

Annex 1

**PREDICATE OFFENCES FOR THE ADMINISTRATIVE LIABILITY
OF ORGANISATIONS UNDER LEGISLATIVE DECREE NO. 231/01**

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LEGISLATIVE DECREE NO. 231/2001

Legislative Decree no. 231 of 8 June 2001 “Regulations on the administrative liability of legal persons, companies and associations, including those without legal status, pursuant to Article 11 of Law no. 300 of 29 September 2000” (hereinafter also referred to as the “Decree”) came into force on 4 July 2001.

The Decree introduced into the Italian legal system the criminal liability of organisations (often referred to as corporate administrative liability), even if they have no legal status with the exclusion of the State, territorial public organisations, organisations performing functions of constitutional importance and other non-economic public organisations.

Today, like natural persons, organisations may be subject to criminal proceedings and may be subject to pecuniary and disqualifying penalties.

1.1 Subjective scope of the decree

The administrative liability of organisations may be recognised for certain offences committed (in Italy or abroad) in their interest or to their advantage, by certain persons.

These fall into three categories:

- persons entrusted with functions of representation, administration or management, of the organisation (or of one of its organisational units with financial and functional autonomy);
- persons exercising, even *de facto*, management or control over the organisation;
- persons subject to the management or supervision of one of the aforementioned persons.

1.2 Objective scope of the decree (outline)

The offences capable of generating the administrative liability of organisations (or “predicate offences”), in the original text of the decree, were originally limited to the category of offences against the Public Administration, contained in Articles 24 and 25 of the Decree.

Today, the list of predicate offences includes a long series of situations, gradually introduced by successive laws, indicated below in order of entry into force.

The offences that will be briefly mentioned here are analytically illustrated and exemplified in Chapter no. 2 of the Special Section of the document.

- 1) Law no. 409 of 23 November 2001

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Law no. 409/2001 introduced Article 25-bis of the Decree, which considers the offences of counterfeiting banknotes and coins, public credit cards and revenue stamps.

2) Legislative Decree no. 61 of 11 April 2002

Legislative Decree no. 61/2002 introduced Article 25-ter of the Decree, which refers to corporate offences, such as false corporate communications, unlawful distribution of profits and reserves, unlawful transactions on shares or quotas, influence peddling on the shareholders' meeting, market rigging and obstructing the exercise of the functions of public supervisory authorities.

3) Law no. 7 of 14 January 2003

Law no. 7/2003 introduced Article 25-quater of the Decree, referring to offences for the purposes of terrorism and subversion of the democratic order.

4) Law no. 228 of 11 August 2003

Law no. 228/2003 introduced Article 25-quinquies of the Decree, referring to offences against individuals, such as the enslavement or maintenance in slavery, the purchase and sale of slaves, prostitution and child pornography.

5) Law no. 62 of 18 April 2005

Law no. 62/2005 (the so-called "2004 Community Law") introduced Article 25-sexies of the Decree, including among the predicate offences of corporate administrative liability those consisting of "market abuse": insider trading and market manipulation.

The same Law no. 62/2005 introduced into Legislative Decree no. 58/1998 (or "Consolidated Law on Finance", or "TUF") Article 187-quinquies, which provides for the penalties of Legislative Decree no. 231/2001 against the organisation, when the abuse of inside information and market manipulation" does not assume criminal relevance, but is reduced to an administrative offence.

6) Law no. 262 of 28 December 2005

Law no. 262/2005 (the so-called Law on Savings) supplemented the pre-existing Article 25-ter of the Decree by including in its category the hypothesis of failure to disclose a conflict of interest.

7) Law no. 7 of 9 January 2006

Law no. 7/2006 introduced Article 25-quater.1 of the Decree (subsequent to Article 25-quater and preceding Article 25-quinquies) referring to female genital mutilation (codified by the same law of 2006 and introduced in Article 583-bis of the Italian Criminal Code).

8) Law no. 146 of 16 March 2006

Law no. 146/2006 (in ratifying the United Nations Convention and Protocols against transnational organised crime) provided for the liability of organisations for certain organised crime offences, if they assume all the connotations of 'transnationality', namely:

- a maximum sentence of not less than 4 years;
- involvement of an organised criminal group;
- internationality (understood as committing the offence in more than one State, or in one State only, but with a substantial part of the preparation, planning, direction or control in another);
- involvement of an organised criminal group engaged in criminal activities in more than one State.

9) Law no. 123 of 3 August 2007

Law no. 123/2007 introduced Article 25-septies of the Decree, thus including - among the predicate offences - the offences of manslaughter and grievous bodily harm, committed in violation of health and safety in workplace regulations.

10) Legislative Decree no. 231 of 21 November 2007

Legislative Decree no. 231/2007 ("Consolidated Anti-Money Laundering Act") introduced Article 25-octies of the Decree, associating corporate administrative liability also with the offences of receiving stolen goods, money laundering and the use of goods of unlawful origin.

11) Law no. 48 of 18 March 2008

Law no. 48/2008 introduced Article 24-bis of the decree, which considers computer crimes (attacks on the confidentiality or security of data and communications, falsification of computer documents and fraud in digital signature certification services).

12) Law no. 94 of 15 July 2009

Law no. 94/2009 introduced Article 24-ter of the Decree, which provides for corporate administrative liability for organised crime offences.

Some of the latter (criminal conspiracy, mafia-type conspiracy and conspiracy for the illegal trafficking of drugs) had already been associated with corporate administrative liability in 2006 (by Law no. 146/2006) but this liability was subject to the transnational nature of the offences (described in sub-section 8), which is no longer necessary today.

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The situations that can be considered newly introduced are those of mafia-type political electoral exchange, kidnapping (for the purpose of robbery or extortion) and the illegal manufacture, import, sale, transfer, possession and carrying of weapons.

13) Law no. 99 of 23 July 2009

Law no. 99/2009 supplemented the pre-existing Article 25-bis of the Decree and introduced new articles into the Decree.

The amended Article 25-bis covers cases relating to the counterfeiting of distinctive trademarks and the marketing of products with counterfeit trademarks.

Article 25-bis.1, introduced ex novo, provides for the administrative liability of organisations for offences against national industry and trade.

Article 25-novies, also introduced ex novo, provides for the administrative liability of organisations for certain conduct in breach of copyright.

14) Law no. 116 of 3 August 2009

Law no. 116/2009 introduced Article 25-decies of the Decree, which will include - among the predicate offences - inducement not to make statements, or to make false statements, that can be used in criminal proceedings.

The same offence had already been identified as a predicate offence by Law no. 146/2006, but only in cases where the offence had taken on the connotations of transnationality (which are summarised in section 8).

15) Legislative Decree no. 121 of 7 July 2011

Legislative Decree no. 121/2011 included in the Decree Article 25-undecies, with which the legislator provided for the punishability of organisations for certain environmental offences.

The same regulation also introduced two new offences into the Italian legal system (Article 727-bis and Article 733-bis of the Italian Criminal Code), with which the administrative liability of organisations was associated.

16) Legislative Decree no. 109 of 16 July 2012

Legislative Decree no. 109/2012 introduced Article 25-duodecies of the Decree, which punishes organisations for the crime of “employment of third-party country nationals whose stay is irregular”, provided for in Article 22, paragraph 12-bis of Legislative Decree no. 286/1998 (Consolidation Act on Immigration).

17) Law no. 190 of 6 November 2012

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Law no. 190/2012, in addition to having amended certain offences provided for in Article 25 of the Decree, supplemented the same Article 25 with the new offence of “undue induction to give or promise benefits” and introduced into Article 25-ter of the Decree the offence of “corruption between private individuals”.

18) Legislative Decree no. 39 4 March 2014

Legislative Decree no. 39/2014 included in the list of offences under Article 25-quinquies of the Decree (offences against the individual) the offence of “solicitation of minors” (Article 609-undecies of the Italian Criminal Code).

19) Law no. 186 of 15 December 2014

Law no. 186 of 15 December 2014 introduced the new offence of self-laundering (Article 648-ter.1) into the Italian Criminal Code. At the same time, the offence was included among the crimes referred to in Article 25-octies of the Decree as a prerequisite for the administrative liability of organisations.

20) Law no. 68 of 22 May 2015

Law no. 68 of 22 May 2015 extended the list of environmental offences under Article 25-undecies of the Decree, introducing the offences of “environmental pollution”, “environmental disaster”, “aggravated associative offences” and “trafficking in and abandonment of highly radioactive material”.

21) Law no. 69 of 27 May 2015

Law no. 69 of 27 May 2015 made changes to the offences against Public Administration (Article 25 of the Decree) and the offence of Mafia conspiracy (Article 25-ter of the Decree), mainly concerning the sanctioning treatment. The law also amended the offences of false corporate communications set out in Article 24-ter of the Decree.

22) Law no. 199 of 29 October 2016

Law 199/2016 introduced Article 603-bis of the Italian Criminal Code concerning “Illegal intermediation and labour exploitation” among the relevant offences under Legislative Decree 231/2001 (formerly Article 25-quinquies).

23) Law no. 236 of 11 December 2016

Article 1 of Law 236/2016 introduced Article 601-bis “Trafficking in organs removed from living persons” into the Italian Criminal Code. Article 2 of the law also incorporated this offence into para. 6 of Article 416 of the Italian Criminal Code. “Criminal association”, the latter case provided for in Article 24-ter of Legislative Decree 231/2001 Legislative Decree no. 38 of 14 April 2017

Legislative Decree 38/2017 transposed European Council Framework Decision 2003/568/JHA on combating corruption in the private sector into Italian law. The main changes introduced concern the revision of Article 2635 of the Italian Civil Code. “Corruption between private individuals” with reference to both “active” and “passive” corruption and enforcement of stricter penalties in the punitive framework pursuant to Legislative Decree 231/2001 and the introduction into the Civil Code of the new Article 2635-bis “Instigation to corruption among private individuals” and its integration among the relevant cases pursuant to Legislative Decree 231/2001 (with potential pecuniary and disqualifying penalties).

24) Law no. 161 of 19 November 2017

Law 161/2017 (so-called “Anti-Mafia Code”) supplemented Article 25-duodecies of Legislative Decree 231/2001 (“Employment of third-party country nationals whose stay is irregular”) with two new cases (Article 12, para. 3, 3-bis and 3-ter and Article 12, para. 5 of Legislative Decree 286/1998) relating to aiding and abetting illegal immigration.

25) Law no. 167 of 12 December 2017

Law 167/2017, containing “Provisions for the fulfilment of obligations arising from Italy's membership of the European Union”, among its provisions, introduced into Legislative Decree 231/2001 the new Article 25-terdecies “Racism and xenophobia”.

In particular, this article supplements the catalogue of offences underlying the administrative liability of organisations with the offences referred to in Article 3, para. 3-bis, of Law 654/1975, namely, propaganda, instigation and incitement to hatred or violence on racial, ethnic, national or religious grounds, committed in such a way as to give rise to a real danger of dissemination, which are based in whole or in part on the denial, gross trivialisation or apologia of the Shoah or crimes of genocide, crimes against humanity and war crimes.

26) Law no. 179 of 30 November 2017

Law 179/2017 containing “Provisions for the protection of individuals making reports of offences or irregularities of which they have become aware in the context of a public or private employment relationship” (so-called “Whistleblowing”), integrated 3 new paragraphs into Article 6 of Legislative Decree 231/2001, providing for certain requirements in the system for managing reports.

27) Legislative Decree no. 21 of 6 April 2018

Legislative Decree 21/2018 containing “Provisions implementing the principle of delegation of code reserve in criminal matters pursuant to Article 1, para. 85, letter q) of Law no. 103 of 23 June 2017” introduced the following relevant amendments pursuant to Legislative Decree 231/2001:

- Article 260 of Legislative Decree 152/2006, referred to in Article 25-undecies of Legislative Decree 231/2001 (“Environmental offences”), has been repealed and replaced by the new Article 452-quaterdecies of the Italian Criminal Code. “Organised activities for the illegal trafficking of waste”;

- Article 3 of Law 654/1975, referred to by Article 25-terdecies of Legislative Decree 231/2001 (“Racism and xenophobia”), has been repealed and replaced by the new Article 604-bis of the Italian Criminal Code. “Propaganda and incitement to commit offences on grounds of racial, ethnic and religious discrimination”.

28) Legislative Decree no. 107 of 29 September 2018

Legislative Decree 107/2018 brought the Italian legal system in line with the provisions of EU Regulation 596/2014 on market abuse.

With reference to the administrative liability of organisations pursuant to Legislative Decree 231/2001, the aforementioned legislative provision made amendments to the articles of the Consolidated Law on Finance (TUF) referred to in Article 25-sexies (Market Abuse) with reference to both Criminal penalties (Chapter II of the Consolidated Law on Finance), namely, Article 184 “Insider Trading” and Article 185 “Market Manipulation” and to Administrative Sanctions (Chapter III of the Consolidated Law on Finance), namely, Article 187-bis “Abuse and Unlawful Disclosure of Inside Information” and Article 187-ter “Market Manipulation”.

29) Law no. 3 of 31 January 2019

On 31 January 2019, Law 3/2019 containing “Measures to combat offences against the public administration, as well as on the statute of limitations of offences and on the transparency of political parties and movements” (so-called “Anticorruption Law” or “Anti-Corruption Sweep”) came into force.

The Law introduced the offence of “Influence peddling” (Article 346-bis of the Italian Criminal Code) as a prerequisite for the administrative liability of organisations (Article 25 of the Decree) and the increase of the duration of the disqualifying penalties provided for offences against the Public Administration, as well as a reduction of the same for collaborative conduct.

Other new features introduced by Law 3/2019 include the prosecution ex officio for the offences of corruption between private individuals (Article 2635 of the Italian Civil Code) and incitement to corruption among private individuals (Article 2635-bis of the Italian Civil Code), as well as the amendment of the heading of Article 322-bis of the Italian Criminal Code, which extends the list of persons to whom the provisions on corruption of the Italian Criminal Code apply.

30) Law no. 39 of 16 May 2019

Law 39/2019 containing “Ratification and implementation of the Council of Europe Convention on the Manipulation of Sports Competitions, concluded in Magglingen on 18 September 2014”, introduced the new Article 25-quaterdecies “Fraud in sporting competitions, unauthorised exercise of gaming or betting and gambling exercised by means of prohibited devices” into Legislative Decree 231/2001. In particular, this article integrates the catalogue of offences underlying the administrative liability of organisations with Articles 1 (“Fraud in sporting competitions”) and 4 (“Unauthorised exercise of gambling or betting activities”) of Law 401/1989.

31) Law no. 43 of 27 May 2019

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On 27 May, Law 43/2019 “Amendment to Article 416-ter of the Italian Criminal Code on political-mafia vote exchange” was published in the Official Gazette, which provided for a revision of the case of “Political-mafia electoral exchange” (Article 416-ter of the Italian Criminal Code), a predicate offence for the administrative liability of organisations under the Decree.

In particular, the new wording of Article 416-ter of the Italian Criminal Code establishes: i) the application of stricter penalties, which go from a minimum of six and a maximum of twelve years to a minimum of ten and a maximum of fifteen years; ii) the extension of punishability also to cases in which the offending conduct was carried out through the use of intermediaries; iii) the extension of the object of the consideration of those who obtain the promise of votes; in particular, it will no longer be only money and any other goods that will be taken into account, but also “the willingness to satisfy the interests or needs of the Mafia organisation”.

32) Decree-Law no. 105 of 21 September 2019

On 21 September, the Decree Law “Urgent provisions on the perimeter of national cyber security” was published, considering the extraordinary need and urgency, in the current regulatory framework and in the face of the ongoing construction of important and strategic technological infrastructures, also in relation to recent attacks on the networks of European countries, to have, for national security purposes, a system of bodies, procedures and measures, which allows an effective assessment from a technical point of view of the security of equipment and products, in line with the highest and most up-to-date security measures adopted at an international level.

In particular, Article 1 Paragraph 11 of the aforementioned Decree punishes the violation of the rules on the National Cyber Security Perimeter.

33) Law no. 157 of 19 December 2019

Law 157/2019 “Conversion into law, with amendments, of Decree-Law no. 124 of 26 October 2019, containing urgent provisions on tax matters and for unavoidable needs”, introduced into Legislative Decree 231/2001 the new Article 25-quinquiesdecies “Tax offences”, which provides for the administrative liability of organisations for the following offences:

- fraudulent declaration using invoices or other documents for non-existent transactions (Article 2, para. 1 and 2-bis of Legislative Decree 74/2000);
- fraudulent declaration by means of other subterfuges (Article 3, Legislative Decree 74/2000);
- issue of invoices or other documents for non-existent transactions (Article 8, para.1 and 2-bis of Legislative Decree 74/2000);
- concealment or destruction of accounting documents (Article 10, Legislative Decree 74/2000);
- fraudulent evasion of taxes (Article 11, Legislative Decree 74/2000).

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34) Legislative Decree no. 75/2020 implementing Directive (EU) 2017/1371 (the so-called PFI Directive [Protecting Financial Interests Directive])

Legislative Decree 75/2020 introduces several changes to the administrative liability of organisations, expanding the catalogue of predicate offences. In particular:

- Article 24 adds the offence of fraud in public supply (Article 356 of the Italian Criminal Code) and the offence referred to in Article 2 of Law 898/1986, which punishes “anyone who, by means of the presentation of false data or information, unduly obtains, for himself/herself or others, aid, premiums, indemnities, refunds, contributions or other disbursements from the European Agricultural Guarantee Fund and the European Agricultural Fund for Rural Development”;
- The offences of embezzlement (Article 314 of the Italian Criminal Code), embezzlement by profiting from the error of others (Article 316 of the Italian Criminal Code) and abuse of office (Article 323 of the Italian Criminal Code) are added to Article 25, which are relevant where the conduct results in damage to the financial interests of the European Union;
- Article 25-quinquiesdecies adds the offences of misrepresentation (Article 4 Legislative Decree 74/2000), omitted declaration (Article 5 Legislative Decree 74/2000) and undue compensation (Article 10-quater Legislative Decree 74/2000);
- Article 25-sexiesdecies is added under the heading of smuggling, which covers the offences referred to in Presidential Decree no. 43 of 23 January 1973 (Consolidated Text on Customs Matters), with penalties of up to 200 quotas in the basic case; where the amount of border duties due exceeds €100,000, the penalty may be as high as 400 quotas.

35) Legislative Decree no. 184/2021

Legislative Decree 184/2021 “Implementation of (EU) Directive 2019/713 of the European Parliament and of the Council of 17 April 2019 on combating fraud and counterfeiting of non-cash means of payment and replacing Council Framework Decision 2001/413/JHA” introduced into Legislative Decree 231/2001 the new Article 25-octies 1 “Crimes relating to non-cash means of payment”, which provides for the administrative liability of organisations for the following crimes:

- Misuse and counterfeiting of non-cash payment instruments (Article 493-ter of the Italian Criminal Code);
- Possession and distribution of computer equipment, devices or IT programmes aimed at committing offences involving non-cash payment instruments (Article 493-quater of the Italian Criminal Code);
- Computer fraud aggravated by transferring money, monetary value or virtual currency (Article 640-ter of the Italian Criminal Code);
- Other cases.

36) Legislative Decree no. 195/2021

Legislative Decree 195/2021 “Implementation of Directive (EU) 2018/1673 of the European Parliament and of the Council of 23 October 2018 on combating money laundering by means of criminal law” extended the punishability, to criminal conduct resulting from culpable offences and misdemeanours, of the following offences:

- Receiving stolen goods (Article 648 of the Italian Criminal Code);
- Money laundering (Article 648-bis of the Italian Criminal Code);
- Use of money, goods or benefits of unlawful origin (Article 648-ter of the Italian Criminal Code);
- Self-laundering (Article 648-ter.1 of the Italian Criminal Code).

37) Law no. 215/2021

Law 215/2021 “Conversion into law, with amendments, of Decree-Law no. 146 of 21 October 2021, containing urgent measures on economic and fiscal matters, to protect labour and for unavoidable needs” introduced certain amendments to the Consolidated Safety at Work Act (Legislative Decree 81/08).

38) Law no. 238/2021

Law 238/2021 “Provisions for the fulfilment of obligations arising from Italy’s membership of the European Union - European Law 2019-2020” amended certain types of offences relating to computer crimes (Article 24-bis Legislative Decree 231/01), offences against the individual (Article 25-quinquies Legislative Decree 231/01) and market abuse offences (Article 25-sexies Legislative Decree 231/01).

39) Decree-Law no. 4/2022 and Conversion Law no. 25/2022

Decree-Law 4/2022 and Conversion Law 25/2022 “Urgent measures in support of businesses and economic operators, labour, health and territorial services, related to the COVID-19 emergency, as well as for the containment of the effects of price increases in the electricity sector” made certain amendments to the Italian Criminal Code and to Legislative Decree 231/2001 for the purpose of combating fraud in public disbursements.

40) Law no. 22/2022

Law 22/2022 “Provisions on offences against cultural heritage” introduced into Legislative Decree 231/2001:

- the new Article 25 septiesdecies “Offences against the cultural heritage”, which provides for the administrative liability of organisations for the following offences:
 - Theft of cultural property (Article 518-bis of the Italian Criminal Code);

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- Misappropriation of cultural property (Article 518-ter of the Italian Criminal Code);
 - Receiving stolen cultural property (Article 518-quater of the Italian Criminal Code);
 - Falsification in a private contract relating to cultural property (Article 518-octies of the Italian Criminal Code);
 - Violations relating to the transfer of cultural property (Article 518-novies of the Italian Criminal Code);
 - Illegal importation of cultural property (Article 518-decies of the Italian Criminal Code);
 - Illegal export of cultural property (Article 518-undecies of the Italian Criminal Code);
 - Destruction, dispersal, deterioration, defacement, spoiling and unlawful use of cultural or landscape property (Article 518-duodecies of the Italian Criminal Code);
 - Counterfeiting of works of art (Article 518-quaterdecies of the Italian Criminal Code).
- the new Article 25 duodevices “Laundering of cultural goods and devastation and looting of cultural and landscape property”, which provides for the administrative liability of organisations for the following offences:
- Laundering of cultural property (Article 518-sexies of the Italian Criminal Code);
 - Destruction and looting of cultural and landscape property (Article 518-terdecies of the Italian Criminal Code).

41) Legislative Decree no. 156/2022

Legislative Decree 156/2022 “Corrective and supplementary provisions of Legislative Decree no. 75 of 14 July 2020 implementing Directive (EU) 2017/1371 on combating fraud affecting the financial interests of the European Union by means of criminal law” made certain amendments to the Italian Criminal Code and to Legislative Decree no. 231/2001 for combating fraud affecting the financial interests of the European Union.

42) Legislative Decree no. 19/2023

Legislative Decree 19/2023 “Implementation of (EU) Directive 2019/2121 of the European Parliament and of the Council of 27 November 2019 amending (EU) Directive 2017/1132 as regards cross-border transformations, mergers and divisions” introduces a change in the administrative liability of organisations, expanding the catalogue of predicate offences.

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In particular, the offence “False or omitted declarations for the issuance of the preliminary certificate” is added to Article 25 ter, referred to in Article 54 of Legislative Decree no. 19/2023, which punishes “Whoever, in order to make it appear that the conditions for the issuance of such certificate have been fulfilled, forms documents that are wholly or partially false, alters true documents, makes false declarations or omits relevant information may be punished with imprisonment from six months to three years. In the most serious cases (entailing a sentence of not less than eight months' imprisonment), the ancillary penalty of temporary disqualification from the executive offices of legal persons and companies under Article 32-bis of the Italian Criminal Code will also be applicable”.

43) Legislative Decree no. 24/2023

Legislative Decree 24/2023 “Implementation of (EU) Directive 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of European Union law and governing the protection of persons who report breaches of national laws” brings together in a single piece of legislation the entire discipline of reporting channels and the protections afforded to whistleblowers in both the public and private sectors. Therefore, the result is an organic and uniform discipline aimed at greater protection of the whistleblower, who is given greater incentive to report wrongdoing within the limits and in the manner indicated in the decree itself.

44) Law no. 137/2023

The catalogue of predicate offences for the administrative liability of organisations pursuant to Legislative Decree 231/2001 has been extended with the introduction of the following offences: obstructing the lawfulness of the freedom of choice of public tenders (Article 353 of the Italian Criminal Code); obstructing the freedom of choice of contractor procedure (Article 353-bis of the Italian Criminal Code); fraudulent transfer of assets (Article 512-bis of the Italian Criminal Code).

Below is a description of the offences and administrative offences the commission determines, of which, if the conditions set out in Legislative Decree 231/2001 are met, give rise to the Organisation's administrative liability pursuant to the aforementioned legislation.

A. OFFENCES AGAINST THE PUBLIC ADMINISTRATION

[Articles 24 and 25 of Legislative Decree 231/2001]

THE STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 24 of Legislative Decree no. 231/2001	<p>Misappropriation of public funds (Article 316-bis of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 500 quotas; - in cases of significant profit or damage of particular gravity, from 200 to 600 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; from three months to two years. 	<p>Article 316-bis of the Italian Criminal Code - "Misappropriation to the detriment of the State".</p> <p><i>"Whoever, outside the public administration, having obtained from the State or other public body or from the European Communities grants, subsidies, loans, subsidised loans or other disbursements of the same kind, however denominated, intended for the achievement of one or more purposes, does not allocate them for the intended purposes, shall be punished with imprisonment from six months to four years".</i></p>
Article 24 of Legislative Decree no. 231/2001	<p>Aggravated fraud for obtaining public funds (Article 640-bis of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 500 quotas; - in cases of significant profit or damage of particular gravity, from 200 to 600 quotas. <p>Disqualifying penalties:</p>	<p>Article 640-bis of the Italian Criminal Code - "Aggravated fraud to obtain public funds".</p> <p><i>"The punishment shall be imprisonment for a term of between two and seven years, and prosecution shall be ex officio if the act referred to in Article 640 relates to contributions, subsidies, financing, subsidised loans or other disbursements of the same kind, however denominated, granted or disbursed by the State, other public bodies or the European Communities".</i></p>

THE STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<ul style="list-style-type: none"> - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; from three months to two years. 	
Article 24 of Legislative Decree no. 231/2001	<p>Misappropriation of public funds (Article 316-ter of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 500 quotas; - in cases of significant profit or damage of particular gravity, from 200 to 600 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; from three months to two years. 	<p>Article 316-ter of the Italian Criminal Code – “Misappropriation of public funds”.</p> <p><i>“Unless the act constitutes the offence laid down in Article 640-bis, anyone who, by using or submitting false statements or documents or attesting to untrue things, or by omitting due information, unduly obtains, for himself/ herself or for others, contributions, subsidies, financing, subsidised loans or other disbursements of the same type, however denominated, granted or disbursed by the State, other public bodies or the European Communities shall be punished by imprisonment from six months to three years. The punishment shall be imprisonment from one to four years if the act is committed by a public official or by a person in charge of a public service with abuse of his/ her position or powers. The penalty is imprisonment from six months to four years if the act offends the financial interests of the European Union and the damage or profit exceeds € 100,000.</i></p> <p><i>When the sum unduly received is equal to or less than € 3,999.96, only the administrative sanction of the payment of a sum of money ranging from € 5,164 to € 25,822 shall apply. This sanction cannot, however, exceed three times the amount of the benefit obtained”.</i></p>
Article 24 of Legislative Decree no. 231/2001	<p>Fraud against the State or other public body or the European Communities (Article 640, para 2, no. 1 of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 500 quotas; - in cases of significant profit or damage of particular gravity, from 200 to 600 quotas. 	<p>Article 640 of the Italian Criminal Code - “Fraud against the State or other public body or the European Communities</p> <p><i>“Whoever, by means of artifice or deception, misleads someone, procures for himself/ herself or others an unjust profit to the detriment of others, shall be punished by imprisonment of from six months to three years and a fine of from € 51 to € 1,032.</i></p> <p><i>The penalty is imprisonment from one to five years and a fine ranging from € 309 to € 1,549:</i></p> <p><i>(1) if the act is committed to the detriment of the State or another public body or on the pretext of having someone exempted from military service;</i></p> <p><i>(2) if the act is committed by creating in the injured party the fear of an imaginary danger or the erroneous belief that he must carry out an order of the Authority. The offence is punishable on complaint by the injured party, unless one of the circumstances provided for in the preceding paragraph or another aggravating circumstance applies.</i></p>

THE STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	Disqualifying penalty: <ul style="list-style-type: none"> - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; from three months to two years. 	
Article 24 of Legislative Decree no. 231/2001	Computer fraud to the detriment of the State or other Public Body (Article 640-ter of the Italian Criminal Code) Pecuniary penalty: <ul style="list-style-type: none"> - from 100 to 500 quotas; - in cases of significant profit or damage of particular gravity, from 200 to 600 quotas. Disqualifying penalty: <ul style="list-style-type: none"> - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; 	<p>Article 640-ter of the Italian Criminal Code - “Computer fraud to the detriment of the State or other Public Body Whoever, by altering in any way the operation of a computer or telecommunications system or by intervening without right in any way on data, information or programmes contained in a computer or telecommunications system or pertaining thereto, procures for himself/ herself or others an unjust profit to the detriment of others, shall be punished with imprisonment from six months to three years and with a fine ranging from € 51 to € 1,032. The punishment shall be imprisonment from one to five years and a fine ranging from € 309 to € 1,549 if one of the circumstances envisaged in number 1 of the second paragraph of Article 640 applies, or if the act is committed with abuse of the capacity of system operator.</p> <p>The offence shall be punishable on complaint by the injured party, unless one of the circumstances referred to in the second paragraph or another aggravating circumstance occurs.</p>
Article 24 of Legislative Decree no. 231/2001	Obstructing the lawfulness of public tenders (Article 353 of the Italian Criminal Code) Pecuniary penalty: <ul style="list-style-type: none"> - up to 500 quotas; - in cases of significant profit or damage of particular gravity, from 200 to 600 quotas. Disqualifying penalty:	<p>Article 353 of the Italian Criminal Code - “Obstructing the lawfulness of public tenders”. “Whoever with violence or threats or with promises of collusion or other fraudulent means prevents or disrupts tenders in public bids or private tenders on behalf of public administrations, or drives away the bidders, shall be punished by imprisonment from six months to five years and a fine ranging from € 103 to € 1,032. If the offender is a person entrusted by law or authority with the aforementioned public tenders or bids, the term of imprisonment shall be from one to five years and the fine from € 516 to € 2,065. The penalties laid down in this article also apply in the case of private tenders on behalf of private persons conducted by a public official or a person legally authorised to do so, but are halved”.</p>

THE STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<ul style="list-style-type: none"> - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; 	
Article 24 of Legislative Decree no. 231/2001	<p>Obstructing the freedom of choice of contractor procedure (Article 353-bis of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - up to 500 quotas; - in cases of significant profit or damage of particular gravity, from 200 to 600 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; 	<p>Article 353 of the Italian Criminal Code - “Obstructing the lawfulness of public tenders”</p> <p><i>“Unless the fact constitutes a more serious offence, anyone who, by means of violence or threats or with gifts, promises of collusion or other fraudulent means, obstructs the administrative procedure aimed at establishing the content of the call for tenders or other equivalent act in order to influence the manner in which the public administration chooses the contractor shall be punished by imprisonment from six months to five years and a fine ranging from € 103 to € 1,032.”</i></p>
Article 24 of Legislative Decree no. 231/2001	<p>Fraud in public procurement (Article 356 of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 500 quotas; - in cases of significant profit or damage of particular gravity, from 200 to 600 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - ban on contracting with the public administration; 	<p>(Article 356 of the Italian Criminal Code) “Fraud in public procurement”</p> <p><i>“Whoever commits fraud in the performance of supply contracts or in the fulfilment of other contractual obligations indicated in the preceding Article shall be punished by imprisonment of one to five years and a fine of not less than € 1,032.</i></p> <p><i>[III]. The penalty shall be increased [64] in the cases provided for in the first paragraph of the preceding article”.</i></p>

Commentato [A1]: Proofreader’s note: Shouldn’t this be Art. 353-bis? “Obstructing the freedom of choice of contractor procedure”

THE STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<ul style="list-style-type: none"> - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; from three months to two years. 	
Article 24 of Legislative Decree no. 231/2001	<p>Fraud against the European Agricultural Guarantee Fund and the European Agricultural Fund for Rural Development Article 2 of Law no. 898/1986</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 500 quotas; - in cases of significant profit or damage of particular gravity, from 200 to 600 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; from three months to two years. 	<p>Article 2 of Law no. 898/1986: "Fraud against the European Agricultural Guarantee Fund and the European Agricultural Fund for Rural Development"</p> <p><i>"1. Unless the act constitutes a more serious offence envisaged by Article 640-bis of the Italian Criminal Code, whoever, by means of the presentation of false data or information, unduly obtains, for himself/ herself or for others, aids, premiums, indemnities, refunds, contributions or other disbursements to be borne in whole or in part by the European Agricultural Guarantee Fund and the European Agricultural Fund for Rural Development, shall be punished with imprisonment from six months to three years. The penalty shall be imprisonment from six months to four years where the damage or profit exceeds € 100,000. Where the sum unduly received is equal to or less than € 5,000, only the administrative penalty set out in the following articles shall apply (1).</i></p> <p><i>2. For the purposes of paragraph 1 above and of paragraph 1 of Article 3, payments from the European Agricultural Guarantee Fund and the European Agricultural Fund for Rural Development shall be treated in the same way as the national quotas provided for by Community legislation to supplement the sums charged to these Funds, as well as payments charged in full to the national budget on the basis of European Community legislation (2).</i></p> <p><i>3. In the judgment the judge shall also determine the amount unduly received and order the guilty party to repay it to the administration that ordered the disbursement stated in paragraph 1".</i></p>
Article 25 of Legislative Decree no. 231/2001	<p>Extortion (Article 317 of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 300 to 800 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; 	<p>Article 317 of the Italian Criminal Code - "Extortion".</p> <p><i>"A public official or a person in charge of a public service who, abusing his/ her position or powers, forces someone to give or promise unduly, to him/ her or to a third party, money, goods or other benefits shall be punished by imprisonment from six to twelve years".</i></p>

THE STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<ul style="list-style-type: none"> - suspension or revocation of authorisations, licences functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; <p>from one to two years.</p>	
Article 25 of Legislative Decree no. 231/2001	<p>Corruption for the exercise of a function (Article 318 of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 200 quotas. 	<p>Article 318 of the Italian Criminal Code - <i>"Corruption for the exercise of a function".</i> <i>A public official who, in the exercise of his/ her functions or powers, unduly receives, for himself/ herself or for a third party, money, goods or other benefits or accepts the promise thereof shall be punished by imprisonment from three to eight years".</i></p>
Article 25 of Legislative Decree no. 231/2001	<p>Corruption for an act contrary to official duties (Article 319 of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 200 to 600 quotas; - from 300 to 800 quotas for aggravated cases pursuant to Article 319-bis. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; 	<p>Article 319 of the Italian Criminal Code - <i>"Corruption for an act contrary to official duties".</i> <i>A public official who, in order to omit or delay or to have omitted or delayed an act of his/ her office, or to perform or to have performed an act contrary to the duties of his/ her office, receives, for himself/ herself or for a third party, money, goods or other benefits, or accepts the promise thereof, shall be punished with imprisonment from six to ten years".</i></p> <p>Article 319-bis of the Italian Criminal Code - <i>"Aggravating circumstances".</i> <i>"The punishment shall be increased if the offence referred to in Article 319 relates to the bestowal of public employment or salaries or pensions or to the conclusion of contracts in which the administration to which the public official belongs is concerned.</i></p>

THE STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	for a duration (a) of not less than four years and not more than seven years in the case of commission by a senior person; (b) of not less than two years and not more than four years in the case of commission by persons subject to the direction and supervision of senior persons.	
Article 25 of Legislative Decree no. 231/2001	<p>Corruption in legal proceedings (Article 319-ter of the Italian Criminal Code)</p> <p>Pecuniary penalty: from 200 to 600 quotas for paragraph 1; from 300 to 800 quotas for paragraph 2.</p> <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; <p>for a duration (a) of not less than four years and not more than seven years in the case of commission by a senior person; (b) of not less than two years and not more than four years in the case of commission by persons subject to the direction and supervision of senior persons.</p>	<p>Article 319-ter of the Italian Criminal Code - "Corruption in legal proceedings".</p> <p><i>"If the facts indicated in Articles 318 and 319 are committed in order to favour or damage a party in a civil, criminal or administrative trial, the penalty is imprisonment from six to twelve years.</i></p> <p><i>If the fact results in the unjust conviction of a person to imprisonment of no more than five years, the punishment shall be imprisonment of from six to fourteen years; if the fact results in the unjust conviction to imprisonment of more than five years or to life imprisonment, the punishment shall be imprisonment of from eight to twenty years".</i></p>
Article 25 of Legislative Decree no. 231/2001	<p>Undue inducement to give or promise benefits (Article 319-quater of the Italian Criminal Code)</p> <p>Pecuniary penalty: from 300 to 800 quotas.</p>	<p>Article 319-quater of the Italian Criminal Code – "Undue inducement to give or promise benefits".</p> <p><i>"Unless the act constitutes a more serious offence, a public official or a person in charge of a public service who, abusing his/her position or powers, induces someone to give or promise unduly, to him/her or to a third party, money, goods or other benefits shall be punished by imprisonment from six to ten years.</i></p>

THE STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	Disqualifying penalty: <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; for a duration (a) of not less than four years and not more than seven years in the case of commission by a senior person; (b) of not less than two years and not more than four years in the case of commission by persons subject to the direction and supervision of senior persons.	<i>In the cases indicated in the first paragraph, for those who promise money, goods or other benefits, the punishment is imprisonment for a period of up to three years".</i>
Article 25 of Legislative Decree no. 231/2001	Corruption of a person in charge of a public service (Article 320 of the Italian Criminal Code) <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - see penalties provided for the articles referred to in the present case 	Article 320 – “Corruption of a person in charge of a public service” <i>“The provisions of Articles 318 and 319 also apply to a person in charge of a public service. In any case, the penalties are reduced by no more than one third”.</i>
Article 25 of Legislative Decree no. 231/2001	Penalties for the corruptor (Article 321 of the Italian Criminal Code) <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - see penalties provided for the articles referred to in the present case <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - see penalties laid down for the articles referred to in the present case for a duration (a) of not less than four years and not more than seven years in the case of commission by a 	Article 321 of the Italian Criminal Code – “Penalties for the corruptor” <i>“The penalties established in the first paragraph of Article 318, Article 319, Article 319-bis, Article 319-ter, and in Article 320 in relation to the aforementioned situations of Articles 318 and 319, also apply to those who give or promise money, goods or other benefits to the public official or to the person in charge of a public service”.</i>

THE STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	senior person; (b) of not less than two years and not more than four years in the case of commission by persons subject to the direction and supervision of senior persons.	
Article 25 of Legislative Decree no. 231/2001	<p>Incitement to corruption (Article 322 of the Italian Criminal Code)</p> <p>Pecuniary penalty: from 100 to 200 quotas for paragraphs 1 and 3; from 200 to 600 quotas for paragraphs 2 and 4.</p> <p>Disqualification sanction only for paragraphs 2 and 4:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; <p>for a duration (a) of not less than four years and not more than seven years in the case of commission by a senior person; (b) of not less than two years and not more than four years in the case of commission by persons subject to the direction and supervision of senior persons.</p>	<p>Article 322 of the Italian Criminal Code – “Incitement to corruption” .</p> <p><i>“Whoever offers or promises money, goods or other benefits not due to a public official or a person in charge of a public service, for the exercise of his/ her functions or powers, shall be subject, if the offer or promise is not accepted, to the penalty laid down in the first paragraph of Article 318, reduced by one third.</i></p> <p><i>If the offer or promise is made in order to induce a public official or a person in charge of a public service to omit or delay an act of his/ her office, or to perform an act contrary to his/ her duties, the offender shall be liable, if the offer or promise is not accepted, to the penalty laid down in the first paragraph of Article 319, reduced by one third.</i></p> <p><i>The punishment referred to the first paragraph shall apply to a public official or a person in charge of a public service who solicits a promise or donation of money, goods or other benefits for the exercise of his/ her functions or powers.</i></p> <p><i>The penalty referred to in the second paragraph shall apply to a public official or a person in charge of a public service who solicits a promise or giving of money, goods or other benefits from a private individual for the purposes indicated in Article 319.”</i></p>
Article 25 of Legislative Decree no. 231/2001	<p>Embezzlement, extortion, undue inducement to give or promise benefits, corruption and abuse of office by international bodies or organs of the European Communities or international parliamentary assemblies or international organisations and officials of the European Communities and foreign States (Article 322-bis of the Italian Criminal Code)</p>	<p>Article 322-bis of the Italian Criminal Code - “Embezzlement, extortion, undue inducement to give or promise benefits, corruption and incitement to corruption of members of bodies of the European Communities and of officials of the European Communities and of foreign States”</p> <p><i>“The provisions of Articles 314, 316, 317 to 320 and 322, third and fourth paragraphs, shall also apply:</i></p> <p><i>1) to members of the European Commission, the European Parliament, the Court of Justice and the European Court of Auditors;</i></p>

THE STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<p>Pecuniary penalty: see penalties provided for the articles referred to in the present case</p>	<p>2) to officials and other civil servants engaged under contract in accordance with the Staff Regulations of Officials of the European Communities or the conditions of employment of other civil servants of the European Communities; 3) to persons under the order of any of the Member States or by any public or private body to the European Communities who carry out functions corresponding to those of officials or public servants of the European Communities; 4) to members and employees of bodies set up on the basis of the Treaties establishing the European Communities; 5) to persons who, within the framework of other Member States of the European Union, perform functions or activities corresponding to those of public officials and persons in charge of a public service. 5-bis) to judges, prosecutors, deputy prosecutors, officers and agents of the International Criminal Court, persons under the order of any States Parties to the Treaty establishing the International Criminal Court who perform functions corresponding to those of officers or agents of the International Criminal Court, members and employees of bodies set up under the Treaty establishing the International Criminal Court. 5-ter) to persons exercising functions or activities corresponding to those of public officials and persons responsible for a public service within international public organisations; 5-quater) to members of international parliamentary assemblies or of an international or supranational organisation and to judges and officials of international courts. The provisions of Articles 319-quater, second paragraph, 321 and 322, first and second paragraphs, shall also apply if the money or other goods or benefits are given, offered or promised: 1) to the persons indicated in the first paragraph of this article; 2) to persons performing functions or activities corresponding to those of public officials and persons in charge of a public service within other foreign States or international public organisations. The persons indicated in the first paragraph are assimilated to public officials, if they perform corresponding functions, and to persons in charge of a public service in other cases”.</p>
Article 25 of Legislative Decree no. 231/2001	<p>Influence peddling (Article 346-bis of the Italian Criminal Code)</p> <p>Pecuniary penalty: - see penalties provided for the articles referred to in the present case</p>	<p>Article 346-bis Italian Criminal Code - “Influence peddling” “Whoever, apart from cases of complicity in the offences stated in Articles 318, 319, 319-ter and in the corruption offences stated in Article 322-bis, exploiting or boasting existing or alleged relations with a public official or a person in charge of a public service or one of the other persons stated in Article 322-bis, unduly causes to be given or promised, to himself/ herself or to others money, goods or other benefits, as the price of their unlawful mediation with a public official or a person in charge of a public service or one of the other persons stated in Article 322-bis, or to remunerate him/ her in relation to the exercise of his/ her functions or powers, shall be punished by imprisonment from one year to four years and six months. The same punishment applies to anyone who unduly gives or promises money or other goods or benefits. The penalty is increased if the person who unduly gives or promises, to himself/ herself or to others, money, goods or other benefits is a public official or a person in charge of a public service.</p>

THE STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
		<i>The penalties are also increased if the facts are committed in relation to the exercise of judicial activities or to remunerate the public official or the person in charge of a public service or one of the other persons stated in Article 322-bis in relation to the performance of an act contrary to the duties of his/her office or the omission or delay of an act of his/her office. If the facts are particularly minor, the penalty shall be reduced”.</i>
Article 25 of Legislative Decree no. 231/2001	<p>Embezzlement (Article 314 paragraph 1 of the Italian Criminal Code)</p> <p>Pecuniary penalties: - up to 200 quotas.</p> <p>The circumstances of the offence give rise to the liability of the organisation only where the act causes damage to the financial interests of the European Union.</p>	<p>Article 314, para. 1 of the Italian Criminal Code: “Embezzlement” <i>“The public official [357] or the person in charge of a public service [358], who, having for reason of his/her office or service the possession or otherwise the availability of money or other movable property of others, appropriates it, shall be punished with imprisonment from four years to ten years and six months</i></p>
Article 25 of Legislative Decree no. 231/2001	<p>Embezzlement by profiting from the error of others (Article 316 of the Italian Criminal Code)</p> <p>Pecuniary penalties: - up to 200 quotas.</p> <p>The circumstances of the offence give rise to the liability of the organisation only where the act causes damage to the financial interests of the European Union.</p>	<p>Article 316: “Embezzlement by profiting from the error of others” <i>“[I]. The public official [357] or the person in charge of a public service [358], who, in the performance of his/her duties or service, taking advantage of the error of others, unduly receives or considers, for himself/herself or a third party, money or other benefits, shall be punished by imprisonment from six months to three years [323-bis; 381^{2a}, 4 Italian Code of Criminal Procedure].</i> <i>[III]. The penalty is imprisonment from six months to four years when the act offends the financial interests of the European Union and the damage or profit exceeds € 100,000”.</i></p>
Article 25 of Legislative Decree no. 231/2001	<p>Abuse of office (Article 323 para. 1 of the Italian Criminal Code)</p> <p>Pecuniary penalties: - up to 200 quotas.</p>	<p>Article 323 of the Italian Criminal Code: “Abuse of office” <i>“[I]. Unless the act constitutes a more serious offence, a public official or a public service appointee who, in the performance of his/her duties or service, in breach of specific rules of conduct expressly laid down by law or by acts having the force of law and from which there is no margin of discretion, or by failing to abstain in the presence of his/her own interest or that of a close relative or in the other prescribed cases, intentionally procures for himself/herself or for others an unjust financial advantage or causes others unjust damage, shall be punished by imprisonment from one to four years.</i> <i>[III]. The penalty is increased in cases where the advantage or damage is of a significant gravity”.</i></p>

THE STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	The circumstances of the offence give rise to the liability of the organisation only where the act causes damage to the financial interests of the European Union.	

B. COMPUTER CRIMES AND UNLAWFUL PROCESSING OF DATA

[Article 24 *bis* of Legislative Decree no. 231/2001]

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 24 <i>bis</i> of Legislative Decree no. 231/2001	<p>Unauthorised access to a computer or telecommunications system (Article 615-ter of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 500 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on advertising goods and services; <p>from three months to two years.</p>	<p>Article 615-ter of the Italian Criminal Code – “Unauthorised access to a computer or telecommunications system”.</p> <p><i>“Whoever illegally gains access to a computer or telecommunication system protected by security measures, or who remains there against the express or tacit will of those who have the right to exclude him/ her, shall be punished with imprisonment of up to three years.</i></p> <p><i>The penalty is imprisonment for a term of between one and five years:</i></p> <p><i>1) if the act is committed by a public official or by a person in charge of a public service, with abuse of power or with violation of the duties inherent in the function or service, or by a person who also illegally exercises the profession of private detective, or with abuse of the quality of system operator;</i></p> <p><i>2) if the offender uses violence against things or persons in order to commit the act, or if he/ she is obviously armed;</i></p> <p><i>3) if the act results in the destruction of or damage to the system or the total or partial interruption of its operation, or the destruction of or damage to the data, information or programmes contained therein.</i></p> <p><i>If the facts stated in the first and second paragraphs concern computer or telecommunications systems of military interest or relating to public order or public safety or health or civil protection or in any case of public interest, the penalty shall be imprisonment for a term of between one and five years and between three and eight years, respectively.</i></p> <p><i>In the case provided for in the first paragraph, the offence is punishable on complaint by the injured party; in other cases it is prosecuted ex officio.</i></p>
Article 24 <i>bis</i> of Legislative Decree no. 231/2001	<p>Unlawful interception, obstruction or interruption of computer or telematic communications (Article 617-<i>quater</i> of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 500 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; 	<p>Article 617-<i>quater</i> of the Italian Criminal Code - “Unlawful interception, obstruction or interruption of computer or telematic communications”.</p> <p><i>“Whoever fraudulently intercepts communications relating to a computer or telematic system or between several systems, or prevents or interrupts them, shall be punished with imprisonment of from six months to four years. Unless the act constitutes a more serious offence, the same punishment shall apply to any person who discloses, by any means of information to the public, in whole or in part, the contents of the communications stated in the first paragraph. The offences stated to in the first and second paragraphs shall be punishable on complaint by the injured party.</i></p> <p><i>However, the offence is prosecuted ex officio and the penalty shall be imprisonment for a term of between one and five years if the act is committed:</i></p>

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	<ul style="list-style-type: none"> - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on advertising goods and services; from three months to two years. 	<p>1) to the detriment of a computer or telecommunications system used by the State or by another public body or by a company providing public services or services of public necessity;</p> <p>2) by a public official or a person in charge of a public service, with abuse of power or violation of the duties inherent in the function or service, or with abuse of the capacity of system operator;</p> <p>3) by a person who also illegally exercises the profession of private investigator”.</p>
Article 24 <i>bis</i> of Legislative Decree no. 231/2001	<p>Installation of equipment designed to intercept, impede or interrupt computer or telematic communications (Article 617-<i>quinquies</i> of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 500 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on advertising goods and services; from three months to two years. 	<p>Article 617-<i>quinquies</i> of the Italian Criminal Code – “Installation of equipment designed to intercept, prevent or interrupt computer or telematic communications”.</p> <p>“Whoever, except for the cases allowed by law, installs equipment designed to intercept, prevent or interrupt communications relating to a computer or telecommunication system or between several systems, shall be punished with imprisonment of from one to four years.</p> <p>The penalty is imprisonment from one to five years in the cases provided for in the fourth paragraph of Article 617-<i>quater</i>”.</p>
Article 24 <i>bis</i> of Legislative Decree no. 231/2001	<p>Damage to information, data and computer programmes (Article 635-<i>bis</i> of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 500 quotas. 	<p>Article 635-<i>bis</i> of the Italian Criminal Code – “Damage to information, data and computer programmes”.</p> <p>“Unless the act constitutes a more serious offence, any person destroying, damaging, deleting, altering or suppressing information, data or computer programmes belonging to another person shall be punished, on complaint by the injured party, by imprisonment of from six months to three years.</p> <p>If the circumstance referred to in number 1) of the second paragraph of Article 635 applies, or if the offence is committed with abuse of the capacity of system operator, the penalty is imprisonment for a term of between one and four years and is prosecuted <i>ex officio</i>”.</p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	Disqualifying penalty: <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on advertising goods and services; from three months to two years.	
Article 24 <i>bis</i> of Legislative Decree no. 231/2001	Damage to information, data and computer programmes used by the State or by another public body or in any case of public utility (Article 635- <i>ter</i> of the Italian Criminal Code) <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 500 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on advertising goods and services; from three months to two years.	Article 635- <i>ter</i> of the Italian Criminal Code - “Damage to information, data and computer programmes used by the State or by another public body or in any case of public utility”. <i>“Unless the act constitutes a more serious offence, whoever commits an act aimed at destroying, damaging, deleting, altering or suppressing computer information, data or programmes used by the State or by another public body or pertaining to them, or in any case of public utility, shall be punished by imprisonment of from one to four years.</i> <i>If the act results in the destruction, deterioration, deletion, alteration or suppression of the information, data or computer programmes, the penalty shall be imprisonment for a term of between three and eight years.</i> <i>If the circumstance referred to in number 1) of the second paragraph of Article 635 applies, or if the act is committed with abuse of the capacity of system operator, the penalty is increased.</i>
Article 24 <i>bis</i> of Legislative Decree no. 231/2001	Damage to computer or telematic systems (Article 635- <i>quater</i> of the Italian Criminal Code) <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 500 quotas. 	Article 635- <i>quater</i> of the Italian Criminal Code - “Damage to computer or telematic systems”. <i>“Unless the act constitutes a more serious offence, any person who, by means of the conduct stated in Article 635-bis, or through the introduction or transmission of data, information or programmes, destroys, damages or renders wholly or partly unusable the computer or telecommunication systems of others or seriously impedes their operation shall be punished by imprisonment of from one to five years.</i>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	Disqualifying penalty: <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on advertising goods and services; from three months to two years. 	<p><i>If the circumstance referred to in number 1) of the second paragraph of Article 635 applies, or if the act is committed with abuse of the capacity of system operator, the penalty is increased.</i></p>
Article 24 <i>bis</i> of Legislative Decree no. 231/2001	Damage to computer or telematic systems of public utility (Article 635- <i>quinquies</i> of the Italian Criminal Code) Pecuniary penalty: <ul style="list-style-type: none"> - from 100 to 500 quotas. Disqualifying penalty: <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on advertising goods and services; from three months to two years. 	<p>Article 635-<i>quinquies</i> of the Italian Criminal Code - “Damage to computer or telematic systems of public utility”.</p> <p><i>“If the act stated in Article 635-<i>quater</i> is intended to destroy, damage or render totally or partially unserviceable computer or telecommunications systems of public utility or to seriously obstruct their operation, the penalty shall be imprisonment for a term of between one and four years.</i></p> <p><i>If the act results in the destruction of or damage to the computer or telecommunications system of public utility or if the latter is rendered, in whole or in part, useless, the penalty shall be imprisonment for a term of between three and eight years.</i></p> <p><i>If the circumstance referred to in number 1) of the second paragraph of Article 635 applies, or if the act is committed with abuse of the capacity of system operator, the penalty is increased.</i></p>
Article 24 <i>bis</i> of Legislative Decree no. 231/2001	Illegal possession, dissemination and installation of equipment, codes and other means of accessing computer or telecommunications systems (Article 615- <i>quater</i> of the Italian Criminal Code) Pecuniary penalty: <ul style="list-style-type: none"> - from 100 to 300 quotas 	<p>Article 615-<i>quater</i> of the Italian Criminal Code - “ Illegal possession, dissemination and installation of equipment, codes and other means suitable for access to computer or telematic systems”.</p> <p><i>“Whoever, in order to procure a profit for himself/ herself or others or to cause damage to others, unlawfully obtains, possesses, produces, reproduces, disseminates, imports, communicates, delivers, otherwise makes available to others or installs equipment, instruments, parts of equipment or instruments codes passwords or other means of access to a computer or telecommunications system protected by security measures, or in any case provides indications or instructions suitable for the aforesaid purpose, shall be punished with imprisonment of up to two years and a fine of up to € 5,164.</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	Disqualifying penalty: <ul style="list-style-type: none"> - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on advertising goods and services; from three months to two years. 	<i>The penalty shall be imprisonment for a term of one to three years and a fine ranging from € 5,164 to € 10,329 if any of the circumstances referred to in the fourth paragraph of Article 617-quater apply”.</i>
Article 24 <i>bis</i> of Legislative Decree no. 231/2001	Illegal possession, dissemination and installation of equipment and other means of intercepting, impeding or interrupting computer or telematic communications (Article 615-quinquies of the Italian Criminal Code) Pecuniary penalty: <ul style="list-style-type: none"> - from 100 to 300 quotas Disqualifying penalty: <ul style="list-style-type: none"> - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on advertising goods and services; from three months to two years. 	Article 615-quinquies of the Italian Criminal Code - “Illegal possession, dissemination and installation of computer equipment, devices or programmes intended to damage or interrupt a computer or telecommunications system”. <i>“Whoever, for the purpose of unlawfully damaging a computer or telecommunication system, the information, data or programmes contained therein or pertaining thereto, or of promoting the total or partial interruption or alteration of its operation, unlawfully procures, produces, holds, reproduces, imports, disseminates, communicates, delivers or, in any other way, makes available to others or installs computer equipment, devices or programmes, shall be punished with imprisonment of up to two years and with a fine of up to € 10,329”.</i>
Article 24 <i>bis</i> of Legislative Decree no. 231/2001	Computer documents (Article 491-bis of the Italian Criminal Code)	Article 491-bis of the Italian Criminal Code - “Computer documents”. <i>“If any of the false declarations envisaged by this Chapter concern a public electronic document having effective evidence, the provisions of the same Chapter concerning public acts shall apply”.</i>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 400 quotas, except as provided for in Article 24 for cases of fraud to the detriment of the State or other public body. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; <p>from three months to two years.</p>	
Article 24 <i>bis</i> of Legislative Decree no. 231/2001	<p>Computer fraud of an individual providing electronic signature certification services (Article 640-<i>quinqüies</i> of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 400 quotas, except as provided for in Article 24 for cases of fraud to the detriment of the State or other public body. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; <p>from three months to two years.</p>	<p>Article 640-<i>quinqüies</i> of the Italian Criminal Code - “Computer fraud of an individual providing electronic signature certification services”.</p> <p><i>“A person providing electronic signature certification services who, in order to procure an unjust profit for himself/ herself or others or to cause damage to others, violates the obligations laid down by law for the issuance of a qualified certificate, shall be punished with imprisonment of up to three years and with a fine ranging from € 51 to € 1,032.”</i></p>

C. ORGANISED CRIME OFFENCES
[article 24-ter of Legislative Decree no. 231/2001]

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 24-ter of Legislative Decree no. 231/2001	<p>Criminal association (Article 416, excluding paragraph 6 of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 300 to 800 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; <p>from one to two years.</p>	<p>Article 416 of the Italian Criminal Code - "Criminal association".</p> <p><i>"When three or more persons associate for the purpose of committing several offences, those who promote or constitute or organise the criminal association shall be punished, for that alone, by imprisonment of from three to seven years.</i></p> <p><i>For the mere fact of participating in the association the penalty shall be imprisonment from one to five years.</i></p> <p><i>Leaders are subject to the same penalty as the promoters.</i></p> <p><i>If the associates carry out armed attacks in the countryside or on public streets, the penalty is imprisonment from five to fifteen years.</i></p> <p><i>The penalty is increased if the number of associates is ten or more".</i></p> <p><i>(omissis V1 paragraph).</i></p> <p><i>If the association is aimed at committing any of the offences stated in Articles 600-bis, 600-ter, 600-quater, 600-quater.1, 600-quinquies, 609-bis, when the act is committed to the detriment of a minor under the age of eighteen years, 609-quater, 609-quinquies, 609-octies, when the act is committed to the detriment of a minor under the age of eighteen, and 609-undecies, imprisonment from four to eight years shall be applied in the cases stated in the first paragraph and the imprisonment from two to six years in the cases stated in the second paragraph.</i></p>
Article 24-ter of Legislative Decree no. 231/2001	<p>Criminal association (Article 416, paragraph 6 of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 400 to 1000 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; 	<p>Article 416, paragraph 6 of the Italian Criminal Code - "Criminal association".</p> <p>“.”</p> <p><i>"If the association is aimed at committing any of the offences referred to in Articles 600, 601, 601-bis and 602, as well as in Article 12, paragraph 3 bis, of the Consolidated Text of the provisions concerning the regulation of immigration and rules on the condition of the foreigner, referred to in Legislative Decree no. 286 of 25 July 1998, the term of imprisonment is from five to fifteen years in the cases referred to in the first paragraph and from four to nine years in the cases referred to in the second paragraph".</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<ul style="list-style-type: none"> - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; from one to two years. 	
Article 24-ter of Legislative Decree no. 231/2001	<p>Mafia-type criminal association (Article 416-bis of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 400 to 1000 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; from one to two years. 	<p>Article 416-bis of the Italian Criminal Code - "Mafia-type criminal association".</p> <p><i>"Whoever is part of a mafia-type association formed by three or more persons shall be punished by imprisonment from ten to fifteen years.</i></p> <p><i>Those who promote, manage or organise the association are punished, for this alone, with imprisonment from twelve to eighteen years.</i></p> <p><i>A criminal association is considered to be of a Mafia-type when its members use the intimidating power of the associative constraint and the resulting condition of subjugation and silence to commit offences, to acquire directly or indirectly the management or control of economic activities, concessions, authorisations, contracts and public services or to obtain unjust profits or advantages for themselves or others, or in order to prevent or obstruct the free exercise of the vote or to obtain votes for themselves or others during elections.</i></p> <p><i>If the association is armed, the penalty consists of imprisonment from twelve to twenty years in the provisions stated in the first paragraph and from fifteen to twenty-six years in the provisions stated in the second paragraph.</i></p> <p><i>The association is considered armed when the participants have the availability, for the achievement of the association's purpose, of weapons or explosive materials, even if concealed or kept in a storage place.</i></p> <p><i>If the economic activities the members intend to take or maintain control of are financed in whole or in part with the price, product or profit of crimes, the penalties stated in the previous paragraphs are increased by between one third and one half.</i></p> <p><i>The confiscation of the things that served or were intended to commit the offence and of the things that are the price, the product, the profit or that constitute its use is always mandatory for the convicted person.</i></p> <p><i>The provisions of this article shall also apply to the Camorra, the 'Ndrangheta and other associations, however locally denominated, including foreign ones, which, making use of the intimidating power of the associative constraint, pursue aims corresponding to those of mafia-type associations".</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 24-ter of Legislative Decree no. 231/2001	<p>Political-Mafia electoral exchange (Article 416-ter of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 400 to 1000 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions and possible revocation of those already granted; - ban on advertising goods and services; <p>from one to two years.</p>	<p>Article 416-ter of the Italian Criminal Code - "Political-Mafia electoral exchange".</p> <p><i>"Whoever accepts the promise to procure votes using the methods stated in the third paragraph of Article 416-bis in exchange for the provision or promise of money, goods or other benefits shall be punished by imprisonment from four to ten years. The same penalty applies to anyone promising to procure votes in the manner stated in the first paragraph."</i></p>
Article 24-ter of Legislative Decree no. 231/2001	<p>Kidnapping for the purpose of robbery or extortion (Article 630 of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 400 to 1000 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; <p>from one to two years.</p>	<p>Article 630 of the Italian Criminal Code – "Kidnapping for the purpose of robbery or extortion".</p> <p><i>"Whoever kidnaps a person for the purpose of obtaining, for himself/ herself or for others, an unjust profit as the price of the release shall be punished by imprisonment of from twenty-five to thirty years. If the kidnapping results in the death of the kidnapped person as an unintended consequence of the offender, the offender shall be punished by imprisonment of thirty years. If the offender causes the death of the kidnapped person the penalty shall be life imprisonment. The penalties stated in Article 605 shall apply to any participant who, dissociating himself/ herself from the others, acts in such a way that the victim regains his/ her freedom, without this being the consequence of the price of release. If, however, the offender dies, as a consequence of the kidnapping, after release, the penalty shall be imprisonment for a term of between six and fifteen years. In the case of an accomplice who, disassociating himself/ herself from the others, takes action, outside the provision stated in the previous paragraph, to prevent the criminal activity from having further consequences, or concretely helps the police or judicial authorities in gathering decisive evidence for the identification or capture of the accomplices, life imprisonment shall be replaced by imprisonment for a term of between twelve and twenty years and the other penalties shall be reduced by between one third and two thirds. When an attenuating circumstance occurs, the penalty provided for in the second paragraph is replaced by imprisonment from twenty to twenty-four years; the penalty provided for in the third paragraph is replaced by imprisonment from twenty-four to thirty years. If there are several mitigating circumstances, the applicable penalty as a result of the reductions cannot be less than ten years, in the provision stated in the second paragraph, and fifteen years, in the provision stated in the third paragraph. The penalty limits</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
		<i>stated in the preceding paragraph may be exceeded when the extenuating circumstances stated in the fifth paragraph of this article apply.</i>
Article 24-ter of Legislative Decree no. 231/2001	<p>Association for the purposes of illicit trafficking in narcotic drugs or psychotropic substances (Article 74 of Presidential Decree 309/1990)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 400 to 1000 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; from one to two years. 	<p>Article 74 Presidential Decree 309/1990 - "Association for the purpose of illicit trafficking in narcotic or psychotropic substances".</p> <p><i>"1. When three or more persons associate with a view to committing several offences among those stated in Article 70, paragraphs 4, 6 and 10, with the exception of operations relating to the substances stated in category III of Appendix I to Regulation (EC) no. 273/2004 and in the Appendix to Regulation no. 111/2005, or in Article 73, whoever promotes, sets up, directs, organises or finances the association shall be punished by imprisonment of no less than twenty years.</i></p> <p><i>2. Whoever participates in the conspiracy is punished with imprisonment of no less than ten years.</i></p> <p><i>3. The penalty is increased if the number of associates is ten or more or if among the participants there are persons addicted to the use of narcotic or psychotropic substances.</i></p> <p><i>4. If the association is armed, the penalty, in the cases indicated in paragraphs 1 and 3, cannot be less than twenty-four years' imprisonment and, in the case stated in paragraph 2, twelve years' imprisonment.</i></p> <p><i>The association is considered armed when the participants have the availability of weapons or explosive materials, even if concealed or kept in a storage place.</i></p> <p><i>5. The penalty is increased if the circumstance stated in Article 80, paragraph 1, letter e) applies.</i></p> <p><i>6. If the association is formed to commit the facts described in paragraph 5 of Article 73, the first and second paragraphs of Article 416 of the Italian Criminal Code shall apply.</i></p> <p><i>7. The penalties stated in paragraphs 1 to 6 are reduced by half to two thirds for those who have effectively worked to secure evidence of the crime or to take away from the association decisive resources for the commission of the crimes.</i></p> <p><i>8. When in laws and decrees reference is made to the offence stated in Article 75 of Law no 685 of 22 December 1975, repealed by Article 38, paragraph 1 of Law no 162 of 26 June 1990, the reference shall be understood as referring to this article".</i></p>
Article 24-ter of Legislative Decree no. 231/2001	<p>Illegal manufacture, importing, offering for sale, transfer, possession and carrying in a public place or a place open to the public of weapons of war or war-like weapons or parts thereof, explosives, clandestine weapons as well as more common firearms (Article 407, para. 2, lett. a, no. 5, Italian Code of Criminal Procedure)</p> <p>Pecuniary penalty:</p>	<p>Article 407, paragraph. 2, lett. a), number 5), Code of Criminal Procedure. - "Illegal manufacture, importing, offering for sale, transfer, possession and carrying in a public place or a place open to the public of weapons of war or war-like weapons or parts thereof, explosives, clandestine weapons as well as more common firearms, excluding those provided for in Article 2, paragraph 3 of Law no. 110 of 18 April 1975".</p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<ul style="list-style-type: none"> - from 300 to 800 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services from one to two years. 	

D. OFFENCES OF COUNTERFEITING OF BANKNOTES AND COINS, PUBLIC CREDIT CARDS, REVENUE STAMPS AND IDENTIFICATION INSTRUMENTS OR SIGNS

[Article 25-*bis* of Legislative Decree no. 231/2001]

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 25- <i>bis</i> of Legislative Decree no. 231/2001	<p>Counterfeiting banknotes and coins, spending and import, complicit, of counterfeit banknotes and coins (Article 453 of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 300 to 800 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; <p>from three months to one year.</p>	<p>Article 453 of the Italian Criminal Code - "Counterfeiting banknotes and coins, spending and import, complicit, of counterfeit banknotes and coins".</p> <p><i>"Is liable to imprisonment for a term of three to twelve years and a fine of between € 516.00 and € 3,098.00:</i></p> <p><i>1) whoever counterfeits national or foreign currency which is legal tender in the State or outside it;</i></p> <p><i>2) anyone who alters genuine currency in any way, by giving it the appearance of a higher value; 3) anyone who, not having taken part in the counterfeiting or alteration, but complicit with the person who has carried it out or with an intermediary, introduces into the territory of the State or holds or spends or otherwise puts counterfeit or altered currency into circulation; 4) anyone who, in order to put it into circulation, purchases or in any case receives from the person who has counterfeited it, or from an intermediary, counterfeit or altered currency.</i></p> <p><i>The same punishment shall apply to anyone who, being legally authorised to produce, unduly manufactures, by misusing the instruments or materials at his/her disposal, quantities of money in excess of the requirements.</i></p> <p><i>The penalty shall be reduced by one third when the conduct stated in the first and second paragraphs relates to money which is not yet legal tender and the initial term thereof is determined."</i></p>
Article 25- <i>bis</i> of Legislative Decree no. 231/2001	<p>Alteration of banknotes and coins (Article 454 of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 500 quotas. <p>Disqualifying penalty:</p>	<p>Article 454 of the Italian Criminal Code - "Alteration of banknotes and coins".</p> <p><i>Whoever alters banknotes and coins of the quality indicated in the preceding Article, in any way diminishing their value, or who, with respect to the banknotes and coins thus altered, commits any of the acts indicated in numbers 3 and 4 of the said Article, shall be punished by imprisonment of from one to five years and with a fine ranging from € 103,00 to € 516,00".</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; from three months to one year. 	
Article 25-bis of Legislative Decree no. 231/2001	<p>Spending and import, non-complicit, of counterfeit banknotes and coins (Article 455 of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - Article 25-bis of Legislative Decree 231/2001 provides that for the offence referred to in Article 455 of the Italian Criminal Code, the pecuniary penalties are those established for the conduct punished in Articles 453 and 454 of the Italian Criminal Code, reduced by one third to one half. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; 	<p>Article 455 of the Italian Criminal Code - "Spending and import, non-complicit, of counterfeit banknotes and coins".</p> <p><i>"Whoever, outside the cases stated in the two previous Articles, introduces into the territory of the State, acquires or holds counterfeit or altered money, in order to put it into circulation, or who spends it or otherwise puts it into circulation, shall be subject to the penalties set out in the said Articles, reduced by one third to one half".</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	- ban on advertising goods and services; from three months to one year.	
Article 25- <i>bis</i> of Legislative Decree no. 231/2001	Spending of counterfeit banknotes and coins received in good faith (Article 457 of the Italian Criminal Code) Pecuniary penalty: up to 100 to 200 quotas.	Article 457 of the Italian Criminal Code – “Spending of counterfeit banknotes and coins received in good faith”. <i>“Whoever spends, or otherwise puts into circulation, counterfeit or altered money received in good faith shall be punished with imprisonment of up to six months or with a fine of up to €1,032,00”.</i>
Article 25- <i>bis</i> of Legislative Decree no. 231/2001	Forgery of revenue stamps, import, the purchase, possession or putting into circulation of forged revenue stamps (Article 459 of the Italian Criminal Code) Pecuniary penalty: - Article 25- <i>bis</i> of Legislative Decree 231/2001 provides that for the offence referred to in Article 459 of the Italian Criminal Code, the financial penalties are those established respectively for the conduct punished by Articles 453 and 455 of the Italian Criminal Code and 457 reduced by one third. Disqualifying penalty: - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration;	Article 459 of the Italian Criminal Code - “Forgery of revenue stamps, import, purchase, possession or putting into circulation of forged revenue stamps”. <i>The provisions of Articles 453, 455 and 457 shall also apply to the counterfeiting or alteration of revenue stamps and to the introduction into the territory of the State, or to the purchase, possession and putting into circulation of counterfeit revenue stamps; but the penalties shall be reduced by one third. For the purposes of criminal law, revenue stamps shall mean stamp-impressed paper, duty stamps, postage stamps and other securities treated as such by special laws.</i>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<ul style="list-style-type: none"> - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; from three months to one year. 	
Article 25- <i>bis</i> of Legislative Decree no. 231/2001	<p>Counterfeiting watermarked paper in use for the manufacture of public credit cards or revenue stamps (Article 460 of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 500 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; from three months to one year. 	<p>Article 460 of the Italian Criminal Code. - “Counterfeiting watermarked paper in use for the manufacture of public credit cards or revenue stamps”.</p> <p><i>“Whoever counterfeits watermarked paper used for the manufacture of public credit cards or revenue stamps, or purchases, holds or disposes of such counterfeit paper, shall be punished, if the act does not constitute a more serious offence, by imprisonment for a term of between two and six years and a fine ranging from € 309.00 to € 1,032.00”.</i></p>
Article 25- <i>bis</i> of Legislative Decree no. 231/2001	<p>Manufacture or possession of watermarks or instruments designed for counterfeiting banknotes and coins, revenue stamps or watermarked paper (Article 461 of the Italian Criminal Code)</p>	<p>Article 461 of the Italian Criminal Code - “Manufacture or possession of watermarks or instruments intended for counterfeiting banknotes and coins, revenue stamps or watermarked paper”.</p> <p><i>“Whoever manufactures, acquires, possesses or transfers watermarks, computer programmes and data or instruments intended for the counterfeiting or alteration of banknotes and coins, revenue stamps or watermarked paper shall be punished, if the act does not constitute a more serious offence, by imprisonment for a term of between one and five years and a fine ranging from €</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	Pecuniary penalty: <ul style="list-style-type: none"> - from 100 to 500 quotas. Disqualifying penalty: <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; from three months to one year.	103.00 to € 516.00. The same penalty shall apply if the conduct stated in the first paragraph relates to holograms or other components of the banknote intended to protect it against counterfeiting or alteration".
Article 25- <i>bis</i> of Legislative Decree no. 231/2001	Use of counterfeit or altered revenue stamps (Article 464 para. 1 of the Italian Criminal Code) Pecuniary penalty: <ul style="list-style-type: none"> - from 100 to 300 quotas. 	Article 464, para. 1 of the Italian Criminal Code - "Use of counterfeit or altered revenue stamps". <i>"Whoever, not being an accomplice to the counterfeiting or alteration, makes use of counterfeit or altered stamps shall be punished with imprisonment of up to three years and with a fine of up to € 516. (...)"</i> .
Article 25- <i>bis</i> of Legislative Decree 231/2001	Use of counterfeit or altered revenue stamps (Article 464 para. 2 of the Italian Criminal Code) Pecuniary penalty: <ul style="list-style-type: none"> - from 100 to 200 quotas. 	Article 464, para. 2 of the Italian Criminal Code) – "Use of counterfeit or altered revenue stamps". <i>(...)"</i> . <i>If the revenue stamps have been received in good faith, the punishment established in Article 457 shall apply, reduced by one third"</i> .
Article 25- <i>bis</i> of Legislative Decree no. 231/2001	Counterfeiting, alteration or use of distinctive trademarks of original works or industrial products (Article 473 of the Italian Criminal Code)	Article 473 of the Italian Criminal Code – "Counterfeiting, alteration or use of distinctive trademarks of original works or industrial products".

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 500 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; from three months to one year. 	<p><i>“Whoever, being aware of the existence of an industrial property right, counterfeits or alters trademarks or distinctive trademarks, whether national or foreign, of industrial products, or anyone who, without having taken part in the counterfeiting or alteration, makes use of such counterfeited or altered trademarks or signs, shall be punished with imprisonment from six months to three years and with a fine ranging from € 2,500 to € 25,000.</i></p> <p><i>Whoever counterfeits or alters industrial patents, designs or models, whether domestic or foreign, or who, without having taken part in the counterfeiting or alteration, makes use of such counterfeited or altered patents, designs or models, shall be punished by imprisonment from one to four years and a fine of from € 3,500 to € 35,000.</i></p> <p><i>The offences stated in the first and second paragraphs shall be punishable with the provisions of domestic laws, Community regulations and international conventions on the protection of intellectual or industrial property.”</i></p>
Article 25-bis of Legislative Decree no. 231/2001	<p>Import and trade of products with counterfeit trademarks (Article 474 of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 500 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; 	<p>Article 474 of the Italian Criminal Code - “Import and trade of products with counterfeit trademarks”.</p> <p><i>“Aside from cases of complicity in the offences stated in Article 473, anyone who introduces into the territory of the State, in order to gain profit, industrial products with counterfeit or altered trademarks or other distinctive trademarks, whether domestic or foreign, shall be punished by imprisonment from one to four years and a fine of between € 3,500 and € 35,000.</i></p> <p><i>Aside from cases of complicity in counterfeiting, alteration, introduction into the territory of the State, whoever holds for sale, puts on sale or otherwise puts into circulation, in order to gain profit, the products stated in the first paragraph shall be punished with imprisonment of up to two years and with a fine of up to €20,000.</i></p> <p><i>The offences stated in the first and second paragraphs shall be punishable with the provisions of domestic laws, Community regulations and international conventions on the protection of intellectual or industrial property.”</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<ul style="list-style-type: none"> - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; from three months to one year. 	

E. OFFENCES AGAINST INDUSTRY AND TRADE

[Article 25-*bis* 1 of Legislative Decree no. 231/2001]

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 25- <i>bis</i> .1 of Legislative Decree 231/2001	Obstructing the freedom of choice of industry or trade (Article 513 of the Italian Criminal Code) Pecuniary penalty: - from 100 to 500 quotas.	Article 513 of the Italian Criminal Code - "Obstructing the freedom of choice of industry or trade". <i>"Whoever uses violence against things or fraudulent means to prevent or disrupt the exercise of an industry or trade shall be punished, on complaint by the injured party, if the act does not constitute a more serious offence, with imprisonment of up to two years and a fine of between € 103 and € 1,032."</i>
Article 25- <i>bis</i> .1 of Legislative Decree 231/2001	Fraud in the exercise of trade (Article 515 of the Italian Criminal Code) Pecuniary penalty: - from 100 to 500 quotas.	Article 515 of the Italian Criminal Code – "Fraud in the exercise of trade". <i>"Whoever, in the course of a commercial activity, or in a shop open to the public, delivers to the purchaser a movable item for another, or a movable item, in origin, source, quality or quantity, different from that stated or agreed, shall be punished, unless the act constitutes a more serious offence, with imprisonment of up to two years or with a fine of up to € 2,065. In the case of precious objects, the punishment shall be imprisonment of up to three years or a fine of not less than € 103"</i>
Article 25- <i>bis</i> .1 of Legislative Decree 231/2001	Sale of non-genuine foodstuffs as genuine (Article 516 of the Italian Criminal Code) Pecuniary penalty: - from 100 to 500 quotas.	Article 516 of the Italian Criminal Code - "Sale of non-genuine foodstuffs as genuine". <i>"Whoever sells or otherwise markets as genuine non-genuine foodstuffs shall be punished with imprisonment of up to six months or with a fine of up to € 1,032."</i>
Article 25- <i>bis</i> .1 of Legislative Decree 231/2001	Sale of industrial products with counterfeit trademarks (Article 517 of the Italian Criminal Code) Pecuniary penalty: - from 100 to 500 quotas.	Article 517 of the Italian Criminal Code - "Sale of industrial products with counterfeit trademarks". <i>"Whoever offers for sale or otherwise puts into circulation original works or industrial products, with names, brands or distinctive national or foreign trademarks, likely to mislead the buyer as to the origin, source or quality of the work or product, shall be punished, if the act is not envisaged as a crime by another provision of the Law, with imprisonment of up to two years or with a fine of up to € 20,000"</i>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 25-bis.1 of Legislative Decree 231/2001	Manufacture and trade of goods made by industrial property rights infringement (Article 517-ter of the Italian Criminal Code.) Pecuniary penalty: - from 100 to 500 quotas.	Article 517-ter of the Italian Criminal Code - “Manufacture and trade of goods made by industrial property rights infringement”. <i>“Without prejudice to the application of Articles 473 and 474, whoever, being aware of the existence of an industrial property right, manufactures or industrially uses objects or other goods made by industrial property infringement or in violation thereof shall be punished, on complaint by the injured party, with imprisonment of up to two years and with a fine of up to € 20,000. The same punishment shall apply to whoever, in order to make a profit, introduces into the territory of the State, holds for sale, offers for sale directly to consumers or otherwise puts into circulation the goods stated in the first paragraph. The provisions of Articles 474-bis, 474-ter, second paragraph, and 517-bis, second paragraph, shall apply. The offences stated in the first and second paragraphs shall be punishable only if the provisions of internal laws, European Community regulations and international conventions on the protection of intellectual or industrial property have been complied with”.</i>
Article 25-bis.1 of Legislative Decree 231/2001	Counterfeiting of geographical indications or designations of origin of agricultural food produce (Article 517-quater of the Italian Criminal Code) Pecuniary penalty: - from 100 to 500 quotas.	Article 517-quater of the Italian Criminal Code - “Counterfeiting of geographical indications or designations of origin of agricultural food products”. <i>“Whoever counterfeits or otherwise alters geographical indications or designations of origin of agri-food products shall be punished with imprisonment of up to two years and a fine of up to € 20,000. The same punishment shall apply to any person who, in order to make a profit, introduces into the territory of the State, holds for sale, offers for sale directly to consumers or otherwise puts into circulation the same products with the counterfeit indications or denominations. The provisions of Articles 474-bis, 474-ter, second paragraph, and 517-bis, second paragraph, shall apply. The offences stated in the first and second paragraphs shall be punishable only if the provisions of internal laws, European Community regulations and international conventions on the protection of geographical indications and designations of origin for agri-food products have been complied with”.</i>
Article 25-bis.1 of Legislative Decree 231/2001	Unlawful competition with threats or violence (Article 513-bis of the Italian Criminal Code) Pecuniary penalty: - from 100 to 800 quotas. Disqualifying penalty:	Article 513-bis of the Italian Criminal Code - “Unlawful competition with threats or violence”. <i>“Whoever, in the exercise of a commercial, industrial or otherwise productive activity, engages in acts of competition with violence or threats shall be punished by imprisonment from two to six years. The penalty is increased if the acts of competition concern a financial activity financed in whole or in part and in any way by the State or other public bodies”.</i>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; <p>from three months to two years.</p>	
Article 25-bis.1 of Legislative Decree 231/2001	<p>Fraud against national industries (Article 514 of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 800 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; <p>from three months to two years.</p>	<p>Article 514 of the Italian Criminal Code - "Fraud against national industries".</p> <p><i>"Whoever, by selling or otherwise putting into circulation, on domestic or foreign markets, industrial products with counterfeited or altered names, brands or distinctive trademarks, causes damage to national industry shall be punished by imprisonment from one to five years and a fine of no less than € 516.</i></p> <p><i>If the rules of internal laws or international conventions on the protection of industrial property have been observed for the trademarks or distinctive signs, the punishment shall be increased and the provisions of Articles 473 and 474 shall not apply".</i></p>

F. CORPORATE OFFENCES

[Article 25-*ter* of Legislative Decree no. 231/2001]

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 25- <i>ter</i> of Legislative Decree no. 231/2001	<p>False corporate communications (Article 2621 of the Italian Civil Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 200 to 400 quotas. 	<p>Article 2621 of the Italian Civil Code: “False corporate communications”.</p> <p><i>“Aside from the cases stated in Article 2622, directors, general managers, managers responsible for preparing the company's financial reports, statutory auditors and liquidators, who, in order to obtain an unjust profit for themselves or others, in the financial statements, reports or other corporate communications addressed to the shareholders or the public, stated in law knowingly present material facts that do not correspond to the truth, or omit material facts whose disclosure is required by law on the economic and financial situation of the company or of the group to which it belongs, in a manner that is likely to mislead others, shall be punished by imprisonment from one to five years.</i></p> <p><i>The same penalty shall also apply if the falsehoods or omissions concern assets owned or administered by the company on behalf of third parties”.</i></p>
Article 25- <i>ter</i> of Legislative Decree no. 231/2001	<p>Minor offences (Article 2621-<i>bis</i> of the Italian Civil Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 200 quotas. 	<p>Article 2621-<i>bis</i> of the Italian Civil Code. – “Minor offences”.</p> <p><i>“Unless they constitute a more serious offence, a penalty of between six months and three years' imprisonment shall apply if the offences stated in Article 2621 are minor, taking into account the nature and size of the company and the manner or effects of the conduct.</i></p> <p><i>Unless they constitute a more serious offence, the same penalty as in the preceding paragraph shall apply when the facts referred to in Article 2621 concern companies that do not exceed the limits indicated in the second paragraph of Article 1 of Royal Decree of 16 March 1942. 267. In that case, the offence is prosecutable on complaint by the company, the shareholders, the creditors and the other beneficiaries of the company's communication”.</i></p>
Article 25- <i>ter</i> of Legislative Decree no. 231/2001	<p>False corporate communications by listed companies (Article 2622 of the Italian Civil Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 400 to 600 quotas. 	<p>Article 2622 of the Italian Civil Code. - “False corporate communications by listed companies”.</p> <p><i>“Directors, general managers, managers responsible for preparing the company's financial reports, statutory auditors and liquidators of companies issuing financial instruments admitted to trading on an Italian or other European Union regulated market, who, in order to obtain an unjust profit for themselves or others, in the financial statements, annual reports or other corporate communications addressed to the shareholders or to the public, knowingly present material facts not corresponding to the truth, or omit material facts whose disclosure is required by law on the economic, asset or financial situation of the company or of the group to which it belongs, in a way that is likely to mislead others, shall be punished by imprisonment from three to eight years.</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
		<p>The companies indicated in the previous paragraph shall be treated in the same way:</p> <p>1) companies issuing financial instruments for which a request for admission to trading on an Italian or other EU country regulated market has been submitted;</p> <p>2) companies issuing financial instruments admitted to trading on an Italian multilateral trading facility;</p> <p>3) companies that control companies issuing financial instruments admitted to trading on an Italian regulated market or another EU country;</p> <p>4) companies calling on or managing public savings.</p> <p>The provisions of the preceding paragraphs shall also apply if the falsehoods or omissions concern assets owned or administered by the company on behalf of third parties”.</p>
Article 25-ter of Legislative Decree no. 231/2001	False prospectus (Article 2623 of the Italian Civil Code) (Repealed)	-
Article 25-ter of Legislative Decree no. 231/2001	False statements in auditors' reports and communications (Article 2624 of the Italian Civil Code) (Repealed)	-
Article 25-ter of Legislative Decree no. 231/2001	Obstruction of auditing (Article 2625 of the Italian Civil Code) Pecuniary penalty: <ul style="list-style-type: none"> - from 200 to 360 quotas for paragraph 2. 	<p>Article 2625 of the Italian Civil Code. - “Obstruction of auditing”.</p> <p>“Directors who, by concealing documents or using other suitable ploys, prevent or in any case obstruct the performance of control activities legally attributed to shareholders or other corporate bodies, shall be punished with a fine of up to € 10,329.</p> <p>If the conduct has caused damage to the shareholders, the penalty is imprisonment of up to one year and is prosecuted on complaint by the injured party.</p> <p>The penalty is doubled in the case of companies with shares listed on regulated markets in Italy or other EU Member States or widely distributed among the public pursuant to Article 116 of the Consolidation Act stated in Legislative Decree no. 58 of 24 February 1998”.</p>
Article 25-ter	Wrongful restitution of contributions (Article 2626 of the Italian Civil Code)	Article 2626 of the Italian Civil Code. – “Wrongful restitution of contributions”.

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
of Legislative Decree no. 231/2001	Pecuniary penalty: from 200 to 360 quotas.	<i>"Directors who, except in cases of legitimate reduction of share capital, return, even simulated, contributions to shareholders or release them from the obligation to make them, shall be punished with imprisonment of up to one year."</i>
Article 25-ter of Legislative Decree no. 231/2001	Illegal distribution of profits and reserves (Article 2627 of the Italian Civil Code) Pecuniary penalty: - from 200 to 260 quotas.	Article 2627 of the Italian Civil Code – "Illegal distribution of profits and reserves". <i>"Unless the act constitutes a more serious offence, directors who distribute profits or advances on profits not actually made or allocated by law to reserves, or who distribute reserves, including those not made up of profits, which cannot be distributed by law, shall be punished by imprisonment of up to one year. The return of profits or the re-establishment of reserves before the deadline for approval of the financial statements extinguishes the offence".</i>
Article 25-ter of Legislative Decree no. 231/2001	Unlawful transactions involving company shares or shares in parent companies (Article 2628 of the Italian Civil Code) Pecuniary penalty: - from 200 to 360 quotas.	Article 2628 of the Italian Civil Code - "Unlawful transactions involving company shares or shares in parent companies". <i>Directors who, except in cases permitted by law, purchase or subscribe shares or quotas, causing damage to the integrity of the share capital or reserves which cannot be distributed by law, shall be punished with imprisonment of up to one year. The same punishment applies to directors who, except in cases permitted by law, purchase or subscribe shares or quotas issued by the parent company, causing damage to the integrity of the share capital or reserves that cannot be distributed by Law. If the share capital or reserves are reconstituted before the deadline for approval of the annual reports in relation to which the conduct was committed, the offence is extinguished.</i>
Article 25-ter of Legislative Decree no. 231/2001	Transactions to the detriment of creditors (Article 2629 of the Italian Civil Code) Pecuniary penalty: - from 300 to 660 quotas.	Article 2629 of the Italian Civil Code. – "Transactions to the detriment of creditors". <i>"Directors who, contrary to the provisions of the law protecting creditors, carry out share capital reductions or mergers with other companies or demergers, causing damage to creditors, shall be punished, on complaint by the injured party, with imprisonment from six months to three years. Compensation of damages to creditors before the trial extinguishes the offence".</i>
Article 25-ter of Legislative Decree no. 231/2001	Failure to disclose a conflict of interest (Article 2629-bis of the Italian Civil Code) Pecuniary penalty:	Article 2629-bis – "Failure to disclose a conflict of interest". <i>"A director or member of the management board of a company with shares listed on regulated markets in Italy or another Member State of the European Union or widely distributed among the public pursuant to Article 116 of the Consolidation Act stated in Legislative Decree no. 58 of 24 February 1998, as subsequently amended, or of a person subject to supervision</i>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	- from 400 to 1000 quotas.	<i>pursuant to the Consolidation Act stated in Legislative Decree no. 385 of 1 September 1993, of the aforementioned Consolidated Text stated in Legislative Decree no. 58 of 1998, of Legislative Decree no. 209 of 7 September 2005, or of Legislative Decree no. 1993 no. 576 April 21, which violates the obligations pursuant to Article 2391 124, first paragraph, shall be punished with imprisonment from one to three years, if the violation causes damage to the company or to third parties. Article 2391 (Directors' interests): "A director must inform the other directors and the board of auditors of any interest he or she may have, on his/ her own behalf or on behalf of third parties, in a certain transaction of the company, specifying its nature, terms, origin and scope; if he/ she is a managing director, he/ she must also abstain from carrying out the transaction, informing the board of auditors thereof. In the cases provided for in the preceding paragraph, the resolution of the board of directors must adequately state the reasons and the convenience for the company of the transaction".</i>
Article 25-ter of Legislative Decree no. 231/2001	Fictitious formation of the capital (Article 2632 of the Italian Civil Code) Pecuniary penalty: - from 200 to 360 quotas.	Article 2632 of the Italian Civil Code. – "Fictitious formation of the capital". "Directors and contributing shareholders who, even partially, fictitiously form or increase the share capital by means of the allocation of shares or quotas in excess of the total amount of the share capital, reciprocal subscription of shares or quotas, significant overvaluation of contributions in kind or receivables or of the company's assets in the case of transformation, shall be punished with imprisonment of up to one year".
Article 25-ter of Legislative Decree no. 231/2001	Wrongful distribution of company assets by liquidators (Article 2633 of the Italian Civil Code) Pecuniary penalty: - from 300 to 660 quotas.	Article 2633 of the Italian Civil Code. – "Wrongful distribution of company assets by liquidators". "Liquidators who, by distributing company assets among shareholders before paying the company's creditors or setting aside the sums necessary to satisfy them, cause damage to creditors, shall be punished, on complaint by the injured party, with imprisonment from six months to three years. Compensation of damages to creditors before the trial extinguishes the offence".
Article 25-ter of Legislative Decree no. 231/2001	Corruption between private individuals (Article 2635 of the Italian Civil Code) Pecuniary penalty: - from 400 to 600 quotas.	Article 2635 of the Italian Civil Code. – "Corruption between private individuals". "Unless the act constitutes a more serious offence, directors, general managers, managers in charge of drafting corporate accounting documents, statutory auditors and liquidators of companies or private organisations, who, even through a third party, solicit or receive, for themselves or for others, undue money or other benefits, or accept the promise thereof, in order to perform or omit an act contrary to the obligations inherent in their office or the loyalty obligations, shall be punished by imprisonment from one to three years. The same punishment applies if the act is committed by a person who, within the organisational framework

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	Disqualifying penalty: <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; from three months to two years. 	<p><i>of the company or private body, exercises management functions other than those of the persons indicated in the previous sentence.</i></p> <p><i>The penalty is imprisonment of up to one year and six months if the fact is committed by a person who is subject to the direction or supervision of one of the persons indicated in the first paragraph.</i></p> <p><i>Whoever, also through a third party, offers, promises or gives money or other benefits not due to the persons indicated in the first and second paragraphs shall be punished with the penalties stated therein.</i></p> <p><i>The penalties laid down in the preceding paragraphs shall be doubled in the case of companies with securities listed on regulated markets in Italy or other States of the European Union or widely distributed among the public pursuant to Article 116 of the Consolidated Law on Financial Intermediation, referred to in Legislative Decree 24 February 1998, and subsequent amendments. 58, and subsequent amendments. Without prejudice to the provisions of Article 2641, the measure of confiscation for equivalent value cannot be less than the value of the benefits given, promised or offered".</i></p>
Article 25-ter of Legislative Decree no. 231/2001	Incitement to corruption between private individuals (Article 2635-bis of the Italian Civil Code)	Article 2635-bis of the Italian Civil Code. - "Incitement to corruption between private individuals".
	Pecuniary penalty: <ul style="list-style-type: none"> - from 200 to 400 quotas. 	<p><i>"Whoever offers or promises money, goods or other benefits not due to directors, general managers, managers responsible for preparing company accounting documents, statutory auditors and liquidators, of private companies or bodies, or to those who work in them in a management capacity, in order that they may perform or omit an act contrary to the obligations inherent in their office or loyalty obligations, shall be subject, if the offer or promise is not accepted, to the penalty stated in the first paragraph of Article 2635, reduced by one third.</i></p> <p><i>The penalty stated in the first paragraph shall apply to directors, general managers, managers responsible for preparing the company's annual reports, statutory auditors and liquidators of companies or private organisations, as well as to those who work for them in management positions, who solicit for themselves or for others, including through third parties, a promise or donation of money, goods or other benefits, in order to perform or omit an act contrary to their duties or loyalty obligations, if the solicitation is not accepted".</i></p>
	Disqualifying penalty: <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; from three months to two years. 	

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 25-ter of Legislative Decree no. 231/2001	Unlawful influence on the shareholders' meeting (Article 2636 of the Italian Civil Code) Pecuniary penalty: - from 300 to 660 quotas.	Article 2636 of the Italian Civil Code. - "Unlawful influence on the shareholders' meeting". <i>Whoever, through simulated or fraudulent acts, determines the majority in a shareholders' meeting in order to obtain an unjust profit for himself/ herself or others shall be punished by imprisonment from six months to three years.</i>
Article 25-ter of Legislative Decree no. 231/2001	Stock manipulation (Article 2637 of the Italian Civil Code) Pecuniary penalty: - from 400 to 1000 quotas.	Article 2637 of the Italian Civil Code. - "Stock manipulation". <i>Whoever spreads false information, or who carries out simulated transactions or other ploys which are likely to cause a significant alteration in the price of unlisted financial instruments, or for which no application for admission to trading on a regulated market has been submitted, or to have a significant effect on the public confidence in the financial stability of banks or banking groups, shall be punished by imprisonment from one to five years".</i>
Article 25-ter of Legislative Decree no. 231/2001	Obstructing the exercise of the functions of public supervisory authorities (Article 2638 of the Italian Civil Code) Pecuniary penalty: - from 400 to 800 quotas for the first and second paragraphs.	Article 2638 of the Italian Civil Code. - "Obstructing the exercise of the functions of public supervisory authorities". <i>"Directors, general managers, managers responsible for preparing the company accounts, statutory auditors and liquidators of companies or bodies and other persons subject by law to public supervisory authorities, or bound by obligations towards them, who in communications to the aforementioned authorities required by law, in order to hinder the exercise of supervisory functions expose untrue material facts, even if subject to assessment, on the economic, asset or financial situation of those subject to supervision or, for the same purpose, conceal by other fraudulent means all or part of the facts that they should have communicated, concerning the same situation, shall be punished with imprisonment from one to four years. The punishability is also extended to cases where the information relates to assets owned or administered by the company on behalf of third parties. The same penalty applies to directors, general managers, managers in charge of drafting corporate accounting documents, statutory auditors and liquidators of companies or bodies and other persons subject by law to public supervisory authorities or bound by obligations towards them, who, in any form whatsoever, including by omitting the communications due to the aforementioned authorities, knowingly obstruct their functions.</i> <i>The penalty is doubled in the case of companies with shares listed on regulated markets in Italy or other EU Member States or widely distributed among the public pursuant to Article 116 of the Consolidation Act stated in Legislative Decree no. 58 of 24 February 1998".</i>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 25-ter of Legislative Decree no. 231/2001	<p>False or omitted declarations for the issue of the preliminary certificate (Article 54 of Legislative Decree no. 19/2023)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 150 to 300 quotas. 	<p>Article 54 of Legislative Decree no. 19/2023 - “Whoever, in order to make it appear that the conditions for the issue of the preliminary certificate referred to in Article 29 have been fulfilled, draws up wholly or partly false documents, alters true documents, makes false statements or omits relevant information, shall be punished by imprisonment from six months to three years.</p> <p>In the event of conviction to a term of imprisonment of not less than eight months, the ancillary penalty set out in Article 32-bis of the Italian Criminal Code is applied.</p>

G. OFFENCES COMMITTED FOR THE PURPOSE OF TERRORISM OR SUBVERSION OF THE DEMOCRATIC ORDER

[Article 25-quater of Legislative Decree no. 231/2001]

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 25-quater of Legislative Decree no. 231/2001	<p>Associations for the purposes of terrorism, including international terrorism or subversion of the democratic order (Article 270-bis of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 400 to 1000 quotas for paragraph 1; - from 200 to 700 quotas for paragraph 2. <p>Disqualifying penalty: (for paragraph 1 only)</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; 	<p>Article 270-bis of the Italian Criminal Code - “Associations for the purpose of terrorism, including international terrorism or subversion of the democratic order”.</p> <p><i>“Whoever promotes, sets up, organises, directs or finances associations that propose to carry out acts of violence for the purpose of terrorism or subversion of the democratic order shall be punished by imprisonment from seven to fifteen years.</i></p> <p><i>Whoever takes part in such associations is liable to imprisonment for a term of five to ten years.</i></p> <p><i>For the purposes of criminal law, the purpose of terrorism also applies when the acts of violence are directed against a foreign State, an institution or an international body.</i></p> <p><i>The confiscation of the things that served or were intended to commit the offence and of the things that are the price, the product, the profit or that constitute its use is always mandatory for the convicted person”.</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<ul style="list-style-type: none"> - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; <p>from one year to two years.</p>	
Article 25- <i>quater</i> of Legislative Decree no. 231/2001	<p>Assistance to associates (Article 270-<i>ter</i> of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 400 to 1000 quotas for paragraph 1; - from 200 to 700 quotas for paragraph 2. <p>Disqualifying penalty: (for paragraph 1 only)</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; <p>from one year to two years.</p>	<p>Article 270-<i>ter</i> of the Italian Criminal Code - “Assistance to associates”</p> <p><i>Whoever, except in cases of complicity in the crime or of aiding and abetting, gives refuge or provides food, hospitality, means of transport or means of communication to any of the persons participating in the associations indicated in Articles 270 and 270-bis is punished with imprisonment of up to four years.</i></p> <p><i>The punishment is increased if the assistance is provided continuously.</i></p> <p><i>A person who commits the act in favour of a close relative is not punishable.</i></p>
Article 25- <i>quater</i> of Legislative Decree no. 231/2001	<p>Recruitment for the purposes of terrorism, including international terrorism (Article 270-<i>quater</i> of the Italian Criminal Code)</p>	<p>Article 270-<i>quater</i> of the Italian Criminal Code - “Recruitment for the purposes of terrorism, including international terrorism”</p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 400 to 1000 quotas for paragraph 1; - from 200 to 700 quotas for paragraph 2. <p>Disqualifying penalty: (for paragraph 1 only)</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; <p>from one year to two years.</p>	<p><i>“Whoever, outside the cases stated in Article 270-bis, recruits one or more persons for the purpose of committing acts of violence or sabotage of essential public services, for terrorist purposes, even if directed against a foreign State, an institution or an international body, shall be punished by imprisonment from seven to fifteen years.</i></p> <p><i>Outside the cases stated in Article 270-bis, and except in the case of training, the person recruited is punished with imprisonment from five to eight years”.</i></p>
Article 25-quater of Legislative Decree no. 231/2001	<p>Organisation of transfers for purposes of terrorism (Article 270-quater, para. 1 of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 400 to 1000 quotas for paragraph 1; - from 200 to 700 quotas for paragraph 2. <p>Disqualifying penalty: (for paragraph 1 only)</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; 	<p>Article 270-quater 1 of the Italian Criminal Code - “Organisation of transfers for the purposes of terrorism”</p> <p><i>“Aside from the cases stated in Articles 270-bis and 270-quater, any person who organises, finances or propagandises travels in foreign territory aimed at carrying out the conduct for terrorist purposes stated in Article 270-sexies, shall be punished by imprisonment from five to eight years”.</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	- ban on advertising goods and services; from one year to two years.	
Article 25- <i>quater</i> of Legislative Decree no. 231/2001	<p>Training for activities with the purpose of terrorism, including international terrorism (Article 270-<i>quinquies</i> of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 400 to 1000 quotas for paragraph 1; - from 200 to 700 quotas for paragraph 2. <p>Disqualifying penalty: (for paragraph 1 only)</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; from one year to two years. 	<p>Article 270-<i>quinquies</i> of the Italian Criminal Code - “Training for activities with the purpose of terrorism, including international terrorism”</p> <p><i>“Whoever, outside the cases stated in Article 270-bis, trains or in any case provides instructions on the preparation or use of explosive materials, firearms or other weapons, harmful or dangerous chemical or bacteriological substances, as well as any other technique or method for carrying out acts of violence or sabotage of essential public services, for terrorist purposes, even if directed against a foreign State, institution or international body, shall be punished by imprisonment from five to ten years. The same punishment applies to the trained person, as well as to the person who, having acquired, even autonomously, the instructions for carrying out the acts stated in the first sentence, engages in behaviours univocally aimed at carrying out the acts stated in Article 270-sexies.</i></p> <p><i>The penalties stated in this article are increased if the act of the person who trains or instructs is committed by means of computer or telematic instruments”.</i></p>
Article 25- <i>quater</i> of Legislative Decree no. 231/2001	<p>Conduct for the purpose of terrorism (Article 270-<i>sexies</i> of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 400 to 1000 quotas for paragraph 1; - from 200 to 700 quotas for paragraph 2. <p>Disqualifying penalty: (for paragraph 1 only)</p>	<p>Article 270-<i>sexies</i> of the Italian Criminal Code. - “Conduct for the purpose of terrorism”</p> <p><i>“Conduct is considered to be for the purpose of terrorism if, by its nature or context, it is likely to cause serious damage to a country or an international organisation and is carried out with the aim of intimidating the population or compelling public authorities or an international organisation to perform or abstain from performing any act or destabilising or destroying the fundamental political, constitutional, economic and social structures of a country or an international organisation, as well as other conduct defined as terrorist or committed for the purpose of terrorism by conventions or other rules of international law binding for Italy”.</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; <p>from one year to two years.</p>	
Article 25- <i>quater</i> of Legislative Decree no. 231/2001	<p>Attack for terrorist or subversive purposes (Article 280 of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 400 to 1000 quotas for paragraph 1; - from 200 to 700 quotas for paragraph 2. <p>Disqualifying penalty: (for paragraph 1 only)</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; <p>from one year to two years.</p>	<p>Article 280 of the Italian Criminal Code - “Attack for terrorist or subversive purposes”</p> <p><i>“Whoever, for purposes of terrorism or subversion of the democratic order, attacks the life or safety of a person, shall be punished, in the first case, with imprisonment of no less than twenty years and, in the second case, with imprisonment of no less than six years.</i></p> <p><i>If the attack on the safety of a person results in very serious injury, the punishment shall be imprisonment of not less than eighteen years; if serious injury results, the punishment shall be imprisonment of not less than twelve years.</i></p> <p><i>If the facts stated in the preceding paragraphs are directed against persons exercising judicial or penitentiary functions or public security functions in the exercise or because of their functions, the penalties are increased by one third.</i></p> <p><i>If the acts stated in the preceding paragraphs result in the death of a person, life imprisonment shall be applied in the case of an attempt on the person's life and imprisonment of thirty years in the case of an attempt on the person's integrity.</i></p> <p><i>The extenuating circumstances, other than those stated in Articles 98 and 114, which are concurrent with the aggravating factors stated in the second and fourth paragraphs, cannot be considered equivalent to or prevailing over these and the punishment reductions are applied to the amount of punishment resulting from the increase due to the aforementioned aggravating factors”.</i></p>
Article 25- <i>quater</i>	<p>Act of terrorism with deadly or explosive devices (Article 280-<i>bis</i> of the Italian Criminal Code)</p>	<p>Article 280-<i>bis</i> of the Italian Criminal Code - “Act of terrorism with deadly or explosive devices”</p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
of Legislative Decree no. 231/2001	<p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 400 to 1000 quotas for paragraph 1; - from 200 to 700 quotas for paragraph 2. <p>Disqualifying penalty: (for paragraph 1 only)</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; <p>from one year to two years.</p>	<p><i>“Unless the fact constitutes a more serious offence, whoever, for the purposes of terrorism, carries out any act aimed at damaging the movable or immovable property of others, through the use of explosive or other deadly devices, shall be punished by imprisonment from two to five years.</i></p> <p><i>For the purposes of this article, explosive or in any case deadly devices are understood to mean weapons and similar materials indicated in Article 585 and capable of causing significant material damage.</i></p> <p><i>If the fact is directed against the seat of the Presidency of the Republic, the Legislative Assemblies, the Constitutional Court, Government bodies or in any case bodies established by the Constitution or by constitutional laws, the penalty shall be increased by up to half.</i></p> <p><i>If the fact causes danger to public safety or serious damage to the national economy, imprisonment from five to ten years shall be applied”.</i></p>
Article 25-quater of Legislative Decree no. 231/2001	<p>Kidnapping for the purpose of terrorism or subversion (Article 289-bis of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 400 to 1000 quotas for paragraph 1; - from 200 to 700 quotas for paragraph 2. <p>Disqualifying penalty: (for paragraph 1 only)</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; 	<p>Article 289-bis of the Italian Criminal Code - “Kidnapping for the purpose of terrorism or subversion”</p> <p><i>“Whoever kidnaps a person for the purpose of terrorism or subversion of the democratic order shall be punished by imprisonment from twenty-five to thirty years.</i></p> <p><i>If the kidnapping results in the death of the kidnapped person as an unintended consequence of the offender, the offender shall be punished by imprisonment of thirty years.</i></p> <p><i>If the offender causes the death of the kidnapped person, the penalty shall be life imprisonment.</i></p> <p><i>An accomplice who, disassociating himself/ herself from the others, acts in such a way that the passive subject regains his/ her freedom shall be punished by imprisonment from two to eight years; if the passive subject dies, as a consequence of the kidnapping, after his/ her release, the punishment shall be imprisonment from eight to eighteen years.</i></p> <p><i>When an attenuating circumstance occurs, the penalty provided for in the second paragraph is replaced by imprisonment from twenty to twenty-four years; the penalty provided for in the third paragraph is replaced by imprisonment from twenty-four to thirty years. If there are several mitigating circumstances, the applicable penalty as a result of the reductions cannot be less than ten years, in the provision stated in the second paragraph, and fifteen years, in the provision stated in the third paragraph”.</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	- ban on advertising goods and services; from one year to two years.	
Article 25-quater of Legislative Decree no. 231/2001	<p>Incitement to commit any of the offences provided for in first and second Chapters (Article 302 of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 400 to 1000 quotas for paragraph 1; - from 200 to 700 quotas for paragraph 2. <p>Disqualifying penalty: (for paragraph 1 only)</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; from one year to two years. 	<p>Article 302 of the Italian Criminal Code- "Incitement to commit any of the offences provided for in first and second Chapters"</p> <p><i>"Whoever instigates someone to commit one of the non-culpable offences provided for in the first and second Chapters of this title (Articles 241 et seq. and Articles 276 et seq.), for which the law establishes (the death penalty or) life imprisonment or imprisonment, shall be punished, if the instigation is not accepted, or if the instigation is accepted but the offence is not committed, by imprisonment of from one to eight years. The penalty is increased if the act is committed by means of computer or telematic instruments.</i></p> <p><i>However, the penalty to be applied is always less than half of the penalty established for the offence to which the instigation refers".</i></p>
Article 25-quater of Legislative Decree no. 231/2001	<p>International Convention for the Suppression of Terrorism (Convention December 1999)</p>	<p>As a result of the reference made by paragraph 4 of Article 25-quater of Legislative Decree no. 231/2001, the following circumstances of the offence provided for in international conventions to combat terrorism are mainly relevant:</p> <p>International Convention for the Suppression of the Financing of Terrorism - December 1999</p> <p><i>"1. It shall be an offence under this Convention for any person who, by any means whatsoever, directly or indirectly, unlawfully and intentionally provides or collects funds with the intention that they should be used, or knowing that they will be used, in whole or in part, for the purpose of committing:</i></p> <p><i>a) an act constituting an offence within the meaning and as defined in one of the treaties listed in the Annex;</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
		<p><i>b) any other act intended to kill or seriously injure a civilian or any other person not taking a direct part in the hostilities in a situation of armed conflict when, by its nature or context, such act is intended to intimidate a population or to compel a government or international organisation to perform, or abstain from performing, any act.</i></p> <p><i>2. <omissis></i></p> <p><i>3. For an act to constitute an offence within the meaning of paragraph 1, it is not necessary that the funds have actually been used to commit an offence referred to in paragraph a) or b) of paragraph 1 of this article.</i></p> <p><i>4. An offence shall also be committed by any person who attempts to commit an offence within the meaning of paragraph 1 of this article.</i></p> <p><i>5. Any person also commits an offence who:</i></p> <p><i>a) participates as an accomplice in an offence pursuant to paragraphs 1 or 4 of this article;</i></p> <p><i>b) organises the commission of an offence within the meaning of paragraphs 1 or 4 of this article or directs any other person to commit such an offence;</i></p> <p><i>c) contributes to the commission of one or more offences under paragraphs 1 or 4 of this article by a group acting complicity. Such contribution must be deliberate and must:</i></p> <p><i>i) be intended to facilitate the criminal activity of the group or to serve its purposes, if such activity or purposes presuppose the commission of an offence within the meaning of paragraph 1 of this article;</i></p> <p><i>ii) have been provided in the knowledge that the group intends to commit an offence under paragraph 1 of this article”.</i></p> <p>The aforementioned article also refers to numerous international conventions with the aim of suppressing acts of terrorism (by way of example: Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Installations on the Continental Shelf - Rome, 10 March 1988 -, International Convention for the Suppression of Terrorist Bombings, adopted by the UN General Assembly on 15 December 1997, and so forth).</p>

H. FEMALE GENITAL MUTILATION PRACTICES OFFENCES

[Article 25-*quater* 1 of Legislative Decree 231/2001]

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 25- <i>quater</i> 1 of Legislative Decree no. 231/2001	<p>Female genital mutilation practices (Article 583-<i>bis</i> of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 300 to 700 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; <p>from one year to two years.</p>	<p>Article 583-<i>bis</i> of the Italian Criminal Code- “Female genital mutilation practices”.</p> <p><i>“Whoever, in the absence of therapeutic needs, causes female genital mutilation, shall be punished by imprisonment from four to twelve years. For the purposes of this article, female genital mutilation is understood as clitoridectomy, excision and infibulation and any other practice causing effects of the same kind.</i></p> <p><i>Whoever, in the absence of therapeutic needs, causes, in order to impair sexual functions, injuries to female genital organs other than those stated in the first paragraph, from which an illness in body or mind results, shall be punished by imprisonment from three to seven years. The penalty shall be reduced by up to two thirds if the injury is minor.</i></p> <p><i>The penalty shall be increased by one third when the practices stated in the first and second paragraphs are committed to the detriment of a minor or if the act is committed for financial gain.</i></p> <p><i>Conviction or the application of the penalty at the request of the parties pursuant to Article 444 of the Italian Criminal Procedure Code for the offence stated in this article shall entail, if the act is committed by the parent or guardian, respectively:</i></p> <ol style="list-style-type: none"> <i>1) disqualification from exercising parental responsibility;</i> <i>2) perpetual disqualification from any office pertaining to legal guardianship and support administration.</i> <p><i>The provisions of this article shall also apply when the act is committed abroad by an Italian citizen or a foreigner residing in Italy, or to the detriment of an Italian citizen or a foreigner residing in Italy. In this case, the offender shall be punished upon request of the Minister of Justice”.</i></p>

I. OFFENCES AGAINST THE INDIVIDUAL PERSON

[Article 25-*quinquies* Legislative Decree no. 231/2001]

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 25- <i>quinquies</i> Legislative Decree no. 231/2001	<p>Enslavement or maintenance in slavery or servitude (Article 600 of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 400 to 1000 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; <p>from one year to two years.</p>	<p>Article 600 of the Italian Criminal Code- "Enslavement or maintenance in slavery or servitude".</p> <p><i>"Whoever exercises powers over a person which correspond to those of the right of property, or whoever enslaves or maintains a person in a state of continuous subjection, forcing that person to work or perform sexual activities or to beg or in any case to engage in unlawful activities involving the exploitation thereof, or to submit to the removal of organs, shall be punished by imprisonment from eight to twenty years.</i></p> <p><i>The enslavement or maintenance in a state of subjection occurs when the conduct is carried out by means of violence, threat, deception, abuse of authority or taking advantage of a situation of vulnerability, physical or mental inferiority or a situation of need, or by promising or giving sums of money or other advantages to those in authority over the person.</i></p>
Article 25- <i>quinquies</i> Legislative Decree no. 231/2001	<p>Child prostitution (Article 600-<i>bis</i> of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 300 to 800 quotas for paragraph 1; - from 200 to 700 quotas for paragraph 2. <p>Disqualifying penalty: (for paragraph 1)</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; 	<p>(Article 600-<i>bis</i> of the Italian Criminal Code) - "Child prostitution".</p> <p><i>"A sentence of imprisonment ranging from six to twelve years and a fine ranging from € 15,000 to € 150,000 shall be imposed on any person who:</i></p> <ol style="list-style-type: none"> <i>1) recruits or induces to prostitution a person below the age of eighteen years;</i> <i>2) promotes, exploits, manages, organises or controls the prostitution of a person below the age of eighteen years, or otherwise profits from it.</i> <p><i>Unless the act constitutes a more serious offence, any person who performs sexual acts with a minor between the ages of fourteen and eighteen years, in exchange for money or other benefits, even if only promised, shall be punished by imprisonment from one to six years and a fine of between € 1,500 and € 6,000.</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<ul style="list-style-type: none"> - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; <p>from one year to two years.</p>	
Article 25- <i>quinquies</i> Legislative Decree no. 231/2001	<p>Child pornography (Article 600-<i>ter</i> of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 300 to 800 quotas for paragraphs 1 and 2; - from 200 to 700 for paragraphs 3 and 4. <p>Disqualifying penalty (first and second paragraphs):</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; <p>from one year to two years</p>	<p>(Article 600-<i>ter</i> of the Italian Criminal Code - “Child pornography”).</p> <p><i>“A sentence of imprisonment ranging from six to twelve years and a fine ranging from € 24,000 to € 240,000 shall be imposed on any person who:</i></p> <ol style="list-style-type: none"> <i>1) using minors under the age of eighteen, puts on pornographic performances or shows or produces pornographic material;</i> <i>2) recruits or induces minors under the age of eighteen to participate in pornographic performances or shows, or otherwise profits from the aforementioned shows”.</i> <p><i>The same punishment shall apply to whoever trades in the pornographic material stated in the first paragraph.</i></p> <p><i>Whoever, aside from the cases stated in the first and second paragraph, by any means whatsoever, including by telematic systems, distributes, discloses, disseminates or advertises the pornographic material stated in the first paragraph, or distributes or discloses news or information aimed at the solicitation or sexual exploitation of minors below the age of eighteen, shall be punished with imprisonment from one to five years and a fine ranging from € 2,582 to € 51,645.</i></p> <p><i>Whoever, apart from the cases referred to in the first, second and third paragraphs, offers or transfers to others, also free of charge, the pornographic material referred to in the first paragraph, shall be punished by imprisonment of up to three years and a fine ranging from € 1,549 to € 5,164. In the cases referred to in the third and fourth paragraphs, the punishment shall be increased by a maximum of two thirds where the material is of large quantity.</i></p> <p><i>Unless the act constitutes a more serious offence, anyone who attends pornographic performances or shows involving minors under the age of eighteen shall be punished by imprisonment of up to three years and a fine of between € 1,500 and € 6,000.</i></p> <p><i>For the purposes of this article, child pornography shall mean any depiction, by whatever means, of a child below the age of eighteen involved in real or simulated explicit sexual activities, or any depiction of the sexual organs of a child below the age of eighteen for sexual purposes”.</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 25- <i>quinquies</i> Legislative Decree no. 231/2001	<p>Possession of pornographic material (Article 600-<i>quater</i> of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 200 to 700 quotas 	<p>Article 600-<i>quater</i> of the Italian Criminal Code- “Possession of pornographic material”.</p> <p><i>Whoever, outside the cases stated in Article 600-ter, knowingly procures or possesses pornographic material made using minors under the age of eighteen, shall be punished with imprisonment of up to three years and with a fine of no less than € 1,549. The punishment shall be increased by not more than two thirds where the material possessed is of large quantity.</i></p>
Article 25- <i>quinquies</i> Legislative Decree no. 231/2001	<p>Virtual pornography (Article 600-<i>quater</i>1 of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 300 to 800 quotas (if connected with the offences referred to in Articles 600-bis, first paragraph, 600-ter, first and second paragraphs) - from 200 to 700 quotas (if related to the offences referred to in Articles 600-bis, second paragraph, 600-ter, third and fourth paragraphs, and 600-<i>quater</i>) <p>Disqualifying penalty (if connected with the offences referred to in paragraph 1, letters a) and b) of Article 25-<i>quinquies</i> Legislative Decree no. 231/01):</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; <p>from one year to two years.</p>	<p>Article 600-<i>quater</i> 1 of the Italian Criminal Code - “Virtual pornography”</p> <p><i>“The provisions stated in Articles 600-ter and 600-<i>quater</i> shall also apply when the pornographic material represents virtual images made using images of minors below the age of eighteen years or parts thereof, but the penalty shall be reduced by one third. Virtual images are images made using graphic processing techniques not associated in whole or in part with real situations, the quality of whose representation makes non-real situations appear real”.</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 25- <i>quinquies</i> Legislative Decree no. 231/2001	<p>Tourism initiatives aimed at the exploitation of child prostitution (Article 600-<i>quinquies</i> of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 300 to 800 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; <p>from one year to two years.</p>	<p>Article 600-<i>quinquies</i> of the Italian Criminal Code - "Tourism initiatives aimed at the exploitation of child prostitution".</p> <p><i>"Whoever organises or promotes trips aimed at the enjoyment of prostitution activities to the detriment of minors or in any case including such activities shall be punished by imprisonment from six to twelve years and with a fine ranging from € 15,493 to € 154,937".</i></p>
Article 25- <i>quinquies</i> Legislative Decree no. 231/2001	<p>Human trafficking (Article 601 of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 400 to 1000 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; 	<p>Article 601 of the Italian Criminal Code - "Human Trafficking".</p> <p><i>"A sentence of imprisonment ranging from eight to twenty years shall be imposed on whoever recruits, imports, transfers into or out of the State territory, transports, gives authority over, harbours one or more persons who are in the conditions stated in Article 600, or, carries out the same conduct on one or more persons, by means of deception, violence, threats, abuse of authority or taking advantage of a situation of vulnerability, physical or mental inferiority or need, or by promising or giving money, goods or other benefits to the person having authority over them, in order to induce or force them to work, to engage in sexual activities or begging or in any case to engage in illegal activities involving their exploitation or to submit to the removal of organs. The same punishment shall apply to any person who, even outside the modalities stated in the first paragraph, engages in the conduct stated therein towards a minor person".</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<ul style="list-style-type: none"> - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; from one year to two years. 	
Article 25- <i>quinquies</i> Legislative Decree no. 231/2001	<p>Purchase and sale of slaves (Article 602 of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 400 to 1000 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; from one year to two years. 	<p>Article 602 Italian Criminal Code - "Purchase and sale of slaves".</p> <p><i>"Whoever, outside the cases indicated in Article 601, purchases or sells or disposes of a person who is in one of the conditions stated in Article 600 shall be punished by imprisonment from eight to twenty years.</i></p> <p><i>The penalty shall be increased by between a third and a half if the injured party is below the age of eighteen years, or if the facts stated in the first paragraph are directed towards the exploitation of prostitution or towards subjecting the injured party to the removal of organs".</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 25- <i>quiquies</i> Legislative Decree no. 231/2001	<p>Illegal intermediation and exploitation of labour (Article 603-<i>bis</i> of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 400 to 1000 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; <p>from one year to two years.</p>	<p>Article 603-<i>bis</i> of the Italian Criminal Code - “Illegal intermediation and exploitation of labour”.</p> <p><i>“Unless the act constitutes a more serious offence, the punishment shall be imprisonment from one to six years and a fine of between € 500 and € 1,000 for each worker recruited, to whoever:</i></p> <ol style="list-style-type: none"> <i>1) recruits labour for the purpose of assigning it to work for third parties in exploitative conditions, taking advantage of the workers' state of need;</i> <i>2) uses, hires or employs labour, including through the intermediary activity stated in number 1), subjecting workers to exploitative conditions and taking advantage of their state of need.</i> <p><i>If the facts are committed by means of violence or threats, the penalty shall be imprisonment for a term of five to eight years and a fine of between € 1,000 and € 2,000 for each worker recruited.</i></p> <p><i>For the purposes of this article, the existence of one or more of the following conditions shall constitute an indication of exploitation:</i></p> <ol style="list-style-type: none"> <i>1) the repeated payment of wages in a manner clearly different from the national or territorial collective agreements entered into by the most representative trade unions at national level, or in any case disproportionate to the quantity and quality of the performed work;</i> <i>2) the repeated violation of the regulations on working hours, rest periods, weekly rest, compulsory leave, holidays;</i> <i>3) the existence of violations of rules on safety and hygiene in the workplace;</i> <i>4) subjecting the worker to poor working conditions, surveillance methods or inadequate accommodation.</i> <p><i>The following constitute a specific aggravating factor and lead to an increase in the penalty of between one third and one half:</i></p> <ol style="list-style-type: none"> <i>1) the fact that the number of workers recruited exceeds three;</i> <i>2) the fact that one or more of the persons recruited are minors of non-working age;</i> <i>3) having committed the act by exposing the exploited workers to situations of serious danger, given the characteristics of the services to be performed and the working conditions”.</i>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 25- <i>quinquies</i> Legislative Decree no. 231/2001	Solicitation of minors (Article 609- <i>undecies</i> of the Italian Criminal Code) Pecuniary penalty: - from 200 to 700 quotas.	Article 609- <i>undecies</i> of the Italian Criminal Code - "Solicitation of minors" <i>"Whoever, for the purpose of committing the offences referred to in Articles 600, 600-bis, 600-ter and 600-quater, even if they relate to pornographic material referred to in Article 600-quater.1, 600-quinquies, 609-bis, 609-quater, 609-quinquies and 609-octies, solicits a child under the age of sixteen, shall be punished, if the act does not constitute a more serious offence, by imprisonment of one to three years. The term "solicitation" refers to any act aimed at gaining the trust of a minor by means of ploys, flattery or threats, including through the use of the Internet or other networks or means of communication".</i>

J. OFFENCES AND ADMINISTRATIVE OFFENCES OF MARKET ABUSE

[Article 25-*sexies* of Legislative Decree no. 231/2001; Article 187-*bis*, 187-*ter*, 187-*quinquies* of the TUF or Consolidated Law on Finance]

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 25- <i>sexies</i> of Legislative Decree no. 231/2001	<p>Abuse or unlawful disclosure of inside information. Recommending or inducing others to commit insider dealing (Article 184 of the TUF or Consolidated Law on Finance)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 400 to 1000 quotas; - in cases of significant profit or product gained, the penalty may be increased up to ten times such product or profit. 	<p>Article 184 of the TUF - “Abuse or unlawful disclosure of inside information. Recommending or inducing others to commit insider dealing”</p> <p><i>“1. A sentence of imprisonment ranging from one to six years and a fine ranging from twenty thousand euros to three million euros shall be imposed on any person who, being in possession of inside information by virtue of his/ her membership of the administrative, management or supervisory bodies of the issuer, his/ her holding in the capital of the issuer, or the exercise of an occupation, profession or function, including a public function, or an office:</i></p> <ol style="list-style-type: none"> <i>buys, sells or carries out other transactions, directly or indirectly, on his/ her own account or on behalf of third parties, in financial instruments using such information;</i> <i>discloses such information to others outside the normal exercise of his/ her employment, profession, function or office or a market survey carried out pursuant to Article 11 of Regulation (EU) no. 596/2014;</i> <i>recommends or induces others, on the basis of such recommendations, to carry out any of the transactions indicated in letter a)”</i> <p><i>2. The same penalty as in paragraph 1 shall apply to anyone who, being in possession of inside information by reason of the preparation or execution of criminal activities, carries out any of the actions stated in the same paragraph 1.</i></p> <p><i>3. The judge may increase the fine up to three times or up to the greater amount of ten times the product or profit obtained from the offence when, due to the severity of the offence, the personal qualities of the offender or the amount of the product or profit obtained from the offence, it appears inadequate even if the maximum is applied.</i></p> <p><i>3-bis. In the case of transactions involving the financial instruments stated in Article 180, paragraph 1, letter a), number 2), 2-bis) and 2-ter) limited to financial instruments whose price or value depends on the price or value of a financial instrument stated in numbers 2) and 2-bis) or has an effect on such price or value, or involving auctions on an auction platform authorised as a regulated market for emission allowances, the criminal sanction is a fine of up to one hundred and three thousand, two hundred and ninety-one euros and imprisonment for up to three years.</i></p>
Article 25- <i>sexies</i>	Market Manipulation	Article 185 of the TUF - “Market Manipulation”

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
of Legislative Decree no. 231/2001	<p>(Article 185 of the TUF or Consolidated Law on Finance)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 400 to 1000 quotas; <p>in cases of significant profit or product gained, the penalty may be increased up to ten times such product or profit.</p>	<p><i>“Whoever spreads false news or carries out simulated transactions or other devices concretely capable of causing a significant alteration in the price of financial instruments shall be punished by imprisonment of two to twelve years and a fine of between € 20,000 and € 5,000,000.</i></p> <p><i>1-bis. A person who has committed the act by means of trading orders or transactions carried out for legitimate reasons and in accordance with accepted market practices, pursuant to Article 13 of Regulation (EU) no. 596/2014, shall not be punishable.</i></p> <p><i>2. The judge may increase the fine up to three times or up to the greater amount of ten times the product or profit obtained from the offence when, due to the severity of the offence, the personal qualities of the offender or the amount of the product or profit obtained from the offence, it appears inadequate even if the maximum is applied.</i></p> <p><i>2-bis. In the case of transactions involving the financial instruments stated in Article 180, paragraph 1, letter a), number 2), 2-bis) and 2-ter), limited to financial instruments whose price or value depends on the price or value of a financial instrument stated in numbers 2) and 2-bis) or has an effect on such price or value, or involving auctions on an auction platform authorised as a regulated market for emission allowances, the criminal sanction is a fine of up to € 103,000 and € 291,000 and imprisonment for up to three years.</i></p> <p><i>2-ter. The provisions of this article shall also apply (a) to acts concerning spot commodity contracts other than wholesale energy products which are capable of causing a significant change in the price or value of financial instruments as referred to in Article 180(1)(a) (b) to facts concerning financial instruments, including derivative contracts or derivative instruments for the transfer of credit risk, capable of causing a significant change in the price or value of a spot commodity contract, where the price or value depends on the price or value of those financial instruments; (c) to facts concerning benchmark indices.</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 187-quinquies of the TUF or Consolidated Law on Finance	<p>Abuse and unlawful disclosure of inside information (Article 187-bis of the TUF or Consolidated Law on Finance)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - € 20,000 to € 15 million or up to fifteen percent of the turnover; - in cases of significant profit or product gained, the penalty may be increased up to ten times such product or profit. 	<p>Article 187-bis of the TUF - "Abuse and unlawful disclosure of inside information"</p> <p>1. Without prejudice to criminal penalties when the act constitutes a criminal offence, a fine of between € 20,000 and € 5 million shall be imposed on any person who violates the prohibition against insider trading and the unlawful disclosure of inside information as laid down in Article 14 of Regulation (EU) no. 596/2014.</p> <p>5. The financial administrative sanctions provided for in this article shall be increased up to three times or up to the greater amount of ten times the profit gained or the losses avoided as a result of the offence when, taking into account the criteria listed in Article 194-bis and the size of the product or profit of the offence, they appear inadequate even if applied at the maximum.</p> <p>6. For the offences provided for in this article, attempt shall be deemed equivalent to consummation.</p>
Article 187-quinquies of the TUF or Consolidated Law on Finance	<p>Market manipulation (Article 187-ter of the TUF)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - € 20,000 to € 15 million or up to fifteen percent of the turnover; - in cases of significant profit or product gained, the penalty may be increased up to ten times such product or profit. 	<p>Article 187-ter of the TUF - "Market Manipulation"</p> <p>1. Without prejudice to criminal penalties where the act constitutes a criminal offence, a fine of between € 20,000 to € 5 million shall be imposed on any person who violates the prohibition against market manipulation set out in Article 15 of Regulation (EU) no. 596/2014.</p> <p>2. Article 187-bis, paragraph 5, shall apply.</p> <p>4. No administrative sanction under this article may be imposed on a person who proves that he acted for legitimate reasons and in conformity with accepted market practices in the market concerned.</p>

K. OFFENCES OF MANSLAUGHTER AND GRIEVOUS OR VERY GRIEVOUS BODILY HARM COMMITTED IN BREACH OF OCCUPATIONAL HEALTH AND SAFETY REGULATIONS

[Article 25-*septies* of Legislative Decree no. 231/2001]

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 25- <i>septies</i> . Legislative Decree no. 231/2001	<p>Manslaughter (Article 589 of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 1000 quotas if the manslaughter is committed in violation of Article 55, II, of the TUS; - from 250 to 500 quotas in other cases of violation of the rules on the protection and safety of workers. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; <p>from three months to one year.</p>	<p>Article 589 of the Italian Criminal Code – “Manslaughter”.</p> <p><i>“Whoever culpably causes the death of a person shall be punished by imprisonment from six months to five years.</i></p> <p><i>If the offence is committed in breach of road traffic regulations or regulations for the prevention of accidents at work, the penalty is imprisonment for a term of between two and seven years. The penalty is imprisonment for a term of three to ten years if the offence is committed in breach of road traffic regulations by:</i></p> <p><i>1) a person in a state of alcoholic intoxication within the meaning of Article 186, paragraph 2, letter c), of Legislative Decree no. 285 of 30 April 1992, as amended, and subsequent amendments;</i></p> <p><i>2. a person under the influence of narcotic drugs or psychotropic substances.</i></p> <p><i>In the event of the death of one or more persons, the punishment to be imposed for the most serious of the violations committed shall apply, increased by up to three times, but the punishment may not exceed fifteen years”.</i></p>
Article 25- <i>septies</i> . Legislative Decree no. 231/2001	<p>Personal injury through negligence (Article 590, para. 3 of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 250 quotas if committed in violation of occupational health and safety regulations 	<p>Article 590 of the Italian Criminal Code - “Personal injury through negligence”.</p> <p><i>“Whoever culpably causes personal injury to another person shall be punished with imprisonment of up to three months or with a fine of up to € 309.</i></p> <p><i>If the injury is serious, the penalty shall be imprisonment from one to six months or a fine ranging from € 123 to € 619; if it is very serious, imprisonment from three months to two years or a fine ranging from € 309 to € 1,239.</i></p> <p><i>If the acts referred to in the preceding paragraph are committed in breach of road traffic regulations or regulations for the prevention of accidents at work, the penalty for serious injuries is imprisonment from three months to one year or a fine ranging from € 500 to € 2,000 and the penalty for very serious injuries is imprisonment from one to three years.</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; <p>from three to six months.</p>	<p><i>If the acts referred to in the second paragraph are committed in the unauthorised exercise of a profession for which a special State or health care art licence is required, the penalty for grievous bodily harm shall be imprisonment for a term of six months to two years and the penalty for very serious bodily harm shall be imprisonment for a term of one year and six months to four years.</i></p> <p><i>In case of injuries to more than one person, the punishment that should be imposed for the most serious of the violations committed is applied, increased up to three times; but the punishment of imprisonment cannot exceed five years.</i></p> <p><i>The offence shall be punishable on complaint by the injured party, except in the cases stated in the first and second paragraph, limited to facts committed contrary to the rules for the prevention of accidents at work or relating to occupational hygiene or which have resulted in an occupational disease”.</i></p>

L. OFFENCES OF RECEIVING STOLEN GOODS, MONEY LAUNDERING AND USE OF MONEY, GOODS OR BENEFITS OF UNLAWFUL ORIGIN, AS WELL AS SELF-LAUNDERING

[Article 25-*octies* of Legislative Decree no. 231/2001]

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 25- <i>octies</i> of Legislative Decree no. 231/2001	<p>Receiving stolen goods (Article 648 of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 200 to 800 quotas; - from 400 to 1000 quotas where the money, goods or other benefits originate from an offence for which a maximum term of imprisonment of more than five years is laid down. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; from three months to two years. 	<p>Article 648 - “Receiving stolen goods”.</p> <p><i>Aside from cases of complicity in the offence, any person who, in order to procure a profit for himself/ herself or others, acquires, receives or conceals money or things deriving from any offence, or in any event is involved in having acquired, received or concealed them, shall be punished by imprisonment from two to eight years and a fine of between € 516 and € 10,329. The punishment shall be increased when the act concerns money or goods resulting from the offences of aggravated robbery within the meaning of Article 628, third paragraph, aggravated extortion within the meaning of Article 629, second paragraph, or aggravated theft within the meaning of Article 625, first paragraph, no. 7-bis).</i></p> <p><i>The penalty shall be imprisonment for a term of between one and four years and a fine of between € 300 and € 6,000 when the offence concerns money or goods deriving from an offence punishable by imprisonment for a maximum of more than one year or a minimum of more than six months. The penalty is increased if the offence is committed in the exercise of a professional activity. If the offence is of particular tenuousness, the penalty shall be imprisonment for a term of up to six years and a fine of up to € 1,000 in the case of money or goods deriving from a crime, and imprisonment for a term of up to three years and a fine of up to € 800 in the case of money or goods deriving from a contravention.</i></p> <p><i>The provisions of this article shall also apply when the perpetrator of the offence from which the money or goods originates cannot be charged or is not punishable, or when a condition of prosecution relating to that offence is lacking.</i></p>
Article 25- <i>octies</i> of Legislative Decree no. 231/2001	<p>Money laundering (Article 648-<i>bis</i> of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 200 to 800 quotas; 	<p>Article 648-<i>bis</i> “Money laundering”.</p> <p><i>Aside from cases of complicity in the offence, any person who replaces or transfers money, goods or other benefits resulting from an offence, or carries out other transactions in connection therewith, in such a way as to obstruct the identification of their criminal origin, shall be punished by imprisonment of four to twelve years and a fine of between € 5,000 and € 25,000.</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<ul style="list-style-type: none"> - from 400 to 1000 quotas where the money, goods or other benefits originate from an offence for which a maximum term of imprisonment of more than five years is laid down. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; <p>from three months to two years.</p>	<p><i>The penalty shall be imprisonment for a term of between two and six years and a fine of between € 2,500 and € 12,500 when the offence concerns money or goods deriving from an offence punishable by a term of imprisonment of a maximum of more than one year or a minimum of six months.</i></p> <p><i>The penalty is increased when the act is committed in the exercise of a professional activity.</i></p> <p><i>The penalty is reduced if the money, goods or other benefits come from an offence for which the maximum term of imprisonment is lower than five years. The last paragraph of Article 648 shall apply.</i></p>
Article 25-octies of Legislative Decree no. 231/2001	<p>Use of money, goods or assets of unlawful origin (Article 648-ter of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 200 to 800 quotas; - from 400 to 1000 quotas where the money, goods or other benefits originate from an offence for which a maximum term of imprisonment of more than five years is laid down. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; 	<p>Article 648-ter of the Italian Criminal Code - "Use of money, goods or assets of unlawful origin".</p> <p><i>Whoever, aside from cases of complicity in the offence and the cases stated in Articles 648 and 648-bis, uses money, goods or other benefits resulting from an offence in economic or financial activities, shall be punished with imprisonment from four to twelve years and with a fine ranging from € 5,000 to € 25,000.</i></p> <p><i>The penalty shall be imprisonment for a term of between two and six years and a fine of between € 2,500 and € 12,500 when the offence concerns money or goods deriving from an offence punishable by a term of imprisonment of a maximum of more than one year or a minimum of six months.</i></p> <p><i>The penalty is increased when the act is committed in the exercise of a professional activity.</i></p> <p><i>The penalty shall be reduced in the case referred to in the fourth paragraph of Article 648. The last paragraph of Article 648 shall apply.</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<ul style="list-style-type: none"> - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; <p>from three months to two years.</p>	
Article 25-octies of Legislative Decree no. 231/2001	<p>Self-laundering (Article 648-ter 1 of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 200 to 800 quotas; - from 400 to 1000 quotas where the money, goods or other benefits originate from an offence for which a maximum term of imprisonment of more than five years is laid down. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; <p>from three months to two years.</p>	<p>Article 648-ter 1 of the Italian Criminal Code- "Self-laundering"</p> <p><i>A sentence of two to eight years' imprisonment and a fine ranging from € 5,000 to € 25,000 shall be imposed on any person who, having committed or having conspired to commit a crime, uses, substitutes, transfers, in economic, financial, entrepreneurial or speculative activities, the money, goods or other utilities deriving from the commission of such crime, in such a way as to concretely hinder the identification of their criminal origin.</i></p> <p><i>The penalty shall be imprisonment for a term of between one and four years and a fine ranging from € 2,500 to € 12,500 when the offence concerns money or things deriving from an offence punishable by imprisonment for a maximum of more than one year or a minimum of more than six months.</i></p> <p><i>The penalty is reduced if the money, goods or other assets come from a crime for which the maximum term of imprisonment is lower than five years.</i></p> <p><i>In any case, the penalties provided for in the first paragraph shall apply if the money, goods or other assets originate from an offence committed under the conditions or for the purposes set forth in Article 416-bis 1.</i></p> <p><i>Aside from the cases stated in the preceding paragraphs, conduct whereby the money, goods or other benefits are intended merely for personal use or enjoyment shall not be punishable.</i></p> <p><i>The penalty is increased when the acts are committed in the exercise of a banking or financial activity or of another professional activity.</i></p> <p><i>The penalty is reduced by up to half for those who have effectively taken steps to prevent the conduct from having further consequences or to ensure the offence evidence and the goods identification, money and other benefits deriving from the offence.</i></p> <p><i>The last paragraph of Article 648 applies.</i></p>

M. OFFENCES RELATING TO NON-CASH PAYMENT INSTRUMENTS
[Article 25-octies 1 of Legislative Decree no. 231/2001]

Organisational and Management Scheme pursuant to Legislative Decree no. 231/2001 – Annex 1

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Article 25-octies 1 of Legislative Decree no. 231/2001	<p>Misuse and falsification of non-cash payment instruments (Article 493-ter of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 300 to 800 quotas; <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services. 	<p>Article 493-ter 1 of the Italian Criminal Code. - "Misuse and falsification of non-cash means of payment". <i>"Whoever, in order to gain profit for himself/ herself or for others, unduly uses other people's credit or payment cards, or any other similar document enabling the withdrawal of cash or the purchase of goods or the provision of services, or any other non-cash means of payment, is liable to imprisonment for a term of between one and five years and a fine ranging from € 310 to € 1,550. The same shall apply to any person who, in order to gain profit for himself/ herself or others, forges or alters the instruments or documents referred to in the first sentence, or possesses, disposes of or acquires such instruments or documents of unlawful origin or in any case forged or altered, as well as payment orders produced with them.</i></p> <p><i>In case of conviction or application of the penalty upon request of the parties pursuant to Article 444 of the Italian Criminal Procedure Code for the offence stated in the first paragraph, the confiscation of the things that served or were intended to commit the offence, as well as of the profit or of the product, shall be ordered, unless they belong to a person not involved in the offence, or when this is not possible, the confiscation of goods, sums of money and other benefits which the offender has at his/ her disposal for a value corresponding to such profit or product.</i></p> <p><i>Instruments seized for the purposes of the confiscation stated in the second paragraph, during judicial police operations, shall be entrusted by the judicial authority to the police authorities requesting it".</i></p>
Article 25-octies 1 of Legislative Decree no. 231/2001	<p>Possession and distribution of computer equipment, devices or programmes aimed at committing offences involving non-cash payment instruments (Article 493-quater of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - up to 500 quotas; <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services. 	<p>Article 493-quater of the Italian Criminal Code - "Possession and distribution of computer equipment, devices or programmes aimed at committing offences involving non-cash payment instruments". <i>"Unless the act constitutes a more serious offence, anyone who, in order to make use of them or to allow others to use them in the commission of offences concerning non-cash payment instruments, manufactures, imports, exports, sells, transports, distributes, makes available or in any way procures for himself/ herself or for others equipment, devices or computer programmes which, by virtue of their technical-constructive features or design, are primarily intended for committing such offences, or are specifically adapted for the same purpose, shall be punished with imprisonment of up to two years and a fine of up to € 1,000.</i></p> <p><i>In the event of conviction or application of the penalty upon request of the parties pursuant to Article 444 of the Italian Code of Criminal Procedure for the offence referred to in the first paragraph, the confiscation of the aforementioned equipment, devices or computer programmes shall always be ordered, as well as the confiscation of the profit or product of the offence or, when this is not possible, the confiscation of goods, sums of money and other benefits the offender has at his/ her disposal for a value corresponding to such profit or product".</i></p>
Article 25-octies 1 of Legislative Decree no. 231/2001	<p>Computer fraud aggravated by the carrying out of a transfer of money, monetary value or virtual currency (Article 640-ter of the Italian Criminal Code)</p>	<p>Article 640-ter of the Italian Criminal Code - "Computer fraud aggravated by the carrying out of a transfer of money, monetary value or virtual currency".</p>

	<p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - up to 500 quotas; <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services. 	<p><i>Whoever, by altering in any way the operation of a computer or telecommunications system or by intervening without right in any way on data, information or programmes contained in a computer or telecommunications system or pertaining thereto, procures for himself/herself or others an unjust profit to the detriment of others, shall be punished with imprisonment from six months to three years and with a fine ranging from € 51 to € 1,032.</i></p> <p><i>The penalty shall be imprisonment for a term of between one and five years and a fine ranging from € 309 to € 1,549 if one of the circumstances envisaged in number 1) of the second paragraph of Article 640 applies, or if the act results in a transfer of money, monetary value or virtual currency or is committed with abuse of the capacity of system operator”.</i></p>
Article 25-octies 1 of Legislative Decree no. 231/2001	<p>Fraudulent transfer of valuables (Article 512-bis of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - up to 500 quotas; <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; 	<p>Article 512 bis of the Italian Criminal Code - “Fraudulent transfer of valuables”</p> <p><i>“Unless the fact constitutes a more serious offence, anyone who fictitiously attributes to another person the ownership or availability of money, goods or other benefits in order to evade the provisions of the law on property prevention measures or smuggling or to facilitate the commission of one of the offences referred to in Articles 648 648-bis and 648-ter shall be punished by imprisonment of from two to six years”.</i></p>

N. COPYRIGHT INFRINGEMENT OFFENCES
[Article 25 *novies* of Legislative Decree no. 231/2001]

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 25 <i>novies</i> of Legislative Decree no. 231/2001	<p>Copyright infringement offences (Article 171, first paragraph, letter <i>a-bis</i> and third paragraph Law no. 633/1941)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 500 quotas; - Disqualifying penalty: disqualification from pursuing the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; <p>from three months to one year.</p>	<p>Article 171 of Law no. 633/1941</p> <p>“[Of Article 171 Law no. 633/41 only the parts mentioned herein are referred to, therefore all other conduct described by the provision remains outside the scope of the predicate offences]</p> <p><i>Without prejudice to the provisions of Article 171-bis and Article 171-ter, a fine ranging from € 51 to € 2,065 shall be imposed on anyone who, without having the right to do so, for any purpose and in any form whatsoever:</i></p> <p>(...).</p> <p><i>a-bis) disseminates, without authorisation, by placing it on a telecommunication network system, by means of connections of any kind, intellectual works - or parts thereof - protected by copyright;</i></p> <p>(...)</p> <p><i>The penalty shall be imprisonment of up to one year or a fine of not less than € 516 if the offences stated above are committed on another person's work not intended for publication, or with copyright infringement, or with deformation, mutilation or other modification of the work itself, if the honour or reputation of the author is offended”.</i></p>
Article 25 <i>novies</i> of Legislative Decree no. 231/2001	<p>Copyright infringement offences (Article 171-<i>bis</i> Law no. 633/1941)</p> <p>Pecuniary penalty:</p>	<p>Article 171-<i>bis</i> Law no. 633/1941</p> <p>“1. <i>Whoever unlawfully duplicates, for the purpose of making a profit, computer programmes or for the same purposes imports, distributes, sells, holds for commercial or entrepreneurial purposes or leases programmes contained in media not marked by the Italian Society of Authors and Publishers (SLAE), shall be punished by imprisonment from six months to three years and a fine ranging from € 2,582 to € 15,493. The same penalty shall apply if the act concerns any means intended solely to allow or</i></p>

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	<ul style="list-style-type: none"> - From 100 to 500 quotas. - Disqualifying penalty: disqualification from pursuing the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; <p>from three months to one year.</p>	<p><i>facilitate the arbitrary removal or functional circumvention of devices applied for the protection of a computer programme. The penalty shall be no less than a minimum of two years' imprisonment and a fine of € 15,493 if the act is particularly serious.</i></p> <p><i>2. Whoever, in order to gain profit, on supports not marked SLAE, reproduces, transfers to another support, distributes, communicates, presents or shows in public the content of a database contrary to the provisions stated in Articles 64-quinquies and 64-sexies, or extracts or reuses the database contrary to the provisions stated in Articles 102-bis and 102-ter, or distributes, sells or rents out a database, is subject to a term of imprisonment ranging from six months to three years and a fine ranging from € 2,582 to € 15,493. The penalty shall be no less than a minimum of two years' imprisonment and a fine of € 15,493 if the act is particularly serious”.</i></p>
Article 25 novies of Legislative Decree no. 231/2001	<p>Copyright infringement offences (Article 171-ter Law no. 633/1941)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 500 quotas; <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; 	<p>Article 171-ter Law no. 633/1941</p> <p><i>“1. If the act is committed for non-personal use, it shall be punished with imprisonment from six months to three years and with a fine ranging from € 2,582 to € 15,493 for whoever, for profit:</i></p> <p><i>a) unlawfully duplicates, reproduces, transmits or circulates in public by any process, in whole or in part, an original work intended for the television, cinematographic, sale or rental circuit, discs, tapes or similar supports or any other support containing phonograms or videograms of musical, cinematographic or audiovisual works assimilated or sequences of moving images;</i></p> <p><i>b) unlawfully reproduces, transmits or broadcasts in public, by any process whatsoever, literary, dramatic, scientific or educational, musical or dramatic-musical, or multimedia works or parts thereof, even if included in collective or composite works or databases;</i></p> <p><i>although not having taken part in the duplication or reproduction, imports, holds for sale or distribution, distributes, places on the market, rents or otherwise disposes for any reason, projects in public, transmits by means of television by any process whatsoever, broadcasts by means of radio, or plays in public the unauthorised duplications or reproductions stated in letters a) and b);</i></p>

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	<ul style="list-style-type: none"> - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; <p>from three months to one year.</p>	<p><i>d) holds for sale or distribution, markets, sells, rents, transfers for any reason, projects in public, transmits by radio or television by any process, video cassettes, music cassettes, any support containing phonograms or videograms of musical, cinematographic or audiovisual works or sequences of moving images, or any other support for which, pursuant to this law, the affixing of a mark by the Italian Society of Authors and Publishers (S.I.A.E.), without the said mark or with a counterfeit or altered mark;</i></p> <p><i>e) in the absence of an agreement with the lawful distributor, retransmits or broadcasts by any means an encrypted service received by means of equipment or parts of equipment suitable for decoding conditional access transmissions;</i></p> <p><i>f) imports, holds for sale or distribution, distributes, sells, leases, transfers for any reason, commercially promotes, installs special decoding devices or elements that allow access to an encrypted service without payment of the fee due.</i></p> <p><i>f-bis) any person who manufactures, imports, distributes, sells, rents or for whatever reason advertises for sale or hire or holds for commercial purposes, the equipment, products or components or services for commercial purposes or primarily aimed at bypassing effective technological protection measures referred to in Article 102-quater, or are designed, produced, adjusted or made with the intention of making it possible or easier to bypass such measures. Technological measures include those applied, or which remain, following the removal of such measures as a result of the voluntary initiative of the right holders or of agreements between them and the beneficiaries of exceptions, or following the enforcement of administrative or judicial authority measures;</i></p> <p><i>h) unlawfully removes or alters the electronic information stated in Article 102-quinquies, or distributes, imports for distribution purposes, broadcasts by radio or television, communicates or makes available to the public works or other protected material from which the electronic information has been removed or altered;</i></p> <p><i>b-bis) unlawfully, including in the manner set out in Article 85-bis, para. 1) of the Consolidated Law on Public Safety referred to in Royal Decree of 18 June 1931, no. 773, fixes on a digital, audio, video or audiovisual support, in whole or in part, a cinematographic, audiovisual or editorial work, or reproduces, performs or communicates to the public the application unlawfully performed.</i></p> <p><i>2. A term of imprisonment ranging from one to four years and a fine ranging from € 2,582 to € 15,493 shall be imposed on whoever:</i></p> <p><i>a) unlawfully reproduces, duplicates, transmits or disseminates, sells or otherwise places on the market, transfers for any reason or illegally imports more than fifty copies or specimens of works protected by copyright and by related rights;</i></p> <p><i>a-bis) contrary to Article 16, for the purpose of gain, communicates to the public by placing it in a system of telematic networks, through connections of any kind, an original work protected by copyright, or part of it;</i></p> <p><i>b) by exercising in an entrepreneurial form activities of reproduction, distribution, sale or marketing, importation of works protected by copyright and related rights, is guilty of the acts stated in paragraph 1;</i></p>

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		<p><i>c) promotes or organises the illegal activity referred to in paragraph 1.</i></p> <p><i>3. The penalty shall be reduced if the act is particularly minor.</i></p> <p><i>4. Conviction for one of the offences stated in paragraph 1 entails:</i></p> <p><i>a) the application of the accessory penalties stated in Articles 30 and 32-bis of the Italian Criminal Code;</i></p> <p><i>b) publication of the judgment in one or more daily newspapers, at least one of which must have a national circulation, and in one or more specialised periodicals;</i></p> <p><i>c) the suspension for a period of one year of the radio or television broadcasting concession or authorisation for the exercise of the production or commercial activity.</i></p> <p><i>5. The amounts deriving from the application of the monetary penalties envisaged in the preceding paragraphs are paid to the National Welfare and Assistance Board for Painters and Sculptors, Musicians, Writers and Dramatic Authors.</i></p>
Article 25 novies of Legislative Decree no. 231/2001	<p>Copyright infringement offences (Article 171-septies Law no. 633/1941)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 500 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; 	<p>Article 171-septies Law no. 633/1941</p> <p><i>"1. The punishment stated in Article 171-ter, paragraph 1, also applies to:</i></p> <p><i>a) the producers or importers of the media not subject to the marking stated in Article 181-bis, who do not communicate to the SLAE within thirty days from the date on which they are put on the market in the national territory or imported the data necessary for the unambiguous identification of the media;</i></p> <p><i>b) unless the act constitutes a more serious offence, to whoever falsely declares that the obligations stated in Article 181-bis, paragraph 2 of this Law have been fulfilled".</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	from three months to one year.	
Article 25 novies of Legislative Decree no. 231/2001	<p>Copyright infringement offences (Article 171-octies Law no. 633/1941)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 500 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; <p>from three months to one year.</p>	<p>Article 171-octies Law no. 633/1941</p> <p><i>“1. Unless the act constitutes a more serious offence, whoever fraudulently produces, offers for sale, imports, promotes, installs, modifies, uses for public and private use equipment or parts of equipment for decoding audiovisual transmissions with conditional access broadcast over the air, via satellite, via cable, in both analogue and digital form, shall be punished with imprisonment from six months to three years and with a fine ranging from € 2,582 to € 25,822. Conditional access means all audiovisual signals broadcast by Italian or foreign broadcasters in such a way as to make them visible exclusively to closed groups of users selected by the party broadcasting the signal, irrespective of the imposition of a fee for the use of such service.</i></p> <p><i>2. The penalty is not less than two years' imprisonment and a fine of € 15,493 if the offence is particularly serious”.</i></p>

O. INDUCEMENT TO REFRAIN FROM MAKING OR TO MAKE FALSE STATEMENTS TO THE LEGAL AUTHORITIES

[Article 25-*decies* of Legislative Decree no. 231/2001]

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 25- <i>decies</i> Legislative Decree no. 231/2001	<p>Inducement to refrain from making or to make false statements to the Judicial Authorities (Article 377-<i>bis</i> of the Italian Criminal Code)</p> <p>Pecuniary penalty: - from 100 to 500 quotas.</p>	<p>Article 377-<i>bis</i> Italian Criminal Code - “Inducement to refrain from making or to make false statements to the judicial authorities”</p> <p><i>“Unless the offence in question constitutes a more serious offence, any person who, by means of violence or threats, or by offering or promising money, goods or other benefits, induces a person called upon before the judicial authorities to make statements usable in criminal proceedings to refrain from making statements or to make false statements, when the latter has the right not to reply, shall be punished with imprisonment from two to six years”.</i></p>

P. ENVIRONMENTAL OFFENCES

[Article 25-*undecies* of Legislative Decree no. 231/2001]

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 25- <i>undecies</i> of Legislative Decree no. 231/2001	<p>Environmental pollution (Article 452-<i>bis</i> of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 250 to 600 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences or concessions functional to the commission of the offence; prohibition of contracting with the public administration, except in order to obtain the performance of a public service; - exclusion from benefits, financing, contributions or subsidies and the possible revocation of those already granted; ban on advertising goods or services. for a period not exceeding one year. 	<p>Article 452-<i>bis</i> of the Italian Criminal Code. - “Environmental pollution”</p> <p><i>“A sentence of imprisonment ranging from two to six years and a fine ranging from € 10,000 to € 100,000 shall be imposed on any person who unlawfully causes a significant and measurable impairment or deterioration:</i></p> <p><i>1) of water or air, or of extensive or significant portions of the soil or subsoil;</i></p> <p><i>2) of an ecosystem, of biodiversity, including agricultural biodiversity, of flora or fauna.</i></p> <p><i>When the pollution is produced in a protected natural area or an area subject to landscape, environmental, historical, artistic, architectural or archaeological constraints, or to the detriment of protected animal or plant species, the penalty is increased by between one third and one half. In the event that the pollution causes the deterioration, impairment or destruction of a habitat within a protected natural area or an area subject to landscape, environmental, historical, artistic, architectural or archaeological constraints, the penalty is increased by between one third and two thirds”.</i></p>
Article 25- <i>undecies</i> of Legislative Decree no. 231/2001	<p>Environmental disaster (Article 452-<i>quater</i> of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 400 to 800 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; 	<p>Article 452-<i>quater</i> of the Italian Criminal Code, “Environmental disaster”</p> <p><i>“Aside from the cases stated in Article 434, whoever illegally causes an environmental disaster shall be punished by imprisonment from five to fifteen years. The following constitute an environmental disaster, alternatively:</i></p> <p><i>1) the irreversible alteration of the balance of an ecosystem;</i></p> <p><i>2) the alteration of the balance of an ecosystem whose elimination is particularly onerous and achievable only with exceptional measures;</i></p> <p><i>3) the offence to public safety by reason of the fact importance for the impairment extent or of its damaging effects or for the number of persons injured or exposed to danger.</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<ul style="list-style-type: none"> - suspension or revocation of authorisations, licences or concessions functional to the commission of the offence; prohibition of contracting with the public administration, except in order to obtain the performance of a public service; - exclusion from benefits, financing, contributions or subsidies and the possible revocation of those already granted; ban on advertising goods or services. 	<i>When the disaster is produced in a protected natural area or an area subject to landscape, environmental, historical, artistic, architectural or archaeological constraints, or to the detriment of protected animal or plant species, the penalty is increased by between one third and one half”.</i>
Article 25-undecies of Legislative Decree no. 231/2001	<p>Environmental crimes committed by negligence (Article 452-quinquies of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 200 to 500 quotas. 	<p>Article 452-quinquies of the Italian Criminal Code - “Environmental crimes committed by negligence”.</p> <p>“If any of the facts stated in Articles 452-bis and 452-quater are committed through negligence, the penalties stated in the same Articles are reduced by between one third and two thirds.</p> <p>If the commission of the acts stated in the previous paragraph results in the danger of environmental pollution or environmental disaster, the penalties are further reduced by one third.”</p>
Article 25-undecies of Legislative Decree no. 231/2001	<p>Trafficking in and abandonment of highly radioactive material (Article 452-sexies of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 250 to 600 quotas. 	<p>Article 452-sexies of the Italian Criminal Code - “Trafficking in and abandonment of highly radioactive material”.</p> <p><i>“Unless the act constitutes a more serious offence, whoever illegally sells, purchases, receives, transports, imports, exports, procures for others, holds, transfers, abandons or disposes of highly radioactive material shall be punished by imprisonment from two to six years and with a fine ranging from € 10,000 to € 50,000. The penalty stated in the first paragraph shall be increased if the act causes the danger of compromise or deterioration:</i></p> <p><i>1) of water or air, or of extensive or significant portions of the soil or subsoil;</i></p> <p><i>2) of an ecosystem, of biodiversity, including agricultural biodiversity, of flora or fauna.</i></p> <p><i>If the fact causes danger to the life or safety of persons, the penalty is increased by up to half”.</i></p>
Article 25-undecies of Legislative Decree no. 231/2001	<p>Aggravating circumstances (Article 452-octies of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p>	<p>Article 452-octies of the Italian Criminal Code, “Aggravating circumstances”</p> <p><i>“When the association stated in Article 416 is exclusively or concurrently aimed at committing one of the offences stated in this title, the penalties stated in Article 416 are increased.</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	- from 300 to 1,000 quotas.	<i>When the association stated in Article 416-bis is aimed at committing any of the offences stated in this title or at acquiring the management or control of economic activities, concessions, authorisations, contracts or public services in the environmental field, the penalties stated in Article 416-bis are increased. The penalties stated in the first and second paragraphs are increased by between one third and one half if the association includes public officials or persons in charge of a public service who perform functions or carry out services in the environmental field".</i>
Article 25-undecies of Legislative Decree no. 231/2001	Killing, destruction, capture, removal and possession of specimens of protected wild animal or plant species (Article 727-bis of the Italian Criminal Code) Pecuniary penalty: - from 100 to 250 quotas.	Article 727-bis of the Italian Criminal Code "Killing, destruction, capture, removal and possession of specimens of protected wild animal or plant species" <i>Unless the fact constitutes a more serious offence, whoever, outside the permitted cases, kills, captures or holds specimens belonging to a protected wild animal species shall be punished with imprisonment from one to six months or with a fine of up to € 4,000, except in cases where the action concerns a negligible quantity of such specimens and has a negligible impact on the state of conservation of the species. Whoever, except in permitted cases, destroys, takes or holds specimens belonging to a protected wild plant species shall be punished with a fine of up to € 4,000, except in cases where the action concerns a negligible quantity of such specimens and has a negligible impact on the state of conservation of the species.</i>
Article 25-undecies of Legislative Decree no. 231/2001	Destruction or deterioration of habitats within a protected area (Article 733-bis of the Italian Criminal Code) Pecuniary penalty: - from 150 to 250 quotas.	Article 733-bis Italian Criminal Code - "Destruction or deterioration of habitats within a protected area" <i>Whoever, outside the cases allowed, destroys a habitat within a protected area or in any case deteriorates it, thus compromising its state of conservation, shall be punished with imprisonment of up to eighteen months and with a fine of no less than € 3,000.</i>
Article 25-undecies of Legislative Decree no. 231/2001	Discharge of industrial waste water containing the hazardous substances included in the families and groups of substances listed in Tables 5 and 3/A of Appendix 5, Part III, TUA (Article 137 para. 2, 3 and 5 Legislative Decree no. 152/2006)	Article 137 Legislative Decree no. 152/06 - "Criminal penalties" (for discharge of industrial waste water without authorisation), para. 2, 3, 5. <i>2. When the conduct described in paragraph 1 concerns the discharge of industrial waste water containing the dangerous substances included in the families and groups of substances listed in Tables 5 and 3/A of Annex 5 to Part Three of this decree, the penalty is imprisonment from three months to three years and a fine from € 5,000 to € 52,000.</i>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 150 to 250 quotas for paragraphs 3 and 5 first sentence; - from 200 to 300 quotas for paragraphs 2 and 5 second sentence. <p>Disqualifying penalty of up to 6 months (only para. 2 and 5, second sentence)</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services. 	<p>3. Whoever, aside from the cases stated in paragraph 5 or in Article 29-quattordices, paragraph 3, discharge industrial wastewaters containing dangerous substances included in the families and groups of substances indicated in Tables 5 and 3/A of Annex 5 to the Third Part of this decree without complying with the requirements of the authorisation, or with the other requirements of the competent authority pursuant to Articles 107, paragraph 1, and 108, paragraph 4, is punished with imprisonment of up to two years.</p> <p>5. Unless the act constitutes a more serious offence, whoever, in relation to the substances indicated in Table 5 of Annex 5 to the Third Part of this decree, when carrying out a discharge of industrial wastewater, exceeds the limit values established in Table 3 or, in the case of a discharge onto the soil in table 4 of Annex 5 to the Third Part of this decree, or the more restrictive limits established by the regions or autonomous provinces or by the competent Authority pursuant to Article 107, paragraph 1, is punished with the imprisonment up to two years and a fine from € 3,000 to € 30,000(*). If the limit values fixed for the substances contained in Table 3/A of the same Annex 5 are also exceeded, the imprisonment from six months to three years and a fine from € 6.000 to one € 120,000 shall be applied.</p>
Article 25-undecies of Legislative Decree no. 231/2001	<p>Discharge into the ground, subsoil and groundwater</p> <p>(Article 137 para. 11 Legislative Decree no. 152/06)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 200 to 300 quotas. <p>Disqualification penalty up to 6 months</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; 	<p>Article 137 Legislative Decree no. 152/06 - “Criminal penalties” (for discharge into the ground, subsoil and groundwater), para. 11</p> <p>11. Whoever does not observe the prohibitions of discharge stated in Article 103 and 104 shall be punished with imprisonment of up to three years.</p> <p>Art 103 (Discharge into the ground):</p> <p>1. Discharge into the ground or into the surface layers of the subsoil is prohibited, except:</p> <p>a) cases foreseen by Article 100 paragraph 3;</p> <p>b) discharging of spillways at the service of the sewerage networks;</p> <p>c) for urban and industrial wastewater discharge for which it has been ascertained that it is technically impossible or excessively expensive, in view of the environmental benefits achievable, to discharge into surface water bodies, only if they comply with the criteria and emission limit values set for this purpose by the regions pursuant to Article 101, paragraph 2. Until new regional regulations are issued, the emission limit values of Table 4 of Annex 5 to the Third Part of this decree shall apply;</p>

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	<ul style="list-style-type: none"> - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; 	<p><i>d) for discharge of water coming from the processing of natural rocks as well as from the washing plants of mineral substances, only if the relevant sludges consist exclusively of water and natural aggregates and do not cause damage to the water table or instability of the soil;</i></p> <p><i>e) for discharge of storm water conveyed to separate sewerage networks;</i></p> <p><i>f) for water deriving from the overflow of water reservoirs, the maintenance of drinking water networks and the maintenance of aqueduct wells.</i></p> <p><i>2. Aside from the situations foreseen in paragraph 1, the existing discharge into the ground must be conveyed into surface water bodies, into sewerage networks or intended for re-use pursuant to the requirements established by the decree mentioned in Article 99, paragraph 1. In the event of non-compliance with the above mentioned obligations, the discharge authorisation is considered to be revoked to all effects.</i></p> <p><i>3. The discharge indicated in letter c) of paragraph 1 must comply with the limits of Table 4 of Annex 5 to the Third Part of this decree. In any case, the prohibition of discharging the substances indicated in point 2.1 of Annex 5 to the Third Part of this decree on the ground remains in force.</i></p> <p><i>Article 104 (Discharge into the subsoil and groundwater):</i></p> <p><i>1. Direct discharge into the subsoil and groundwater is prohibited.</i></p> <p><i>2. Notwithstanding the provisions of paragraph 1, the competent authority, after prior investigation, may authorise discharge into the same water table of water used for geothermal purposes, seepage water from mines or quarries or water pumped during the course of certain civil engineering works, including that from heat exchange plants.</i></p> <p><i>3. Notwithstanding the provisions of paragraph 1, for reservoirs at sea, the Italian Ministry of Environment and Protection of Land and Sea, in agreement with the Ministry for Economic Development and, for reservoirs on land, without prejudice to the competences of the Ministry for Economic Development in the field of research and production of liquid and gaseous hydrocarbons the regions may authorise the discharge of waters resulting from the extraction of hydrocarbons into the deep geological units from which the same hydrocarbons have been extracted or into units having the same characteristics which contain, or have contained, hydrocarbons, indicating the modalities of the discharge. The discharge must not contain other discharge waters or other dangerous substances different in quality and quantity from those resulting from the separation of the hydrocarbons. The relevant authorisations shall be issued subject to the prescription of the technical precautions necessary to ensure that the discharge cannot reach other water systems or harm other ecosystems.</i></p> <p><i>4. Notwithstanding the provisions of paragraph 1, the competent authority, after prior investigation also aimed at verifying the absence of foreign substances, may authorise the discharge into the same water table of the water used for washing and processing aggregates, only if the relevant sludge is made up exclusively of water and natural aggregates and that its discharge does not cause damage to the water table. To this end, the competent Regional Environmental Protection Agency (ARPA), at the expense of</i></p>

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		<p>the party requesting the authorisation, checks the quantitative and qualitative characteristics of the sludge and the absence of possible damage to the water table, expressing a binding opinion on the request for authorisation to discharge.</p> <p>5. For liquid or gaseous hydrocarbon prospecting, exploration and cultivation activities in the sea, the direct discharge of water into the sea takes place pursuant to the procedures stated by the Italian Ministry of the Environment and Protection of Land and Sea by decree, only if the concentration of mineral oils is less than 40 mg/l. The direct discharge into the sea shall be progressively replaced by injection or re-injection into deep geological units, as soon as wells that are no longer productive and suitable for injection or re-injection are available, and must in any case take place pursuant to the provisions of paragraphs 2 and 3.</p> <p>6. The Italian Ministry of the Environment and Protection of Land and Sea, when authorising the discharge into deep geological units indicated in paragraph 3, also authorises the direct discharge into the sea, pursuant to the procedures stated in paragraphs 5 and 7, for the following cases:</p> <p>a) for the fraction of water in excess, if the capacity of the injector or re-injector well is not sufficient to guarantee the reception of all the water resulting from the extraction of hydrocarbons;</p> <p>b) for the time necessary to carry out ordinary and extraordinary maintenance, aimed at guaranteeing the correct functionality and safety of the system consisting of the well and the injection or re-injection plant.</p> <p>7. The direct discharge into the sea of the water stated in paragraphs 5 and 6 is authorised subject to the presentation of a monitoring plan aimed at verifying the absence of dangers for the water and aquatic ecosystems.</p> <p>8. Aside from the cases stated in paragraphs 2, 3, 5 and 7, existing and duly authorised discharge into the subsoil and groundwater must be channelled into surface water bodies or intended, where possible, for recycling, reuse or agronomic use. In the event of non-compliance with these obligations, the discharge authorisation is revoked.</p>
Article 25-undecies of Legislative Decree no. 231/2001	<p>Discharge of prohibited substances or materials into the sea by ships or aircraft (Article 137 para. 13 Legislative Decree no. 152/2006)</p> <p>Pecuniary penalty: - from 150 to 250 quotas.</p>	<p>Article 137 Legislative Decree no. 152/2006 - "Criminal penalties" (for discharge of prohibited substances or materials into the sea by ships or aircraft), para. 13.</p> <p>13. The penalty of imprisonment from two months to two years shall always apply if the discharge into the waters of the sea by ships or aircrafts contains substances or materials for which an absolute prohibition of spillage is imposed pursuant to the provisions contained in the international conventions in force on the subject and ratified by Italy, unless they are in such quantities as to be rendered rapidly harmless by the physical, chemical and biological processes occurring naturally in the sea and only if prior authorisation is obtained from the competent authority.</p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 25-undecies of Legislative Decree no. 231/2001	<p>Collection, transport, recovery, disposal, trade and intermediation of waste without the required authorisation, registration or communication (Article 256 para. 1 Legislative Decree no. 152/2006)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 250 quotas for letter a) - from 150 to 250 quotas for letter b) 	<p>Article 256 Legislative Decree no. 152/2006 - “Unauthorised waste management activities”, c. 1.</p> <p><i>“Except for the cases sanctioned pursuant to Article 29-quattuordecies, paragraph 1, whoever carries out an activity of collection, transportation, recovery, disposal, trade and intermediation of waste in the absence of the prescribed authorisation, registration or communication referred to in Articles 208, 209, 210, 211, 212, 214, 215 and 216 is punished: a) with imprisonment from three months to one year or a fine ranging from € 2,600 to € 26,000 if the waste is not hazardous; b) with the penalty of detention from six months to two years and a fine ranging from € 2,600 to € 26,000 if the waste is dangerous”.</i></p>
Article 25-undecies of Legislative Decree no. 231/2001	<p>Setting up or operating an unauthorised landfill site (Article 256 para. 3, Legislative Decree no. 152/2006)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 150 to 250 quotas for the first sentence - from 200 to 300 quotas for the second sentence <p>Disqualifying penalty of up to 6 months for the second period</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services. 	<p>Article 256 Legislative Decree no. 152/2006 - “Unauthorised waste management activities”, para. 3.</p> <p><i>“Aside from the cases sanctioned pursuant to Article 29-quattuordecies, paragraph 1, whoever sets up or manages an unauthorised landfill is liable to a term of imprisonment of between six months and two years and a fine of between € 2,600 to € 26,000. The penalty is imprisonment from one to three years and a fine ranging from € 5,000 to € 52,000 if the landfill is destined, even partially, to the disposal of dangerous waste.</i></p> <p><i>The sentence of conviction or the sentence issued pursuant to Article 444 of the Italian Criminal Procedure Code is followed by the confiscation of the area whereon the unauthorised landfill is situated, if owned by the perpetrator or by the co-perpetrator, without prejudice to the obligations of reclamation or restoration of the areas’ previous condition”.</i></p>
Article 25-undecies	<p>Mixing of hazardous waste (Article 256 para. 5 Legislative Decree no. 152/2006)</p>	<p>Article 256 of Legislative Decree no. 152/2006 – “Unauthorised waste management activities”, para. 5.</p>

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of Legislative Decree no. 231/2001	Pecuniary penalty: - from 150 to 250 quotas	<i>"Whoever, contrary to the prohibition stated in Article 187, carries out unauthorised waste mixing activities, is punished with the sanction stated in paragraph 1, letter b)".</i>
Article 25-undecies of Legislative Decree no. 231/2001	Temporary storage at the place of production of hazardous medical waste (Article 256 para. 6 first sentence Legislative Decree no. 152/2006) Pecuniary penalty: - from 100 to 250 quotas	Article 256 Legislative Decree no. 152/2006 – "Unauthorised waste management activities", para. 6 first sentence. <i>"Whoever carries out the temporary storage at the production place of dangerous medical waste, contrary to the provisions stated in Article 227, paragraph 1, letter b), is punished with the penalty of detention from three months to one year or a fine ranging from € 2,600 to € 26,000".</i>
Article 25-undecies of Legislative Decree no. 231/2001	Pollution of soil, subsoil, surface water or groundwater with exceedance of risk threshold concentrations (Article 257 para. 1 Legislative Decree no. 152/06) Pecuniary penalty: - from 100 to 250 quotas.	Article 257 Legislative Decree no. 152/2006 - "Remediation of sites", para. 1. <i>"Unless the act constitutes a more serious offence, whoever causes the pollution of the soil, subsoil, surface waters or underground waters by exceeding the risk threshold concentrations is punished with imprisonment from six months to one year or a fine ranging from € 2,600 to € 26,000, if he/ she does not carry out the reclamation pursuant to the project approved by the competent authority in view of the procedure stated in Articles 242 and following. In case of failure to provide the communication indicated in Article 242, the offender is punished with imprisonment from three months to one year or a fine from € 1,000 to € 26,000".</i>
Article 25-undecies of Legislative Decree no. 231/2001	Pollution caused by hazardous substances in the soil, subsoil, surface water or groundwater by exceeding risk threshold concentrations (Article 257 para. 2 Legislative Decree no. 152/06) Pecuniary penalty: - from 150 to 250 quotas.	Article 257 Legislative Decree no. 152/2006 - "Remediation of sites", para. 2. <i>"The penalty is imprisonment from one year to two years and a fine ranging from € 5,200 to € 52,000 if the pollution is caused by dangerous substances".</i>

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Article 25-undecies of Legislative Decree no. 231/2001	<p>Violation of the obligations of communication, keeping of compulsory registers and forms(Article 258 para. 4 second sentence Legislative Decree no. 152/2006)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 150 to 250 quotas. 	<p>Article 258 Legislative Decree no. 152/2006 - “Violation of the obligations of communication, keeping of compulsory registers and forms”, para. 4 second sentence.</p> <p><i>The sanction stated in Article 483 of the Italian Criminal Code shall be applied to whoever, when preparing a waste analysis certificate, provides false information on the nature, composition and chemical-physical characteristics of the waste and to whoever uses a false certificate during transport”.</i></p>
Article 25-undecies of Legislative Decree no. 231/2001	<p>Illicit trafficking of waste (Article 259 para. 1 Legislative Decree no. 152/2006)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 150 to 250 quotas. 	<p>Article 259 Legislative Decree no. 152/2006 - “Illegal trafficking of waste”, para. 1</p> <p><i>“Whoever carries out a shipment of waste that constitutes illegal trafficking pursuant to Article 26 of (EEC) Regulation no. 259 of 1 February 1993, or carries out a shipment of waste listed in Annex II of the aforementioned regulation contrary to Article 1, paragraph 3, letters a), b), c) and d) of the regulation itself, is liable to a fine of between € 1,550 and € 26,000 and a term of imprisonment of up to two years. The penalty is increased in the event of shipment of hazardous waste”.</i></p>
Article 25-undecies of Legislative Decree no. 231/2001	<p>Activities organised for the illegal trafficking of waste (Article 452-<i>quaterdecies</i>, para. 1 of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 300 to 500 quotas. <p>Disqualification penalty up to 6 months</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; 	<p>Article 452-<i>quaterdecies</i> of the Italian Criminal Code. - “Activities organised for the illegal trafficking of waste”, para. 1</p> <p><i>“Whoever, in order to obtain an unjust profit, with more than one operation and through the setting up of means and continuous organised activities, sells, receives, transports, exports, imports, or however illegally manages large quantities of waste, shall be punished with imprisonment from one to six years”.</i></p>

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	<p>- ban on advertising goods and services;</p> <p>Definitive disqualification penalty (if the organisation or one of its organisational units is permanently used for the sole or predominant purpose of enabling or facilitating the commission of the offence).</p>	
Article 25-undecies of Legislative Decree no. 231/2001	<p>Organised activities for the illegal trafficking of high-level radioactive waste (Article 452-<i>quaterdecies</i>, para. 2 of the Italian Criminal Code)</p> <p>Pecuniary penalty: - from 400 to 800 quotas.</p>	<p>Article 452-<i>quaterdecies</i> of the Italian Criminal Code. - “Organised activities for the illegal trafficking of waste”, para. 2. <i>“In the case of highly radioactive waste, the penalty is imprisonment from three to eight years”.</i></p>
Article 25-undecies of Legislative Decree no. 231/2001	<p>False information on the nature, composition and chemical/physical characteristics of waste or inclusion of a false certificate in the data to be provided for waste traceability purposes (Article 260-<i>bis</i> para. 6 of Legislative Decree no. 152/2006)</p> <p>Pecuniary penalty: - from 150 to 250 quotas.</p>	<p>Article 260-<i>bis</i> of Legislative Decree no. 152/2006 - “Computerised waste traceability control system”, para. 6. <i>“The penalty stated in Article 483 of the Italian Criminal Code shall apply to whoever, in the preparation of a waste analysis certificate used within the framework of the waste traceability control system, provides false information on the nature, composition and chemical and physical characteristics of the waste and to whoever includes a false certificate in the data to be supplied for the purposes of waste traceability”.</i></p>
Article 25-undecies of Legislative Decree no. 231/2001	<p>Use of a waste analysis certificate containing false information on the nature, composition and chemical and physical characteristics of the waste transported (Article 260-<i>bis</i> para. 7 second and third sentence and 8 first sentence Legislative Decree no. 152/2006)</p>	<p>Article 260-<i>bis</i> of Legislative Decree no. 152/2006 - “Computerised waste traceability control system”, para. 7 second and third sentence. <i>“The penalty stated in Article 483 of the Italian Criminal Code shall be applied in case of transport of dangerous waste. The latter penalty also applies to whoever, during transport, uses a waste analysis certificate containing false information on the nature, composition and chemical and physical characteristics of the waste transported”.</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	Pecuniary penalty: - from 150 to 250 quotas	<i>Paragraph 8, first sentence "The transporter who accompanies the transport of waste with a paper copy of the SISTRI - AREA Movement form that has been fraudulently altered is punished with the penalty stated in the combined provisions of Articles 477 and 482 of the Italian Criminal Code".</i>
Article 25-undecies of Legislative Decree no. 231/2001	Fraudulent alteration of a hard copy of the SISTRI - AREA form - Movement by the transporter (Article 260-bis para. 8 second sentence Legislative Decree no. 152/2006) Pecuniary penalty: - from 200 to 300 quotas	Article 260-bis of Legislative Decree no. 152/2006 - "Computerised waste traceability control system", para. 8. <i>"The penalty is increased by up to one third in the case of hazardous waste".</i>
Article 25-undecies of Legislative Decree no. 231/2001	Exceedance, in the operation of an establishment, of emission limit values that also lead to the air quality limit values being exceeded (Article 279 para. 5 Legislative Decree no. 152/2006) Pecuniary penalty: - from 100 to 250 quotas	Article 279 of Legislative Decree no. 152/2006 - "Penalties" (for "Exceeding emission limit values and air quality limit values"), para. 5. <i>"In the cases stated in paragraph 2, the penalty is always imprisonment of up to one year if the exceeding of the emission limit values also leads to the exceeding of the air quality limit values stated in current legislation".</i> [Article 279 paragraph 2 Legislative Decree no. 152/06] <i>"Whoever, in the operation of an establishment, infringes the emission limit values or the requirements established by the authorisation, by Annexes I, II, III or V to the Fifth Part of this decree, by the plans and programmes or by the regulations stated in Article 271 or the prescriptions otherwise imposed by the competent authority pursuant to this title, is punished with imprisonment of up to one year or a fine of up to € 1,032. If the infringed limit values or prescriptions are contained in the integrated environmental authorisation, the penalties stated in the regulations governing such authorisation shall apply.</i>
Article 25-undecies of Legislative Decree no. 231/2001	Import, export or re-export of specimens belonging to endangered animal and plant species (Annex A Reg. EC no. 338/97), without the required certificate or permit or with an invalid certificate or permit or failure to observe the requirements for the safety of the specimens	Article 1 of Law no. 150 of 7 February 1992 ("International trade in endangered animal and plant species"), para. 1 and para. 2 <i>1. "Unless the act constitutes a more serious offence, a term of imprisonment from six months to two years and a fine ranging from € 15,000 to € 150,000 shall be imposed on anyone who violates the provisions of Council Regulation (EC) no. 338/97 of 9 December 1996, as implemented and amended, for specimens belonging to the species listed in Annex A of the same Regulation, as amended:</i>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<p>(Article 1 para. 1 and 2 of Law no. 150 of 7 February 1992)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 250 quotas for paragraph 1 - from 150 to 250 quotas for paragraph 2 	<p><i>a) importing, exporting or re-exporting specimens, under any customs regime, without the prescribed certificate or permit, or with a certificate or permit that is not valid pursuant to Article 11, paragraph 2a, of Council Regulation (EC) no. 338/97 of 9 December 1996, as subsequently implemented and amended;</i></p> <p><i>b) fails to observe the requirements for the safety of the specimens specified in a permit or certificate issued pursuant to Council Regulation (EC) no. 338/97 of 9 December 1996, as subsequently implemented and amended, and Commission Regulation (EC) no. 939/97 of 26 May 1997, as subsequently amended;</i></p> <p><i>c) uses the aforementioned specimens in a way that is not pursuant to the prescriptions contained in the authorisation or certification measures issued together with the import permit or certified subsequently;</i></p> <p><i>d) transports or arranges transit, also on behalf of third parties, of specimens without the prescribed permit or certificate, issued pursuant to Council Regulation (EC) no. 338/97 of 9 December 1996, as subsequently implemented and amended thereto, and Commission Regulation (EC) no. 939/97 of 26 May 1997, as subsequently amended thereto, and, in the case of export or re-export from a third country that is a contracting party to the Washington Convention, issued pursuant to the same, or without sufficient proof of their existence;</i></p> <p><i>e) trades in artificially propagated plants contrary to the requirements established based on Article 7, paragraph 1, letter b), of Council Regulation (EC) no. 338/97 of 9 December 1996, as subsequently implemented and amended, and Commission Regulation (EC) no. 939/97 of 26 May 1997, as subsequently amended;</i></p> <p><i>f) holds, uses for profit, buys, sells, displays or holds for sale or for commercial purposes, offers for sale or otherwise disposes of specimens without the required documentation”.</i></p> <p>2. “In case of recidivism, the sanction of imprisonment from one to three years and a fine ranging from € 30,000 to € 300,000 shall apply. If the aforementioned offence is committed when carrying out business activities, the conviction is followed by the suspension of the licence for a minimum of six months and a maximum of eighteen months”.</p>
Article 25-undecies of Legislative Decree no. 231/2001	<p>Import, export or re-export of specimens belonging to endangered animal and plant species (Annexes B and C of Reg. EC no. 338/97), without the required certificate or permit or with an invalid certificate or permit or failure to observe the requirements for the safety of the specimens</p> <p>(Article 2 para. 1 and 2 of Law no. 150 of 7 February 1992)</p>	<p>Article 2 of Law no. 150 of 7 February 1992 (“International trade in endangered animal and plant species”), para. 1, 2.</p> <p>1. Unless the act constitutes a more serious offence, a fine ranging from € 20,000 to € 200,000 or a term of imprisonment from six months to one year shall be imposed on anyone who violates the provisions of Council Regulation (EC) no. 338/97 of 9 December 1996, and subsequent implementations and amendments thereto, for specimens belonging to species listed in Annexes B and C of the same Regulation:</p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	Pecuniary penalty: - from 100 to 250 quotas	<p><i>a) importing, exporting or re-exporting specimens, under any customs regime, without the prescribed certificate or permit, or with a certificate or permit that is not valid pursuant to Article 11, paragraph 2a, of Council Regulation (EC) no. 338/97 of 9 December 1996, as subsequently implemented and amended;</i></p> <p><i>b) fails to observe the requirements for the safety of the specimens specified in a permit or certificate issued pursuant to Council Regulation (EC) no. 338/97 of 9 December 1996, as subsequently implemented and amended, and Commission Regulation (EC) no. 939/97 of 26 May 1997, as subsequently amended;</i></p> <p><i>c) uses the aforementioned specimens in a way that is not pursuant to the prescriptions contained in the authorisation or certification measures issued together with the import permit or certified subsequently;</i></p> <p><i>d) transports or allows the transit, also on behalf of third parties, of specimens without the prescribed permit or certificate issued pursuant to Council Regulation (EC) no. 338/97 of 9 December 1996 as subsequently implemented and amended and Commission Regulation (EC) no. 939/97 of 26 May 1997 as subsequently amended and, in the case of export or re-export from a third country which is a contracting party to the Washington Convention, issued pursuant to the same, or without sufficient proof of their existence;</i></p> <p><i>e) trades in artificially propagated plants contrary to the requirements established based on Article 7, paragraph 1, letter b), of Council Regulation (EC) no. 338/97 of 9 December 1996, as subsequently implemented and amended, and Commission Regulation (EC) no. 939/97 of 26 May 1997, as subsequently amended;</i></p> <p><i>f) holds, uses for profit, buys, sells, exhibits or holds for sale or for commercial purposes, offers for sale or in any case sells specimens without the prescribed documentation, limited to the species in Annex B of the Regulation.</i></p> <p>2. In case of recidivism, the penalty is imprisonment from six months to eighteen months and a fine from € 20,000 to € 200,000. If the aforementioned offence is committed when carrying out business activities, the conviction is followed by the suspension of the licence for a minimum of six months and a maximum of eighteen months.</p>
Article 25-undecies of Legislative Decree no. 231/2001	Forgery or alteration of certificates, licences, import notifications, declarations, communications of information for the purpose of acquiring a licence or certificate, use of forged or altered certificates or licences (Article 3-bis p. 1 Law no. 150 of 7 February 1992) <p>Pecuniary penalty:</p>	<p>Article 3-bis of Law no. 150 of 7 February 1992 (“International Trade in Endangered Species of Wild Fauna and Flora”), para. 1.</p> <p><i>“In the cases stated in Article 16, paragraph 1, letters a), c), d), e), and l) of Council Regulation (EC) no. 338/97 of 9 December 1996, as subsequently amended, concerning the falsification or alteration of certificates, licences, import notifications, declarations, communications of information for the purpose of acquiring a licence or certificate, and the use of false or altered certificates or licences, are subject to the penalties stated in Book II, Title VII, Chapter III of the Italian Criminal Code”.</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<ul style="list-style-type: none"> - from 100 to 250 quotas for offences with a sentence not exceeding one year imprisonment - from 150 to 250 quotas for offences with a maximum sentence of two years' imprisonment - from 200 to 300 quotas for offences with a maximum sentence of three years' imprisonment - from 300 to 500 quotas for offences with a sentence of more than three years' imprisonment 	
Article 25- <i>undecies</i> of Legislative Decree no. 231/2001	<p>Possession of live specimens of wild mammals and reptiles and live specimens of mammals and reptiles from captive breeding (Article 6 para. 4 of Law no. 150 of 7 February 1992)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 250 quotas 	<p>Article 6 Law 7 February 1992 no. 150 ("International Trade in Endangered Species of Wild Fauna and Flora"), para. 4.</p> <p><i>"Whoever infringes the provisions stated in paragraph 1 shall be punished with imprisonment of up to six months or with a fine ranging from € 15,000 to € 300,000.</i></p> <p>[Article 6 para. 1]</p> <p><i>"Without prejudice to the provisions of Law no. 157 of 11 February 1992, it is forbidden for anyone to keep live specimens of mammals and reptiles of wild species and live specimens of mammals and reptiles from captive breeding that constitute a danger to public health and safety".</i></p>
Article 25- <i>undecies</i> of Legislative Decree no. 231/2001	<p>Use of ozone-depleting substances (Article 3 para. 6 of Law no. 549 of 28 December 1993)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 150 to 250 quotas 	<p>Article 3 para. 6 of Law no. 549 of 28 December 1993 - "Cessation and reduction of the use of ozone-depleting substances"</p> <p><i>"Whoever infringes the provisions stated in this article shall be punished with imprisonment of up to two years and a fine of up to three times the value of the substances used for production purposes, imported or marketed. In the most serious cases, conviction is followed by the revocation of the authorisation or licence based whereon the offending activity is carried out".</i></p>
Article 25- <i>undecies</i> of Legislative Decree no. 231/2001	<p>Intentional dumping of polluting substances at sea or spills of such substances caused by ships (Article 8 para. 1 and 2, Legislative Decree no. 202 of 6 November 2007)</p> <p>Pecuniary penalty:</p>	<p>Article 8 of Legislative Decree no. 202 of 6 November 2007 - "Intentional pollution", para. 1, 2</p> <p>1. <i>"Unless the act constitutes a more serious offence, the Master of a ship, flying any flag, as well as the members of the crew, the owner and the shipowner of the ship, in the event that the violation has occurred with their complicity, who wilfully violate the provisions of Article 4 shall be punished with imprisonment from six months to two years and a fine ranging from € 10,000 to € 50,000".</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<ul style="list-style-type: none"> - from 150 to 250 quotas for paragraph 1 - from 200 to 300 quotas for paragraph 2 <p>Disqualification penalty up to 6 months</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; <p>Definitive disqualification penalty (if the organisation or one of its organisational units is permanently used for the sole or predominant purpose of enabling or facilitating the commission of the offence)</p>	<p>2. "If the infringement indicated in paragraph 1 causes permanent damage or, in any case, particularly serious damage to the quality of the waters, to animal or vegetable species or to parts of them, the imprisonment from one to three years and a fine from € 10,000 to € 80,000 shall apply."</p>
Article 25-undecies of Legislative Decree no. 231/2001	<p>Negligent discharge of polluting substances into the sea or spillage of such substances caused by ships (Article 9 p. 1 and 2, Legislative Decree no. 202 of 6 November 2007)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 250 quotas for paragraph 1 - from 150 to 250 quotas for paragraph 2 <p>Disqualifying penalty of up to 6 months for paragraph 2</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; 	<p>Article 9 of Legislative Decree no. 202 of 6 November 2007 - "Negligent pollution", c. 1 and 2</p> <p>1. Unless the act constitutes a more serious offence, the Master of a ship, sailing under any flag, as well as the members of the crew, the owner and the operator of the ship, in the event that the violation has occurred with their cooperation, who culpably violate the provisions of Article 4, shall be punished with a fine ranging from € 10,000 to € 30,000".</p> <p>2. "If the infringement indicated in paragraph 1 causes permanent damage, or in any case damage of a particularly serious nature, to the quality of the water, to animal or plant species or to parts of these, the imprisonment from six months to two years and a fine from € 10,000 to € 30,000 shall be applied".</p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<ul style="list-style-type: none"> - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - ban on advertising goods and services; 	

Q. TRANSNATIONAL CRIMES
[Article 10 of Law no. 146/2006]

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 10 of Law no. 146/2006	<p>Criminal association (Article 416 of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 400 to 1000 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; 	<p>Article 416 of the Italian Criminal Code - "Criminal association".</p> <p><i>"When three or more persons associate for the purpose of committing several offences, those who promote or constitute or organise the criminal association shall be punished, for that alone, by imprisonment of from three to seven years.</i></p> <p><i>For the mere fact of participating in the association the penalty shall be imprisonment from one to five years.</i></p> <p><i>Leaders are subject to the same penalty as the promoters.</i></p> <p><i>If the associates carry out armed attacks in the countryside or on public streets, the penalty is imprisonment from five to fifteen years.</i></p> <p><i>The penalty is increased if the number of associates is ten or more.</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<ul style="list-style-type: none"> - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; <p>from one year to two years.</p>	<p><i>If the association is aimed at committing any of the offences referred to in Articles 600, 601 and 602, as well as Article 12, paragraph 3 bis, of the Consolidated Text of the provisions concerning the regulation of immigration and rules on the condition of foreigners, pursuant to Legislative Decree no. 286 of 25 July 1998, imprisonment from five to fifteen years in the cases provided for in the first paragraph and from four to nine years in the cases provided for in the second paragraph applies”.</i></p> <p><i>If the association is aimed at committing any of the offences stated in Articles 600-bis, 600-ter, 600-quater, 600-quater.1, 600-quinquies, 609-bis, when the act is committed to the detriment of a minor under the age of eighteen years, 609-quater, 609-quinquies, 609-octies, when the act is committed to the detriment of a minor under the age of eighteen, and 609-undecies, imprisonment from four to eight years shall be applied in the cases stated in the first paragraph and the imprisonment from two to six years in the cases stated in the second paragraph.</i></p>
Article 10 of Law no. 146/2006	<p>Mafia-type criminal association (Article 416-bis of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 400 to 1000 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; <p>from one year to two years.</p>	<p>Article 416-bis of the Italian Criminal Code - “Mafia-type criminal association”.</p> <p><i>“Whoever is part of a Mafia-type criminal association formed by three or more persons shall be punished by imprisonment from ten to fifteen years.</i></p> <p><i>Those who promote, manage or organise the association are punished, for this alone, with imprisonment from twelve to eighteen years.</i></p> <p><i>A criminal association is considered to be of a Mafia-type when its members use the intimidating power of the association and the resulting condition of subjugation and silence to commit offences, to acquire directly or indirectly the management or control of economic activities, concessions, authorisations, contracts and public services or to obtain unjust profits or advantages for themselves or others or in order to prevent or obstruct the free exercise of the vote or to obtain votes for themselves or others during elections.</i></p> <p><i>If the association is armed, the penalty consists of imprisonment from twelve to twenty years in the provisions stated in the first paragraph and from fifteen to twenty-six years in the provisions stated in the second paragraph.</i></p> <p><i>The association is considered armed when the participants have the availability, for the achievement of the association's purpose, of weapons or explosive materials, even if concealed or kept in a storage place”.</i></p> <p><i>If the economic activities the members intend to take or maintain control of are financed in whole or in part with the price, product or profit of crimes, the penalties stated in the previous paragraphs are increased by between one third and one half.</i></p> <p><i>The confiscation of the things that served or were intended to commit the offence and of the things that are the price, the product, the profit or that constitute its use is always mandatory for the convicted person.</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
		<i>The provisions of this article shall also apply to the Camorra, the 'Ndrangheta and other associations, however locally denominated, including foreign ones, which, making use of the intimidating power of the associative bond, pursue aims corresponding to those of mafia-type associations.</i>
Article 10 of Law no. 146/2006	<p>Association for the purposes of illicit trafficking in narcotic drugs or psychotropic substances (Article 74 of Presidential Decree no. 309 of 9 October 1990)</p> <p>Pecuniary penalty: - from 400 to 1000 quotas.</p> <p>Disqualifying penalty: - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; from one year to two years.</p>	<p><i>Article 74 Presidential Decree no. 309 of 9 October 1990 - "Association for the purposes of illegal trafficking of narcotic or psychotropic substances".</i></p> <p><i>"When three or more persons associate with a view to committing several offences among those stated in Article 70, paragraphs 4, 6 and 10, with the exception of operations relating to the substances stated in category III of Annex I to Regulation (EC) no. 273/2004 and in the Annex to Regulation no. 111/2005, or in Article 73, whoever promotes, sets up, directs, organises or finances the association shall be punished by imprisonment of no less than twenty years.</i></p> <p><i>Whoever participates in the conspiracy is punished with imprisonment of no less than ten years.</i></p> <p><i>The penalty is increased if the number of associates is ten or more or if among the participants there are persons addicted to the use of narcotic or psychotropic substances.</i></p> <p><i>If the association is armed, the penalty, in the cases indicated in paragraphs 1 and 3, cannot be less than twenty-four years' imprisonment and, in the case stated in paragraph 2, twelve years' imprisonment. The association is considered armed when the participants have the availability of weapons or explosive materials, even if concealed or kept in a storage place.</i></p> <p><i>The penalty is increased if the circumstance stated in Article 80, paragraph 1, letter e) applies.</i></p> <p><i>If the association is formed to commit the acts described in paragraph 5 of Article 73, the first and second paragraphs of Article 416 of the Italian Criminal Code apply.</i></p> <p><i>The penalties stated in paragraphs 1 to 6 are reduced by half to two thirds for those who have effectively worked to secure evidence of the crime or to take away from the association decisive resources for the commission of the crimes.</i></p> <p><i>When in laws and decrees reference is made to the offence stated in Article 75 of Law no 685 of 22 December 1975, repealed by Article 38, paragraph 1 of Law no 162 of 26 June 1990, the reference shall be understood as referring to this article".</i></p>
Article 10 of Law no. 146/2006	<p>Conspiracy for foreign processed tobacco for contraband purposes (Article 291-quater of Presidential Decree no. 43 of 23 January 1973)</p> <p>Pecuniary penalty: - from 400 to 1000 quotas.</p>	<p><i>Article 291-quater of Presidential Decree no. 43 of 23 January 1973 - "Conspiracy for foreign processed tobacco for contraband purposes".</i></p> <p><i>"When three or more persons associate for the purpose of committing several offences among those stated in Article 291-bis, those who promote, constitute, direct, organise or finance the association shall be punished, for this alone, with imprisonment from three to eight years.</i></p> <p><i>Those who participate in the association shall be punished with imprisonment from one year to six years.</i></p> <p><i>The penalty is increased if the number of associates is ten or more.</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	Disqualifying penalty: <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; from one year to two years.	<p><i>If the association is armed, or if the circumstances provided for in subparagraphs in Article 291-ter(2)(d) or (e) are applicable, the penalty shall be imprisonment for a term of five to fifteen years in the cases envisaged in paragraph 1 of this article and from four to ten years in the cases envisaged in paragraph 2. The association is considered armed when the participants have the availability, for the achievement of the purposes of the association, of weapons or explosive materials, even if concealed or kept in a storage place.</i></p> <p><i>The penalties stated in Articles 291-bis, 291-ter and in this article shall be reduced by between one third and one half for the defendant who, by dissociating himself/ herself from the others, acts to prevent the criminal activity from having further consequences, also by concretely helping the police or the legal authority in the collection of decisive elements for the reconstruction of the facts and for the identification of the perpetrators of the offence or for the identification of resources relevant to the commission of the offences”.</i></p>
Article 10 of Law no. 146/2006	Inducement to refrain from making statements or to make false statements to judicial authorities (Article 377-bis of the Italian Criminal Code) <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 500 quotas. 	<p>Article 377-bis of the Italian Criminal Code - “Inducement to refrain from making statements or to make false statements to judicial authorities”.</p> <p><i>“Unless the act constitutes a more serious offence, whoever, by means of violence or threats, or by offering or promising money or other benefits, induces a person who has been called before the Judicial authority to make statements useful in criminal proceedings, (when that person has the right to remain silent), to refrain from making statements or to make false statements, shall be punished by imprisonment of from two to six years”.</i></p>
Article 10 of Law no. 146/2006	Aiding and abetting an offender (Article 378 of the Italian Criminal Code) <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 500 quotas. 	<p>Article 378 of the Italian Criminal Code - “Aiding and abetting an offender”.</p> <p><i>“Whoever, after committing a crime for which the law establishes [the death penalty or] life imprisonment or imprisonment, and outside the cases of complicity in the same, helps someone to elude the investigations of the Authority, including those carried out by organs of the International Criminal Court, or to evade the searches carried out by the same, shall be punished by imprisonment of up to four years.</i></p> <p><i>When the offence committed is that provided for in Article 416 bis, the punishment of imprisonment of not less than two years shall apply in all cases.</i></p> <p><i>In the case of offences for which the law establishes a different penalty, or of contraventions, the penalty is a fine of up to € 516.00.</i></p> <p><i>The provisions of this article also apply when the person aided is not imputable or it turns out that he/ she did not commit the crime”.</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 10 of Law no. 146/2006	<p>Provisions against illegal immigration (Article 12 para 3, 3-bis, 3-ter, 5 of Legislative Decree no. 286 of 25 July 1998)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 200 to 1,000 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences, concessions functional to the commission of the offence; - ban on contracting with the public administration; - exclusion from benefits, financing, contributions or subsidies and revocation of those already granted; - ban on advertising goods and services; <p>from three months to two years.</p>	<p>Article 12 of Legislative Decree no. 286 of 25 July 1998 [para. 3, 3-bis, 3-ter, 5]-”Provisions against illegal immigration”</p> <p>“1. (omissis)</p> <p>2. (omissis)</p> <p>3. Unless the act constitutes a more serious offence, whoever, contrary to the provisions of the present Consolidation Act, promotes, directs, organises, finances or carries out the transport of foreigners into the State territory or carries out other acts aimed at illegally obtaining their entry into the State territory, or of another State of which the person is not a citizen or does not have the right of permanent residence, is liable to imprisonment for a period of between five and fifteen years and a fine of € 15,000 for each person if:</p> <p>a) the fact concerns the illegal entry or stay in the State territory of five or more persons;</p> <p>b) the person transported has been exposed to danger to his/ her life or safety in order to procure his/ her illegal entry or stay;</p> <p>c) the person transported has been subjected to inhuman or degrading treatment in order to procure his/ her illegal entry or stay;</p> <p>d) the fact is committed by three or more persons in complicity with each other or by using international transport services or documents that are forged or altered or in any case illegally obtained;</p> <p>e) the perpetrators have the availability of arms or explosive materials</p> <p>.</p> <p>3-bis. If the facts stated in paragraph 3 are committed in two or more of the circumstances stated in letters a), b), c), d) and e) of the same paragraph, the penalty therein is increased.</p> <p>3-ter. Imprisonment shall be increased by between a third and a half and a fine of € 25,000 shall be applied for each person if the acts stated in paragraphs 1 and 3:</p> <p>a) are committed with a view to recruiting persons to be used for prostitution or, in any case, for sexual or labour exploitation, or concern the entry of minors to be employed in unlawful activities in order to favour their exploitation;</p> <p>b) are committed in order to gain profit, even indirectly.</p> <p>.</p> <p>4. (omissis)</p> <p>5. Aside from the cases stated in the previous paragraphs, and unless the fact constitutes a more serious offence, whoever, in order to obtain an unfair profit from the illegal condition of the foreigner or within the framework of the activities punished under the present Article, favours the permanence of the latter in the State territory contrary to the provisions of the present Consolidation Act, shall be punished with imprisonment of up to four years and with a fine of up to € 15,493,00”.</p>

R. EMPLOYMENT OF THIRD-PARTY COUNTRY CITIZENS ILLEGALLY STAYING [IN ITALY]

[Article 25-*duodecies* of Legislative Decree no. 231/2001]

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 25- <i>duodecies</i> of Legislative Decree no. 231/2001	<p>Provisions against illegal migration (Article 12 paragraphs 3, 3-bis, 3-ter of Legislative Decree no. 286 of 25 July 1998, so-called. Consolidated Immigration Act T.U.I.)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 400 to 1,000 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences or concessions functional to the commission of the offence; prohibition of contracting with the public administration, except in order to obtain the performance of a public service; - exclusion from benefits, financing, contributions or subsidies and the possible revocation of those already granted; ban on advertising goods or services. for a period of not less than one year 	<p>Article 12 of Legislative Decree no. 286 of 25 July 1998 [paragraphs 3, 3-bis, 3-ter] - “Provisions against illegal migration”:</p> <p>[3] <i>Unless the act constitutes a more serious offence, anyone who, in breach of the provisions of this Consolidated Act, promotes, directs, organises, finances or transports foreigners into the territory of the State or commits other acts aimed at illegally procuring their entry into the territory of the State, or of another State of which the person is not a citizen or does not hold permanent residence status, shall be punished by imprisonment of from six to sixteen years and a fine of 15,000 euro for each person in the event that: a) the fact concerns the entry or illegal stay in the territory of the State of five or more people; b) the person transported has been exposed to danger to his/ her life or safety in order to procure his/ her entry or illegal stay; c) the person transported has been subjected to inhuman or degrading treatment in order to procure his/ her entry or illegal sojourn; d) the act is committed by three or more people acting in complicity with each other or using international transport services or documents that are forged or altered or in any way unlawfully obtained; e) the perpetrators of the act have at their disposal arms or explosive materials.</i></p> <p>[3-bis] <i>If the facts stated in paragraph 3 are committed in two or more of the circumstances stated in letters a), b), c), d) and e) of the same paragraph, the penalty therein is increased.</i></p> <p>[3-ter] <i>The term of imprisonment shall be increased by between a third and a half and a fine of € 25,000 shall be imposed for each person if the acts referred to in paragraphs 1 and 3: a) are committed for the purpose of recruiting persons to be used for prostitution or in any case for sexual or labour exploitation or concern the entry of minors to be used in unlawful activities in order to favour their exploitation; b) are committed for the purpose of drawing profit, even indirectly”.</i></p>
Article 25- <i>duodecies</i> of Legislative Decree no. 231/2001	<p>Provisions against illegal migration (Article 12 paragraph 5 of Legislative Decree no. 286 of 25 July 1998, so-called. Consolidated Immigration Act - T.U.I.)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 200 quotas. <p>Disqualifying penalty:</p>	<p>Article 12 Legislative Decree no. 286 of 25 July 1998 [paragraph 5] - “Provisions against illegal migration”:</p> <p>[5] <i>Aside from the cases stated in the previous paragraphs, and unless the fact constitutes a more serious offence, whoever, in order to obtain an unfair profit from the illegal condition of the foreigner or in view of the activities punished under the present Article, favours the permanence of the latter in the State territory contrary to the provisions of the present Consolidation Act, shall be punished with imprisonment of up to four years and with a fine of up to thirty million lire. When the fact is committed jointly by two or more persons, or concerns the permanence of five or more persons, the penalty is increased by between one third and one half”.</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences or concessions functional to the commission of the offence; prohibition of contracting with the public administration, except in order to obtain the performance of a public service; - exclusion from benefits, financing, contributions or subsidies and the possible revocation of those already granted; ban on advertising goods or services. <p>for a period of not less than one year</p>	
Article 25- <i>duodecies</i> of Legislative Decree no. 231/2001	<p>Fixed-term and indefinite employment (Article 22 paragraph 12 of Legislative Decree no. 286 of 25 July 1998, so-called. Consolidated Immigration Act - T.U.I.)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 200 quotas within the limit of € 150,000. 	<p>Article 22 Legislative Decree no. 286 of 25 July 1998 [paragraphs 12, 12-bis, 12-quinquies] - “Fixed-term and indefinite employment”:</p> <p><i>“The employer who employs foreign workers without a residence permit as stated in this article, or whose permit has expired and whose renewal, revocation or cancellation has not been requested within the terms of the law, is liable to imprisonment for a term of between six months and three years and a fine of € 5,000 for each worker employed.</i></p> <p>[12-bis] <i>The penalties for the offence stated in paragraph 12 shall be increased by between a third and a half:</i></p> <p><i>a) if more than three workers are employed;</i></p> <p><i>b) if employed workers are minors of non-working age;</i></p> <p><i>c) if the employed workers are subject to other particularly exploitative working conditions as stated in the third paragraph of Article 603-bis of the Italian Criminal Code.</i></p> <p>[12-ter] <i>With the conviction, the court applies the accessory administrative sanction of the payment of the average cost of repatriation of the illegally employed foreign worker.</i></p> <p>[12-quater] <i>In the hypotheses of particular labour exploitation referred to in Paragraph 12-bis, a residence permit is issued by the commissioner, on the proposal or with the favourable opinion of the public prosecutor, to the foreigner who has lodged a complaint and cooperates in the criminal proceedings instituted against the employer.</i></p> <p>[12-quinquies] <i>The residence permit referred to in paragraph 12-quater shall be valid for six months and may be renewed for one year or for such longer period as may be necessary to complete the criminal proceedings. The residence permit is revoked in the event of conduct incompatible with its purpose, reported by the public prosecutor or ascertained by the commissioner or if the conditions justifying its issue no longer apply”.</i></p>

S. RACISM AND XENOPHOBIA

[Article 25-*terdecies* of Legislative Decree no. 231/2001]

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 25- <i>terdecies</i> of Legislative Decree no. 231/2001	<p>Propaganda and incitement to commit offences on grounds of racial, ethnic and religious discrimination (Article 604-<i>bis</i>, para. 3-<i>bis</i> of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 200 to 800 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences or concessions functional to the commission of the offence; prohibition of contracting with the public administration, except in order to obtain the performance of a public service; - exclusion from benefits, financing, contributions or subsidies and the possible revocation of those already granted; ban on advertising goods or services. <p>for a period of not less than one year</p> <p>If the organisation or one of its organisational units is permanently used for the sole or predominant purpose of enabling or facilitating the commission of the offences indicated, definitive disqualification from the exercise of the activity pursuant to Article 16, para. 3.</p>	<p>Article 604-<i>bis</i> of the Italian Criminal Code - “Propaganda and incitement to commit offences on grounds of racial, ethnic and religious discrimination”.</p> <p>“[3-bis]. <i>The punishment of imprisonment from two to six years shall apply if the propaganda or instigation and incitement, committed in such a way that there is a real danger of its dissemination, is based in whole or in part on the denial, gross trivialisation or condoning of the Shoah or crimes of genocide, crimes against humanity and war crimes, as defined in Articles 6, 7 and 8 of the Statute of the International Criminal Court, ratified pursuant to Law no. 232 of 12 July 1999</i>”.</p>

T. FRAUD IN SPORTING COMPETITIONS, UNLAWFUL GAMING OR BETTING AND GAMBLING BY MEANS OF PROHIBITED DEVICES

[Article 25-quaterdecies of Legislative Decree no. 231/2001]

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 25-quaterdecies of Legislative Decree no. 231/2001	<p>Fraud in sporting competitions (Article 1 of Law no. 401/1989)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - up to 500 quotas; <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences or concessions functional to the commission of the offence; - the prohibition to contract with the public administration, except in order to obtain the performance of a public service; - the exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - a ban on advertising goods or services. <p>for a period of not less than one year.</p>	<p>Article 1 of Law no. 401/1989: "Fraud in sporting competitions".</p> <p><i>"1. Whoever offers or promises money, goods or other benefits or advantages to any of the participants in a sporting competition organised by the federations recognised by the National Italian Olympic Committee (CONI), by the National Italian Horse Breeding Union (UNIRE) or by other sports bodies recognised by the State and by their member associations, in order to achieve a result different from that resulting from the correct and fair conduct of the competition, or who carries out other fraudulent acts aimed at the same purpose, shall be punished by imprisonment from two to six years and a fine of between € 1,000 to € 4,000.</i></p> <p><i>2. The same penalties shall be applied to the participant in the competition who accepts the money or other benefit or advantage, or accepts the promise thereof.</i></p> <p><i>3. If the result of the competition is influential for the purposes of regularly practised betting and gambling competitions, the penalty for imprisonment for the acts stated in paragraphs 1 and 2 shall be increased by up to half and a fine ranging from € 10,000 to € 100,000".</i></p>

<p>Article 25-<i>quaterdecies</i> of Legislative Decree no. 231/2001</p>	<p>Unlawful gaming or betting activities (Article 4 of Law no. 401/1989)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - for offences up to 500 quotas; - for offences up to 260 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - disqualification from exercising the activity; - suspension or revocation of authorisations, licences or concessions functional to the commission of the offence; - the prohibition to contract with the public administration, except in order to obtain the performance of a public service; - the exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - a ban on advertising goods or services. <p>for a period of not less than one year.</p>	<p>Article 4 of Law no. 401/1989, “ Unlawful gaming or betting activities”.</p> <p><i>“1. Whoever unlawfully organises lotteries or betting or betting competitions, which the law reserves to the State or to another concessionary body, shall be punished by imprisonment from three to six years and a fine ranging from € 20,000 to € 50,000. The same penalty applies to whoever organises bets or betting competitions on sporting activities managed by the Italian National Olympic Committee (CONI), by organisations dependent on it or by the Italian Union for the Increase of Horse Breeds (UNIRE). Whoever illegally organises public betting on other competitions involving persons or animals and games of skill shall be punished by imprisonment from three months to one year and a fine of not less than one million lire. The same penalties shall be applied to whoever sells on the national territory, without authorisation from the Customs and Monopolies Agency, tickets of lotteries or similar events of chance of foreign States, as well as to whoever takes part in such operations through the collection of reservations of bets and the accreditation of the relevant winnings and the promotion and advertising carried out by any means of dissemination. Whoever organises, operates and collects at a distance, without the prescribed concession, any game established or regulated by the Customs and Monopolies Agency shall also be punished by imprisonment from three to six years and a fine ranging from € 20,000 to € 50,000. Whoever, even though he holds the prescribed concession, organises, exercises and collects at a distance any game established or regulated by the Customs and Monopolies Agency using methods and techniques other than those stated in the law, shall be punished with imprisonment from three months to one year or with a fine ranging from € 500 to € 5,000.</i></p> <p><i>2. In the case of contests, games or bets managed in the manner stated in paragraph 1, and except for cases of complicity in one of the offences set forth therein, whoever in any way advertises their exercise shall be punished with imprisonment of up to three months and with a fine ranging from one hundred thousand to one million lire. The same penalty shall be applied to whoever, in any way, advertises in Italy games, bets and lotteries, accepted by anyone abroad.</i></p> <p><i>3. Whoever participates in contests, games, bets managed in the manner stated in paragraph 1, except in cases of complicity in one of the offences provided for therein, shall be punished with imprisonment of up to three months or with a fine ranging from one hundred thousand to one million lire”.</i></p>
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U. TAX OFFENCES

[Article 25-quinquiesdecies of Legislative Decree no. 231/2001]

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 25-quinquiesdecies of Legislative Decree no. 231/2001	<p>False declaration using invoices or other documentation for non-existent operations (Article 2 of Legislative Decree no. 74/2000)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - up to 500 quotas for the case referred to in paragraph 1; - up to 400 quotas for the case referred to in paragraph 2-bis. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - the prohibition to contract with the public administration, except in order to obtain the performance of a public service; - a ban on advertising goods or services. 	<p>Article 2 of Legislative Decree no. 74/2000: "False declaration using invoices or other documentation for non-existent operations".</p> <p>"1. A sentence of imprisonment ranging from four to eight years shall be imposed on whoever, in order to evade taxes on income or value added, using invoices or other documents for non-existent transactions, indicates fictitious passive elements in one of the declarations relating to such taxes.</p> <p>2. The offence shall be considered to have been committed with the use of invoices or other documents for non-existent transactions when such invoices or documents are recorded in the compulsory accounting records, or are held for the purpose of providing evidence to the tax authorities.</p> <p>2-bis. If the amount of the fictitious liabilities is less than one hundred thousand euros, imprisonment from one year and six months to six years shall be applied.</p>
Article 25-quinquiesdecies of Legislative Decree no. 231/2001	<p>Fraudulent declaration by means of other subterfuges (Article 3 of Legislative Decree no. 74/2000)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - up to 500 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - the prohibition to contract with the public administration, except in order to obtain the performance of a public service; 	<p>Article 3 of Legislative Decree no. 74/2000: "Fraudulent declaration by means of other subterfuges".</p> <p>"1. Aside from the cases stated in Article 2, a sentence of imprisonment ranging from three to eight years shall be imposed on whoever, in order to evade taxes on income or on value added, by carrying out objectively or subjectively simulated transactions or by making use of false documents or other fraudulent means likely to hinder the assessment and to mislead the tax authorities, indicates in one of the declarations relating to such taxes assets of an amount lower than the actual amount or fictitious liabilities or fictitious credits and deductions, when, taken together:</p> <p>a) the tax evaded exceeds, with reference to any one of the individual taxes, thirty thousand euro;</p> <p>b) the total amount of the assets evaded from taxation, also through the indication of fictitious passive elements, is higher than five percent of the total amount of the assets indicated in the declaration, or in any case, is higher than one million five hundred</p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<ul style="list-style-type: none"> - a ban on advertising goods or services. 	<p><i>thousand euro, or if the total amount of the fictitious credits and withholdings deducted from the tax is higher than five percent of the amount of the same tax or in any case, is higher than thirty thousand euro.</i></p> <p><i>2. The offence shall be deemed to have been committed with the use of false documents when such documents are recorded in the compulsory accounting records or are held for the purposes of providing evidence to the tax authorities.</i></p> <p><i>3. For the purposes of the application of the provision of paragraph 1, the mere violation of the obligations to invoice and record assets in the accounting records or the mere indication in the invoices or in the records of assets lower than the real ones do not constitute fraudulent means."</i></p>
Article 25- <i>quinqüesdecies</i> of Legislative Decree no. 231/2001	<p>Issuance of invoices or other documents for non-existent transactions (Article 8 of Legislative Decree no. 74/2000)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - up to 500 quotas for the case referred to in paragraph 1; - up to 400 quotas for the case referred to in paragraph 2-<i>bis</i>. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - the prohibition to contract with the public administration, except in order to obtain the performance of a public service; - a ban on advertising goods or services. 	<p>Article 8 of Legislative Decree no. 74/2000: "Issuance of invoices or other documents for non-existent transactions"</p> <p><i>"1. Whoever issues invoices or other documents for non-existent transactions in order to allow third parties to evade income tax or value added tax shall be punished by imprisonment from four to eight years.</i></p> <p><i>2. For the purposes of the application of the provision stated in paragraph 1, the issuing or issuing of several invoices or documents for non-existent transactions during the same tax period shall be considered as a single offence.</i></p> <p><i>2-bis. If the untrue amount indicated in the invoices or documents, per tax period, is less than one hundred thousand euros, imprisonment from one year and six months to six years shall be applied".</i></p>
Article 25- <i>quinqüesdecies</i> of Legislative Decree no. 231/2001	<p>Concealment or destruction of accounting documents (Article 10 of Legislative Decree no. 74/2000)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - up to 400 quotas. 	<p>Article 10 of Legislative Decree no. 74/2000: "Concealment or destruction of accounting documents"</p> <p><i>"1. Unless the act constitutes a more serious offence, a sentence of imprisonment ranging from three to seven years shall be imposed on whoever, in order to evade taxes on income or on value added, or to allow third parties to evade such taxes, conceals or destroys all or part of the accounting records or documents whose retention is mandatory, so as to make it impossible to reconstruct income or turnover".</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	Disqualifying penalty: <ul style="list-style-type: none"> - the prohibition to contract with the public administration, except in order to obtain the performance of a public service; - a ban on advertising goods or services. 	
Article 25- <i>quiquiesdecies</i> of Legislative Decree no. 231/2001	Fraudulent evasion of taxes (Article 11 of Legislative Decree no. 74/2000) Pecuniary penalty: <ul style="list-style-type: none"> - up to 400 quotas. Disqualifying penalty: <ul style="list-style-type: none"> - the prohibition to contract with the public administration, except in order to obtain the performance of a public service; - a ban on advertising goods or services. 	Article 11 of Legislative Decree no. 74/2000: "Fraudulent evasion of taxes". <i>"1. A sentence of imprisonment ranging from six months to four years shall be imposed on whoever, in order to evade the payment of taxes on income or on value added, or of interest or administrative penalties relating to such taxes for a total amount exceeding fifty thousand euros, falsely sells or carries out other fraudulent acts on his/ her own property or on the property of others capable of rendering ineffective, in whole or in part, the compulsory collection procedure. If the amount of taxes, penalties and interests exceeds two hundred thousand euro, the penalty is imprisonment from one year to six years.</i> <i>2. Whoever, in order to obtain for himself/ herself or for others a partial payment of taxes and relevant accessories, indicates in the documents submitted for the tax settlement procedure assets for an amount lower than the actual one or fictitious liabilities for a total amount higher than fifty thousand euros shall be punished by imprisonment from six months to four years. If the amount referred to in the previous sentence exceeds two hundred thousand euro, imprisonment from one year to six years shall apply".</i>
Article 25- <i>quiquiesdecies</i> of Legislative Decree no. 231/2001	False declaration (Article 4 of Legislative Decree no. 74/2000) Pecuniary penalty: <ul style="list-style-type: none"> - up to 300 quotas. Disqualifying penalty: <ul style="list-style-type: none"> - the prohibition to contract with the public administration, except in order to obtain the performance of a public service; 	Article 4 of Legislative Decree no. 74/2000: "False declaration". <i>"1. Aside from the cases stated in Articles 2 and 3, a sentence of imprisonment ranging from two years to four years and six months shall be imposed on whoever, in order to evade taxes on income or on value added, indicates in one of the annual declarations relating to such taxes assets of an amount lower than the actual amount or non-existent liabilities, when, taken together:</i> <i>a) the tax evaded is higher, with reference to any of the individual taxes, than one hundred thousand euros;</i> <i>b) the total amount of the assets evaded from taxation, also through the indication of non-existent passive elements, is higher than ten percent of the total amount of the assets indicated in the declaration, or, in any case, is higher than two million euros.</i> <i>1-bis. For the purposes of applying the provision of paragraph 1, no account shall be taken of incorrect classification, of the valuation of objectively existing assets or liabilities, in respect of which the criteria actually applied have in any event been</i>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<ul style="list-style-type: none"> - a ban on advertising goods or services. <p>The offence only gives rise to liability of the organisation when committed in the context of cross-border fraudulent schemes and for the purpose of evading value added tax for a total amount of not less than € 10 million.</p>	<p><i>indicated in the financial statements or in other documentation relevant for tax purposes, of the breach of the criteria for determining the period of competence, of the non-inherence, of the non-deductibility of real passive elements.</i></p> <p><i>1-ter. Except for the cases stated in paragraph 1-bis, valuations which, taken as a whole, differ by less than 10 percent from the correct ones do not give rise to punishable acts. The amounts included in such percentage shall not be taken into account when verifying whether the thresholds of punishability stated in paragraph 1, letters a) and b) are exceeded”.</i></p>
Article 25- <i>quinqüiesdecies</i> of Legislative Decree no. 231/2001	<p>Failure to declare (Article 5 of Legislative Decree no. 74/2000)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - up to 400 quotas. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - the prohibition to contract with the public administration, except in order to obtain the performance of a public service; - a ban on advertising goods or services. <p>The offence only gives rise to liability of the organisation when committed in the context of cross-border fraudulent schemes and for the purpose of evading value added tax for a total amount of not less than € 10 million.</p>	<p>Article 5 of Legislative Decree no. 74/2000: “Failure to declare”.</p> <p><i>“1. A sentence of imprisonment ranging from two to five years shall be imposed on whoever, in order to evade taxes on income or on value added, does not submit, being obliged to do so, one of the declarations relating to such taxes, when the tax evaded exceeds, with reference to any of the individual taxes, fifty thousand euros.</i></p> <p><i>1-bis. Whoever, being obliged to do so, does not submit the declaration of withholding tax, when the amount of unpaid taxes exceeds fifty thousand euros, shall be punished with imprisonment from two to five years.</i></p> <p><i>2. For the purposes of the provision stated in paragraphs 1 and 1-bis, a declaration submitted within ninety days from the expiry of the deadline or not signed or not drawn up on a form conforming to the prescribed model shall not be considered as omitted.”</i></p>
Article 25- <i>quinqüiesdecies</i> of Legislative Decree no. 231/2001	<p>Undue compensation (Article 10-<i>quater</i> of Legislative Decree no. 74/2000)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - up to 400 quotas. <p>Disqualifying penalty:</p>	<p>Article 10-<i>quater</i> of Legislative Decree no. 74/2000: “Undue compensation”</p> <p><i>“1. Whoever fails to pay the sums due by using, pursuant to Article 17 of Legislative Decree no. 241 of 9 July 1997, undue credits for an annual amount exceeding fifty thousand euros as compensation shall be punished by imprisonment from six months to two years.</i></p> <p><i>2. A penalty of imprisonment ranging from one year and six months to six years shall be imposed on whoever fails to pay the sums due, using as compensation, pursuant to Article 17 of Legislative Decree no. 241 of 9 July 1997, non-existent credits for an annual amount exceeding fifty thousand euros”.</i></p>

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
	<ul style="list-style-type: none"> - the prohibition to contract with the public administration, except in order to obtain the performance of a public service; - a ban on advertising goods or services. <p>The offence only gives rise to liability of the organisation when committed in the context of cross-border fraudulent schemes and for the purpose of evading value added tax for a total amount of not less than € 10 million.</p>	

V. SMUGGLING

[Article 25-sexiesdecies of Legislative Decree no 231/2001]

STANDARD OF REFERENCE (of Legislative Decree no. 231/2001 or other regulatory bodies)	THE OFFENCE (OR THE ADMINISTRATIVE OFFENCE) AND RELATED PENALTIES	THE TYPE OF OFFENCE (OR ADMINISTRATIVE OFFENCE)
Article 25-sexiesdecies of Legislative Decree no. 231/2001	<p>Smuggling of goods across land borders and customs areas (Article 282 of Presidential Decree no. 43/1973)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - up to 200 quotas; - up to 400 quotas if the customs duty due exceeds € 100,000. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - the prohibition to contract with the public administration, except in order to obtain the performance of a public service; - the exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - a ban on advertising goods or services. 	<p>Article 282 of Presidential Decree no. 43/1973: “Smuggling of goods across land borders and customs areas”.</p> <p><i>“A fine of not less than two and not more than ten times the customs duty due shall be imposed on whoever:</i></p> <ul style="list-style-type: none"> <i>a) introduces foreign goods across the land border contrary to the requirements, prohibitions and limitations established pursuant to Article 16;</i> <i>b) unloads or stores foreign goods in the space between the border and the nearest customs post;</i> <i>c) is caught with foreign goods concealed on his/her person or in luggage or in packages or among other goods or in any means of transport, in order to evade customs inspection;</i> <i>d) removes goods from the customs area without having paid the duties due or without having guaranteed their payment, except for the provisions of Article 90;</i> <i>e) brings out of the customs territory, under the conditions stated in the preceding subparagraphs, national or nationalised goods subject to customs duties;</i> <i>f) possesses foreign goods, when the circumstances provided for in the second paragraph of Article 25 for the offence of smuggling are fulfilled”.</i>
Article 25-sexiesdecies of Legislative Decree no. 231/2001	<p>Smuggling in the movement of goods in border lakes (Article 283 of Presidential Decree no. 43/1973)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - up to 200 quotas; 	<p>Article 283 Presidential Decree no. 43/1973: “Smuggling of goods in the movement in border lakes”.</p> <p><i>“A fine of not less than two and not more than ten times the customs duty due shall be imposed on the captain who:</i></p> <ul style="list-style-type: none"> <i>a) introduces through Lake Maggiore or Lake Lugano into the basins of Porlezza, foreign goods without presenting them to one of the national customs authorities nearest the border, subject to the exception provided for in the third paragraph of Article 102;</i> <i>b) without the permission of the customs, transporting foreign goods with ships in the stretches of Lake Lugano where there are no customs, gets close to the national shores opposite the foreign ones or casts anchor or stays at anchor or in any case</i>

	<ul style="list-style-type: none"> - up to 400 quotas if the customs duty due exceeds € 100,000. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - the prohibition to contract with the public administration, except in order to obtain the performance of a public service; - the exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - a ban on advertising goods or services. 	<p><i>communicates with the customs territory of the State, in such a way that it is easy to disembark or embark the goods, except in cases of force majeure.</i></p> <p><i>The same penalty shall be applied to whoever conceals foreign goods in the vessel for the purpose of evading customs inspection."</i></p>
Article 25- <i>sexiesdecies</i> of Legislative Decree no. 231/2001	<p>Smuggling in the maritime movement of goods (Article 284 of Presidential Decree no. 43/1973)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - up to 200 quotas; - up to 400 quotas if the customs duty due exceeds € 100,000. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - the prohibition to contract with the public administration, except in order to obtain the performance of a public service; - the exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - a ban on advertising goods or services. 	<p>Article 284 of Presidential Decree no. 43/1973: "Smuggling in the maritime movement of goods"</p> <p><i>"A fine of not less than two and not more than ten times the customs duty due shall be imposed on any captain who:</i></p> <ul style="list-style-type: none"> <i>a) without the permission of the customs, transporting foreign goods with ships, gets close to the shore or drops anchor or stands at anchor near the shore, except in cases of force majeure;</i> <i>b) who, while transporting foreign goods, lands in places where there are no customs, or disembarks or transships such goods contrary to the requirements, prohibitions and restrictions established pursuant to Article 16, except in cases of force majeure;</i> <i>c) transports foreign goods without a bill of lading in a ship of a net tonnage not exceeding two hundred tonnes, in cases where a manifest is required;</i> <i>d) which at the time of departure of the vessel does not have on board the foreign goods or the national goods for export with refund of duties which should be thereon according to the bill of lading and other customs documents;</i> <i>e) transports foreign goods from one customs post to another, in a vessel of a net tonnage not exceeding fifty tonnes, without the appropriate security note;</i> <i>f) has embarked foreign goods leaving the customs territory on a vessel of not more than fifty tonnes, except for embarkation on a vessel of not more than fifty tonnes, as stated in Article 254 for the embarkation of ship's stores.</i> <p><i>The same penalty shall be applied to whoever conceals foreign goods in the vessel for the purpose of evading customs inspection."</i></p>
Article 25- <i>sexiesdecies</i> of Legislative Decree no. 231/2001	<p>Smuggling in the movement of goods by air (Article 285 of Presidential Decree no. 43/1973)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - up to 200 quotas; - up to 400 quotas if the customs duty due exceeds € 100,000. 	<p>Article 285 of Presidential Decree no. 43/1973: "Smuggling in the movement of goods by air"</p> <p><i>"A fine of not less than two and not more than ten times the customs shall be applied to the commander of an aircraft who:</i></p> <ul style="list-style-type: none"> <i>a) imports foreign goods without carrying the bill of lading, when the latter is prescribed;</i> <i>b) at the time of departure of the aircraft, does not have on board the foreign goods which should have been there according to the bill of lading and other customs documents;</i> <i>c) removes goods from the landing places of the aircraft without having completed the prescribed customs operations;</i>

	<p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - the prohibition to contract with the public administration, except in order to obtain the performance of a public service; - the exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - a ban on advertising goods or services. 	<p><i>d) on landing outside a customs airport, fails to report the landing to the Authorities indicated in Article 114. In such cases, in addition to the cargo, the aircraft shall also be considered to have been smuggled into the customs territory. The same penalty shall be applied to whoever, from an aircraft in flight, throws foreign goods into the customs territory or hides them in the aircraft for the purpose of evading customs inspection. The above penalties shall be applied irrespective of those imposed for the same act by the special laws on air navigation, insofar as they do not concern customs matters".</i></p>
<p>Article 25-<i>sexiesdecies</i> of Legislative Decree no. 231/2001</p>	<p>Smuggling in non-customs areas (Article 286 of Presidential Decree no. 43/1973)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - up to 200 quotas; - up to 400 quotas if the customs duty due exceeds € 100,000. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - the prohibition to contract with the public administration, except in order to obtain the performance of a public service; - the exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - a ban on advertising goods or services. 	<p>Article 286 of Presidential Decree no. 43/1973: "Smuggling in non-customs areas" <i>"Whoever, in the non-customs territories indicated in Article 2, sets up unauthorised warehouses of foreign goods subject to customs duties, or sets up such warehouses in excess of the permitted amount, shall be punished with a fine of not less than two and not more than ten times the customs duties due".</i></p>
<p>Article 25-<i>sexiesdecies</i> of Legislative Decree no. 231/2001</p>	<p>Smuggling for undue use of imported goods with customs facilities (Article 287 Presidential Decree no. 43/1973)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - up to 200 quotas; - up to 400 quotas if the customs duty due exceeds € 100,000. <p>Disqualifying penalty:</p>	<p>Article 287 of Presidential Decree no. 43/1973: "Smuggling for undue use of goods imported with customs facilities" <i>"A fine of not less than two and not more than ten times the amount of duty payable shall be imposed on any person who gives foreign goods imported free of duty or with a reduction of duty, either wholly or in part, a destination or use other than that for which relief or reduction was granted, pursuant to the provisions of Article 140".</i></p>

	<ul style="list-style-type: none"> - the prohibition to contract with the public administration, except in order to obtain the performance of a public service; - the exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - a ban on advertising goods or services. 	
Article 25-sexiesdecies of Legislative Decree no. 231/2001	<p>Smuggling in customs warehouses (Article 288 of Presidential Decree no. 43/1973)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - up to 200 quotas; - up to 400 quotas if the customs duty due exceeds € 100,000. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - the prohibition to contract with the public administration, except in order to obtain the performance of a public service; - the exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - a ban on advertising goods or services. 	<p>Article 288 of Presidential Decree no. 43/1973: “Smuggling in customs warehouses”</p> <p><i>“The licensee of a privately-owned customs warehouse who holds in it foreign goods which have not been declared for introduction in the prescribed manner or which have not been entered in the warehouse registers shall be punished by a fine of not less than two and not more than ten times the customs duties due”.</i></p>
Article 25-sexiesdecies of Legislative Decree no. 231/2001	<p>Smuggling in cabotage and road circulation (Article 289 of Presidential Decree no. 43/1973)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - up to 200 quotas; - up to 400 quotas if the customs duty due exceeds € 100,000. <p>Disqualifying penalty:</p>	<p>Article 289 of Presidential Decree no. 43/1973: “Smuggling in cabotage and road circulation”</p> <p><i>“A fine of not less than two and not more than ten times the customs duty due shall be imposed on whoever imports foreign goods in place of national or nationalised goods shipped in cabotage or in circulation”.</i></p>

	<ul style="list-style-type: none"> - the prohibition to contract with the public administration, except in order to obtain the performance of a public service; - the exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - a ban on advertising goods or services. 	
Article 25-sexiesdecies of Legislative Decree no. 231/2001	<p>Smuggling in the export of goods eligible for duty drawback (Article 290 of Presidential Decree no. 43/1973)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - up to 200 quotas; - up to 400 quotas if the customs duty due exceeds € 100,000. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - the prohibition to contract with the public administration, except in order to obtain the performance of a public service; - the exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - a ban on advertising goods or services. 	<p>Article 290 of Presidential Decree no. 43/1973: “Smuggling in the export of goods eligible for duty drawback”.</p> <p><i>“Whoever uses fraudulent means for the purpose of obtaining undue duty drawback established for the importation of raw materials used in the manufacture of national goods which are exported, shall be punished with a fine of not less than twice the amount of the duties unduly collected or attempted to be collected, and not more than ten times the amount of such duties”.</i></p>
Article 25-sexiesdecies of Legislative Decree no. 231/2001	<p>Smuggling in import or temporary export (Article 291 of Presidential Decree no. 43/1973)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - up to 200 quotas; - up to 400 quotas if the customs duty due exceeds € 100,000. <p>Disqualifying penalty:</p>	<p>Article 291 of Presidential Decree no. 43/1973: “Smuggling in import or temporary export”.</p> <p><i>“Whoever, in import or temporary export operations or in re-export and re-import operations, in order to evade payment of duties that would be due, subjects the goods to artificial manipulation or uses other fraudulent means, shall be punished with a fine of not less than two and not more than ten times the amount of the duties evaded or attempted to evade”.</i></p>

	<ul style="list-style-type: none"> - the prohibition to contract with the public administration, except in order to obtain the performance of a public service; - the exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - a ban on advertising goods or services. 	
Article 25-sexiesdecies of Legislative Decree no. 231/2001	<p>Smuggling of foreign tobacco products (Article 291-bis of Presidential Decree no. 43/1973)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - up to 200 quotas; - up to 400 quotas if the customs duty due exceeds € 100,000. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - the prohibition to contract with the public administration, except in order to obtain the performance of a public service; - the exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - a ban on advertising goods or services. 	<p>Article 291-bis of Presidential Decree no. 43/1973: “Smuggling of foreign tobacco products”</p> <p><i>“1. Whoever introduces, sells, transports, purchases or holds in the State territory a quantity of smuggled foreign processed tobacco exceeding ten conventional kilograms shall be punished by a fine of ten thousand lire for each conventional gram of product, as defined by Article 9 of Law no.76 of 7 March 1985, and by imprisonment of from two to five years.</i></p> <p><i>2. The acts provided for in paragraph 1, when they concern a quantity of foreign processed tobacco up to ten conventional kilograms, shall be punished by a fine of ten thousand lire per conventional gram of product and in any case not less than 1 million lire”.</i></p>
Article 25-sexiesdecies of Legislative Decree no. 231/2001	<p>Aggravating circumstances of the crime of smuggling foreign tobacco products (Article 291-ter of Presidential Decree no. 43/1973)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - up to 200 quotas; - up to 400 quotas if the customs duty due exceeds € 100,000. <p>Disqualifying penalty:</p>	<p>Article 291-ter of Presidential Decree no. 43/1973: “Aggravating circumstances of the crime of smuggling foreign tobacco products”</p> <p><i>“1. If the facts stated in Article 291-bis are committed using means of transport belonging to persons not involved in the offence, the penalty is increased.</i></p> <p><i>2. In the cases stated in Article 291-bis, a fine of fifty thousand lire shall be imposed for each conventional gram of product and imprisonment for a term of between three and seven years, when:</i></p> <p><i>a) committing the offence or in the conduct aimed at securing the price, product, profit or impunity of the offence, the offender makes use of weapons or is found to have possessed them in the performance of the offence;</i></p> <p><i>b) committing the offence or immediately afterwards, the perpetrator is caught together with two or more persons in such a condition as to obstruct the police;</i></p> <p><i>c) the offence is connected with another offence against public faith or against the public administration;</i></p>

	<ul style="list-style-type: none"> - the prohibition to contract with the public administration, except in order to obtain the performance of a public service; - the exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - a ban on advertising goods or services. 	<p><i>d) in committing the offence the perpetrator has used means of transport which, with respect to the approved characteristics, present alterations or modifications suitable to hinder the intervention of the police bodies or to cause danger to public safety;</i></p> <p><i>e) in committing the offence, the offender has used partnerships or corporations or has made use of financial assets in any way established in States which have not ratified the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime, drawn up in Strasbourg on 8 November 1990, ratified and made enforceable pursuant to Law no. 328 of 9 August 1993, and which in any case have not stipulated and ratified judicial assistance conventions with Italy concerning the offence of smuggling.</i></p> <p><i>3. The mitigating circumstance stated in Article 62-bis of the Italian Criminal Code, if concurrent with the aggravating factors stated in letters a) and d) of paragraph 2 of this article, cannot be considered equivalent or prevailing over them and the reduction of the penalty shall be applied on the amount of the penalty resulting from the increase consequent to the aforementioned aggravating factors”</i></p>
Article 25-sexiesdecies of Legislative Decree no. 231/2001	<p>Conspiracy for foreign processed tobacco for contraband purposes (Article 291-quater of Presidential Decree no. 43/1973)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - up to 200 quotas; - up to 400 quotas if the customs duty due exceeds € 100,000. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - the prohibition to contract with the public administration, except in order to obtain the performance of a public service; - the exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - a ban on advertising goods or services. 	<p>Article 291-quater of Presidential Decree no. 43/1973: “Conspiracy for foreign processed tobacco for contraband purposes”.</p> <p><i>“1. When three or more persons associate for the purpose of committing several offences among those stated in Article 291-bis, those who promote, constitute, direct, organise or finance the association shall be punished, for this alone, with imprisonment from three to eight years.</i></p> <p><i>2. Those who participate in the association shall be punished with imprisonment from one year to six years.</i></p> <p><i>3. The penalty is increased if the number of associates is ten or more.</i></p> <p><i>4. If the association is armed, or if the circumstances stated in letters d) or e) of paragraph 2 of Article 291-ter apply, the penalty is imprisonment from five to fifteen years in the cases stated in paragraph 1 of this article, and from four to ten years in the cases stated in paragraph 2. The association is considered armed when the participants have the availability, for the achievement of the association's purposes, of weapons or explosive materials, even if concealed or kept in a storage place.</i></p> <p><i>5. The penalties stated in Articles 291-bis, 291-ter and in this article shall be reduced by between one third and one half for the defendant who, by dissociating himself/ herself from the others, acts to prevent the criminal activity from having further consequences, also by concretely helping the Police or the legal authority in the collection of decisive elements for the reconstruction of the facts and for the identification or capture of the perpetrators of the offence or for the identification of resources relevant to the commission of the offences”.</i></p>
Article 25-sexiesdecies of Legislative Decree no. 231/2001	<p>Other smuggling offences (Article 292 of Presidential Decree no. 43/1973)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - up to 200 quotas; 	<p>Article 292 of Presidential Decree no. 43/1973: “Other smuggling offences”</p> <p><i>“Whoever, other than in the cases stated in the preceding Articles, withholds goods from payment of the customs duties due, shall be punished by a fine of not less than two and not more than ten times such duties”.</i></p>

	<ul style="list-style-type: none"> - up to 400 quotas if the customs duty due exceeds € 100,000. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - the prohibition to contract with the public administration, except in order to obtain the performance of a public service; - the exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - a ban on advertising goods or services. 	
Article 25- <i>sexiesdecies</i> of Legislative Decree no. 231/2001	<p>Aggravating circumstances of smuggling (Article 295 of Presidential Decree no. 43/1973)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - up to 200 quotas; - up to 400 quotas if the customs duty due exceeds € 100,000. <p>Disqualifying penalty:</p> <ul style="list-style-type: none"> - the prohibition to contract with the public administration, except in order to obtain the performance of a public service; - the exclusion from facilitations, financing, contributions or subsidies and possible revocation of those already granted; - a ban on advertising goods or services. 	<p>Article 295 of Presidential Decree no. 43/1973: “Aggravating circumstances of smuggling”</p> <p><i>“For the offences envisaged in the preceding Articles, whoever uses means of transport belonging to a person who is not involved in the offence to commit the smuggling shall be punished with a fine of not less than five and not more than ten times the customs duty due.</i></p> <p><i>For the same offences, the fine shall be increased by imprisonment for a term of between three and five years:</i></p> <p><i>a) when in committing the offence, or immediately thereafter in the surveillance area, the offender is caught armed;</i></p> <p><i>b) when in the commission of the offence, or immediately thereafter in the surveillance area, three or more persons guilty of smuggling are caught together and in circumstances liable to obstruct the police bodies;</i></p> <p><i>c) when the act is connected with another offence against public faith or against the public administration;</i></p> <p><i>d) when the offender is an associate for the commission of smuggling offences and the offence committed is among those for which the association was established;</i></p> <p><i>d-bis) where the amount of border duties due exceeds one hundred thousand euros.</i></p> <p><i>For the same offences, a fine shall be added to the fine by imprisonment of up to three years when the amount of the customs duties due exceeds fifty thousand euros and does not exceed one hundred thousand euros”.</i></p>

W. OFFENCES AGAINST CULTURAL HERITAGE

<p>[Article 25-septiesdecies Legislative Decree] Article 25-septiesdecies of Legislative Decree no. 231/2001</p>	<p>Theft of cultural property (Article 518-bis of the Italian Criminal Code)</p> <p>Pecuniary penalty: - from 400 quotas to 900 quotas;</p> <p>Disqualifying penalty: For a duration not exceeding 2 years: disqualification from exercising the activity suspension or revocation of authorisations, licences or concessions functional to the commission of the offence prohibition of contracting with the public administration, except to obtain the provision of a public service exclusion from benefits, financing, contributions or subsidies and the possible revocation of those already granted ban on advertising goods or services</p>	<p>Article 518-bis of the Italian Criminal Code: “Theft of cultural property”.</p> <p><i>“Whoever takes possession of another person's movable cultural property, by removing it from its owner, in order to gain profit for himself/ herself or for others, or takes possession of cultural property belonging to the State, as found underground or on the seabed, shall be punished by imprisonment from two to six years and a fine ranging from € 927 to € 1,500.</i></p> <p><i>The punishment shall be imprisonment for a term of four to ten years and a fine ranging from € 927 to € 2,000 if the offence is aggravated by one or more of the circumstances envisaged in the first paragraph of Article 625 or if the theft of cultural goods belonging to the State, insofar as they have been found underground or on the seabed, is committed by a person who has obtained a search licence as provided for by law”.</i></p>
<p>[Article 25-septiesdecies Legislative Decree] Article 25-septiesdecies of Legislative Decree no. 231/2001</p>	<p>Misappropriation of cultural property (Article 518-ter of the Italian Criminal Code)</p> <p>Pecuniary penalty: - from 200 quotas to 500 quotas;</p> <p>Disqualifying penalty: For a duration not exceeding 2 years: disqualification from exercising the activity suspension or revocation of authorisations, licences or concessions functional to the commission of the offence prohibition of contracting with the public administration, except to obtain the</p>	<p>Article 518-ter of the Italian Criminal Code: “Misappropriation of cultural property”.</p> <p><i>“Whoever, in order to procure for himself/ herself or for others an unjust profit, appropriates another person's cultural goods in his possession for any reason whatsoever, shall be punished by imprisonment from one to four years and a fine ranging from € 516 to € 1,500.</i></p> <p><i>If the offence is committed in respect of property held as a necessary deposit, the penalty is increased.”</i></p>

	<p>provision of a public service exclusion from benefits, financing, contributions or subsidies and the possible revocation of those already granted ban on advertising goods or services</p>	
<p>Article 25-<i>septiesdecies</i> of Legislative Decree no. 231/2001</p>	<p>Receiving stolen cultural assets(Article 518-<i>quater</i> of the Italian Criminal Code)</p> <p>Pecuniary penalty: - from 400 to 900 quotas;</p> <p>Disqualifying penalty: For a duration not exceeding 2 years: disqualification from exercising the activity suspension or revocation of authorisations, licences or concessions functional to the commission of the offence prohibition of contracting with the public administration, except to obtain the provision of a public service exclusion from benefits, financing, contributions or subsidies and the possible revocation of those already granted ban on advertising goods or services</p>	<p>Article 518-<i>novies</i> of the Italian Criminal Code. “Receiving stolen cultural assets” “<i>Aside from cases of complicity in the offence, anyone who, in order to procure a profit for himself/ herself or others, acquires, receives or conceals cultural goods deriving from any offence, or in any event is involved in having acquired, received or concealed them, shall be punished by imprisonment from four to ten years and a fine of between € 1,032 and € 15,000.</i> <i>The penalty is increased when the offence concerns cultural goods originating from the offences of aggravated robbery within the meaning of Article 628, para. 3 and aggravated extortion within the meaning of Article 629 para. 2.</i> <i>The provisions of this article shall also apply when the perpetrator of the offence from which the cultural goods originate cannot be charged or is not punishable, or when a condition of prosecution relating to that offence is missing</i>”.</p>
<p>Article 25-<i>septiesdecies</i> of Legislative Decree no. 231/2001</p>	<p>Falsification of a private contract relating to cultural goods (Article 518-<i>octies</i> of the Italian Criminal Code)</p> <p>Pecuniary penalty: - from 400 to 900 quotas;</p> <p>Disqualifying penalty:</p>	<p>Article 518-<i>octies</i> of the Italian Criminal Code. “Falsification of a private contract relating to cultural goods” “<i>Whoever makes, in whole or in part, a false private contract or, in whole or in part, alters, destroys, suppresses or conceals a true private deed, in relation to movable cultural property, in order to make its provenance appear lawful, shall be punished by a term of imprisonment from one to four years.</i> <i>Whoever uses the private deed referred to in the first paragraph, without having participated in its formation or alteration, shall be punished by imprisonment of from eight months to two years and eight months</i>”.</p>

	<p>For a duration not exceeding 2 years:</p> <ul style="list-style-type: none"> disqualification from exercising the activity suspension or revocation of authorisations, licences or concessions functional to the commission of the offence prohibition of contracting with the public administration, except to obtain the provision of a public service exclusion from benefits, financing, contributions or subsidies and the possible revocation of those already granted ban on advertising goods or services 	
<p>Article 25-septiesdecies of Legislative Decree no. 231/2001</p>	<p>Violations concerning the transfer of cultural goods (Article 518-novies of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 100 to 400 quotas; <p>Disqualifying penalty: For a duration not exceeding 2 years:</p> <ul style="list-style-type: none"> disqualification from exercising the activity suspension or revocation of authorisations, licences or concessions functional to the commission of the offence prohibition of contracting with the public administration, except to obtain the provision of a public service exclusion from benefits, financing, contributions or subsidies and the possible revocation of those already granted ban on advertising goods or services 	<p>Article 518-novies of the Italian Criminal Code. "Violations concerning the transfer of cultural goods"</p> <p><i>"The perpetrator shall be punished by imprisonment from six months to two years and a fine ranging from € 2,000 to € 80,000: 1) any person who, without the prescribed authorisation, disposes of or places cultural goods on the market; 2) any person who, being under an obligation to do so, fails to report the transfer of ownership or possession of cultural goods within the period of thirty days; 3) the transferor of a cultural object subject to pre-emption who delivers the object during the period of sixty days from the date of receipt of the report of transfer".</i></p>

<p>Article 25-septiesdecies of Legislative Decree no. 231/2001</p>	<p>Illegal importation of cultural goods (Article 518-decies of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 200 to 500 quotas; <p>Disqualifying penalty:</p> <p>For a duration not exceeding 2 years:</p> <ul style="list-style-type: none"> disqualification from exercising the activity suspension or revocation of authorisations, licences or concessions functional to the commission of the offence prohibition of contracting with the public administration, except to obtain the provision of a public service exclusion from benefits, financing, contributions or subsidies and the possible revocation of those already granted ban on advertising goods or services 	<p>Article 518-decies of the Italian Criminal Code. "Illegal importation of cultural goods"</p> <p><i>"Whoever, apart from cases of complicity in the offences provided for in Articles 518-quarter, 518-quinquies, 518-sexies and 518-septies, imports cultural goods originating from an offence or found as a result of searches carried out without authorisation where provided for by the law of the State where the finding took place, or exported from another State in breach of the law on the protection of the cultural heritage of that State, shall be punished by imprisonment of two to six years and a fine of between € 258 and € 5,165."</i></p>
<p>Article 25-septiesdecies of Legislative Decree no. 231/2001</p>	<p>Unlawful export of cultural goods (Article 518-undecies of the Italian Criminal Code)</p> <p>Pecuniary penalty:</p> <ul style="list-style-type: none"> - from 200 to 500 quotas; <p>Disqualifying penalty:</p> <p>For a duration not exceeding 2 years:</p> <ul style="list-style-type: none"> disqualification from exercising the activity suspension or revocation of authorisations, licences or concessions functional to the commission of the offence prohibition of contracting with the public administration, except to obtain the provision of a public service exclusion from benefits, financing, 	<p>Article 518-undecies of the Italian Criminal Code. "Unlawful export of cultural goods"</p> <p><i>"Whoever transfers abroad cultural goods of artistic, historical, archaeological, ethno-anthropological, bibliographic, documentary or archival interest or other things subject to specific protection provisions under the legislation on cultural goods without a certificate of free circulation or export licence shall be punished by imprisonment of two to eight years and with a fine of up to € 80,000.</i></p> <p><i>The penalty provided for in the first paragraph shall also apply to anyone who does not return to the national territory at the expiry of the term of the cultural goods of artistic, historical, archaeological, ethno-anthropological, bibliographic, documentary or archival interest or other things subject to specific protection provisions pursuant to the legislation on cultural goods for which the removal or temporary export has been authorised, as well as to anyone who makes false declarations in order to prove to the competent export office pursuant to the law that goods of cultural interest are not subject to authorisation to leave the national territory".</i></p>

	contributions or subsidies and the possible revocation of those already granted ban on advertising goods or services	
Article 25-septiesdecies of Legislative Decree no. 231/2001	<p>Destruction, dispersal, deterioration, defacement, spoiling and unlawful use of cultural or landscape heritage (Article 518-duodecies of the Italian Criminal Code)</p> <p>Pecuniary penalty: - from 300 to 700 quotas;</p> <p>Disqualifying penalty: For a duration not exceeding 2 years: disqualification from exercising the activity suspension or revocation of authorisations, licences or concessions functional to the commission of the offence prohibition of contracting with the public administration, except to obtain the provision of a public service exclusion from benefits, financing, contributions or subsidies and the possible revocation of those already granted ban on advertising goods or services</p>	<p>Article 518-duodecies of the Italian Criminal Code. “Destruction, dispersal, deterioration, defacement, spoiling and unlawful use of cultural or landscape heritage <i>Anyone who destroys, disperses, deteriorates or renders wholly or partially unusable or available cultural or landscape assets belonging to him/her or to others shall be punished by imprisonment of two to five years and a fine of between € 2,500 and € 15,000.</i> <i>Anyone who, other than in the cases referred to in the first paragraph, defaces or harms cultural property or landscape belonging to him/her or to others, or who uses cultural property for a purpose that is incompatible with its historical or artistic character or detrimental to its preservation or integrity, shall be punished by imprisonment from six months to three years and with a fine ranging from € 1,500 to € 10,000.</i> <i>The suspended sentence is subject to the restoration of the state of the place or the elimination of the harmful or dangerous consequences of the offence or the performance of unpaid community work for a fixed period not exceeding the duration of the suspended sentence in the manner indicated by the judge in the conviction.</i></p>
Article 25-septiesdecies of Legislative Decree no. 231/2001	<p>Counterfeiting works of art (Article 518-quaterdecies of the Italian Criminal Code)</p> <p>Pecuniary penalty: - from 300 to 700 quotas;</p> <p>Disqualifying penalty: For a duration not exceeding 2 years:</p>	<p>Article 518-quaterdecies of the Italian Criminal Code. “Counterfeiting of works of art” <i>“The following is liable to imprisonment for a term of between one and five years and a fine of between € 3,000 and € 10,000:</i> <i>1) anyone who, in order to make a profit, counterfeits, alters or reproduces a work of painting, sculpture or graphics or an object of antiquity or of historical or archaeological interest;</i> <i>2) anyone who, even without having taken part in the counterfeiting, alteration or reproduction, places on the market, holds for trading, imports for this purpose or otherwise places in circulation, as authentic, counterfeited, altered or reproduced specimens of works of painting, sculpture or graphics, objects of antiquity or objects of historical or archaeological interest;</i></p>

	<p>disqualification from exercising the activity suspension or revocation of authorisations, licences or concessions functional to the commission of the offence prohibition of contracting with the public administration, except to obtain the provision of a public service exclusion from benefits, financing, contributions or subsidies and the possible revocation of those already granted ban on advertising goods or services</p>	<p>3) anyone who, knowing them to be false, authenticates counterfeited, altered or reproduced works or objects referred to in numbers 1) and 2); 4) anyone who, by means of other declarations, expert opinions, publications, affixing of stamps or labels or by any other means, accredits or helps to accredit as authentic works or objects referred to in numbers 1) and 2) counterfeited, altered or reproduced with knowledge of their falsity. The confiscation of counterfeited, altered or reproduced copies of the works or objects referred to in the first paragraph shall always be ordered, unless they belong to persons not involved in the offence. The sale of the confiscated goods at auctions is prohibited without time limit”.</p>
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X. LAUNDERING OF CULTURAL PROPERTY AND DEVASTATION AND LOOTING OF CULTURAL AND LANDSCAPE HERITAGE

[Article 25-septiesdecies of Legislative Decree no 231/2001]

<p>Article 25-duodecies of Legislative Decree no. 231/2001</p>	<p>Laundering of cultural goods (Article 518-sexies of the Italian Criminal Code)</p> <p>Pecuniary penalty: - from 500 to 1,000 quotas</p> <p>Disqualifying penalty: If the organisation or one of its organisational units is permanently used for the sole or predominant purpose of enabling or facilitating the commission of the predicate offence, it is permanently disqualified from exercising the activity.</p>	<p>Article 518-sexies of the Italian Criminal Code.: Laundering of cultural goods “Aside from cases of complicity in the offence, whoever replaces or transfers cultural goods resulting from a non-culpable offence, or carries out other transactions in connection therewith, in such a way as to obstruct the identification of their criminal origin, shall be punished by imprisonment from five to fourteen years and a fine ranging from € 6,000 to € 30,000. The penalty is reduced if the cultural goods originate from a crime for which the maximum term of imprisonment is less than five years”.</p>
<p>Article 25-duodecies of Legislative Decree no. 231/2001</p>	<p>Devastation and looting of cultural and landscape heritage (Article 518-terdecies of the Italian Criminal Code)</p> <p>Pecuniary penalty: - from 500 to 1,000 quotas</p>	<p>Article 518-terdecies Italian Criminal Code.: Devastation and looting of cultural and landscape heritage “Whoever, apart from the cases provided for in Article 285, commits acts of devastation or looting concerning cultural or landscape heritage or cultural institutions and places shall be punished by imprisonment of ten to sixteen years”.</p>

	Disqualifying penalty: If the organisation or one of its organisational units is permanently used for the sole or predominant purpose of enabling or facilitating the commission of the predicate offence, it is permanently disqualified from exercising the activity.	
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