alter or eliminate information, data or IT programs used by the State or a public body, or that is relevant to them or, in any case, of public interest, is punished by imprisonment for between one and four years. If the fact results in the destruction, degrading, deletion, alteration or elimination of information, data or IT programs, the punishment is imprisonment for between three and eight years. <del>If the circumstances referred to in art. 635, para. 2.1), are applicable or the fact was committed by abusing the position of system administrator, the punishment is increased.</del> If the fact was committed with violence to persons or the threat of violence or by abusing the position of system administrator, the punishment is increased.</p>	<p>24 bis (IT crimes and improper data processing) [Article added by art. 7 of Law 48 dated 18 March 2008 - offence amended by art. 2, para. 1.m), of Decree 7 dated 15 January 2016 in force from 6/2/2016]</p>	<p>05/04/2008</p>	<p>Criminal Code</p>	<p>635 ter</p>	
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<p>(Causing damage to IT or telematic systems) Unless the fact represents a more serious offence, whoever by acting in a manner envisaged in art. 635-bis or by inputting or transmitting data, information or programs, destroys or damages IT or telematic systems that belong to others, or makes them unusable, in whole or in part, or seriously impedes their functioning is punished by imprisonment for between one and five years. <del>If the circumstances referred to in art. 635, para. 2.1), are applicable or the fact was committed by abusing the position of system administrator, the punishment is increased.</del> If the fact was committed with violence to persons or the threat of violence or by abusing the position of system administrator, the punishment is increased.</p>	<p>24 bis (IT crimes and improper data processing) [Article added by art. 7 of Law 48 dated 18 March 2008] - offence amended by art. 2, para. 1.m), of Decree 7 dated 15 January 2016 in force from 6/2/2016]</p>	<p>05/04/2008</p>	<p>Criminal Code</p>	<p>635 quater</p>	
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<p>(Causing damage to IT or telematic systems of public interest) If the fact envisaged in art. 635-quater is intended to destroy or damage IT or telematic systems of public interest, or make them unusable, in whole or in part, or seriously impede their functioning, the punishment is imprisonment for between one and four years. If the fact results in the destruction of or damage to IT or telematic systems of public interest, or they are rendered unusable, in whole or in part, the punishment is imprisonment for between three and eight years. If the circumstances referred to in art. 635, para. 2.1), are applicable or the fact was committed by abusing the position of system administrator, the punishment is increased.</p>	<p>24 bis (IT crimes and improper data processing) [Article added by art. 7 of Law 48 dated 18 March 2008]</p>	<p>05/04/2008</p>	<p>Criminal Code</p>	<p>635 quinquies</p>	
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<p>(IT fraud by the party that provides electronic signature certification services) The provider of electronic signature certification services that, in order to obtain an unjust profit for itself or others, or cause losses to third parties, violates the legal requirements for the issue of a qualified certificate and is punished by imprisonment for up to three years and a fine of between € 51 and € 1,032.</p>	<p>24 bis (IT crimes and improper data processing) [Article added by art. 7 of Law 48 dated 18 March 2008]</p>	<p>05/04/2008</p>	<p>Criminal Code</p>	<p>640 quinquies</p>	
<p>(Criminal association) When three or more persons associate in order to commit several crimes, those who promote or establish or organise the association are punished, for that mere fact, by imprisonment for between three and seven years. For the mere fact of participating in the association, the punishment is imprisonment for between one and five years. Leaders are punished in the same way as promoters. If associates run around the countryside or the public roads bearing arms, the punishment is imprisonment for between five and fifteen years. The penalty is increased if the number of associates is ten or more. ----- If the association seeks to commit any of the crimes envisaged in arts. 600, 601 and 602, or art. 12, para. 3-bis, of the consolidated law governing immigration and the condition of foreign citizens, as referred to in Decree 286</p>	<p>24 ter (Organised crimes) [Article added by art. 2, para. 29, of Law 94 dated 15 July 2009]</p>	<p>25/07/2009</p>	<p>Criminal Code</p>	<p>416, paras. 6, 600, 601, 602</p>	<p>If the company or its operating unit are routinely used for the sole or principal purpose of allowing or facilitating commitment of the offences envisaged in art. 24 ter, paras. 1 and 2, of Decree 231/01, the punishment is a definitive ban on carrying out activities, pursuant to art. 16, para. 3.</p>



dated 25 July 1998, the punishment is imprisonment for between five and fifteen years in the cases envisaged in the first paragraph and for between four and nine years in the cases envisaged in the second paragraph.

If the association seeks to commit any of the crimes envisaged in arts. 600 bis, 600 ter, 600 quater, 600 quater.1, 600 quinquies, 609 bis, when the fact is committed to the detriment of a person under the age of 18, 609 quater, 609 quinquies, 609 octies, when the fact is committed to the detriment of a person under the age of 18, and 609 undecies, the punishment is imprisonment for between four and eight years in the cases envisaged in the first paragraph and for between two and six years in the cases envisaged in the second paragraph.



<p>(Italian and foreign mafia-related associations)</p> <p>Whoever participates in a mafia-related association comprising three or more persons is punished by imprisonment for between ten and fifteen years.</p> <p>Those who promote, direct or organise the association are punished, for that mere fact, by imprisonment for between twelve and eighteen years.</p> <p>The association is mafia-related when those who participate make use of the intimidatory strength of membership and the resulting subjugation and silent consent in order to commit crimes, to acquire direct or indirect management or, in any case, control over economic activities, concessions, authorisations, contracts and public services, or to obtain unjust profits or benefits for themselves or for others, or to prevent or impede the free exercise of voting rights, or to obtain votes for themselves or others at the time of elections.</p> <p>If the association is armed, the punishment is imprisonment for between twelve and twenty years in the cases envisaged in the first paragraph and for between fifteen and twenty-six years in the cases envisaged in the second paragraph.</p> <p>The association is deemed to be armed when, in order to achieve its objectives, participants have</p>	<p>24 ter (Organised crimes) [Article added by art. 2, para. 29, of Law 94 dated 15 July 2009]</p>	<p>25/07/2009</p>	<p>Criminal Code</p>	<p>416 bis</p>	<p>If the company or its operating unit are routinely used for the sole or principal purpose of allowing or facilitating commitment of the offences envisaged in art. 24 ter, paras. 1 and 2, of Decree 231/01, the punishment is a definitive ban on carrying out activities, pursuant to art. 16, para. 3.</p>
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<p>arms or explosives available to them, even if hidden or kept in storage locations.</p> <p>If the economic activities that the associates intend to take or maintain control over are financed, in whole or in part, with the proceeds, results or profits of crimes, the punishment established in the above paragraphs is increased by between one third and one half.</p> <p>It is mandatory to confiscate from the convict the assets used or allocated to committing the crime, the assets representing the proceeds, results or profits of the crime, and the assets deriving from their use.</p> <p>The provisions of this article also apply to the camorra and other associations, under whatever local name, including foreign associations, that make use of the intimidatory strength of membership to pursue objectives similar to those of mafia-related associations. (See art. 416 bis of the criminal code in combination with: Art. 7 of Decree 152 dated 13.05.1991 - URGENT MEASURES REGARDING THE FIGHT AGAINST ORGANISED CRIME, TRANSPARENCY AND PROPER ADMINISTRATION.</p> <p>[1]. For crimes not punishable by life imprisonment committed under the conditions envisaged in art. 416 bis of the Criminal Code or in order to facilitate the activities of the associations addressed in that article, the punishment is increase by between one third and one half.</p>					
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<p>[II]. The attenuating circumstances, other than that envisaged in art. 98 of the Criminal Code, existing together with the aggravating factor referred to in para. 1, cannot be deemed equivalent to or prevalent over the latter; accordingly, the reduction in punishment is determined only after applying the increase attributable to the aggravating factor.</p>					
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<p>(Political/mafia-related electoral voting fraud)</p> <p>The punishment established in art. 416 bis, para. 1, also applies to those who obtain the promise of votes envisaged in art. 416 bis, para. 3, in exchange for the payment of money.</p>	<p>24 ter (Organised crimes) [Article added by art. 2, para. 29, of Law 94 dated 15 July 2009]</p>	<p>25/07/2009</p>	<p>Criminal Code</p>	<p>416 ter</p>	<p>If the company or its operating unit are routinely used for the sole or principal purpose of allowing or facilitating commitment of the offences envisaged in art. 24 ter, paras. 1 and 2, of Decree 231/01, the punishment is a definitive ban on carrying out activities, pursuant to art. 16, para. 3.</p>
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<p>(Kidnapping for the purposes of theft or extortion)</p> <p>Whoever kidnaps a person in order to obtain an unjust profit for themselves or others in the form of a ransom is punished by imprisonment for between twenty-five and thirty years. If the kidnapping nevertheless results in the death of the victim, as an unwanted consequence of the crime, the culprit is punished by imprisonment for thirty years. If the culprit causes the death of the victim, the punishment is life imprisonment. The punishments envisaged in art. 605 apply to participants who, in disassociating themselves from the others, work to obtain the freedom of the victim without that outcome being consequent to the payment of a ransom. Should the victim die following release, as a result of the kidnapping, the punishment is imprisonment for between six and fifteen years. Except in the case described in the previous paragraph, participants who, in disassociating themselves from the others, work to avoid additional consequences from the crime or provide concrete assistance to the police or the judiciary in gathering decisive evidence for the identification or capture of other participants will be punished by imprisonment for between twelve and twenty years, rather than life imprisonment, and the other punishments will be reduced by between</p>	<p>24 ter (Organised crimes) [Article added by art. 2, para. 29, of Law 94 dated 15 July 2009]</p>	<p>25/07/2009</p>	<p>Criminal Code</p>	<p>630</p>	<p>If the company or its operating unit are routinely used for the sole or principal purpose of allowing or facilitating commitment of the offences envisaged in art. 24 ter, paras. 1 and 2, of Decree 231/01, the punishment is a definitive ban on carrying out activities, pursuant to art. 16, para. 3.</p>
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one third and two thirds. If there is a mitigating circumstance, the punishment envisaged in the second paragraph is replaced by imprisonment for between twenty and twenty-four years; the punishment envisaged in the third paragraph is replaced by imprisonment for between twenty-four and thirty years. If there are several mitigating circumstances, the punishment to be applied as a result of the reductions cannot be less than twelve years, in the case envisaged in the second paragraph, or fifteen years, in the case envisaged in the third paragraph. The lower limits on the punishment indicated in the preceding paragraph may be exceeded if the mitigating circumstances envisaged in the fifth paragraph of this article are applicable.



<p>(Association for the illegal trafficking of narcotics and psychotropic drugs)</p> <p>1. When three or more persons associate in order to commit several crimes among those envisaged in art. 73, those who promote, establish, direct, organise or finance the association are punished, for that mere fact, by imprisonment for not less than twenty years.</p> <p>2. Persons who participate in the association are punished by imprisonment for not less than ten years.</p> <p>3. The penalty is increased if the number of associates is ten or more, or if the participants include persons addicted to the use of narcotics and psychotropic drugs.</p> <p>4. In the cases indicated in paras. 1 and 3, if the association is armed the punishment will be imprisonment for not less than twenty-four years or, in the case envisaged in para. 2, twelve years.</p> <p>The association is deemed to be armed when participants have arms or explosives available to them, even if hidden or kept in storage locations.</p> <p>5. The punishment is increased in the case envisaged in art. 80, para. 1.e).</p> <p>6. If the association is formed to commit the facts described in art. 73, para. 5, the first and second paragraphs of art. 416 of the Criminal Code are applicable.</p>	<p>24 ter (Organised crimes) [Article added by art. 2, para. 29, of Law 94 dated 15 July 2009]</p>	<p>25/07/2009</p>	<p>Pres. Decree 309/90</p>	<p>74</p>	<p>If the company or its operating unit are routinely used for the sole or principal purpose of allowing or facilitating commitment of the offences envisaged in art. 24 ter, paras. 1 and 2, of Decree 231/01, the punishment is a definitive ban on carrying out activities, pursuant to art. 16, para. 3.</p>
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<p>7. The punishments envisaged in paras. 1 to 6 are decreased by between one half and two thirds for those who effectively work to secure evidence of the offence or deprive the association of essential resources for the commitment of crimes.</p> <p>8. When laws and decrees make reference to the offence referred to in art. 75 of Law 685 dated 22 December 1975, which was abrogated by art. 38, para. 1, of Law 162 dated 26 June 1990, that reference is understood to be made to this article.</p>					
<p>(Corruption in the exercise of the function). - Public officials who, in the exercise of their functions or powers, improperly receive or accept promises of money or other benefits, for themselves or others, are punished by imprisonment for between one and five years. (art. replaced by the Anti-corruption law of November 2012)</p>	<p>25 (Offences committed in relations with the Public Administration)</p>	<p>28/11/2012</p>	<p>Criminal Code</p>	<p>318</p>	<p>The envisaged pecuniary penalties apply to the Company when the crimes were committed by the persons indicated in arts. 320 and 322 bis.</p>



<p><b>(Instigation of corruption)</b> 1. Whoever offers or promises cash or other undue benefits to a public official, or the provider of a public service, for the exercise of their functions or powers, is subject to the punishment established in art. 318, para. 1, as reduced by one third, if the offer or promise is refused. 2. (OMISSIS) 3. The punishment referred to in the first paragraph applies to public officials, or the providers of a public service, who solicit a promise or the payment of money or other benefits for the exercise of their functions or powers. (art. amended by the Anti-corruption law of November 2012)</p>	<p>25 (Offences committed in relations with the Public Administration)</p>	<p>28/11/2012</p>	<p>Criminal Code</p>	<p>322 paras. 1-3</p>	<p>The envisaged pecuniary penalties apply to the Company when the crimes were committed by the persons indicated in arts. 320 and 322 bis.</p>
<p><b>(Penalties for the corrupter)</b> The punishments envisaged in para. 1 of art. 318 and in arts. 319, 319 bis, 319 ter and 320 in relation to the offences envisaged in arts. 318 and 319, also apply to those who give or promise money or other benefits to a public official or the provider of a public service. <b>(WITH REFERENCE TO ART. 318)</b></p>	<p>25 (Offences committed in relations with the Public Administration)</p>	<p>04/07/2001</p>	<p>Criminal Code</p>	<p>321</p>	<p>The envisaged pecuniary penalties apply to the Company when the crimes were committed by the persons indicated in arts. 320 and 322 bis.</p>
<p><b>(Corruption to obtain a deed contrary to official duty)</b> Public officials who, in exchange for omitting or delaying the performance of an official deed, or for carrying out or for having carried out a deed contrary to their official duty, receive or accept promises of money or other benefits, for themselves or others, are punished by</p>	<p>25 (Offences committed in relations with the Public Administration)</p>	<p>28/11/2012</p>	<p>Criminal Code</p>	<p>319</p>	<p>The envisaged pecuniary penalties apply to the Company when the crimes were committed by the persons indicated in arts. 320 and 322 bis.</p>



<p>imprisonment for between four and eight years. (art. amended by the Anti-corruption law of November 2012)</p>					
<p><b>(Corruption to obtain a judicial deed)</b> If the facts indicated in arts. 318 and 319 are committed to facilitate or damage a party to civil, criminal or administrative proceedings, the punishment is imprisonment for between four and ten years. (para. 2 omissis). If the fact results in the unjust conviction of someone to imprisonment for not more than five years, the punishment is imprisonment for between four and twelve years; if it results in unjust imprisonment for more than five years or for life, the punishment is imprisonment for between six and twenty years. (art. amended by the Anti-corruption law of November 2012)</p>	<p>25 (Offences committed in relations with the Public Administration)</p>	<p>28/11/2012</p>	<p>Criminal Code</p>	<p>319 ter para. 1</p>	<p>The envisaged pecuniary penalties apply to the Company when the crimes were committed by the persons indicated in arts. 320 and 322 bis.</p>
<p><b>(Improper inducement to give or promise benefits)</b> – Unless the fact represents a more serious offence, public officials or the providers of a public service who, by abusing their position or power, induce another to improperly give or promise money or other benefits to them, or to a third party, are punished by imprisonment for between three and eight years. In the cases envisaged in para. 1, persons who give or promise money or other benefits are</p>	<p>25 (Offences committed in relations with the Public Administration)</p>	<p>28/11/2012</p>	<p>Criminal Code</p>	<p>319 quater</p>	<p>The envisaged pecuniary penalties apply to the Company when the crimes were committed by the persons indicated in arts. 320 and 322 bis.</p>



<p>punished by imprisonment for up to three years. (art. added by the Anti-corruption law of November 2012)</p>					
<p>(Corruption of a person who provides a public service) The provisions of arts. 318 and 319 also apply to the providers of a public service. In all cases, the punishments are reduced by not more than one third. (art. amended by the Anti-corruption law of November 2012)</p>	<p>25 (Offences committed in relations with the Public Administration)</p>	<p>04/07/2001</p>	<p>Criminal Code</p>	<p>320</p>	
<p>(Instigation of corruption) Whoever offers or promises money or other undue benefits to a public official, or the provider of a public service who is a public employee, in order to induce them to perform an official deed, is subject to the punishment established in art. 318, para. 1, as reduced by one third, if the offer or promise is refused. If the offer or promise is made to induce public officials, or the providers of a public service, to omit or delay the performance of their official duties, or to perform a deed contrary to those duties, is subject to the punishment established in art. 319, as reduced by one third, if the offer or promise is refused. The punishment referred to in the first paragraph applies to public officials, or the</p>	<p>25 (Offences committed in relations with the Public Administration)</p>	<p>04/07/2001</p>	<p>Criminal Code</p>	<p>322 paras. 2-4</p>	<p>The envisaged pecuniary penalties apply to the Company when the crimes were committed by the persons indicated in arts. 320 and 322 bis.</p>



<p>providers of a public service who are public employees, who solicit a promise or the payment of money or other benefits from private persons for the purposes indicated in art. 318. The punishment referred to in the second paragraph applies to public officials, or the providers of a public service, who solicit a promise or the payment of money or other benefits from private persons for the purposes indicated in art. 319.</p>					
<p><b>(Penalties for the corrupter)</b> The punishments envisaged in para. 1 of art. 318 and in arts. 319, 319 bis, 319 ter and 320 in relation to the offences envisaged in arts. 318 and 319, also apply to those who give or promise money or other benefits to a public official or the provider of a public service. <b>(WITH REFERENCE TO ARTS. 319 and 319 ter)</b></p>	<p>25 (Offences committed in relations with the Public Administration)</p>	<p>04/07/2001</p>	<p>Criminal Code</p>	<p>321</p>	<p>The envisaged pecuniary penalties apply to the Company when the crimes were committed by the persons indicated in arts. 320 and 322 bis.</p>
<p><b>(Malfeasance)</b> – Public officials who, by abusing their position or power, force someone to improperly give or promise money or other benefits to them, or to a third party, are punished by imprisonment for between six and twelve years (art. replaced by the Anti-corruption law of November 2012)</p>	<p>25 (Offences committed in relations with the Public Administration)</p>	<p>04/07/2001</p>	<p>Criminal Code</p>	<p>317</p>	<p>The envisaged pecuniary penalties apply to the Company when the crimes were committed by the persons indicated in arts. 320 and 322 bis.</p>



<p>(Aggravating circumstances) Public officials who, in exchange for omitting or delaying the performance of an official deed, or for carrying out or for having carried out a deed contrary to their official duty, receive or accept promises of money or other benefits, for themselves or others, are punished by imprisonment for between two and five years. The punishment is increased if the fact referred to in art. 319 relates to the granting of public employment or salaries or pensions or the signature of contracts involving the administration to which the public official belongs.</p>	<p>25 (Offences committed in relations with the Public Administration)</p>	<p>04/07/2001</p>	<p>Criminal Code</p>	<p>319 bis</p>	<p>The envisaged pecuniary penalties apply to the Company when the crimes were committed by the persons indicated in arts. 320 and 322 bis.</p>
<p>(Corruption to obtain a judicial deed) If the facts indicated in arts. 318 and 319 are committed to facilitate or damage a party to civil, criminal or administrative proceedings, the punishment is imprisonment for between four and ten years. <u>If the fact results in the unjust conviction of someone to imprisonment for not more than five years, the punishment is imprisonment for between five and twelve years; if it results in unjust imprisonment for more than five years or for life, the punishment is imprisonment for between six and twenty years.</u></p>	<p>25 (Offences committed in relations with the Public Administration)</p>	<p>04/07/2001</p>	<p>Criminal Code</p>	<p>319 ter para. 2</p>	<p>The envisaged pecuniary penalties apply to the Company when the crimes were committed by the persons indicated in arts. 320 and 322 bis.</p>



<p>(Penalties for the corrupter) The punishments envisaged in para. 1 of art. 318 and in arts. 319, 319 bis, 319 ter and 320 in relation to the offences envisaged in arts. 318 and 319, also apply to those who give or promise money or other benefits to a public official or the provider of a public service. <b>(WITH REFERENCE TO ARTS. 317, 319 bis, 319 ter, para. 2)</b></p>	<p>25 (Offences committed in relations with the Public Administration)</p>	<p>04/07/2001</p>	<p>Criminal Code</p>	<p>321</p>	<p>The envisaged pecuniary penalties apply to the Company when the crimes were committed by the persons indicated in arts. 320 and 322 bis.</p>
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<p>(Embezzlement, malfeasance, improper inducement to give or promise benefits, corruption and instigation of the corruption of members of European Community bodies and officials of the European Communities and foreign countries) The provisions of arts. 314, 316, 317-320 and 322, paras. 3 and 4, also apply to:</p> <ol style="list-style-type: none"><li>1) members of the European Commission, the European Parliament, the Court of Justice and the Court of Accounts of the European Communities;</li><li>2) officials and agents engaged under contract pursuant to the statute for officials of the European Communities or the regime applicable to agents of the European Communities;</li><li>3) persons seconded to the European Communities by member States, or any public or private bodies, who carry out functions corresponding to those of the officials or agents of the European Communities;</li><li>4) members and employees of bodies formed under the treaties that established the European Communities;</li><li>5) those who within the member States of the EU carry out functions or activities that correspond to those of public officials or providers of a public service.</li></ol>	<p>25 (Offences committed in relations with the Public Administration)</p>	<p>28/11/2012</p>	<p>Criminal Code</p>	<p>322-bis</p>	<p>The envisaged pecuniary penalties apply to the Company when the crimes were committed by the persons indicated in arts. 320 and 322 bis.</p>
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<p>The provisions of arts. 319-quater, para. 2, 321 and 322, paras. 1 and 2, also apply if the money or other benefits are given, offered or promised to:</p> <ol style="list-style-type: none"><li>1) the persons indicated in para. 1 of this article;</li><li>2) persons who carry out functions or activities that correspond to those of public officials or providers of a public service in the context of foreign countries or international public organisations, if the fact is committed in order to obtain for themselves or for others an unjust advantage in international business transactions or to obtain or maintain an economic or financial activity. The persons indicated in para. 1 are deemed similar to public officials if they exercise the corresponding functions, and to providers of a public service in the other cases. (art. amended by the Anti-corruption law of November 2012)</li></ol>					
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<p>(Falsification of money and false spending and introduction into Italy, by collusion, of falsified money) The punishment is imprisonment for between three and twelve years and a fine of between € 516.00 and € 3,098.00 for whoever: 1) counterfeits domestic or foreign money that is legal tender in the State or outside;</p> <p>2) alters genuine money in any way to give the impression that it has a higher value; 3) not involved in the counterfeiting or alteration, but working together with those who did or with an intermediary, imports, holds, spends or otherwise puts counterfeited or altered money into circulation;</p> <p>4) purchases or in any case receives counterfeited or altered money from the falsifier or an intermediary in order to put it into circulation.</p> <p>The same punishment applies to those who, while legally authorised to produce money, abuse the equipment or materials available to them to produce more money than was authorised. The punishment is reduced by one third when the conduct referred to in paras. 1 and 2 relates to money that is not yet legal tender and the related start date is known.</p>	<p>25 bis (Falsification of cash, government-issued bearer bonds, duty-paid stamps and recognisable signs) [Article supplemented by art. 15 of Law 99 dated 23 July 2009] [Addition to art. 453 Criminal Code by Decree 125/16 in force from 27/07/16]</p>	<p>27/09/2001</p>	<p>Criminal Code</p>	<p>453</p>	
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<p>(Alteration of money) Whoever alters money of the type referred to in the previous article, reducing its value in any way or, with regard to the money altered in that way, commits any of the facts indicated in points 3 and 4 of that article, is punished by imprisonment for between one and five years and a fine of between € 103.00 and € 516.00.</p>	<p>25 bis (Falsification of cash, government-issued bearer bonds, duty-paid stamps and recognisable signs) [Article supplemented by art. 15 of Law 99 dated 23 July 2009]</p>	<p>27/09/2001</p>	<p>Criminal Code</p>	<p>454</p>	
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<p>(Spending and introduction into Italy, without collusion, of falsified money)          Except for the cases envisaged in the two previous articles, whoever imports, purchases or holds counterfeited or altered money in order to put it into circulation, or spends it or puts it into circulation in any other way, is punished in accordance with the above articles, as reduced by between one third and one half.</p>	<p>25 bis          (Falsification of cash, government-issued bearer bonds, duty-paid stamps and recognisable signs)          [Article supplemented by art. 15 of Law 99 dated 23 July 2009]</p>	<p>27/09/2001</p>	<p>Criminal Code</p>	<p>455</p>	<p>punishment reduced by between one third and one half with reference to arts. 453, 454</p>
<p>(Spending of falsified money received in good faith) Whoever spends or otherwise puts into circulation counterfeited or altered money received in good faith is punished by imprisonment for up to six months or by a fine of up to € 1,032.00.</p>	<p>25 bis          (Falsification of cash, government-issued bearer bonds, duty-paid stamps and recognisable signs)          [Article supplemented by art. 15 of Law 99 dated 23 July 2009]</p>	<p>27/09/2001</p>	<p>Criminal Code</p>	<p>457</p>	
<p>(Falsification of duty-paid paper, introduction into Italy, purchase, holding or circulation of falsified duty-paid paper)          The provisions of arts. 453, 455 and 457 also apply to the counterfeiting or alteration of duty-paid paper and to the importation, purchase, holding and putting into circulation of falsified duty-paid paper, but the punishments are reduced by one third.</p>	<p>25 bis          (Falsification of cash, government-issued bearer bonds, duty-paid stamps and recognisable signs)          [Article supplemented by art. 15 of Law 99 dated 23 July 2009]</p>	<p>27/09/2001</p>	<p>Criminal Code</p>	<p>459</p>	



<p>For the purposes of criminal law, the term “duty-paid paper” means paper bearing duty stamps, duty stamps, postage stamps and similar valuable paper covered by these special laws.</p>					
<p>(Counterfeiting of watermarked paper used to manufacture government-issued bearer bonds or duty-paid paper) Whoever counterfeits watermarked paper used to manufacture government-issued bearer bonds or duty-paid paper, or purchases, holds or disposes of that counterfeited paper, is punished, unless the fact represents a more serious offence, by imprisonment for between two and six years and a fine of between € 309.00 and € 1,032.00.</p>	<p>25 bis (Falsification of cash, government-issued bearer bonds, duty-paid stamps and recognisable signs) [Article supplemented by art. 15 of Law 99 dated 23 July 2009]</p>	<p>27/09/2001</p>	<p>Criminal Code</p>	<p>460</p>	
<p>(Manufacture or holding of security strips or equipment for the falsification of money, duty-paid paper or watermarked paper) Whoever manufactures, purchases, holds or disposes of security strips, IT programs or equipment used exclusively for the counterfeiting of money, duty-paid paper or watermarked paper is punished, unless the fact represents a more serious offence, by imprisonment for between one and five years and a fine of between € 103.00 and € 516.00. The same penalty applies if the conduct envisaged in the first paragraph relates</p>	<p>25 bis (Falsification of cash, government-issued bearer bonds, duty-paid stamps and recognisable signs) [Article supplemented by art. 15 of Law 99 dated 23 July 2009] [Amendments to art. 461 Criminal Code by Decree 125/16 in force from 27/07/16]</p>	<p>27/09/2001</p>	<p>Criminal Code</p>	<p>461</p>	



<p>to holograms or other components of the money intended to protect it from counterfeiting or alteration.</p>					
<p>(Use of counterfeited or altered duty-paid paper) Whoever, not having contributed to the counterfeiting or alteration, makes use of counterfeited or altered duty-paid paper is punished by imprisonment for up to three years and a fine of up to € 516.00. <u>If the valuable paper was received in good faith, the punishment envisaged in art. 457 applies, as reduced by one third.</u></p>	<p>25 bis (Falsification of cash, government-issued bearer bonds, duty-paid stamps and recognisable signs) [Article supplemented by art. 15 of Law 99 dated 23 July 2009]</p>	<p>27/09/2001</p>	<p>Criminal Code</p>	<p>464 paras. 2</p>	
<p>(Use of counterfeited or altered duty-paid paper) Whoever, not having contributed to the counterfeiting or alteration, makes use of counterfeited or altered duty-paid paper is punished by imprisonment for up to three years and a fine of up to € 516.00. <u>If the valuable paper was received in good faith, the punishment envisaged in art. 457 applies, as reduced by one third.</u></p>	<p>25 bis (Falsification of cash, government-issued bearer bonds, duty-paid stamps and recognisable signs) [Article supplemented by art. 15 of Law 99 dated 23 July 2009]</p>	<p>27/09/2001</p>	<p>Criminal Code</p>	<p>464 para. 1</p>	



<p>(Counterfeiting, alteration or use of distinctive signs or patents, models and designs) (Counterfeiting, alteration or use of trademarks or distinctive signs or patents, models and designs). Whoever, in a position to know about the existence of industrial property rights, counterfeits or alters the domestic or foreign trademarks or distinctive signs of industrial products, or whoever makes use of those counterfeited or altered trademarks or signs without having participated in the counterfeiting or alteration process, is punished by imprisonment for between six months and three years and a fine of between € 2,500 and € 25,000. The punishment is imprisonment for between one and four years and a fine of between € 3,500 and € 35,000 for whoever counterfeits or alters domestic or foreign patents, designs or models, or uses the counterfeited or altered patents, designs or models without having participated in the counterfeiting or alteration process. The crimes envisaged in paras. 1 and 2 are punishable on condition that domestic laws, EU regulations and international conventions on the protection of intellectual or industrial property rights have been respected;</p>	<p>25 bis (Falsification of cash, government-issued bearer bonds, duty-paid stamps and recognisable signs) [Article supplemented by art. 15 of Law 99 dated 23 July 2009]</p>	<p>27/09/2001</p>	<p>Criminal Code</p>	<p>473</p>	
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<p>(Importation into Italy and sale of products bearing false signs) - Except in cases of participation in the offences envisaged in art. 473, whoever with a view to profit imports industrial products bearing counterfeited or altered domestic or foreign trademarks or other distinctive signs is punished by imprisonment for between one and four years and a fine of between € 3,500 and € 35,000.</p> <p>Except in cases of participation in counterfeiting, alteration and importation, whoever with a view to profit holds for sale, puts on sale or otherwise puts into circulation the products referred to in the first paragraph is punished by imprisonment for up to two years and a fine of up to € 20,000.</p> <p>The crimes envisaged in paras. 1 and 2 are punishable on condition that domestic laws, EU regulations and international conventions on the protection of intellectual or industrial property rights have been respected;</p>	<p>25 bis (Falsification of cash, government-issued bearer bonds, duty-paid stamps and recognisable signs) [Article supplemented by art. 15 of Law 99 dated 23 July 2009]</p>	<p>27/09/2001</p>	<p>Criminal Code</p>	<p>474</p>	
<p>(Disturbing the freedom of trade and industry)</p> <p>Whoever uses violence against objects or fraudulent means to prevent or disturb the exercise of a trade or industry is punished, upon challenge by the offended party and unless the</p>	<p>25 bis-1 (Crimes against trade and industry) [Article added by art.15 of Law 99 dated 23 July 2009]</p>	<p>01/08/2009</p>	<p>Criminal Code</p>	<p>513</p>	



fact represents a more serious offence, by imprisonment for up to two years and a fine of between € 103 and € 1,032.					
<p>(Fraud in the exercise of trade)</p> <p>Whoever, in the exercise of a commercial activity or in a public market, gives the purchaser one fungible asset instead of another, being a fungible asset whose origin, source, quality or quantity is different to that stated or agreed, is punished, unless the fact represents a more serious offence, by imprisonment for up to two years and a fine of up to € 2,065. If precious objects are concerned, the punishment is imprisonment for up to three years or a fine of not less than € 103.</p>	25 bis-1 (Crimes against trade and industry) [Article added by art. 15 of Law 99 dated 23 July 2009]	01/08/2009	Criminal Code	515	
<p>(Sale as genuine of fake foodstuffs)</p> <p>Whoever puts on sale or otherwise puts into circulation as genuine foodstuffs that are not genuine is punished by imprisonment for up to six months or by a fine of up to € 1,032.</p>	25 bis-1 (Crimes against trade and industry) [Article added by art. 15 of Law 99 dated 23 July 2009]	01/08/2009	Criminal Code	516	



<p>(Sale of industrial products with misleading signs)</p> <p>Whoever puts on sale or otherwise distributes intellectual property or industrial products using domestic or foreign names, trademarks or distinctive signs intended to mislead the purchaser about the origin, source or quality of the work or product is punished, unless the fact represents an offence envisaged by other legislation, by imprisonment for up to two years and a fine of up to € 20,000.</p>	<p>25 bis-1 (Crimes against trade and industry) [Article added by art. 15 of Law 99 dated 23 July 2009]</p>	<p>01/08/2009</p>	<p>Criminal Code</p>	<p>517</p>	
<p>(Manufacture and trade in goods made by appropriating industrial property rights) - Without prejudice to the application of arts. 473 and 474, whoever in a position to know about the existence of industrial property rights manufactures or uses for industrial purposes objects or other goods made by appropriating or violating an industrial property right is punished, following challenge by the offended party, by imprisonment for up to two years and a fine of up to € 20,000.</p> <p>The same penalty applies to whoever with a view to profit imports, holds for sale, puts on sale directly to the end consumer or otherwise distributes the goods referred to in para. 1.</p>	<p>25 bis-1 (Crimes against trade and industry) [Article added by art. 15 of Law 99 dated 23 July 2009]</p>	<p>01/08/2009</p>	<p>Criminal Code</p>	<p>517 ter</p>	



<p>The provisions of arts. 474 bis, 474 ter, para. 2, and 517 bis, para. 2, are applicable.</p> <p>The crimes envisaged in paras. 1 and 2 are punishable on condition that domestic laws, EU regulations and international conventions on the protection of intellectual or industrial property rights have been respected.</p>					
<p>(Counterfeiting of designation or geographical area of origin of food industry products) - Whoever counterfeits or, in any case, alters the designation or geographical area of origin of food industry products is punished by imprisonment for up to two years and a fine of up to € 20,000.</p> <p>The same penalty applies to whoever with a view to profit imports, holds for sale, puts on sale directly to the end consumer or otherwise distributes the above products with counterfeit designations or geographical origins.</p>	<p>25 bis-1 (Crimes against trade and industry) [Article added by art. 15 of Law 99 dated 23 July 2009]</p>	<p>01/08/2009</p>	<p>Criminal Code</p>	<p>517 quater</p>	



<p>The provisions of arts. 474 bis, 474 ter, para. 2, and 517 bis, para. 2, are applicable.</p> <p>The crimes envisaged in paras. 1 and 2 are punishable on condition that domestic laws, EU regulations and international conventions on the protection of the designation and geographical area of origin of food industry products have been respected.</p>					
<p>(Illegal competition with threats or violence)</p> <p>Whoever competes with threats or violence in the conduct of commercial, industrial or other productive activities is punished by imprisonment for between two and six years.</p> <p>The punishment is increased if the above competition relates to a financial activity that, in whole or in part and in any way, involves the State or public bodies.</p>	<p>25 bis-1 (Crimes against trade and industry) [Article added by art. 15 of Law 99 dated 23 July 2009]</p>	<p>01/08/2009</p>	<p>Criminal Code</p>	<p>513 bis</p>	



<p>(Fraud against national industries)</p> <p>Whoever, to the detriment of a national industry, puts on sale or otherwise distributes in domestic or foreign markets industrial products bearing counterfeited or altered names, trademarks or distinctive signs is punished by imprisonment for between one and five years and a fine of not less than € 516.</p> <p>If the domestic laws or international conventions on the protection of industrial property rights have been respected in relation to those trademarks or distinctive signs, the punishment is increased and the provisions of arts. 473 and 474 are not applied.</p>	<p>25 bis-1 (Crimes against trade and industry) [Article added by art. 15 of Law 99 dated 23 July 2009]</p>	<p>01/08/2009</p>	<p>Criminal Code</p>	<p>514</p>	
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<p>(False corporate communications) Without prejudice to the provisions of art. 2622, directors, general managers, executives responsible for preparing corporate accounting documents, statutory auditors or liquidators who, with the intention of misleading the shareholders or the public in order to make an unjust profit for themselves or for others, present untrue material facts, albeit subject to assessment, in financial statements, reports or other corporate communications to shareholders or the public, required by law, or omit information whose communication is required by law about the economic or financial position of the company or the group to which it belongs, in order to induce the intended recipients to make a mistake, are punished by imprisonment for up to two years. This offence is also punishable if the information relates to assets held or administered by the company on behalf of third parties. Punishment is excluded if the false or omitted information does not alter substantially the presentation of the economic and financial position of the company or the group to which it belongs. Punishment is also excluded if the false or omitted information changes the pre-tax results for the year by not more than 5 percent or changes shareholders' equity by not more than 1 percent. In all cases, the fact is not punishable if the subjective assessments made,</p>	<p>25 ter (Corporate offences) [Article added by art. 3 of Law 61 dated 11 March 2002]</p>	<p>16/04/2002</p>	<p>Civil Code</p>	<p>2621</p>	<p>The penalty was doubled from 12/01/2006 by art. 39 of Law 262 dated 28 December 2005 - If the company made a significant profit due to commitment of the offences, the pecuniary penalty is increased by one third.</p>
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<p>considered individually, do not differ from the correct amount by more than 10 percent. In the cases envisaged in paras. 3 and 4, the parties referred to in para. 1, are levied an administrative penalty of between ten and one hundred quotas and prohibited from holding top management positions in legal persons and firms for between six months and three years, from holding the position of director, statutory auditor, liquidator, general manager or executive responsible for preparing corporate accounting documents, or from holding any other offices with the power to represent the legal person or firm.</p>					
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<p>(False corporate communications to the detriment of the owners or creditors)</p> <p>Directors, general managers, executives responsible for preparing corporate accounting documents, statutory auditors or liquidators who, with the intention of misleading the shareholders or the public in order to make an unjust profit for themselves or for others, present untrue material facts, albeit subject to assessment, in financial statements, reports or other corporate communications to shareholders or the public, required by law, or omit information whose communication is required by law about the economic or financial position of the company or the group to which it belongs, in order to induce the intended recipients to make a mistake about that position, causing material losses to the company, the shareholders or the creditors, are punished by imprisonment, following challenge by the offended party, for between six months and three years. Action is only taken following challenge, even if the fact involves other crimes, albeit aggravated by material losses caused to parties other than the shareholder and creditors, unless it is committed to the detriment of the State, public entities or the European Communities.</p>	<p>25 ter (Corporate offences) [Article added by art. 3 of Law 61 dated 11 March 2002]</p>	<p>16/04/2002</p>	<p>Civil Code</p>	<p>2622 para. 1</p>	<p>The penalty was doubled from 12/01/2006 by art. 39 of Law 262 dated 28 December 2005 - If the company made a significant profit due to commitment of the offences, the pecuniary penalty is increased by one third.</p>
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<p>(False corporate communications to the detriment of the owners or creditors) In the case of companies subject to the provisions of part IV, title III, chapter II, of the consolidated finance law (TUF) issued by Decree 58 dated 24 February 1998, as amended, the punishment for the facts envisaged in para. 1, which may be pursued by official action, is imprisonment for between one and four years. (omissis) The punishment is imprisonment for between two and six years if, in the circumstances envisaged in para. 3, the fact is seriously detrimental to investors.</p>	<p>25 ter (Corporate offences) [Article added by art. 3 of Law 61 dated 11 March 2002]</p>	<p>16/04/2002</p>	<p>Civil Code</p>	<p>2622 para. 3</p>	<p>The penalty was doubled from 12/01/2006 by art. 39 of Law 262 dated 28 December 2005 - If the company made a significant profit due to commitment of the offences, the pecuniary penalty is increased by one third. The detriment is considered serious when the number of investors affects more than 0.1 per thousand of the population, based on the latest census, or consists in the destruction or reduction in the overall value of securities totalling more than 0.1 per thousand of gross domestic product. The punishment for the facts envisaged in paras. 1 and 3 also extends to the case in which the information relates to assets held or administered by the company on behalf of third parties. Punishment for the facts envisaged in paras. 1 and 3 is excluded if the false or omitted information does not alter substantially the presentation of the economic and financial position of the company or the group to which it belongs.</p>
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					Punishment is also excluded if the false or omitted information changes the pre-tax results for the year by not more than 5 percent or changes shareholders' equity by not more than 1 percent. In all cases, the fact is not punishable if the subjective assessments made, considered individually, do not differ from the correct amount by more than 10 percent.
(Prevention of checks) Directors who, by hiding documents or by other suitable means, prevent or in any case impede the performance of control activities legally assigned to the shareholders or other corporate bodies, are punished by pecuniary penalties of up to € 10,329. <u>If the conduct causes a loss to the shareholders, the punishment is imprisonment for up to one year following a challenge by the offended party.</u>	25 ter (Corporate offences) [Article added by art. 3 of Law 61 dated 11 March 2002]	16/04/2002	Civil Code	2625 para. 2	The penalty was doubled from 12/01/2006 by art. 39 of Law 262 dated 28 December 2005 - If the company made a significant profit due to commitment of the offences, the pecuniary penalty is increased by one third.



<p>The punishment is doubled in the case of companies with securities listed on markets regulated in Italy or another EU State, or widely held among the public as defined in art. 116 of Decree 58 dated 24 February 1998 (TUF).</p>					
<p><b>(Improper return of contributions)</b> Directors who, except in the case of a legitimate capital reduction, return or pretend to return contributions to shareholders, or release them from the obligation to make them, are punished by imprisonment for up to one year.</p>	<p>25 ter (Corporate offences) [Article added by art. 3 of Law 61 dated 11 March 2002]</p>	<p>16/04/2002</p>	<p>Civil Code</p>	<p>2626</p>	<p>The penalty was doubled from 12/01/2006 by art. 39 of Law 262 dated 28 December 2005 - If the company made a significant profit due to commitment of the offences, the pecuniary penalty is increased by one third.</p>
<p><b>(Illegal distribution of profits and reserves)</b> Unless the fact represents a more serious offence, directors who distribute profits or advances against profits not yet earned or that are allocated by law to reserves, or who distribute reserves, whether or not comprising profits, that cannot by law be distributed, are punished by imprisonment for up to one year. The offence ceases if the profits are returned or the reserves are reconstructed prior to the deadline for approval of the financial statements.</p>	<p>25 ter (Corporate offences) [Article added by art. 3 of Law 61 dated 11 March 2002]</p>	<p>16/04/2002</p>	<p>Civil Code</p>	<p>2627</p>	<p>The penalty was doubled from 12/01/2006 by art. 39 of Law 262 dated 28 December 2005 - If the company made a significant profit due to commitment of the offences, the pecuniary penalty is increased by one third.</p>



<p>(Illegal transactions in shares or quotas of the company or the parent company)</p> <p>Directors who, except in the cases allowed by law, purchase or subscribe for company shares or quotas, thus improperly diminishing share capital or reserves that cannot by law be distributed, are punished by imprisonment for up to one year. The same punishment also applies to directors who, except in the cases allowed by law, purchase or subscribe for shares or quotas issued by the parent company, thus improperly diminishing share capital or reserves that cannot by law be distributed. The offence ceases if the share capital or the reserves are reconstructed prior to the deadline for approval of the financial statements for the year in which the conduct took place.</p>	<p>25 ter (Corporate offences) [Article added by art. 3 of Law 61 dated 11 March 2002]</p>	<p>16/04/2002</p>	<p>Civil Code</p>	<p>2628</p>	<p>The penalty was doubled from 12/01/2006 by art. 39 of Law 262 dated 28 December 2005 - If the company made a significant profit due to commitment of the offences, the pecuniary penalty is increased by one third.</p>
<p>(Operations detrimental to creditors)</p> <p>Directors who, in violation of the laws protecting creditors, make capital reductions or arrange mergers with other companies or spin-offs that are detrimental to the creditors, are punished following challenge by the offended party by imprisonment for between six months and three years. The offence ceases if the losses caused to the creditors are reimbursed prior to a court ruling.</p>	<p>25 ter (Corporate offences) [Article added by art. 3 of Law 61 dated 11 March 2002]</p>	<p>16/04/2002</p>	<p>Civil Code</p>	<p>2629</p>	<p>The penalty was doubled from 12/01/2006 by art. 39 of Law 262 dated 28 December 2005 - If the company made a significant profit due to commitment of the offences, the pecuniary penalty is increased by one third.</p>



<p>(Failure to disclose conflicts of interest)</p> <p>Directors or members of the management board of a company with securities listed on markets regulated in Italy or another EU State, or widely held among the public as defined in art. 116 of Decree 58 dated 24 February 1998 (TUF), as amended, or parties subject to supervision pursuant to the consolidated law issued by Decree 385 dated 1 September 1993, the above consolidated law issued by Decree 58 dated 24 February 1998, Law 576 dated 12 August 1982 or Decree 124 dated 21 April 1993, who violate the obligations envisaged in art. 2391, para. 1, are punished by imprisonment for between one and three years, if the violation is detrimental to the company or third parties. <b>Art. 2391 Civil Code</b> (Interests of the directors) Individual directors must inform the other directors and the Board of Statutory Auditors about all their interests, both direct and on behalf of third parties, in a given transaction involving the company, specifying the nature, terms, origin and extent of that interest; if the director is the chief executive officer, he/she must refrain from carrying out the transaction and defer a decision to the full collegial body; if the sole director, information about the transaction must be reported at the next shareholders' meeting. In the cases envisaged in the previous paragraph, the resolution of the board of directors must justify</p>	<p>25 ter (Corporate offences) [Article added by art. 3 of Law 61 dated 11 March 2002]</p>	<p>12/01/2006</p>	<p>Civil Code</p>	<p>2629 bis</p>	<p>If the company made a significant profit due to commitment of the offences, the pecuniary penalty is increased by one third.</p>
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<p>adequately the reasons for the transaction and its benefit for the company. In the event of non-compliance with the provisions of the previous two paragraphs of this article or in the case of resolutions adopted by the board or the executive committee with the decisive vote of the director concerned, the resolutions concerned, if potentially detrimental to the company, may be challenged by the directors and the board of statutory auditors within ninety days of adoption; the challenge may not be presented by persons who voted in favour of the resolution, if the information obligations envisaged in the first paragraph were satisfied. In all cases, the rights acquired in good faith by third parties, on the basis of deeds carried out in execution of the resolution, are protected. The director is responsible for losses caused to the company by his/her actions or omissions. The director is also responsible for losses caused to the company by using, for personal benefit or that of others, data, news or business opportunities identified in the exercise of his/her functions.</p>					
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<p>(Fictitious formation of capital) Directors and contributing shareholders that, even if only in part, fictitiously form or increase share capital by the assignment of shares or quotas that, in total, exceed the company's share capital, by subscribing reciprocally for shares or quotas, or by significantly overvaluing assets contributed in kind, receivables or the net assets of the company in the case of a transformation, are punished by imprisonment for up to one year.</p>	<p>25 ter (Corporate offences) [Article added by art. 3 of Law 61 dated 11 March 2002]</p>	<p>16/04/2002</p>	<p>Civil Code</p>	<p>2632</p>	<p>The penalty was doubled from 12/01/2006 by art. 39 of Law 262 dated 28 December 2005 - If the company made a significant profit due to commitment of the offences, the pecuniary penalty is increased by one third.</p>
<p>(Improper distribution of company assets by liquidators) Liquidators who damage the interests of the creditors, by distributing assets to the shareholders before paying the creditors, or before reserving the amounts needed to satisfy them, are punished following challenge by the offended party by imprisonment for between six months and three years. The offence ceases if the losses caused to the creditors are reimbursed prior to a court ruling.</p>	<p>25 ter (Corporate offences) [Article added by art. 3 of Law 61 dated 11 March 2002]</p>	<p>16/04/2002</p>	<p>Civil Code</p>	<p>2633</p>	<p>The penalty was doubled from 12/01/2006 by art. 39 of Law 262 dated 28 December 2005 - If the company made a significant profit due to commitment of the offences, the pecuniary penalty is increased by one third.</p>



<p>(Corruption between private persons) – Unless the fact represents a more serious offence, the directors, general managers, executives responsible for preparing corporate accounting documents, statutory auditors and liquidators who, in exchange for money, or the promise of money or other benefits for themselves or for others, perform or fail to perform deeds to the detriment of the Company, in violation of the obligations inherent in their positions and the obligation to be loyal, are punished by imprisonment for between one and three years. The punishment is imprisonment for up to eighteen months if the fact is committed by a party subject to management and supervision by one of the parties indicated in the first paragraph. Whoever gives or promises money or other benefits to the persons indicated in the first and second sentences are punished by the penalties envisaged therein. The punishments envisaged in the preceding paragraphs are doubled in the case of companies with securities listed on markets regulated in Italy or another EU State, or widely held among the public as defined in art. 116 of Decree 58 dated 24 February 1998 (consolidated finance law - TUF), as amended.</p>	25 ter (Corporate offences) [Article added by art. 3 of Law 61 dated 11 March 2002]	28/11/2012	Civil Code	2635	
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<p>The offence is punishable if challenged by the offended party, unless the fact results in the distortion of competition in the purchase of goods or services. Without prejudice to the provisions of art. 2641, the equivalent value confiscated cannot be less than the value of the benefit given or promised. (art. added by the Anti-corruption law of November 2012)</p>					
<p>(Instigation of corruption between private persons) Whoever offers or promises money or other undue benefits to the directors, general managers, executives responsible for preparing corporate accounting documents, statutory auditors or liquidators of private companies or entities, or to their employees with top management functions, in order to induce them to perform or omit a deed in violation of their duty or the obligation to be loyal, is subject to the punishment established in art. 2635, para. 1, as reduced by one third, if the offer or promise is refused. The punishment referred to in the first paragraph applies to the directors, general managers, executives responsible for preparing corporate accounting documents, statutory</p>	<p>25 ter (Corporate offences) [Article amended by Decree 38 dated 15 March 2017 on "Implementation of Council framework decision 2003/568/GAI of 22 July 2003, on combating corruption in the private sector".</p>	<p>15/03/2017</p>	<p>Civil Code</p>	<p>2635</p>	



<p>auditors and liquidators of private companies or entities, or to their employees with top management functions, who solicit for themselves or for others, directly or via intermediaries, money or the promise of money or other benefits to perform or fail to perform a deed in violation of their duty or the obligation to be loyal, if the solicitation is rejected. Action is taken if the offence is challenged by the offended party.</p>					
<p><b>(Illegal influence over the shareholders' meeting)</b> Whoever, using false or fraudulent deeds, obtains a majority at the shareholders' meeting in order to obtain an unjust profit for themselves or for others, is punished by imprisonment for between six months and three years.</p>	<p>25 ter (Corporate offences) [Article added by art. 3 of Law 61 dated 11 March 2002]</p>	<p>16/04/2002</p>	<p>Civil Code</p>	<p>2636</p>	<p>The penalty was doubled from 12/01/2006 by art. 39 of Law 262 dated 28 December 2005 - If the company made a significant profit due to commitment of the offences, the pecuniary penalty is increased by one third.</p>
<p><b>(Market manipulation)</b> Whoever disseminates false information or arranges fraudulent transactions or other stratagems that could well significantly alter the prices of financial instruments that are not listed, or for which no request has been made for admission to listing on a regulated market, or significantly influence the</p>	<p>25 ter (Corporate offences) [Article added by art. 3 of Law 61 dated 11 March 2002]</p>	<p>16/04/2002</p>	<p>Civil Code</p>	<p>2637</p>	<p>The penalty was doubled from 12/01/2006 by art. 39 of Law 262 dated 28 December 2005 - If the company made a significant profit due to commitment of the offences, the pecuniary penalty is increased by one third.</p>



<p>confidence of the public in the financial stability of banks or groups of banks, is punished by imprisonment for between one and five years.</p>					
<p>(Impeding the activities of public supervisory authorities) Directors, general managers, executives responsible for preparing corporate accounting documents, statutory auditors or liquidators of companies or entities and the other parties subject by law to the public supervisory authorities, or required to satisfy obligations in their regard, who, in the communications to the above authorities required by law, present untrue material facts, albeit subject to assessment, about the economic or financial position of those subject to supervision in order to impede the exercise of their supervisory functions or, for the same purpose, hide in whole or in part, in other fraudulent ways, facts that should have been communicated about the above position, are punished by imprisonment for between one and four years. This offence is also punishable if the information relates to assets held or administered by the company on behalf of third parties. The same penalty applies to the directors, general managers, executives responsible for preparing corporate accounting</p>	<p>25 ter (Corporate offences) [Article added by art. 3 of Law 61 dated 11 March 2002]</p>	<p>16/04/2002</p>	<p>Civil Code</p>	<p>2638 paras. 1-2</p>	<p>The penalty was doubled from 12/01/2006 by art. 39 of Law 262 dated 28 December 2005 - If the company made a significant profit due to commitment of the offences, the pecuniary penalty is increased by one third.</p>



<p>documents, statutory auditors and liquidators of companies or entities and the other parties subjected by law to supervision by the public authorities, or with legal obligations towards them, that knowingly impede their activities in any form, including by failure to make the communications due to the above authorities. The punishment is doubled in the case of companies with securities listed on markets regulated in Italy or another EU State, or widely held among the public as defined in art. 116 of Decree 58 dated 24 February 1998 (TUF).</p>					
<p><a href="#">Associations for the purpose of terrorism or the subversion of democratic order</a>) Whoever promotes, establishes, organises, directs or finances associations that seek to carry out acts of violence for the purpose of terrorism or the subversion of democratic order, is punished by imprisonment for between seven and fifteen years. Whoever participates in those associations are punished by imprisonment for between five and ten years. For criminal law purposes, the purpose of terrorism also exists when the acts of violence are carried out against a foreign State, institution or international body. It is mandatory to confiscate from the convict the assets used or allocated to committing the crime, the assets representing the proceeds, results or profits of the crime, and the assets deriving from their use.</p>	<p>25 quater (Crimes for the purpose of terrorism or the subversion of democratic order envisaged by the criminal code or special laws) [Article added by art. 3 of Law 7 dated 14 January 2003]</p>	<p>28/01/2003</p>	<p>Criminal Code</p>	<p>270 bis</p>	



<p>(Assistance of association members)          Except in the cases of participation, aiding and abetting, whoever provides refuge, food, hospitality, transport, means of communication to any members of the associations referred to in arts. 270 and 270-bis is punished by imprisonment for up to four years. The punishment is increased if the assistance is provided on a regular basis. Persons who commit the fact in favour of their close relations are not punishable.</p>	<p>25 quater          (Crimes for the purpose of terrorism or the subversion of democratic order envisaged by the criminal code or special laws) [Article added by art. 3 of Law 7 dated 14 January 2003]</p>	<p>28/01/2003</p>	<p>Criminal Code</p>	<p>270 ter</p>	
<p>(Enrolment for the purpose of domestic or international terrorism) Except in the cases referred to in art. 270 bis, whoever enrolls one or more persons to carry out acts of violence or the sabotage of essential public services for the purpose of terrorism, even if against a foreign State, is punished by imprisonment for between seven and fifteen years.          Except in the cases referred to in art. 270 bis and the case of training, the person enrolled is punished by imprisonment for between five and eight years (4).</p>	<p>25 quater          (Crimes for the purpose of terrorism or the subversion of democratic order envisaged by the criminal code or special laws) [Article added by art. 3 of Law 7 dated 14 January 2003] Para. II added by art. 1, para. 1, of Decree 7 dated 18 February 2015, as enacted with amendments by Law 43 dated 17 April 2015. Pursuant to art. 1, para. 3 bis, of Decree 7 dated 18 February 2015, as</p>	<p>28/01/2003</p>	<p>Criminal Code</p>	<p>270 quater</p>	



	enacted with amendments by Law 43 dated 17 April 2015, conviction for the crime envisaged in this article includes the additional penalty of the loss of the right to exercise parental authority when a minor is involved.				
<p>(Training in activities for the purpose of domestic or international terrorism) Except in the cases referred to in art. 270 bis, whoever provides training or, in any case, instructions for the preparation or use of explosives, firearms or other weapons, hazardous or harmful chemical or bacteriological substances, and any other techniques or methods for carrying out acts of violence or the sabotage of essential public services for the purpose of terrorism, even if against a foreign State, an institution or an international organisation, is punished by imprisonment for between five and ten years. The same penalty applies to the person who was trained.</p> <p>The punishments envisaged in this article are increased if the person who trains or instructs commits the fact using IT or telematic equipment.</p>	<p>25 quater (Crimes for the purpose of terrorism or the subversion of democratic order envisaged by the criminal code or special laws) [Article added by art. 3 of Law 7 dated 14 January 2003]</p> <p>The last paragraph was added by art. 1, para. 3.B), of Decree 7 dated 18 February 2015, as enacted with</p>	28/01/2003	Criminal Code	270 quinquies	



	<p>amendments by Law 43 dated 17 April 2015. Pursuant to art. 1, para. 3 bis, of Decree 7 dated 18 February 2015, as enacted with amendments by Law 43 dated 17 April 2015, conviction for the crime envisaged in this article includes the additional penalty of the loss of the right to exercise parental authority when a minor is involved.</p>				
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<p><b>Conduct for the purpose of terrorism.</b> Given its nature or context, conduct is deemed to be for the purpose of terrorism when it can cause serious damage to a country or international organisation and is carried out in order to intimidate the population or force the public authorities or an international organisation to carry out or abstain from carrying out any deed, or to destabilise or destroy the fundamental political, constitutional, economic and social structures of a country or an international organisation, as well as the other conduct defined as terrorism or committed for the purpose of terrorism by conventions or other international laws that bind Italy.</p>	<p>25 quater (Crimes for the purpose of terrorism or the subversion of democratic order envisaged by the criminal code or special laws) [Article added by art. 3 of Law 7 dated 14 January 2003]</p>	<p>28/01/2003</p>	<p>Criminal Code</p>	<p>270 sexies</p>	
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<p>(Attack for the purpose of terrorism or subversion) Whoever, for the purpose of terrorism or the subversion of democratic order, carries out an attack on the life or physical safety of a person is punished, in the first case, by imprisonment for not less than twenty years and, in the second case, by imprisonment for not less than six years. If the attack on the physical safety of a person results in very serious injury, the punishment is imprisonment for not less than eighteen years; if it results in serious injury, the punishment is imprisonment for not less than twelve years. If the facts envisaged in the previous paragraphs are carried out against persons who exercise judicial, prison service or public safety functions, while performing or by reason of those function, the punishments are increased by one third. If the facts envisaged in the previous paragraphs result in the death of the person, the punishment is life imprisonment if the attack was made on their life, or imprisonment for thirty years if made on their physical safety. The attenuating circumstances, other than that envisaged in arts. 98 and 114, existing together with the aggravating factors referred to in paras. 2 and 4, cannot be deemed equivalent to or prevalent over the latter; accordingly, the reduction in punishment is determined only after applying the increase attributable to the above aggravating factors.</p>	<p>25 quater (Crimes for the purpose of terrorism or the subversion of democratic order envisaged by the criminal code or special laws) [Article added by art. 3 of Law 7 dated 14 January 2003]</p>	<p>28/01/2003</p>	<p>Criminal Code</p>	<p>280</p>	
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<p>(Terrorist act with lethal devices or explosives) Unless the fact represents a more serious offence, whoever carries out any deed for the purpose of terrorism intended to damage the fungible assets or property of others, by using lethal devices or explosives, is punished by imprisonment for between two and five years. For the purposes of this article, lethal devices and explosives are understood to be the weapons and similar materials indicated in art. 585 that can cause major material damage. If the fact is directed against the seat of the President of the Republic, the Legislative Assemblies, the Constitutional Court, Government bodies or, in any case, any body envisaged in the Constitution or Constitutional laws, the punishment is increased by up to one half. If the fact endangers the physical safety of the public or results in a serious loss for the national economy, the punishment is imprisonment for between five and ten years. The attenuating circumstances, other than that envisaged in arts. 98 and 114, existing together with the aggravating factors referred to in paras. 3 and 4, cannot be deemed equivalent to or prevalent over the latter; accordingly, the reduction in punishment is determined only after applying the increase attributable to the above aggravating factors.</p>	<p>25 quater (Crimes for the purpose of terrorism or the subversion of democratic order envisaged by the criminal code or special laws) [Article added by art. 3 of Law 7 dated 14 January 2003]</p>	<p>28/01/2003</p>	<p>Criminal Code</p>	<p>280 bis</p>	
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<p>(Kidnapping for the purpose of terrorism or subversion) Whoever kidnaps a person for the purpose of terrorism or the subversion of democratic order is punished by imprisonment for between twenty-five and thirty years. If the kidnapping nevertheless results in the death of the victim, as an unwanted consequence of the crime, the culprit is punished by imprisonment for thirty years. If the culprit causes the death of the victim, the punishment is life imprisonment. Participants who, by disassociating themselves from the others, work to obtain the freedom of the victim are punished by imprisonment for between two and eight years; should the victim die following release, as a result of the kidnapping, the punishment is imprisonment for between eight and eighteen years. If there is a mitigating circumstance, the punishment</p>	<p>25 quater (Crimes for the purpose of terrorism or the subversion of democratic order envisaged by the criminal code or special laws) [Article added by art. 3 of Law 7 dated 14 January 2003]</p>	<p>28/01/2003</p>	<p>Criminal Code</p>	<p>289 bis</p>	



<p>envisaged in the second paragraph is replaced by imprisonment for between twenty and twenty-four years; the punishment envisaged in the third paragraph is replaced by imprisonment for between twenty-four and thirty years. If there are several mitigating circumstances, the punishment to be applied as a result of the reductions cannot be less than twelve years, in the case envisaged in the second paragraph, or fifteen years, in the case envisaged in the third paragraph.</p>					
<p><a href="#">Instigation to commit any of the offences envisaged in Chapters one and two</a> Whoever instigates someone to commit one of the intentional crimes envisaged in the first and second chapters of this title (art. 241 et seq. and art. 276 et seq.), for which the law establishes <del>the death penalty or</del> life in prison or imprisonment for a shorter term, is punished by imprisonment for between one and eight years if the instigation is either ignored or accepted, but the crime is not committed. However, the applicable punishment is always less than half that established for the crime to which the instigation related.</p>	<p>25 quater (Crimes for the purpose of terrorism or the subversion of democratic order envisaged by the criminal code or special laws) [Article added by art. 3 of Law 7 dated 14 January 2003]</p>	<p>28/01/2003</p>	<p>Criminal Code</p>	<p>302</p>	



<p>(Mutilation of female genitals) Whoever, in the absence of therapeutic requirements, causes the mutilation of female genitals is punished by imprisonment for between four and twelve years. For the purposes of this article, female genital mutilation is deemed to include clitoridectomy, excision and infibulation and any other practices that cause effects of the same type. Whoever, in the absence of therapeutic requirements, causes the female genital organs to be injured in ways not indicated in the first paragraph, for the purpose of maiming the sexual functions and resulting in physical or mental illness, is punished by imprisonment for between three and seven years. The punishment is reduced by up to two thirds if the injury is slight. The punishment is increased by one third when the practices referred to in the first and second paragraphs are committed to the detriment of a minor or to make money. The provisions of this article also apply when the fact is committed abroad by an Italian citizen or a foreign citizen resident in Italy, or to the detriment of an Italian citizen or a foreign citizen resident in Italy. In that case, the culprit is punished on application by the Ministry of Justice.</p>	<p>25 quater-1 (Mutilation of female genitals) [Article added by art. 8 of Law 7 dated 9 January 2006]</p>	<p>02/02/2006</p>	<p>Criminal Code</p>	<p>583 bis</p>	
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<p>(Reduction into or detention in slavery or serfdom) Whoever exercises powers over a person that correspond to the exercise of property rights, or whoever reduces a person into or maintains them in a state of continuous subjugation, forcing them to work or provide sexual services, or to beg or in any case to provide services that amount to exploitation, is punished by imprisonment for between eight and twenty years. Reduction into or maintenance in a state of subjugation occurs when the conduct is implemented with violence, threats, trickery, abuse of authority or by taking advantage of a physical or mental situation or need, or by promising or giving money or other benefits to someone who has authority over the person concerned.</p>	<p>25 quinquies (Crimes against personal liberty) [Article added by art. 5 of Law 228 dated 11 August 2003]</p>	<p>24/08/2003</p>	<p>Criminal Code</p>	<p>600</p>	
<p><del>(Child prostitution) Whoever induces into prostitution a person under the age of eighteen or facilitates or exploits prostitution is punished by imprisonment for between six and twelve years and a fine of between € 15,493.00 and € 154,937.00. (omissis)</del></p>	<p>25 quinquies (Crimes against personal liberty) [Article added by art. 5 of Law 228 dated 11 August 2003]</p>	<p>24/08/2003</p>	<p>Criminal Code</p>	<p>600 bis, para. 1</p>	



<p><del>(Child prostitution) (omissis) Unless the fact represents a more serious offence, whoever carries out sexual acts with a minor aged between fourteen and eighteen, in exchange for money or other economic benefits, is punished by imprisonment for between six months and three years and a fine of not less than € 5,164.00. (omissis)</del></p> <p>The punishment is imprisonment for between six and twelve years and a fine of between € 15,000 and € 150,000 for whoever:</p> <ol style="list-style-type: none"><li>1) recruits or induces into prostitution (2) a person under the age of eighteen;</li><li>2) facilitates, exploits, manages, organises or controls the prostitution of a person under the age of eighteen, or otherwise profits from it.</li></ol> <p>Unless the fact represents a more serious offence (3), whoever carries out sexual acts with a minor aged between fourteen and eighteen, in exchange for money or other benefits, even if only promised, is punished by imprisonment for between one and six years and a fine of between € 1,500 and € 6,000.</p>	<p>25 quinquies (Crimes against personal liberty) [Article added by art. 5 of Law 228 dated 11 August 2003] [article as amended 4, Law 172 dated 1 October 2012].</p>	<p>24/08/2003</p>	<p>Criminal Code</p>	<p>600 bis, para. 2</p>	<p>If the fact referred to in the second paragraph is committed in relation to a person under the age of sixteen, the punishment is imprisonment for between two and five years. If the perpetrator of the fact referred to in the second paragraph is a person under the age of eighteen, the punishment of imprisonment or a fine is reduced by between one third and two thirds.</p>
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<p><del>(Child pornography) Whoever, using persons under the age of eighteen, creates pornographic exhibitions or produces pornographic materials or induces persons under the age of eighteen to participate in pornographic exhibitions, is punished by imprisonment for between six and twelve years and a fine of between € 25,822.00 and € 258,228.00. The same punishment applies to whoever trades in the pornographic materials referred to in the first paragraph.</del></p> <p>The punishment is imprisonment for between six and twelve years and a fine of between € 24,000 and € 240,000 for whoever:</p> <p>1) using persons under the age of eighteen, create pornographic exhibitions or shows (2) or produces pornographic materials (3);</p> <p>2) recruits or induces persons under the age of eighteen to participate in pornographic exhibitions or shows, or profits in other ways from those shows. (4)</p> <p>The same punishment applies to whoever trades in the pornographic materials referred to in the first paragraph.</p>	<p>25 quinquies (Crimes against personal liberty) [Article added by art. 5 of Law 228 dated 11 August 2003] [Para. 1 as amended of art. 4 of Law 172 dated 1 October 2012].</p>	<p>24/08/2003</p>	<p>Criminal Code</p>	<p>600 ter paras. 1-2</p>	<p>"even if relating to the pornographic materials referred to in art. 600-quater.1" (added by Law 38/2006), in force from 2/3/2006 (art. 600 quater-1 The provisions of arts. 600 ter and 600 quater also apply when the pornographic materials comprise virtual images created using images of persons under the age of eighteen or parts of them, but the punishment is reduced by one third. Virtual images comprise images created using graphic processing techniques not associated, in whole or in part, with real situations, when the quality of presentation causes unreal situations to appear true).</p>
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<p><b>(Child pornography)</b> (omissis) Except in the cases referred to in the first and second paragraphs, whoever using telematic or any other means distributes, divulges, disseminates or publicises the pornographic materials referred to in the first paragraph, or distributes or divulges news or information in order to solicit or sexually exploit persons under the age of eighteen, is punished by imprisonment for between one and five years and a fine of between € 2,582.00 and € 51,645.00. Except in the cases referred to in the first, second and third paragraphs, whoever offers or transfers to others, even free of charge, the pornographic materials referred to in the first paragraph, is punished by imprisonment for up to three years and a fine of between € 1,549.00 and € 5,164.00. (omissis)</p>	<p>25 quinquies (Crimes against personal liberty) [Article added by art. 5 of Law 228 dated 11 August 2003]</p>	<p>24/08/2003</p>	<p>Criminal Code</p>	<p>600 ter paras. 3-4</p>	<p>In the cases envisaged in the third and fourth paragraphs, the punishment is increased by not more than two thirds if the quantity of the materials is very substantial.</p>
<p><b>(Holding of pornographic materials)</b> Except in the cases envisaged in art. 600 ter, whoever knowingly procures or holds pornographic materials made using persons under the age of eighteen is punished by imprisonment for up to three years and a fine of not less than € 1,549. The punishment is increased by not more than two thirds if the quantity of the materials is very substantial.</p>	<p>25 quinquies (Crimes against personal liberty) [Article added by art. 5 of Law 228 dated 11 August 2003]</p>	<p>24/08/2003</p>	<p>Criminal Code</p>	<p>600 quater</p>	<p>Virtual images comprise images created using graphic processing techniques not associated, in whole or in part, with real situations, when the quality of presentation causes unreal situations to appear true.</p>



<p>(Virtual pornography) The provisions of arts. 600 ter and 600 quater also apply when the pornographic materials comprise virtual images created using images of persons under the age of eighteen or parts of them, but the punishment is reduced by one third. Virtual images comprise images created using graphic processing techniques not associated, in whole or in part, with real situations, when the quality of presentation causes unreal situations to appear true.</p>	<p>25 quinques (Crimes against personal liberty) [Article added by art. 5 of Law 228 dated 11 August 2003]</p>	<p>24/08/2003</p>	<p>Criminal Code</p>	<p>600 quater.1</p>	
<p>(Tourism to take advantage of child prostitution) Whoever organises or promotes travel intended to take advantage of child prostitution or, in any case, including that activity, is punished by imprisonment for between six and twelve years and a fine of between € 15,493 and € 154,937.</p>	<p>25 quinques (Crimes against personal liberty) [Article added by art. 5 of Law 228 dated 11 August 2003]</p>	<p>24/08/2003</p>	<p>Criminal Code</p>	<p>600 quinques</p>	



<p>(Holding of persons) <del>Whoever holds persons who finds themselves in the situations referred to in art. 600 or, in order to commit the crimes referred to in the first paragraph of that article, induces them by trickery or forces them with violence, threats, abuse of authority or by taking advantage of their physical or mental inferiority or need, or by promising or giving money or other benefits to someone who has authority over the person, to enter into or stay or leave the territory of the State or to move within the State, is punished by imprisonment for between eight and twenty years.</del></p> <p>The punishment is imprisonment for between eight and twenty years for whoever recruits, brings into or transfers within and even outside the territory of the State, transports, transfers authority over or houses one or more persons who find themselves in the situations referred to in art. 600, or does the same in relation to one or more persons by trickery, violence, threats, abuse of authority or by taking advantage of their vulnerability or physical or mental inferiority or need, or by promising or giving money or other benefits to someone who has authority over them, in order to induce or force them to provide work or sexual services or beg or, in any case, carry out unlawful activities that involve their exploitation or the removal of their organs.</p> <p>The same punishment applies to whoever behaves</p>	<p>25 quinquies (Crimes against personal liberty) [Article added by art. 5 of Law 228 dated 11 August 2003] The wording of this article was replaced by art. 2, para. 1.b), of Decree 24 dated 4 March 2014.</p>	<p>24/08/2003</p>	<p>Criminal Code</p>	<p>601</p>	
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in essentially the same way in relation to under age persons, even using methods not described in the first paragraph.					
(Purchase or sale of slaves) Except in the cases envisaged in art. 601, whoever purchases or sells or transfers a person who find themselves in the situations referred to in art. 600 is punished by imprisonment for between eight and twenty years.	25 quinquies (Crimes against personal liberty) [Article added by art. 5 of Law 228 dated 11 August 2003]	24/08/2003	Criminal Code	602	



<p><u>Aggravating circumstances</u> (1) The punishment for the offences envisaged in arts. 600, 601 and 602 is increased by between one third and one half:</p> <p>a) if the offended person is under the age of eighteen;</p> <p>b) if the facts are intended to exploit prostitution or subject the offended person to organ removal;</p> <p>c) if the fact results in a serious threat to the life or physical or mental safety of the offended person. If the facts envisaged in title VII, chapter III, of this book are committed in order to carry out or facilitate the crimes referred to in arts. 600, 601 and 602, the punishments envisaged therein are increased by between one third and one half. (1) Article added by art. 3 of Law 108 dated 2 July 2010 (Ratification and implementation of the Council of Europe Convention on action against trafficking in human beings).</p>	<p>25 quinquies (Crimes against personal liberty) [Article added by art. 5 of Law 228 dated 11 August 2003]</p>	<p>24/08/2003</p>	<p>Criminal Code</p>	<p>602 ter</p>	
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<p>(Insider dealing)</p> <p>1. The punishment is imprisonment for between one and six years and a fine of between € 20,000.00 and € 3,000,000.00 for whoever, being in possession of inside information as a member of administrative, management or control bodies of the issuer, an investor in the capital of the issuer or the provider of work-related services, or in the exercise of a profession or a public or other function or office: a) purchases, sells or carries out other transactions in financial instruments, whether directly or indirectly, for themselves or for others, using that information; b) communicates that information to others, outside of the normal provision of work-related services or exercise of a profession, function or office; c) recommends or induces others, based on the information, to carry out any of the transactions indicated in letter a). 2. The same punishment specified in relation to paragraph 1 applies to whoever, being in possession of inside information in order to prepare or execute criminal activities, carries out any of the actions referred to in paragraph 1. 3. The judge may increase the fine by up to three times or, if greater, by up to 10 times the value of the proceeds or profit obtained from the crime when, given the significant criminality of the fact, the</p>	<p>25 sexies (Market abuse offences) [Article added by art. 9 of Law 62 dated 18 April 2005]</p>	<p>12/05/2006</p>	<p>T.U.F. 58/98 (as amended by art. 9 of Law 62/05)</p>	<p>184</p>	<p>If the company obtained significant profits or proceeds from commitment of the offence, the pecuniary penalty is increased to as much as 10 times those profits or proceeds.</p>
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<p>personal characteristics of the culprit or the size of the proceeds or profit obtained from the crime, even the maximum seems inadequate. 3-bis. In the case of transactions relating to the financial instruments referred to in art. 180, para. 1.a), number 2), the criminal penalty is a fine of up to € 103,291 and imprisonment for up to three years. 4. For the purposes of this article, financial instruments include the financial instruments referred to in art. 1, para. 2, whose value depends on a financial instrument referred to in art. 180, para. 1.a).</p>					
<p><b>(Market manipulation)</b></p> <p>1. Whoever disseminates false information or arranges fraudulent transactions or other stratagems that could well significantly alter the prices of financial instruments, is punished by imprisonment for between one and six years and a fine of between € 20,000.00 and € 5,000,000.00.</p> <p>2. The judge may increase the fine by up to three times or by up to ten times the value of the product or profit obtained from the crime when, given the significant criminality of the fact, the personal characteristics of the culprit or the size of the product or profit obtained from the crime, even the maximum seems inadequate.</p>	<p>25 sexies (Market abuse offences) [Article added by art. 9 of Law 62 dated 18 April 2005]</p>	<p>12/05/2006</p>	<p>T.U.F. 58/98 (as amended by art. 9 of Law 62/05)</p>	<p>185</p>	<p>If the company obtained significant profits or proceeds from commitment of the offence, the pecuniary penalty is increased to as much as 10 times those profits or proceeds.</p>



<p>2-bis. In the case of transactions relating to the financial instruments referred to in art. 180, para. 1.a), number 2), the criminal penalty is a fine of up to € 103,291.00 and imprisonment for up to three years.</p>					
<p><b>Ancillary penalties</b> Conviction for any of the crimes envisaged in this chapter results in application of the ancillary penalties envisaged in arts. 28, 30, 32-bis and 32-ter of the criminal code for a period of not less than six months and not more than two years, as well as publication of the sentence in at least two daily newspapers, including one specialised in economic matters, with national circulation. (1) Pursuant to art. 39, para. 1, of Law 262 dated 28.12.2005, the penalties envisaged in this Chapter are doubled within the limits set for each type of penalty in Book I, Title II, Chapter II of the Criminal Code.</p>	<p>Administrative offence (market abuse)</p>	<p>12/05/2006</p>	<p>T.U.F. 58/98 (as amended by art. 9 of Law 62/05)</p>	<p>186</p>	



<p><b>Confiscation</b> In the event of conviction for one of the offences envisaged in this chapter, the proceeds or profits obtained from the offence and the assets used to commit it are confiscated. If confiscation is not possible pursuant to para. 1, the equivalent sum of money or value of assets is taken instead. To the extent not established in paras. 1 and 2, the provisions of art. 240 of the Criminal Code are applicable. (1) Pursuant to art. 39, para. 1, of Law 262 dated 28.12.2005, the penalties envisaged in this Chapter are doubled within the limits set for each type of penalty in Book I, Title II, Chapter II of the Criminal Code.</p>	<p>Administrative offence (market abuse) [art. 9 of Law 62 dated 18 April 2005]</p>	<p>12/05/2006</p>	<p>T.U.F. 58/98 (as amended by art. 9 of Law 62/05)</p>	<p>187</p>	
<p><b>(Manslaughter)</b> Whoever causes the death of a person due to negligence is punished by imprisonment for between six months and five years. If the fact was committed in violation of the rules of the road or those governing the prevention of injuries in the workplace, the punishment is imprisonment for between two and seven years. If the fact was committed in the unauthorised exercise of a profession that requires special permission from the State or a medical body, the punishment is imprisonment for between three and ten years. <del>The punishment is imprisonment for between three and ten years if the fact is committed in</del></p>	<p>25 septies (Manslaughter or serious or very serious personal injuries through negligence in violation of the accident prevention and health and safety at work regulations) [Article added by art. 9 of Law 123 dated 3 August 2007 and amended by Decree 81/08] Para. 3 was added by Law 3 dated 11 January</p>	<p>25/08/2007</p>	<p>Criminal Code</p>	<p>589</p>	



<p>violation of the rules of the road by: 1) persons under the influence of alcohol pursuant to art. 186, para. 2.c), of</p>	<p>2018 "Government mandate on the clinical testing of medicines and instructions for the reorganisation of the healthcare professions and for healthcare management by the Ministry of Health". In force from 15/02/2018.</p>				
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<p>Decree 285 dated 30 April 1992, as amended;  <del>2) persons under the influence of narcotics and psychotropic drugs.</del>          In the event of the death of several persons or the death of one or more persons and the injury of one or more persons, the punishment is that for the most serious of the violations, as increased by up to three times, without exceeding fifteen years of imprisonment.</p>	<p>Paragraph abrogated by art. 1, para.3.d), of Law 41 dated 23 March 2016 with effect from 25 March 2016, pursuant to the provisions of art. 1, para. 8, of Law 41/2016.</p>				
<p>(Vehicular homicide) Whoever due to negligence causes the death of a person by violation of the rules of the road is punished by imprisonment for between two and seven years.          Whoever due to negligence causes the death of a person when driving a motor vehicle while under the influence of alcohol or drugs, after taking narcotics and psychotropic substances pursuant respectively to arts. 186, para. 2.c), and 187 of Decree 285 dated 30 April 1992, is punished by imprisonment for between eight and twelve years.          The same punishment applies to the driver of a motor vehicle referred to in art. 186 bis, para. 1, letters b), c) and d), of Decree 285 dated 30 April 1992 who, due to negligence, causes the death of a person while under the</p>	<p>Article added by art. 1, para. 1, of Law 41 dated 23 March 2016</p>	<p>23/03/2016</p>	<p>Criminal Code</p>	<p>art. 589 bis</p>	<p>In the case referred to in art. 589 bis of the criminal code, if the driver runs away, the punishment is increased by between one third and two thirds and cannot in any case be less than imprisonment for five years.</p>



<p>influence of alcohol pursuant to art. 186, para. 2.b), of the Decree 285/1992.</p> <p>Except as envisaged in the third paragraph, whoever due to negligence causes the death of a person when driving a motor vehicle while under the influence of alcohol pursuant to art. 186, para. 2.b), of Decree 285 dated 30 April 1992, is punished by imprisonment for between five and ten years.</p> <p>The punishment referred to in the previous paragraph also applies to:</p> <ol style="list-style-type: none"><li>1) the driver of a motor vehicle who, in an urban area drives at a speed equal to at least double that allowed and, in any case, not less than 70 km/h, or on out-of-town roads at a speed of at least 50 km/h more than that allowed, due to negligence causes the death of a person;</li><li>2) the driver of a motor vehicle who, by crossing a red light at a road junction or by driving against the flow of traffic, due to negligence causes the death of a person;</li><li>3) the driver of a motor vehicle who, by performing a U-turn near or at road junctions, corners or humps, or by overtaking another vehicle on a pedestrian crossing or by crossing a solid line, due to negligence causes the death of a person.</li></ol> <p>In the cases described in the previous paragraphs, the punishment is increased if</p>					
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<p>the fact is committed by a person without a driving licence, or whose licence has been suspended or revoked, or if the motor vehicle is the property of the culprit and does not have mandatory insurance.</p>					
<p><del>(Personal injury through negligence)- Whoever due to negligence causes personal injuries to others is punished by imprisonment for up to three months or a fine of up to € 309. If the injury is serious, the punishment is imprisonment for between one and six months or a fine of between € 123 and € 619; if very serious, imprisonment for between three months and two years or a fine of between € 309 and € 1,239. If the facts referred to in the second paragraph were committed in violation of the rules of the road or those governing the prevention of injuries in the workplace, the punishment for serious injuries is imprisonment for between three months and one year or a fine of between € 500 and € 2,000, and the punishment for very serious injuries is imprisonment for between one and three years.</del></p>	<p>25 septies (Manslaughter or serious or very serious personal injuries through negligence in violation of the accident prevention and health and safety at work regulations) [Article added by art. 9 of Law 123 dated 3 August 2007 and amended by Decree 81/08]</p>	<p>25/08/2007</p>	<p>Criminal Code</p>	<p>590 para. 3</p>	<p><b>Article 583 Criminal Code (Aggravating circumstances)</b> If the personal injury is serious, the punishment is imprisonment for between three and seven years:</p> <p>1) the deed causes an illness that puts the life of the affected person in danger, or an illness or inability to attend to normal activities for a period in excess of forty days;</p> <p>2) the deed permanently impairs one sense or one organ;</p>



<p>In cases of violation of the rules of the road, if the fact was committed by a person under the influence of alcohol pursuant to art. 186, para. 2.c), of Decree 285 dated 30 April 1992, as amended, or under the influence of narcotics or psychotropic drugs, the punishment for serious injuries is imprisonment for between six months and two years and for very serious injuries is imprisonment for between eighteen months and four years. If several persons are injured, the punishment is that for the most serious of the violations committed, as increased by up to three times, without exceeding five years of imprisonment. The crime is punishable following challenge by the offended person, except in the cases envisaged in the first and second paragraphs, solely in relation to facts committed in violation of the rules for the prevention of workplace injuries or relating to occupational health or that resulted in a professional disease.</p> <p>Whoever due to negligence causes personal injuries to others is punished by imprisonment for up to three months or a fine of up to € 309. If the injury is serious, the punishment is imprisonment for between one and six months or a fine of between € 123 and € 619; if very serious, imprisonment for between three months and two years or a fine of between € 309 and € 1,239. If the facts referred to in the second paragraph were committed in violation of the rules of the road or those governing the prevention of injuries in the workplace, the punishment for serious</p>	<p>Para. I first replaced by art. 2 of Law 102 dated 21 February 2006, then by art. 1 of Decree 92 dated 23 May 2008 and then lastly amended by art. 1 of Law 41 dated 23 March 2016, in force from 25 March 2016.</p> <p>Para. II was added by Law 3 dated 11 January 2018 "Government mandate on the clinical testing of medicines and instructions for the reorganisation of the healthcare professions and for healthcare management by the Ministry of Health". In force from 15/02/2018.</p>				<p>If the personal injury is very serious, the punishment is imprisonment for between six and twelve years, if the fact results in:</p> <ol style="list-style-type: none"><li>1) an illness that is certainly or probably incurable;</li><li>2) the loss of one sense;</li><li>3) the loss of one limb or mutilation that renders the limb unusable, or the loss of use of one organ, or the inability to procreate, or a permanent and serious speech impediment;</li><li>4) the deformation or permanent scarring of the face;</li></ol>
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injuries is imprisonment for between three months and one year or a fine of between € 500 and € 2,000, and the punishment for very serious injuries is imprisonment for between one and three years.

If the facts referred to in the second paragraph were committed in the unauthorised exercise of a profession that requires special permission from the State or a medical body, the punishment for serious injuries is imprisonment for between six months and two years, while the punishment for very serious injuries is imprisonment for between eighteen months and four years.

If several persons are injured, the punishment is that for the most serious of the violations committed, as increased by up to three times, without exceeding five years of imprisonment.

The crime is punishable following challenge by the offended person, except in the cases envisaged in the first and second paragraphs, solely in relation to facts committed in violation of the rules for the prevention of workplace injuries or relating to occupational health or that resulted in a professional disease.



<p>(Receiving) Except in the case of participation in the crime, whoever, in order to obtain a profit for themselves or for others, acquires, receives or hides money or objects deriving from any crime or, in any case, participates in causing them to be acquired, received or hidden, is punished by imprisonment for between two and eight year and a fine of between € 516 a € 10,329. The punishment is imprisonment for up to six years and fine of up to € 516 if the fact is particularly negligible. The provisions of this article also apply when the perpetrator of the crime from which the money or objects derive cannot be charged or is not punishable or when a condition for taking action in relation to that crime does not exist.</p>	<p>25 octies (Receiving, laundering and use of money, assets or benefits deriving from illegal sources) [Article added by art. 63, para. 3, of Law 231 dated 21 November 2007]</p>	<p>29/12/2007</p>	<p>Criminal Code</p>	<p>648</p>	
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<p>(Money laundering) Except in the case of participation in the crime, whoever substitutes or transfers money, assets or other benefits deriving from any intentional crime, or carries out other operations in their regard in order to impede identification of their criminal source, is punished by imprisonment from between four and twelve years and a fine of between € <del>1,032</del> 5,000 and € <del>15,493</del> 25,000. The penalty is uplifted when the offence is committed in the course of a professional activity. The penalty is reduced if the money, assets or other benefits derive from offences for which the punishment is imprisonment for less than a maximum of five years. The provisions of the final paragraph of art. 648 are applicable.</p>	<p>25 octies (Receiving, laundering and use of money, assets or benefits deriving from illegal sources) [Article added by art. 63, para. 3, of Law 231 dated 21 November 2007]</p>	<p>29/12/2007</p>			
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<p>(Use of money, assets or benefits deriving from illegal sources) Except in the case of participation in the crime and the cases envisaged in arts. 648 and 648 bis, whoever uses money, assets or benefits deriving from crimes in economic or financial activities is punished by imprisonment for between four and twelve years and a fine of between € 1,032 and € 15,493.</p>	<p>25 octies (Receiving, laundering and use of money, assets or benefits deriving from illegal sources) [Article added by art. 63, para. 3, of Law 231 dated 21 November 2007]</p>	<p>29/12/2007</p>	<p>Criminal Code</p>	<p>648 bis</p>	
			<p>Criminal Code</p>	<p>648 ter</p>	



<p>The penalty is uplifted when the offence is committed in the course of a professional activity. The punishment is reduced in the case envisaged in art. 648, para. 2. The provisions of the final paragraph of art. 648 are applicable.</p>					
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<p>(Self-money laundering)</p> <p>The punishment of imprisonment for between two and eight years and a fine of between € 5,000 and € 25,000 is applied to whoever, having committed or contributed to committing an intentional crime, uses, exchanges or transfers the money, assets or other benefits deriving from that crime in the context of economic, financial, entrepreneurial or speculative activities, in order to impede effectively identification of their criminal source.</p> <p>The punishment of imprisonment for between one and four years and a fine of between € 2,500 and € 12,500 is applied if the money, assets or other benefits derive from an intentional crime punished by imprisonment for less than a maximum of five years.</p> <p>The punishments envisaged in the first paragraph apply in all cases if the money, assets or other benefits deriving from a crime committed with the conditions or objectives indicated in art. 7 of Decree 152 dated 13 May 1991 as enacted with amendments by Law 203 dated 12 July 1991, as amended.</p>	<p>25 octies (Receiving, laundering and use of money, assets or benefits deriving from illegal sources) [Article added by art. 63, para. 3, of Law 231 dated 21 November 2007]</p>	<p>15/12/2014</p>	<p>Criminal Code</p>	<p>Art. 648 ter 1</p>	<p>Paragraph so amended by art. 3, para. 5.a), of Law 186 dated 15 December 2014.</p>
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<p>Except for the cases referred to in the previous paragraphs, conduct resulting in use of the money, assets or other benefits for personal benefit or enjoyment is not punishable.</p> <p>The penalty is uplifted when the offence is committed in the course of a banking, financial or other professional activity.</p> <p>The penalty is reduced by up to half for those who effectively seek to ensure that the conduct does not have other consequences or to provide evidence of the offence, and who identify the money, assets and other benefits deriving from the crime.</p> <p>The provisions of the final paragraph of art. 648 are applicable.</p>					
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<p>(Criminal association for the contraband of foreign processed tobaccos) When three or more persons associate in order to commit several crimes, including those envisaged in art. 291 bis, those who promote, establish, direct, organise or finance the association are punished, for that mere fact, by imprisonment for between three and eight years. 2. Persons who participate in the association are punished by imprisonment for between one and six years. 3. The penalty is increased if the number of associates is ten or more. 4. If the association is armed or in the circumstances envisaged in para. 2, letters d) or e), of art. 291 ter, the punishment is imprisonment for between five and fifteen years in the cases envisaged in para. 1 of this article and for between four and ten years in the cases envisaged in para. 2. The association is deemed to be armed when, in order to achieve its objectives, participants have arms or explosives available to them, even if hidden or kept in storage locations. 5. The punishments envisaged in arts. 291 bis, 291 ter and this article are reduced by between one third and one half for participants who, in disassociating themselves from the others, work to avoid additional consequences from the crime and provide concrete assistance to the police or the judiciary in gathering decisive evidence for the reconstruction of the facts and for the identification or capture of the perpetrators of the</p>	<p>Transnational crimes (art. 10 of Law 146 dated 16 March 2006)</p>	<p>12/04/2006</p>	<p>Pres. Decree 43/73</p>	<p>291 quater</p>	
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crime or for the identification of significant resources for the commitment of crimes.					
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<p>(Association for the illegal trafficking of narcotics and psychotropic drugs)</p> <p>1. When three or more persons associate in order to commit several crimes among those envisaged in art. 73, those who promote, establish, direct, organise or finance the association are punished, for that mere fact, by imprisonment for not less than twenty years. 2. Persons who participate in the association are punished by imprisonment for not less than ten years. 3. The penalty is increased if the number of associates is ten or more, or if the participants include persons addicted to the use of narcotics and psychotropic drugs. 4. In the cases indicated in paras. 1 and 3, if the association is armed the punishment will be imprisonment for not less than twenty-four years or, in the case envisaged in para. 2, twelve years. The association is deemed to be armed when participants have arms or explosives available to them, even if hidden or kept in storage locations. 5. The punishment is increased in the case envisaged in art. 80, para. 1.e). 6. If the association is formed to commit the facts described in art. 73, para. 5, the first and second paragraphs of art. 416 of the Criminal Code are applicable. 7. The punishments envisaged in paras. 1 to 6 are decreased by between one half and two thirds for those who effectively work to secure evidence of the offence or deprive the association of essential resources for the commitment of crimes. 8. When laws and</p>	Transnational crimes (art. 10 of Law 146 dated 16 March 2006)	12/04/2006	Pres. Decree 309/90	74	
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<p>decrees make reference to the offence referred to in art. 75 of Law 685 dated 22 December 1975, which was abrogated by art. 38, para. 1, of Law 162 dated 26 June 1990, that reference is understood to be made to this article.</p>					
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<p>(Provisions against clandestine immigration) Unless the fact represents a more serious offence, whoever in order to obtain a profit, whether directly or indirectly, carries out deeds intended to obtain the entry of a person into the territory of the State in violation of the provisions of this consolidated law, or to obtain illegal entry into another State of which that person is not a citizen or a registered permanent resident, is punished by imprisonment for between four and fifteen years and a fine of € 15,000.00 for each person. 3 bis. The penalties referred to in paragraphs 1 and 3 are increased if: a) the fact related to the entry or illegal stay in the territory of the State of five or more persons; b) to obtain the entry or illegal stay the life or physical safety of the person was put at risk; c) to obtain the entry or illegal stay the person was subjected to inhumane or degrading treatment; c bis) the fact was committed by the collusion of three or more persons or using international transportation services or documents that were counterfeited, altered or, in any case, obtained illegally. 3 ter. If the facts referred to in paragraph 3 were carried out in order to recruit persons for the purposes of prostitution or, in any case, sexual exploitation or related to the entry of minors to be employed in unlawful activities in order to facilitate their exploitation, the period of imprisonment is increased by between one third</p>	<p>Transnational crimes (art. 10 of Law 146 dated 16 March 2006)</p>	<p>12/04/2006</p>	<p>Decree 286/1998 "Trafficking of migrants"</p>	<p>art. 12, paras. 3, 3 bis, 3 ter and 5</p>	
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<p>and one half with a fine of € 25,000.00 for each person. (omissis) 5. Except for the cases referred to in the previous paragraphs and unless the fact represents a more serious offence, whoever in order to obtain an unjust profit from the illegal situation of foreign citizens or, in the context of the activities punished by this article, facilitates their stay in the territory of the State in violation of the provisions of this consolidated law, is punished by imprisonment for up to four years and a fine of up to € 15,493.00. (omissis)</p>					
<p>(Inducement to not make declarations or to make false declarations to the judiciary) Unless the fact represents a more serious offence, whoever with violence or threats, or by the offer or promise of cash or other benefits, induces a person not to make declarations, or to make false declarations, when called before the judiciary to make declarations usable in criminal proceedings with the right to not respond, is punished by imprisonment from between two and six years.</p>	<p>Transnational crimes (art. 10 of Law 146 dated 16 March 2006)</p>	<p>12/04/2006</p>	<p>Criminal Code</p>	<p>377 bis</p>	



<p>(Aiding and abetting) Except in the case of participation, whoever, following the commitment of a crime for which the punishment is death, or life in prison or imprisonment, helps someone to avoid the investigations of the authorities or escape from their search, is punished by imprisonment for up to four years. When the crime committed is envisaged in art. 416 bis, the punishment is imprisonment for, in all cases, not less than two years. In the case of crimes for which the law establishes a different punishment, as in the case of infringements, the punishment is a fine of up to € 16.00. The provisions of this article also apply when the person helped is not punishable or is found not to have committed the crime.</p>	<p>Transnational crimes (art. 10 of Law 146 dated 16 March 2006)</p>	<p>12/04/2006</p>	<p>Criminal Code</p>	<p>378</p>	
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<p>(Violation of authorship rights) [Only the following parts of art. 171 of Law 633/41 are referenced herein; accordingly, all the other conduct described in that article is excluded from the list of identified offences] Except as specified in art. 171 bis and art. 171 ter, the punishment is a fine of between € 51 and € 2,065 for whoever, for any purpose and in any form, unless entitled:</p> <p>.....</p> <p>a) reproduces, transcribes, recites in public, disseminates, sells, puts on sale or otherwise commercialises the work of another or reveals its content prior to publication, or imports and puts into circulation in the State examples produced abroad against Italian law; a-bis) – makes all or part of a protected intellectual work available to the public using any form of connection to a system of telematic networks;</p> <p>b) presents, performs or recites in public or disseminates, with or without variations or additions, the work of another suitable for public show or a musical composition. Presentation or performance include the public projection of cinematic works, the public performance of the musical works included in cinematic works and broadcasts over loudspeakers to the public;</p>	<p>25 novies (Violation of the regulations governing authorship rights) [Article added by art. 15 of Law 99 dated 23 July 2009]</p>	<p>01/08/2009</p>	<p>Law 633/1941</p>	<p>171</p>	
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<p>c) carries out the facts indicated in the preceding letters using one of the forms of processing envisaged by this law; d) reproduces a number of examples or performs or presents a number of performances or shows greater than that authorised to be reproduced or presented; e) f) in violation of art. 79, retransmits the radio transmissions or retransmissions via cable or radio, or records them on phonographic discs or similar media or commercialises those bootleg records or other media.</p> <p>.....</p> <p>The punishment is imprisonment for up to one year or a fine of not less than € 516 if the above offences are committed in relation to the work of another not intended for publication, or by usurping its paternity, or by deforming, mutilating or otherwise changing it, if this offends the honour or the reputation of the author. Violation of the provisions of the third and fourth</p>					
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<p>paragraphs of art. 68 results in the required suspension of photocopying, duplicating or similar systems of reproduction for between six months and one year and an administrative pecuniary fine of between € 1,032.00 and € 5,164.00.</p>					
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<p>1. Whoever duplicates to obtain a profit, without authorisation, programs for computers or, for the same purpose, imports, distributes, sells, holds for commercial or entrepreneurial purposes or rents programs on media not labelled by Società italiana degli autori ed editori (SIAE), is punished by imprisonment for between six months and three years and a fine of between € 2,582 and € 15,493. The same penalty applies if the fact concerns any means whose sole purpose is to allow or facilitate the arbitrary removal or functional avoidance of devices applied to protect a computer program. The punishment is imprisonment for not less than two years and fine of up to € 15,493 if the fact is particularly serious.</p> <p>2. Whoever, in order to obtain a profit, uses media not bearing the SIAE label to copy, transfer to other media, distribute, communicate, present or demonstrate in public the contents of a database in violation of the provisions of arts. 64 quinquies and 64 sexies, or extracts data or reuses the database in violation of the provisions of arts. 102 bis and 102 ter, or distributes, sells or rents a database, is punished by imprisonment for between six months and three years and a fine of between € 2,582 and € 15,493. The punishment is imprisonment for not less than two years and fine</p>	25 novies (Violation of the regulations governing authorship rights) [Article added by art. 15 of Law 99 dated 23 July 2009]	01/08/2009	Law 633/1941	171 bis	
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of up to € 15,493 if the fact is particularly serious.					
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<p>1. If the fact is not committed for personal use but for profit, the punishment is imprisonment for between six months and three years and a fine of between € 2,582 and € 15,493 for whoever:</p> <p>a) duplicates, reproduces, transmits or distributes to the public, without authorisation, using any means, in whole or in part, an intellectual work made for television, the cinema, sale or rental, on disks, tapes or similar media or any other media containing recordings or videos of musical, cinematographic or similar audio-visual works or sequences of moving images;</p> <p>b) reproduces, transmits or distributes to the public, without authorisation, using any means, works or parts of literary, dramatic, scientific or educational, musical or musical-dramatic or multimedia works, even if included in collected works or compositions or databases;</p> <p>c) while not having contributed to the duplication or reproduction process, imports, holds for sale or distribution, or distributes, places on sale, rents or in any case assigns on any basis, projects in public, transmits on television using any means, transmits on the radio, or otherwise enables the public to listen to the unauthorised duplications or reproductions referred to in letters a) and b);</p>	<p>25 novies (Violation of the regulations governing authorship rights) [Article added by art. 15 of Law 99 dated 23 July 2009]</p>	<p>01/08/2009</p>	<p>Law 633/1941</p>	<p>171 ter</p>	
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<p>d) holds for sale or distribution, places on sale, sells, rents, assigns on any basis, projects in public, transmits on radio or television using any means, video cassettes, musicassettes, any media containing recordings or videos of musical, cinematographic or similar audio-visual works or sequences of moving images, or other media that this law requires to be labelled by Società italiana degli autori ed editori (S.I.A.E.), without displaying that label or bearing counterfeited or altered labels;</p> <p>e) in the absence of an agreement with the legitimate distributor, retransmits or distributes by any means an encrypted service received by equipment or parts of equipment designed to decode private transmissions;</p> <p>f) imports, holds for sale or distribution, distributes, sells, rents, assigns on any basis, promotes commercially, installs devices or special decoders that allow access to an encrypted service without payment of the relevant fee.</p> <p>f-bis) manufactures, imports, distributes, sells, rents, assigns on any basis, advertises for sale or rental, or holds for commercial purposes, equipment, products or components or provides services whose principal commercial purpose or use is to avoid the effective technological measures referred to in art. 102 quater or that are principally designed, produced, adapted or made for the purpose of making possible or facilitating</p>					
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<p>the avoidance of the above measures. The above technological measures include those applied, or that remain, following their removal consequent to voluntary action by the owners of the rights or agreements between them and the beneficiaries of exceptions, or following the execution of measures taken by the administrative authority or that with jurisdiction;</p> <p>h) removes or alters the electronic information referred to in art. 102-quinquies without authorisation, or distributes, imports for distribution, broadcasts by radio or television, communicates or makes available to the public, works or other protected materials whose electronic information has been removed or altered.</p> <p>2. The punishment is imprisonment for between one and four years and a fine of between € 2,582 and € 15,493 for whoever:</p> <p>a) reproduces, copies, transmits or distributes</p>					
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<p>without authorisation, sells or otherwise commercialises, assign on any basis, or imports without authorisation more than fifty copies or examples of works protected by authorship rights and related rights;</p> <p>a-bis) in violation of art. 16 and to obtain a profit, makes all or part of an intellectual work protected by copyright available to the public using any form of connection to a system of telematic networks;</p> <p>b) in the exercise of an entrepreneurial activity involving the reproduction, distribution, sale or commercialisation, importation of works protected by authorship rights and related rights, is guilty of the facts envisaged in para. 1;</p> <p>c) promotes or organises the illegal activities envisaged in para. 1.</p> <p>3. The punishment is reduced if the fact is particularly negligible.</p> <p>4. Conviction for one of the offences envisaged in para. 1 involves:</p> <p>a) application of the ancillary penalties envisaged arts. 30 and 32 bis of the criminal code;</p> <p>b) publication of the sentence in one or more daily newspapers, including at least one with national circulation, and in one or more specialist magazines;</p> <p>c) suspension for a period of one year of</p>					
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<p>the concession or authorisation to broadcast on radio and television in the conduct of the productive or commercial activity.</p> <p>5. The amounts deriving from application of the pecuniary penalties envisaged in the previous paragraphs are paid to the National institute for the pensions and support of painters, sculptors, musicians, writers and dramatists.</p>					
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<p>1. The punishment referred to in art. 171 ter, para. 1, also applies to:</p> <p>a) the producers or importers of media not subject to labelling pursuant to art. 181 bis, who do not give SIAE the data needed to uniquely identify that media within thirty days of the start of its distribution in Italy or importation;</p> <p>b) whoever falsely declares satisfaction of the obligations imposed by art. 181-bis, para. 2, of this law, unless the fact represents a more serious offence.</p>	<p>25novies (Violation of the regulations governing authorship rights) [Article added by art. 15 of Law 99 dated 23 July 2009]</p>	<p>01/08/2009</p>	<p>Law 633/1941</p>	<p>171 septies</p>	
<p>1. Unless the fact represents a more serious offence, the punishment is imprisonment for between six months and three years and a fine of between € 2,582 and € 25,822 for whoever for fraudulent purposes produces, puts on sale, imports, promotes, installs, modifies or uses for public or private purposes equipment, or parts of equipment, for the decoding of private audio-visual transmissions broadcast in analogue or digital format over the airwaves, by satellite or by cable. Private transmissions comprise all those audio-visual signals transmitted by Italian or foreign broadcasters in a form that is only visible to</p>	<p>25novies (Violation of the regulations governing authorship rights) [Article added by art. 15 of Law 99 dated 23 July 2009]</p>	<p>01/08/2009</p>	<p>Law 633/1941</p>	<p>171 octies</p>	



<p>closed groups of users selected by the broadcaster, regardless of whether a charge is made for the use of that service.</p> <p>2. The punishment is imprisonment for not less than two years and fine of up to € 15,493 if the fact is particularly serious.</p>					
<p>(Inducement to not make declarations or to make false declarations to the judiciary) Unless the fact represents a more serious offence, whoever with violence or threats, or by the offer or promise of cash or other benefits, induces a person not to make declarations, or to make false declarations, when called before the judiciary to make declarations usable in criminal proceedings with the right to not respond, is punished by imprisonment from between two and six years.</p>	<p>25 decies (Inducement to not make declarations or to make false declarations to the judiciary) [Article added by art. 4 of Law 116 dated 3 August 2009 and amended by art. 2, para. 1, of Decree 121/2011]</p>	<p>15/08/2009</p>	<p>Criminal Code</p>	<p>377 bis</p>	



<p>(Killing, destruction, capture, taking, holding of examples of protected wild animal or vegetable species) Unless the fact represents a more serious offence and except in allowed cases, whoever kills, captures or holds examples of protected wild animal species* is punished by imprisonment for between one and six months or a fine of up to € 4,000, unless the action relates to a negligible quantity of them, with a negligible impact on the state of conservation of the species concerned.</p> <p>Except in allowed cases, whoever destroys, picks or holds examples of protected wild vegetable species is punished by a fine of up to € 4,000, unless the action relates to a negligible quantity of them, with a negligible impact on the state of conservation of the species concerned.</p> <p>* The definitions of protected wild animal or vegetable species are specified in attachment IV to Directive 92/43/EC and in attachment I to Directive 2009/147/EC.</p>	25 undecies (Environmental offences) [Article added by Decree 121 dated 7 July 2011]	16/08/2011	Criminal Code	727 bis	
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<p>(Destruction or deterioration of the habitat within a protected site)</p> <p>Except in allowed cases, whoever destroys a habitat within a protected site* or, in any case, degrades it and compromises its state of conservation, is punished by imprisonment for up to eighteen months and a fine of not less than € 3,000.</p> <p>* A “habitat within a protected site” is defined as any species habitat for which a zone is classified as a special protection zone pursuant to art. 4, paras. 1 or 2, of Directive 2009/147/EC, or any natural or species habitat within which a site has been designated as a special conservation area pursuant to art. 4, para. 4, of Directive 92/43/EC.</p>	<p>25 undecies (Environmental offences) [Article added by Decree 121 dated 7 July 2011]</p>	<p>16/08/2011</p>	<p>Criminal Code</p>	<p>733 bis</p>	
<p>(Discharge of industrial waste water containing hazardous substances)</p> <p>Para. 1. Whoever opens or, in any case, makes new industrial waste water discharges without authorisation, or when such discharges continue after the related authorisation has been suspended or revoked, is punished by imprisonment for between two months and two years or a fine of between € 1,500 and € 10,000.</p> <p><b>Para. 2</b> When the conduct described in para. 1 relates to the discharge of</p>	<p>25 undecies (Environmental offences) [Article added by Decree 121 dated 7 July 2011]</p>	<p>16/08/2011</p>	<p>Decree 152/06</p>	<p>137, para. 2</p>	



<p>waste industrial waters containing hazardous substances included in the families or groups of substances indicated in tables 5 and 3/A of Attachment 5, third part, of this Decree, the punishment is imprisonment for between three months and three years.</p>					
<p><a href="#">(Discharge of industrial waste water containing hazardous substances without complying with the requirements)</a>          Para. 3 Except in the cases envisaged in para. 5, whoever discharges waste industrial waters containing hazardous substances included in the families or groups of substances indicated in tables 5 and 3/A of Attachment 5 to the third part of this Decree, without complying with the requirements specified in the authorisation or the other requirements of the competent authority pursuant to arts. 107, para. 1, and 108, para. 4, is punished by imprisonment for up to two years.</p>	<p>25 undecies (Environmental offences) [Article added by Decree 121 dated 7 July 2011]</p>	<p>16/08/2011</p>	<p>Decree 152/06</p>	<p>137, para. 3</p>	
<p><a href="#">(Discharge of industrial waste water containing hazardous substances beyond the limits) - 1/2</a>          Para. 5 (First sentence) <u>In relation to the substances indicated in tables 5 and 3/A of Attachment 5 to the third part of this Decree, whoever when discharging waste industrial waters exceeds the limits established in table 3</u></p>	<p>25 undecies (Environmental offences) [Article added by Decree 121 dated 7 July 2011]</p>	<p>16/08/2011</p>	<p>Decree 152/06</p>	<p>137, para. 5</p>	



<p>or, in the case of discharge into the soil, in table 4 of Attachment 5 to the third part of this Decree, or the more restrictive limits established by the regions, the autonomous provinces or the competent authority pursuant to art. 107, para. 1, is punished by imprisonment for up to two years and a fine of between € 3,000 and € 30,000. If the limits for the substances contained in table 3/A of the above Attachment 5 are also exceeded, the punishment is imprisonment for between six months and three years and a fine of between € 6,000 and € 120,000.</p>					
<p>(Discharge of industrial waste water containing hazardous substances beyond the limits) - 2/2          Para. 5 (Second sentence) <u>If the limits for the substances contained in table 3/A of the above Attachment 5 are also exceeded, the punishment is imprisonment for between six months and three years and a fine of between € 6,000 and € 120,000.</u>          Para. 6. The punishments referred to in para. 5 also apply to the managers of urban waste water treatment plants who exceed the limits established in that paragraph when making discharges.          (omissis)</p>	<p>25 undecies (Environmental offences) [Article added by Decree 121 dated 7 July 2011]</p>	<p>16/08/2011</p>	<p>Decree 152/06</p>	<p>137, para. 5</p>	



<p>(Discharge into the soil, sub-soil or underground waters)</p> <p>Para. 11 - Whoever fails to comply with the discharge bans envisaged in arts. 103 (discharges into the soil) and 104 (discharges into the sub-soil and underground waters) is punished by imprisonment for up to three years.</p>	<p>25 undecies (Environmental offences) [Article added by Decree 121 dated 7 July 2011]</p>	<p>16/08/2011</p>	<p>Decree 152/06</p>	<p>137, para. 11</p>	
<p>(Discharge of forbidden substances by ships or aircraft)</p> <p>Para. 13 - The punishment is imprisonment for between two months and two years if discharges into the sea by ships or aircraft contain substances or materials whose discharge is absolutely forbidden pursuant to the provisions of the international conventions in force and ratified by Italy, unless their quantities are such as to be rendered rapidly innocuous by the physical, chemical and biological processes that take place naturally in the sea, and on condition that they are authorised in advance by the competent authority.</p>	<p>25 undecies (Environmental offences) [Article added by Decree 121 dated 7 July 2011]</p>	<p>16/08/2011</p>	<p>Decree 152/06</p>	<p>137, para. 13</p>	
<p>(Unauthorised management of waste) 1/2</p> <p>Para. 1 (letter a) - Whoever collects, transports, recycles, disposes of, sells or brokers waste without the required authorisations, registrations or communications pursuant to arts. 208, 209, 210, 211, 212, 214, 215 and 21 is punished by:</p>	<p>25 undecies (Environmental offences) [Article added by Decree 121 dated 7 July 2011]</p>	<p>16/08/2011</p>	<p>Decree 152/06</p>	<p>256, para. 1</p>	<p>The punishment is halved for “non-compliance with the instructions contained in or referenced by the authorisations, or for deficiencies in meeting the requirements and conditions</p>



<p>a) imprisonment for between three months and one year or a fine of between € 2,600 and € 26,000 if the waste is not hazardous;</p>					<p>for registrations or communications". (Decree 152/06, art. 256, para. 4)</p>
<p><a href="#">(Unauthorised management of waste) 2/2</a>          Para. 1 (letter b) - Whoever collects, transports, recycles, disposes of, sells or brokers waste without the required authorisations, registrations or communications pursuant to arts. 208, 209, 210, 211, 212, 214, 215 and 21 is punished by:          a) ...          b) imprisonment for between six months and two years and a fine of between € 2,600 and € 26,000 if the waste is hazardous.</p>	<p>25 undecies (Environmental offences) [Article added by Decree 121 dated 7 July 2011].</p>	<p>16/08/2011</p>	<p>Decree 152/06</p>	<p>256, para. 1</p>	<p>The punishment is halved for "non-compliance with the instructions contained in or referenced by the authorisations, or for deficiencies in meeting the requirements and conditions for registrations or communications". (Decree 152/06, art. 256, para. 4)</p>
<p><a href="#">(Unauthorised discharge) 1/2</a>          Para. 3 (Third sentence) <u>Whoever establishes or manages an unauthorised landfill is punished by imprisonment for between six months and two years and a fine of between € 2,600 and € 26,000.</u> The punishment is imprisonment for between one and three years and a fine of between € 5,200 and € 52,000 if the landfill is used, even if only in part, for the disposal of hazardous waste. <u>Upon conviction</u></p>	<p>25 undecies (Environmental offences) [Article added by Decree 121 dated 7 July 2011]</p>	<p>16/08/2011</p>	<p>Decree 152/06</p>	<p>256, para. 3</p>	<p>The punishment is halved for "non-compliance with the instructions contained in or referenced by the authorisations, or for deficiencies in meeting the requirements and conditions for registrations or communications". (Decree 152/06, art. 256, para. 4)</p>



<p><u>or sentence issued pursuant to art. 444 of the criminal procedures code, the area in which the unauthorised landfill was established is confiscated, if owned by the perpetrator or a participant in the crime, without prejudice to the obligation to decontaminate or restore the site.</u></p>					
<p>(Unauthorised discharge) 2/2          Para. 3 (Second sentence) - Whoever establishes or manages an unauthorised landfill is punished by imprisonment for between six months and two years and a fine of between € 2,600 and € 26,000. <u>The punishment is imprisonment for between one and three years and a fine of between € 5,200 and € 52,000 if the landfill is used, even if only in part, for the disposal of hazardous waste. Upon conviction or sentence issued pursuant to art. 444 of the criminal procedures code, the area in which the unauthorised landfill was established is confiscated, if owned by the perpetrator or a participant in the crime, without prejudice to the obligation to decontaminate or restore the site.</u></p>	<p>25 undecies (Environmental offences) [Article added by Decree 121 dated 7 July 2011]</p>	<p>16/08/2011</p>	<p>Decree 152/06</p>	<p>256, para. 3</p>	<p>The punishment is halved for “non-compliance with the instructions contained in or referenced by the authorisations, or for deficiencies in meeting the requirements and conditions for registrations or communications”. (Decree 152/06, art. 256, para. 4)</p>



<p>(Mixing of waste)          Para. 5 - Whoever, in violation of the ban specified in art. 187, mixes waste without authorisation is punished by the penalty indicated in para. 1.b).</p>	<p>25 undecies          (Environmental offences) [Article added by Decree 121 dated 7 July 2011]</p>	<p>16/08/2011</p>	<p>Decree 152/06</p>	<p>256, para. 5</p>	<p>The punishment is halved for “non-compliance with the instructions contained in or referenced by the authorisations, or for deficiencies in meeting the requirements and conditions for registrations or communications”. (Decree 152/06, art. 256, para. 4)</p>
<p>(Temporary storage of hazardous medical waste)          Para. 6 (First sentence) - Whoever carries out the temporary storage of hazardous medical waste at the place of production, in violation of the provisions of art. 227, para. 1.b), is punished by imprisonment for between three months and one year or a fine of between € 2,600 and € 26,000. An administrative pecuniary penalty of between € 2,600 and € 15,500 is applied if the quantities do not exceed two hundred litres or equivalent quantities.</p>	<p>25 undecies          (Environmental offences) [Article added by Decree 121 dated 7 July 2011]</p>	<p>16/08/2011</p>	<p>Decree 152/06</p>	<p>256, para. 6</p>	



<p>(Decontamination of sites)</p> <p>Para. 1 - Unless the fact represents a more serious offence, whoever causes the pollution of the soil, sub-soil, surface waters or underground waters, in concentrations that exceed the threshold of risk, is punished by imprisonment for between six months and one year or a fine of between € 2,600 and € 26,000, if the site is not decontaminated in accordance with the plan approved by the competent authorities in the context of the proceedings envisaged in arts. 242 et seq. If the communication required by art. 242 is not made, the transgressor is punished by imprisonment for between three months and one year or a fine of between € 1,000 and € 26,000.</p> <p><del>Whoever causes the pollution of the soil, sub-soil, surface waters or underground waters, in concentrations that exceed the threshold of risk, is punished by imprisonment for between six months and one year or a fine of between € 2,600 and € 26,000, if the site is not decontaminated in accordance with the plan approved by the competent authorities in the context of the proceedings envisaged in arts. 242 et seq. If the communication required by art. 242 is not made, the transgressor is punished by imprisonment for between three months and one year or a fine of between € 1,000 and € 26,000.</del></p>	<p>25 undecies (Environmental offences) [Article added by Decree 121 dated 7 July 2011] Paragraph I so amended by art. 1, para. 2, of Law 68/2015</p>	<p>16/08/2011</p>	<p>Decree 152/06</p>	<p>257, para. 1</p>	
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<p>(Decontamination of sites polluted by hazardous substances) Para. 2 - The punishment is imprisonment for between one and two years and a fine of between € 5,200 and € 52,000 if the pollution was caused by hazardous waste.</p>	<p>25 undecies (Environmental offences) [Article added by Decree 121 dated 7 July 2011]</p>	<p>16/08/2011</p>	<p>Decree 152/06</p>	<p>257, para. 2</p>	
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<p>(Violation of the obligations to notify, or keep mandatory registers and formula lists)</p> <p>Para. 4 (Second sentence) - Firms that collect and transport their own non-hazardous waste pursuant to art. 212, para. 8, that do not participate on a voluntary basis in the waste traceability control system (SISTRI) established pursuant to art. 188 bis, para. 2.a), and that transport the waste without the formula sheet required by art. 193, or report incomplete or inexact data on the formula sheet, are punished by an administrative pecuniary penalty of between € 1,600 and € 9,300. The penalty envisaged in art. 483 of the criminal code is applied to whoever, when preparing a certificate of waste analysis, provides false information about the nature, composition and chemical-physical characteristics of the waste transported and to whoever uses a false certificate during transportation.</p>	<p>25 undecies (Environmental offences) [Article added by Decree 121 dated 7 July 2011].</p>	<p>16/08/2011</p>	<p>Decree 152/06</p>	<p>258, para. 4</p>	<p>Art. 483 Criminal code (Untrue declaration made by a private person in a public deed) Whoever makes a false statement to a public official in a public deed, about facts that the deed is intended to confirm, is punished by imprisonment for up to two years. In the case of false statements in deeds regarding marital status, the period of imprisonment cannot be less than three months.</p>
<p>(Illegal trafficking of waste)</p> <p>Para. 1 - Whoever makes a shipment of waste representing illegal trafficking pursuant to art. 2 of Regulation (EEC) 259 of 1 February 1993, or makes a shipment of waste listed in Attachment II of the above regulation in violation of art. 1, para. 3, letters a), b), e) and d), of that regulation, is punished by imprisonment for up to two years and</p>	<p>25 undecies (Environmental offences) [Article added by Decree 121 dated 7 July 2011]</p>	<p>16/08/2011</p>	<p>Decree 152/06</p>	<p>259, para. 1</p>	



<p>a fine of between € 1,550 and € 26,000. The punishment is increased if the shipment includes hazardous waste.</p>					
<p><del>(Organised activities for the illegal trafficking of waste)</del></p> <p><del>Para. 1 – Whoever, in order to obtain an unjust profit, sells, receives, transports, exports, imports or otherwise manages illegally massive quantities of waste on multiple occasions, via continuous and organised activities and the employment of resources, is punished by imprisonment for between one and six years.</del></p>	<p>25 undecies (Environmental offences) [Article added by Decree 121 dated 7 July 2011] <b>Article ABROGATED</b></p>	<p>16/08/2011</p>	<p>Decree 152/06</p>	<p>260, para. 1</p>	<p>If the company or its operating unit are routinely used for the sole or principal purpose of allowing or facilitating commitment of the offences envisaged in this article, the punishment is a definitive ban on carrying out the activities.</p>
<p><del>(Organised activities for the illegal trafficking of highly radioactive waste)</del></p> <p><del>Para. 2 – If the waste is highly radioactive, the punishment is imprisonment for between three and eight years.</del></p>	<p>25 undecies (Environmental offences) [Article added by Decree 121 dated 7 July 2011] <b>ARTICLE ABROGATED</b></p>	<p>16/08/2011</p>	<p>Decree 152/06</p>	<p>260, para. 2</p>	<p>If the company or its operating unit are routinely used for the sole or principal purpose of allowing or facilitating commitment of the offences envisaged in this article, the punishment is a definitive ban on carrying out the activities.</p>



<p>(Exceeding emission and air quality thresholds)</p> <p>Para. 2 - Whoever in the operation of a factory exceeds the emission limits or the requirements established in the authorisation, Attachments I, II, III or V to the fifth part of this Decree, the plans, programmes or regulations referred to in art. 271 or the other requirements imposed by the competent authorities pursuant to this title, is punished by imprisonment for up to one year and a fine of up to € 1,032. If the exceeded limits or requirements are contained in the integrated environmental authorisation, the punishments envisaged in the regulation governing that authorisation are applied. Para. 5 - In the cases envisaged in para. 2, the punishment is imprisonment for up to one year if exceeding the emission limits also results in exceeding the air quality thresholds envisaged in current regulations.</p>	<p>25 undecies (Environmental offences) [Article added by Decree 121 dated 7 July 2011]</p>	<p>16/08/2011</p>	<p>Decree 152/06</p>	<p>279, paras. 2 and 5</p>	
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<p>(Governance of offences relating to the application in Italy of the convention on international trade in endangered species of wild fauna and flora)</p> <p>Para. 1</p> <p>Unless the fact represents a more serious offence, the punishment is imprisonment for between three months and one year and a fine of between Lire 15 million and Lire 150 million for whoever, in violation of Regulation (EC) 338/97 of the Council of 9 December 1996, as amended, in relation to specimens of the species listed in Attachment A to that Regulation, as amended:</p> <p>a) imports, exports or re-exports specimens, under whatsoever customs regime, without the required certificate or licence, or with an invalid certificate or licence pursuant to art. 11, para. 2a, of Regulation (EC) 338/97 of the Council of 9 December 1996, as amended;</p> <p>b) fails to comply with the requirements intended to keep the specimens safe, as detailed in a licence or certificate issued in conformity with Regulation (EC) 338/97 of the Council of 9 December 1996, as amended, and Regulation (EC) 939/97</p>	<p>25 undecies (Environmental offences) [Article added by Decree 121 dated 7 July 2011]</p>	<p>16/08/2011</p>	<p>Law 150/92</p>	<p>1, para. 1</p>	
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<p>of the Commission of 26 May 1997, as amended;</p> <p>c) uses the above specimens in a manner different to the requirements indicated in the authorisations or certificates issued together with the import licence or later certificates;</p> <p>d) transports or arranges transit for specimens, directly or for third parties, without the required licence or certificate issued in conformity with Regulation (EC) 338/97 of the Council of 9 December 1996, as amended, and Regulation (EC) 939/97 of the Commission of 26 May 1997, as amended, and, in the case of export or re-export from another signatory country of the Washington Convention, issued in conformity with that convention, or without sufficient proof of their existence;</p> <p>e) trades in plants grown artificially in breach of the requirements established in art. 7, para. 1.b), of Regulation (EC) 338/97 of the Council of 9 December 1996, as amended, and Regulation (EC) 939/97 of the Commission of 26 May 1997, as amended;</p> <p>f) holds, uses to obtain a profit, purchases, sells, displays or holds for sale or for commercial purposes, offers for sale or, in any case, transfers specimens without the required documentation.</p>					
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<p>(Governance of offences relating to the application in Italy of the convention on international trade in endangered species of wild fauna and flora)</p> <p>Para. 2</p> <p>In the case of repeated offences, the punishment is imprisonment for between three months and two years and a fine of between Lire 20 million and Lire 200 million. If the above offence is committed in the conduct of a business activity, conviction results in suspension of the licence for between six and eighteen months.</p>	<p>25 undecies (Environmental offences) [Article added by Decree 121 dated 7 July 2011]</p>	<p>16/08/2011</p>	<p>Law 150/92</p>	<p>1, para. 2</p>	<p>In reality, rather than a ban pursuant to art. 9, this amounts to suspension of the licence, already envisaged in Law 150/92, if the above offence is committed in the conduct of a business activity.</p>
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<p>(Governance of offences relating to the application in Italy of the convention on international trade in endangered species of wild fauna and flora)</p> <p>Paras. 1 and 2 - Unless the fact represents a more serious offence, the punishment is imprisonment for between three months and one year or a fine of between Lire 20 million and Lire 200 million for whoever, in violation of Regulation (EC) 338/97 of the Council of 9 December 1996, as amended, in relation to specimens of the species listed in Attachments B and C to that Regulation, as amended:</p> <p>a) imports, exports or re-exports specimens, under whatsoever customs regime, without the required certificate or licence, or with an invalid certificate or licence pursuant to art. 11, para. 2a, of Regulation (EC) 338/97 of the Council of 9 December 1996, as amended;</p> <p>b) fails to comply with the requirements intended to keep the specimens safe, as detailed in a licence or certificate issued in conformity with Regulation (EC) 338/97 of the Council of 9 December 1996, as amended, and Regulation (EC) 939/97 of the Commission of 26 May 1997, as amended;</p>	<p>25 undecies (Environmental offences) [Article added by Decree 121 dated 7 July 2011]</p>	<p>16/08/2011</p>	<p>Law 150/92</p>	<p>2, paras. 1 and 2</p>	<p>In reality, rather than a ban pursuant to art. 9, this amounts to suspension of the licence, already envisaged in Law 150/92, if the above offence is committed in the conduct of a business activity.</p>
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<p>c) uses the above specimens in a manner different to the requirements indicated in the authorisations or certificates issued together with the import licence or later certificates;</p> <p>d) transports or arranges transit for specimens, directly or for third parties, without the required licence or certificate issued in conformity with Regulation (EC) 338/97 of the Council of 9 December 1996, as amended, and Regulation (EC) 939/97 of the Commission of 26 May 1997, as amended, and, in the case of export or re-export from another signatory country of the Washington Convention, issued in conformity with that convention, or without sufficient proof of their existence;</p> <p>e) trades in plants grown artificially in breach of the requirements established in art. 7, para. 1.b), of Regulation (EC) 338/97 of the Council of 9 December 1996, as amended, and Regulation (EC) 939/97 of the Commission of 26 May 1997, as amended;</p> <p>f) holds, uses to obtain a profit, purchases, sells, displays or holds for sale or for</p>					
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<p>commercial purposes, offers for sale or, in any case, transfers specimens without the required documentation, solely with regard to the species listed in attachment B to the Regulation.</p> <p>In the case of repeated offences, the punishment is imprisonment for between three months and one year and a fine of between Lire 20 million and Lire 200 million. If the above offence is committed in the conduct of a business activity, conviction results in suspension of the licence for between four and twelve months.</p>					
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<p><b>(Governance of offences relating to the application in Italy of the convention on international trade in endangered species of wild fauna and flora)</b>          Para. 4          Whoever contravenes the provisions of para. 1 (Except as envisaged in Law 157 dated 11 February 1992, it is forbidden for anyone to hold live specimens of wild reptiles and mammals or live specimens of reptiles and mammals bred in captivity that represent a danger to public health and safety) is punished by imprisonment for up to three months or a fine of between Lire 15 million and Lire 200 million.</p>	<p>25 undecies          (Environmental offences) [Article added by Decree 121 dated 7 July 2011]</p>	<p>16/08/2011</p>	<p>Law 150/92</p>	<p>6, para. 4</p>	
<p><b>(Governance of offences relating to the application in Italy of the convention on international trade in endangered species of wild fauna and flora)</b>          Para. 1          The penalties specified in book II, title VII, chapter III of the criminal code apply to the situations envisaged in art. 16, para. 1, letters a), c), d), e) and l) of Regulation (EC) 338/97 of the Council of 9 December 1996, as amended, on the falsification or alteration of certificates, licences, import notices, declarations, communications of information for the purpose of obtaining a licence or certificate, or using false or altered certificates or licences.</p>	<p>25 undecies          (Environmental offences) [Article added by Decree 121 dated 7 July 2011]</p>	<p>16/08/2011</p>	<p>Law 150/92</p>	<p>3 bis, para. 1</p>	<p>Pecuniary penalty of up to 250 quotas for the commitment of offences for which the punishment is imprisonment for not more than one year;          Pecuniary penalty of between 150 and 250 quotas for the commitment of offences for which the punishment is imprisonment for not more than two years;          Pecuniary penalty of between 200 and 300 quotas for the commitment of offences for which the punishment is</p>



					imprisonment for not more than three years; Pecuniary penalty of between 300 and 500 quotas for the commitment of offences for which the punishment is imprisonment for more than three years.
<p>(Measures to protect the ozone layer and the environment)</p> <p>art. 3 - Cessation and reduction of the use of ozone-depleting substances</p> <p>Para. 7</p> <p>Whoever violates the provisions of this article is punished by imprisonment for up to two years and a fine of up to three times the value of the substances used for productive purposes, imported or commercialised. In the more serious cases, conviction results in revocation of the authorisation or licence held in order to carry out the unlawful activity.</p>	<p>25 undecies (Environmental offences) [Article added by Decree 121 dated 7 July 2011]</p>	<p>16/08/2011</p>	<p>Law 549/93</p>	<p>3, para. 7</p>	<p>In reality, there is an error in the text of Decree 121/11, as the relevant paragraph of art. 3 of Law 549/93 is 7, rather than 6</p>



<p>(Criminal pollution caused by ships) Unless the fact represents a more serious offence, the captain of a ship (sailing under any flag), as well as the members of the crew, the owner and the operator if they participate in the violation, who intentionally violate the provisions of art. 4 are punished by imprisonment for between six months and two years and a fine of between € 10,000 and € 50,000.</p> <p>If the violation referred to in para. 1 causes permanent or, in any case, particularly serious damage to the quality of the waters, to animal or vegetable species or to parts of them, the punishment is imprisonment for between one and three years and a fine of between € 10,000 and € 80,000.</p> <p>Pecuniary penalty of between 150 and 250 quotas (para. 1) and from 200 to 300 quotas (para. 2).</p>	<p>25 undecies (Environmental offences) [Article added by Decree 121 dated 7 July 2011]</p>	<p>16/08/2011</p>	<p>Decree 202/07</p>	<p>8, paras. 1 and 2</p>	<p>If the company or its operating unit are routinely used for the sole or principal purpose of allowing or facilitating commitment of the offences envisaged in this article, the punishment is a definitive ban on carrying out the activities.</p>
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<p>(Negligent pollution caused by ships) 1/2 <u>Unless the fact represents a more serious offence, the captain of a ship (sailing under any flag), as well as the members of the crew, the owner and the operator if the violation is carried out with their cooperation, who negligently violate the provisions of art. 4 are punished by a fine of between € 10,000 and € 30,000.</u> If the violation referred to in para. 1 causes permanent or, in any case, particularly serious damage to the quality of the waters, to animal or vegetable species or to parts of them, the punishment is imprisonment for between six months and two years and a fine of between € 10,000 and € 30,000. <u>Pecuniary penalty of up to 250 quotas (para. 1) and from 150 to 250 quotas (para. 2). On conviction (for the offences identified in para. 2), the bans are applied for a period of not more than six months.</u></p>	<p>25 undecies (Environmental offences) [Article added by Decree 121 dated 7 July 2011]</p>	<p>16/08/2011</p>	<p>Decree 202/07</p>	<p>9, para. 1</p>	
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<p>(Negligent pollution caused by ships) 2/2</p> <p>Unless the fact represents a more serious offence, the captain of a ship (sailing under any flag), as well as the members of the crew, the owner and the operator if the violation is carried out with their cooperation, who negligently violate the provisions of art. 4 are punished by a fine of between € 10,000 and € 30,000.</p> <p><u>If the violation referred to in para. 1 causes permanent or, in any case, particularly serious damage to the quality of the waters, to animal or vegetable species or to parts of them, the punishment is imprisonment for between six months and two years and a fine of between € 10,000 and € 30,000.</u></p> <p><u>Pecuniary penalty of up to 250 quotas (para. 1) and from 150 to 250 quotas (para. 2). On conviction (for the offences identified in para. 2), the bans are applied for a period of not more than six months.</u></p>	<p>25 undecies (Environmental offences) [Article added by Decree 121 dated 7 July 2011]</p>	<p>16/08/2011</p>	<p>Decree 202/07</p>	<p>9, para. 2</p>	
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<p>(Use of workers without proper papers).</p> <p>Art. 22</p> <p>para. 12 The employer who engages foreign workers without the residence permit envisaged in this article, or whose permit has expired without a request for renewal, revocation or cancellation being made prior to the legal deadline, is punished by imprisonment for between six months and three years and a fine of € 5,000 for each worker employed.</p> <p>para. 12 bis. The pecuniary penalties for the fact envisaged in art. 12 are increased by between one third and one half:</p> <ul style="list-style-type: none"> <li>a) if more than three workers are employed;</li> <li>b) if the workers employed are children of below working age;</li> <li>c) if the working conditions of the workers involve the particular degree of exploitation addressed by art. 603-bis, para. 3, of the Criminal Code.</li> </ul>	<p>25 duodecies (Employment of foreign citizens without a proper permit) [Article added by Decree 109 dated 16 July 2012].</p>	<p>09/08/2012</p>	<p>Decree 286 dated 25 July 1998 Consolidated law on the instructions governing immigration and the condition of foreign citizens</p>	<p>22, para. 12 bis</p>	<p>Within the limit of € 150,000.00</p> <p>Art. 603 bis. Unlawful dealing in and exploitation of labour (1)</p> <p>Unless the fact represents a more serious offence, whoever carries out the organised dealing in or recruitment of labour or organises work characterised by exploitation based on violence, threats or intimidation to take advantage of the needs of the workers, is punished by imprisonment for between five and eight years and a fine of between € 1,000 and € 2,000 for each worker recruited. For the purposes of the first paragraph, evidence of exploitation can be found in one or more of the following circumstances:</p> <p>1) systematic remuneration of workers in a manner clearly out of line with the national employment contracts or, in any case, out of proportion to the quantity and quality of the work performed;</p>
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					<p>2) systematic violation of the regulations governing working hours, weekly rest, required leave, holidays;</p> <p>3) violations of the regulations governing health and safety in the workplace that expose workers to risks for their health, safety or physical well-being;</p> <p>4) imposition of working conditions, methods of supervision and living conditions that are particularly degrading.</p> <p>The following circumstances aggravate the offence and the penalties are uplifted by between one third and one half:</p> <p>1) more than three workers are employed;</p> <p>2) one or more of the workers employed are children of below working age;</p>
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					<p>3) the fact exposed the exploited workers to grave danger, considering the characteristics of the work to be performed and the working conditions.</p> <p>(1) Article added by Decree 138 dated 13 August 2011, as enacted by Law 148 dated 14 September 2011.</p>
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