Basic information

1997/0914(CNS) CNS - Consultation procedure	Procedure completed
Fight against organized crime: making corruption in the private sector a criminal offence **Subject** 7.30.30 Action to combat crime	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties and Internal Affairs	BONTEMPI Rinaldo (PSE)	15/09/1997

Committee for opinion	Rapporteur for opinion	Appointed
JURI Legal Affairs, Citizens' Rights	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Justice and Home Affairs (JHA)	2146	1998-12-03
Research	2154	1998-12-22

Key events

Date	Event	Reference	Summary
30/07/1997	Legislative proposal published	10017/1997	Summary
01/10/1997	Committee referral announced in Parliament		
04/11/1997	Vote in committee		Summary
04/11/1997	Committee report tabled for plenary, 1st reading/single reading	A4-0348/1997	
20/11/1997	Debate in Parliament		
22/12/1998	Act adopted by Council after consultation of Parliament		
22/12/1998	End of procedure in Parliament		
31/12/1998	Final act published in Official Journal		

Technical information

Procedure reference	1997/0914(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legal basis	Treaty on European Union (after Amsterdam) M K.3-p2
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/4/09310

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0348/1997 OJ C 371 08.12.1997, p. 0003	04/11/1997	
Text adopted by Parliament, 1st reading/single reading		T4-0571/1997 OJ C 371 08.12.1997, p. 0165-0195	20/11/1997	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	10017/1997	30/07/1997	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Justice and Home Affairs act 1998/0742
OJ L 358 31.12.1998, p. 0002-0004

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.

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

1997/0914(CNS) - 30/07/1997 - Legislative proposal

OBJECTIVE: Presenting of a draft joint action on making corruption in the private sector a criminal offence (Article K.3 of the Treaty on European Union). SUBSTANCE: Taking the view that action to combat corruption at international level is a matter of joint interest and that corruption is an obstacle to the smooth functioning of the internal market, the Member States decided to agree on a draft joint action to make corruption in the private sector a criminal offence. Under this draft common action, each Member State undertakes to ensure effective cooperation regarding offences arising from corruption and ensure that they are subject to penal sanctions throughout the Union. The draft defines corrupt activities which are subject to penal sanctions and requires Member States to determine a competent authority to judge such offences. Member States are required to take measures to implement the common action one year after its entry into force, failing which they must at least cooperate with other Member States in this area.