

Criminal Finances Bill

AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

Clause 42

BARONESS BOWLES OF BERKHAMSTED
BARONESS KRAMER

Page 107, line 27, at end insert –

- “(9) The Secretary of State may by regulations made by statutory instrument create, amend or remove further facilitation offences in respect of economic crimes other than UK tax evasion.
- (10) Regulations under subsection (9) may create offences conferring liability on a relevant body where a person commits an economic crime when acting in the capacity of a person associated with the relevant body.
- (11) Regulations made under subsection (9) must contain the safeguards set out under subsections (2) to (8) and sections 44 to 47.
- (12) For the purposes of subsections (9) and (10), “economic crimes” means any of the offences listed in Part 2 of Schedule 17 to the Crime and Courts Act 2013 (offences in relation to which a deferred prosecution agreement may be entered into) with the exception of an offence under section 1 of the Theft Act 1968.
- (13) A statutory instrument containing regulations under subsection (9) may not provide for more than one facilitation offence, but, for the avoidance of doubt, more than one statutory instrument may be made under subsection (9).
- (14) A statutory instrument containing regulations under subsection (9) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.”

After Clause 49

BARONESS BOWLES OF BERKHAMSTED
BARONESS KRAMER

Insert the following new Clause –

“Disqualification order: bribery

After section 8(2) of the Company Directors Disqualification Act 1986 insert –

After Clause 49 - continued

- “(2ZA) A court may also, without an application being made under subsection (1), make a disqualification order under section 2 against a person where a company of which he or she is or was a director is convicted of an offence, or enters into a deferred prosecution agreement in respect of an offence, under the Criminal Finances Act or Section 7 of the Bribery Act 2010.
- (2ZB) The court must not make any order under this section unless it is satisfied that the person bears responsibility, whether alone or with others, for any act or omission which contributed to the facts leading to the conviction or deferred prosecution agreement.
- (2ZC) For the purpose of subsections (2ZA) and (2ZB) “the court” includes the court before which the company is convicted of the offence or which approves the deferred prosecution agreement.””

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14 March 2017
