Fight against organized crime: making corruption in the private sector a criminal offence

1997/0914(CNS) - 20/11/1997 - Text adopted by Parliament, 1st reading/single reading

In adopting the report by Mr Rinaldo BONTEMPI (PSE, I), the European Parliament has approved the draft joint action, subject to amendments designed to facilitate the fight against corruption. It calls on each Member State to: - adopt the necessary measures to combat active and passive corruption, with penalties including, in serious cases, extradition, - ensure that legal persons may be held criminally or administratively liable for offences committed for their benefit by any person, acting either individually or as part of an organ of the legal person, who has a leading position within the legal person (power of representation, authority to take decisions on behalf of the legal person, authority to exercise control within the legal person). This liability of a legal person would also apply in the event of participation in such offences as an accessory or instigator and would not exclude criminal proceedings against natural persons who are perpetrators, instigators or accessories in offences. Parliament also calls for the Member States to report each year on implementation of the joint action, and for itself to be informed. Finally, it calls for the Court of Justice to have jurisdiction to give preliminary rulings on the validity and interpretation of the joint action.