

ORGANIZATION, MANAGEMENT and CONTROL MODEL

Pursuant to Legislative Decree June 8, 2001 no. 231

MISAPPROPRIATION TO THE DETRIMENT OF THE STATE (ART. 24)

Undue receipt of disbursements to the detriment of the State (316-*bis* of the criminal code)

Misappropriation of funds in detriment of the State (316-*ter* of the criminal code)

Fraud to the detriment of the State, other public company or the European Union (640 of the criminal code)

Aggravated fraud for obtaining public disbursements (640-*bis* of the criminal code)

IT crime to the detriment of the State or other public Company (640-*ter* of the criminal code)

COMPUTER CRIMES AND ILLEGAL DATA TREATMENT(ART. 24-BIS)

Falsehood in IT documents (491-*bis* of the criminal code)

Improper access to an IT or telematic system (615-*ter* of the criminal code)

Detention and illegal distribution of access codes to IT or telematic systems (615-*quater* of the criminal code)

Distribution of equipment, devices or computer programs intended to damage or interrupt an IT or telematic system (615-*quinquies* of the criminal code)

Illegal interception, prevention or interruption of IT or telematic communications (617-*quater* of the criminal code)

Installation of equipment suitable for intercepting, preventing or interrupting IT or telematic communications (617-*quinquies* of the criminal code)

Damage of IT information, data and programs (635-*bis* of the criminal code)

Damage of IT information, data and programs used by the State or by another public body or anyway of public utility (635-*ter* of the criminal code)

Damage of IT or telematic systems (635-*quater* of the criminal code)

Damage of IT or telematic systems of public utility (635-*quinquies* of the criminal code)

IT fraud by the person providing certification services for electronic signature (640-*quinquies* of the criminal code)

OFFENCES OF ORGANISED CRIME (ART. 24-TER)

Criminal association (416 of the criminal code)

Criminal association aimed at enslavement or maintenance in slavery, people trafficking, purchasing and selling of slave and offences concerning the violations of the provisions in illegal immigration provided for in art. 12 Legislative Decree 286/1998 (416 of the criminal code sixth paragraph)

Mafia-type association (416-*bis* of the criminal code)

Political-mafia electoral exchange (416-*ter* of the criminal code)

Kidnapping of a person for the purpose of extortion (630 of the criminal code)

Association with the aim of illegally trafficking narcotic or psychotropic drugs (art. 74 Presidential Decree 9 October 1990, n. 309)

Illegal fabrication, introduction into the State, making available for sale, transfer, detention and bearing in public or place open to the public of weapons of war or war-type weapons or parts thereof, explosives, or clandestine weapons as well as of several common fire arms (art. 407, para 2, a), 5), of the criminal code)

BRIBERY AND CORRUPTION (ART. 25)

Bribery (317 of the criminal code)

Bribery of a public official (318 of the criminal code)

Bribery for a deed that goes against official duties (319 of the criminal code)

Aggravating circumstances (319-*bis* of the criminal code)

Judicial corruption (319-*ter* of the criminal code)

Misappropriation induction to give or promise benefits (319-*quater* of the criminal code)

Bribery of a public service (320 of the criminal code)

Penalties for the briber (321 of the criminal code)

Instigation to corruption (322 of the criminal code)

Misappropriation of public funds, bribery and corruption and instigation to the corruption of members of the Bodies of the European Community and functionaries of the European Community and Foreign countries (322-*bis* of the criminal code)

CRIMES OF COUNTERFEITING MONEY: FORGERIES OF CURRENCY, LEGAL TENDER, REVENUE STAMPS AND IN INSTRUMENTS OR SIGNS OF RECOGNITION (ART. 25-BIS)

Falsification of currency, passing and introduction into the State, with accomplices, of forged currency (art. 453 of the criminal code)

Alteration of currency (art. 454 of the criminal code)

Passing and introduction of counterfeit currency into the state, without complicity (art. 455 of the criminal code)

Spending of falsified currency received in good faith (art. 457 of the criminal code)

Forging of revenue stamps, introduction into the State, acquisition, holding or placing forged revenue stamps in circulation (art. 459 of the criminal code)

Counterfeiting of watermarked paper in the use for the fabrication of legal tender or revenue stamps (art. 460 of the criminal code)

Fabrication or holding of watermarks or instruments for the forging of currency, revenue stamps or watermarked paper (art. 461 of the criminal code)

Use of counterfeit or altered revenue stamps (art. 464 of the criminal code)

Counterfeiting, alteration or use of trademarks or distinctive markings or patents, models and drawings (473 of the criminal code)

Introduction into the State and marketing of products with false markings (474 of the criminal code)

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

Disturbed liberty of an industrial or commercial concern (513 of the criminal code)

Illegal competition with threats or violence (513-*bis* of the criminal code)

Frauds against national industries (514 of the criminal code)

Fraud in the exercise of commerce (515 of the criminal code)

Sale of non-genuine food stuffs as genuine (516 of the criminal code)

Sale of industrial products with untruthful markings (517 of the criminal code)

Fabrication and commerce of goods made by usurping the ownership of industrial property (517-*ter* of the criminal code)

Counterfeiting of geographical indications or designation of origin of agricultural and food products (517-*quater* of the criminal code)

CORPORATE CRIMES (ART. 25-TER)

False corporate communications (2621 of the civil code)
False communications to the detriment of the shareholders or the creditors (2622 of the civil code)
Obstructions to control (2625 of the civil code)
Undue return of contributions (2626 of the civil code)
Illegal distribution of the profits or of the reserves (2627 of the civil code)
Illegal transactions in the shares or holdings in the company or the subsidiaries (2628 of the civil code)
Transactions to the detriment of the creditors (2629 of the civil code)
Dummy formation of the share capital (2632 of the civil code)
Undue distribution of the company assets by the receivers (2633 of the civil code)
Illegal influence over the Shareholders' Meeting (2636 of the civil code)
Stock manipulation (2637 of the civil code)
Failure to communicate conflict of interests (2629-*bis* of the civil code)
Obstacle to the exercise of the functions of public supervision authorities (2638 of the civil code)
Private corruption (2635 of the civil code)

**OFFENCES WITH THE INTENTION OF TERRORISM OR SUBVERSION OF DEMOCRATIC ORDER
PROVIDED FOR IN THE CRIMINAL CODE AND SPECIAL LAWS (ART. 25-QUATER)**

Association for the purposes of terrorism and the subversion of the democratic order (270-*bis* of the criminal code)
Assistance to the associates (270-*ter* of the criminal code)
Recruitment for purposes of terrorism including international terrorism (270-*quater* of the criminal code)
Training and activities for purposes of terrorism including international terrorism (270-*quinquies* of the criminal code)
Conducts with purposes of terrorism (270-*sexies* of the criminal code)
Attack to terrorism and subversion (280 of the criminal code)
Act of terrorism with lethal or explosive devices (280-*bis* of the criminal code)
Kidnapping for the purpose of terrorism or subversion (289-*bis* of the criminal code)
Instigation to commit any of the crimes referred to in chapters first and second (302 of the criminal code)
Urgent measures for the protection of the democratic order and public safety (Law 6 February 1980 n. 15 - art. 1)

PRACTICES OF MUTILATING FEMALE GENITAL ORGANS (ART. 25-QUATER-1)

Practices of the mutilation of female genital organs (583-*bis* of the criminal code)

OFFENCES AGAINST THE INDIVIDUAL PERSONALITY (ART. 25-QUINQUIES)

Reduction or maintenance in slavery or servitude (600 of the criminal code)

Juvenile prostitution (600-*bis* of the criminal code)

Underage pornography (600-*ter* of the criminal code)

Detention of pornographic material (600-*quater* of the criminal code)

Virtual pornography (600-*quarter* 1 of the criminal code)

Tourism aimed at the exploitation of the juvenile prostitution (600-*quinquies* of the criminal code)

People trade (601 of the criminal code)

Purchase and sale of slaves (602 of the criminal code)

Aggravating circumstances (602-*ter* of the criminal code)

CRIMES OF MARKET ABUSE (ART. 25-SEXIES)

Abuse of privileged information (Legislative Decree 58/98, art. 184)

Manipulation of the Market (Legislative Decree 58/98, art. 185)

Additional penalties (Legislative Decree 58/98, art. 186)

Confiscation (Legislative Decree 58/98, art. 187)

**MANSLAUGHTER AND INJURIES CAUSED BY SERIOUS NEGLIGENCE OR GROSS NEGLIGENCE ,
COMMITTED WITH A VIOLATION OF THE HEALTH AND SAFETY REGULATIONS AND
REGULATIONS GUARANTEEING HYGIENE AND HEALTH IN THE WORKPLACE (ART. 25-SEPTIES)**

Manslaughter (589 of the criminal code)

Personal injuries through negligence (590 of the criminal code)

**RECEIVING, RECYCLING AND EMPLOYMENT OF MONEY, GOODS OR UTILITIES OF ILLEGAL
PROVENANCE (ART. 25-OCTIES)**

Receiving (648 of the criminal code)

Recycling (648-*bis* of the criminal code)

Employment of money, goods or utilities of illegal origin (648-*ter* of the criminal code)

TRANSNATIONAL CRIMES

Criminal association (416 of the criminal code)

Mafia-type association (416-*bis* of the criminal code)

Criminal association for foreign processed tobacco product smuggling (Art. 291-*quater* Consolidated Customs Act – Presidential Decree 23 January 1973, n. 43)

Association aimed at the illegal traffic of narcotics (Art. 74 Consolidated Law regarding Narcotics – Presidential Decree 309 dated 9 October 1990)

Provisions to curb illegal immigration (Legislative Decree 286/1998, Art. 12)

Inducement not to make declarations or to make untruthful declarations to the judicial authorities (377-*bis* of the criminal code)

Personal aiding and abetting (378 of the criminal code)

OFFENCES REGARDING THE VIOLATION OF COPYRIGHT (ART. 25-NOVIES)

Offences regarding the violation of copyright (art. 171, co. 1, lett. A-*bis*), co.3, 171-*bis*, 171-*ter*, 171-*septies*, 171-*octies*, Law 22 aprile 1941, n. 633).

INDUCEMENT TO NOT MAKE DECLARATIONS OR MAKING UNTRUTHFUL DECLARATIONS TO THE JUDICIAL AUTHORITIES (ART. 25-DECIES)

Inducement not to make declarations or to make untrue declarations to the judicial authorities (377-*bis* of the criminal code).

ENVIRONMENTAL CRIMES (ART. 25-UNDECIES)

Environmental crimes (Artt. 727-*bis*, 733-*bis* of the criminal code; art. 137 – Legislative Decree 152/06; art. 256 co. 1, 3, 5, 6 – Legislative Decree 152/06; art. 257 co. 1, 2 – Legislative Decree 152/06; art. 258 co. 4, art. 259 co. 1, art. 260 co. 1, 2, art. 279 co. 5 – Legislative Decree 152/06; Art. 1 co. 1, 2, art. 2 co. 1, 2, art. 6 co. 4, art. 3-*bis* co. 1 – Law 150/92; art. 3 co. 7 – Law 549/93; art. 8 co. 1, 2, art. 9 co. 1, 2 – Legislative Decree 202/07).

EMPLOYMENT OF FOREIGNERS WITHOUT A RESIDENCE PERMIT (ART. 25-DUODECIES)

Employment of foreigners without a residence permit (Legislative Decree 25 July 1998, n. 286).