



ORGANISATIONAL, MANAGEMENT AND CONTROL MODEL

Criminal offences pursuant to Legislative Decree no. 231/01 and subsequent modifications and integrations

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1. CRIMES AGAINST PUBLIC AUTHORITIES (ART. 24 AND 25)

- Embezzlement against the State or another Public Authority (article 316 bis criminal code).
- Improper receipt of contributions, financing or other payments on the part of the State or other public bodies (article 316 ter criminal code).
- Extortion (article 317 criminal code).
- Corruption involving official documents (article 318 criminal code).
- Corruption involving actions contrary to official duties (article 319 criminal code).
- Corruption involving judicial actions (article 319 ter criminal code).
- Improper inducement to give or promise benefits (319 quater criminal code).
- Instigation to corruption (article 322 criminal code).
- Fraud at the expense of the State or other public bodies (article 640, para. 1, criminal code).
- Aggravated fraud pursuant to public payments (article 640 bis criminal code).
- Informatics fraud against the State or other public bodies (article 640 ter criminal code).

2. INFORMATICS CRIMES AND ILLEGAL DATA PROCESSING (ART. 24 BIS)

- False information in a public informatics document or document having probatory value (article 491 bis criminal code).
- Abusive access to an informatics or telematics system (article 615 ter criminal code).
- Abusive possession and diffusion of access codes to informatics or telematics systems (article 615 quater criminal code).
- Diffusion of informatics equipment, devices or programmes aimed at damaging or interrupting an informatics or telematics system (article 615 quinquies criminal code).
- Illegal interception, impediment or interruption of informatics or telematics communications (article 617 quater criminal code).
- Installation of equipment used to intercept, impede or interrupt informatics or telematics communications (article 617 quinquies criminal code),
- Damage to informatics information, data and programmes (article 635 bis criminal code).
- Damage to informatics information, data and programmes used by the State or another public body or any public entity (article 635 ter criminal code).
- Damage to informatics or telematics systems (article 635 quater criminal code).
- Damage to public utility informatics or telematics systems (article 635 quinquies criminal code).
- Informatics fraud on the part of the electronic signature certifier (article 640 quinquies criminal code).



3. ORGANIZED CRIME (ART. 24 TER)

- Criminal association (416 criminal code).
- Association aimed at committing crimes as set out in the sixth paragraph of article 416, i.e. reducing someone to or maintaining someone in a state of slavery (article 600 criminal code), trafficking in people (article 601 criminal code), purchase and sale of slaves (article 602 criminal code), violation of provisions concerning immigration regulations (article 12, para 3 bis Consolidated Immigration Act) and regulations concerning the condition of foreigners Legislative Decree 286/1998).
- Mafia type association, including foreign (416 bis criminal code).
- Crimes committed using conditions as set out in the above-mentioned article 416 bis or in order to facilitate the activity of associations covered by the said article.
- Politico-mafia electoral deals (416 ter criminal code).
- Kidnapping of persons motivated by extortion (article 630 criminal code).
- Crimes set out in article 74 of the Consolidated Act relative to President of the Republic Decree 9 October 1990, no. 309.
- Illegal manufacturing, introduction into the State, offering for sale, assignment, detention and carrying in a public place, or a place open to the public, of military weapons, or similar, or parts of the same, explosives, clandestine weapons as well as common firearms (article 407, co. 2, lett.a), number 5 c.p.p.).

4. CRIMES INVOLVING COUNTERFEITING (ART. 25 BIS)

- Counterfeiting, alteration or use of brands or distinctive signs or patents, models and drawings (article 473 criminal code).
- Introduction into the State and sale of products with false signs (article 474 criminal code).
- Falsification of currency, expenditure and introduction into the State, subject to agreement, of falsified currency (article 453 criminal code).
- Alteration of currency (article 454 criminal code).
- Spending and introduction into the State, without agreement, of falsified money (article 455 criminal code).
- Spending of falsified money received in good faith (article 457 criminal code).
- Falsification of stamp values, introduction into the State, purchase, possession or putting into circulation falsified stamp values (article 459 criminal code).
- Counterfeiting of watermark paper used to make public credit paper or stamp values (article 460 criminal code).
- Fabrication or possession of watermarks or instruments used to falsify currency, stamp values or watermark paper (article 461 criminal code).
- Use of altered or counterfeited stamp values (article 464 criminal code).

5. CRIMES AGAINST INDUSTRY AND COMMERCE (ART. 25 BIS 1)

- Compromising the freedom of industry or commerce (article 513 criminal code).
- Illegal competition with threats or violence (article 513 bis criminal code).
- Fraud perpetrated against national industries (article 514 criminal code).



- Fraud in carrying out commercial activities (article 515 criminal code).
- Sale of non-genuine alimentary substances as genuine (article 516 criminal code).
- Sale of industrial products with false signs (article 517 criminal code).
- Manufacturing and commerce of assets realised by unlawful use of industrial property rights (article 517 ter criminal code).
- Counterfeiting of geographic indications or names of origin of agro-alimentary products (article 517 quater criminal code).

6. COMPANY CRIMES (ART. 25 TER)

- False company statements (article 2621 civil code).
- False company statements that damage partners or creditors (article 2622 civil code).
- Impeding control measures (article 2625, civil code).
- Improper restitution of assignments (article 2626 civil code).
- Illegal distribution of profits and allocations (article 2627, civil code).
- Illegal operations involving company stocks or shares or those of the parent company (article 2628, civil code).
- Operations prejudicial to creditors (article 2629, civil code).
- Failure to communicate any conflict of interest (2629 bis civil code).
- Fictitious formation of capital (article 2632 civil code).
- Undue distribution of company assets on the part of official receivers (article 2633, civil code).
- Corruption between private entities (article 2635, para 3 civil code).
- Illegal influence over the General Meeting (article 2636 civil code).
- Insider trading (article 2637 civil code).
- Obstructing public supervisory authorities in the exercise of their functions (article 2638, civil code).

7. CRIMES INVOLVING TERRORISM OR SUBVERSION OF DEMOCRACY (ART. 25 QUATER)

8. MUTILATION OF FEMALE GENITAL ORGANS (ART. 25 QUATER 1)

- Art. 583 bis criminal code.

9. CRIMES AGAINST THE INDIVIDUAL PERSONALITY (ART. 25 QUINQUIES)

- Reducing someone to or maintaining them in a state of slavery or servitude (article 600 criminal code).
- Prostitution involving minors (article 600 bis criminal code).
- Pornography involving minors (article 600 ter criminal code).
- Possession of pornographic material (article 600 quater criminal code).
- Virtual pornography (article 600 quater 1 criminal code).



- Tourist initiatives aimed at exploiting minors through prostitution (article 600 quinquies criminal code).
- Human trafficking (601 criminal code).
- Purchase and sale of slaves (602 criminal code).
- Grooming of minors (609 undecies criminal code).

10. MARKET ABUSE AND MANIPULATION (ART. 25 SEXIES)

- Abuse of privileged information as set out in articles 184 and 187 bis, TUF.
- Manipulation of markets as set out in articles 185 and 187 ter, TUF.

11. MURDER AND SERIOUS OR VERY SERIOUS INJURIES COMMITTED WITH VIOLATION OF HEALTH AND SAFETY AT WORK REGULATIONS (ART. 25 SEPTIES)

- Murder (article 589 criminal code).
- Assault and battery (article 590 criminal code).

12. RECEIVING STOLEN GOODS, MONEY-LAUNDERING AND USE OF CURRENCY, GOODS OR ASSETS OF ILLEGAL ORIGIN (ART. 25 OCTIES)

- Receipt of stolen goods (article 648 criminal code).
- Money-laundering (article 648 bis criminal code).
- Use of currency, goods or assets of illegal origin (article 648 ter criminal code).

13. COPYRIGHT INFRINGEMENT (ART. 25 NONIES)

- Making available to the public, in a telematic networks system, via connections of any kind, protected intellectual property, or part of the same (article 171, law 633/1941 para 1 lett. a) bis).
- Crimes as set out in the previous point, committed relative to the works of other persons not intended for publication, where the honour or reputation of the author is damaged (article 171, law 633/1941 para 3).
- Abusive duplication, to obtain profit from the same, of computer programs; importing, distribution, sale or possession for commercial or entrepreneurial purposes or assignment for rent of support programs not marked by SIAE; provision of means to remove or elude computer program protection devices (article 171 bis law 633/1941 para 1).
- Reproduction, transfer on to another support, communication, presentation or demonstration in public of the contents of a databank; extraction or re-utilisation of the databank; distribution, sale or assignment for rent of databanks (article 171 bis law 633/1941 para 2).
- Abusive duplication, reproduction, transmission or diffusion to the public via any procedure, entirely or in part, of protected intellectual property intended for



television, cinema, sale or hire of disks, tapes or similar supports, or any other support containing phonograms or videograms of assimilated musical, cinematographic or audiovisual works, or sequences of moving images; literary, dramatic, scientific or didactic, musical or musical dramatic, multimedia works, even if included in collective or composite works or databanks; abusive reproduction, duplication, transmission or diffusion of more than fifty copies or exemplars of works covered by copyright and related rights; introduction into a system of telematic networks, via connections of any type, of a work of intellect that is protected by copyright, or part of the same (article 171 ter law 633/1941).

- Failure to communicate identification data to SIAE for supports not subject to marks or false declaration (article 171 septies law 633/1941).
- Fraudulent production, sale, import, promotion, installation, modification, use for public and private use, of equipment or parts of equipment, used for the decoding of audiovisual transmissions with conditional access carried out by broadcasting, satellite, cable, in either analogue or digital form (article 171 octies law 633/1941).

14. SUBVERSION OF LEGAL PROCEEDINGS OR ENQUIRIES (ART. 25 DECIES)

- Inducing anyone not to make declarations or to make false statements to legal authorities (article 377 bis criminal code).

15. ENVIRONMENTAL CRIMES (ART. 25 UNDECIES)

- Killing, destroying, capturing, taking, possessing exemplars of protected wild animal or plant species (article 727 bis criminal code).
- Destruction or deterioration of habitats in a protected site (article 733 bis criminal code).
- Sanctions relative to the protection of water (article 137 Legislative Decree 152/06, paras 2, 3, 5, 11 and 13).
- Unauthorised waste management activities (article 256 Legislative Decree 152/06 paras 1, 3, 4, 5, 6).
- Reclamation of sites (article 257 Legislative Decree 152/06).
- Violation of communication obligations, keeping obligatory registers and forms (article 258 Legislative Decree 152/06 para 4).
- Illegal trafficking in waste products (article 259 Legislative Decree 152/06).
- Activities organized for illegal trafficking of waste products (article 260 Legislative Decree 152/06).
- Informatics control system for traceability of waste products (article 260 bis Legislative Decree 152/06, paras 6, 7, 8).
- Sanctions relative to air protection (article 279 Legislative Decree 152/06 para 5).
- Sanctions relative to violation of regulations that govern international trading of animal and plant species in danger of extinction (law 7 February 1992, no. 150).
- Sanctions relative to violation of measures to protect the environment and the ozone layer (Law 28 December 1993, no. 549).



- Sanctions relative to violation of regulations aimed at reducing pollution caused by shipping (Legislative Decree 6 November 2007, no. 202).

16. EMPLOYMENT OF CITIZENS FROM NON-EUROPEAN UNION COUNTRIES WHOSE PERMIT TO STAY IS INVALID (ART. 25 DUODECIES)

- Article 22, para 12 bis, Legislative Decree 286/1998.