

**Lebanese Republic
Parliament**

**Law on
Tackling Corruption in the Public Sector
And the Establishment of the National Anti-Corruption Institution**

Part 1: Definitions

Article 1: Definitions

The following definitions shall apply for the purposes of this law:

(a) **Corruption:** the exploitation of power, employment or work related to public funds with the aim of achieving illegal gains or benefits for oneself or for others, be it directly or indirectly.

Shall be considered as Acts of Corruption the crimes against the public administration, which are stipulated in Part II, Title III, Chapter 1 of the Penal Code, except for the Section 4 thereof, and the Illicit Enrichment, as well as the acts of corruption stipulated in the international conventions and treaties relating to the fight against corruption, ratified, or to be ratified by Lebanon.

(b) **Disclosure:** Any writing or document, independently of its description or address written in the body by the discloser, such as disclosure, reporting, complaint or letter containing any information related to corruption.

(c) **Agency:** National Anti-Corruption Agency

**Part 2: Tackling Corruption
Chapter 1: Corruption Crimes**

Article 2:

A crime is considered to be a crime of corruption by virtue of the Lebanese law, whenever it falls under the definition of Article 1 of this law.

Article 3:

(a) The following acts are also considered to be crimes of corruption:

1. Obtaining undertakings or implementing them wrongly, or obtaining licenses from a person of public law, in order to fulfill private gains, if any of these acts occur in violation of the law.

2- The use of public funds, state means and other persons of public law, contrary to the law, for personal gain.

3- The purchase or sale of movable or immovable assets by any person, based on information he obtained that is not publicly available, which was obtained prior to the purchase or sale based on the insider knowledge that their value will rise or decrease as a result of laws, regulations or projects planned to be carried out, if obtained by virtue of his or her job, authority, kinship, partnership, business or service, and which led to a materialized gain.

(b) The personal gain resulting from the crimes of corruption specified in paragraphs 1, 2 and 3 of section (a) of this article does not have to be direct or immediate. It may arise from benefiting from projects that may not be implemented.

C. Any of the acts stipulated in this article shall be punishable by imprisonment from three months to three years and a fine amounting from two to three times the value of the expected or realized financial gain.

Chapter 2: Special Procedure for Investigation and Prosecution of Corruption Offences

Article 4:

Corruption offences are subject to the following special procedure:

A. Notwithstanding any other legal provision, investigations and criminal prosecutions for corruption offences can be conducted without the need for any the prior authorizations or permits stipulated by the law when such prosecution is carried out at the request of the National Anti-Corruption Institution.

B. Criminal prosecution shall not prevent from conducting disciplinary prosecution.

C- Criminal prosecution for corruption offenses does not cease in the event of resignation or dismissal from service or retirement or end of service or placement at disposal or similar positions, or the end of the period office in public service.

D. Obligations of financial nature may be ruled against anyone who inherits funds by way of succession, will or donation, within the limits of these funds.

(e) Obligations of financial nature may be ruled against specific legatees who are not enumerated in Paragraph (d) of this Article, in the event when it was proven that they were aware that the money received originated from acts of corruption or that they should have been aware thereof.

(f) Obligations of financial nature may be ruled against managers, presidents, members of the board of directors, partners and members of the legal entity, who received funds originating from corruption, directly or indirectly, following the dissolution of the legal entity, in the event when it was proven that they were aware that the funds received originated from acts of corruption or that they should have been aware thereof.

(g) The prescription for legal action relating to civil rights and recovery of funds for corruption offences shall amount to twenty-five years from the date of the offence.

Part 3: The establishment and organization of the National Anti-Corruption Institution

Article 5: The establishment of the Institution

(a) An independent administrative authority, the National Anti-Corruption Institution, enjoying legal status, as well as financial and administrative independence, shall be established, referred to herein as the "Institution".

(b) Members, employees and other workers of the Institution shall perform their duties with absolute independence from any other authority under the provisions of this Law.

Article 6: Formation of the Institution

(a) The Institution is composed of six members, including the President and the Vice-President, appointed by decree of the Council of Ministers, for a non-renewable period of six years.

(b) Members are selected among those with a high ethical conduct, recognized for their integrity, scientific competence and experience, based on a well-documented resume, provided the candidate shall fulfill

the conditions for the recruitment of first-class staff, in addition to the following conditions:

1- The candidate must be at least 40 years of age and must not be over 74 years of age at the time of appointment.

2- The candidate shall not occupy, at the time of appointment and during the five previous years, any political or partisan position, and shall not be, currently or during the aforementioned period, a member of any association engaged in political activity or a member of any party.

3. The candidate shall not be in any of the cases of incompatibility stipulated in Article 7 below or a candidate thereof.

C. The Institution is formed as follows:

1- Two retired judges, as honorary members, who are elected according to the procedure governing the election of the members of the Supreme Judicial Council, provided that the electorate consists of all of the principal judges in the judicial, administrative, and financial courts, and that the call for the elections and the supervision thereof be carried out by the judge of the highest instance among the head of the Supreme Judicial Council, the President of the State Council and the head of the Court of Audit.

The Minister of Justice shall submit the names of the two elected judges to the Cabinet.

2. A lawyer or a jurist among four candidates, two of whom are nominated by the Bar Association of Beirut and the other two by the Bar Association of Tripoli.

3- An Accounting expert, among three candidates nominated by the Board of the Lebanese Association of Certified Public Accountants (LACPA).

4- An expert in banking or economic matters, among three candidates nominated by the Banking Control Commission of Lebanon (BCCL).

5. An expert in public administration, or public finance or anti-corruption affairs, among three candidates nominated by the Minister of State for Administrative Reform.

D- The abovementioned **expert** members are required to hold higher degrees (Masters and higher) in their fields of expertise in addition to at minimum experience of ten years.

E- The above-mentioned bodies must make the proposal or election for the first time within three months from the date of publication of this law in the Official Gazette.

This process must also take place at subsequent times at least two months before the end of the mandate of the members of the Institution.

F- The appointment process must be completed, for the first time, within one month following the three-month deadline stipulated in this article. This process must be carried out at later times at least one month before the end of the mandate of the members of the Institution.

G- The highest-ranking judge upon retirement shall be the president of the Institution ipso jure, and if the two elected judges are of the same rank, the eldest judge shall be president.

H- Members of the Institution shall draft the statements stipulated in the Illegal Enrichment law within two weeks after taking oath and shall lift the banking secrecy from their accounts and from those of their spouses' and minor children, and publish these statements immediately on the Institution's website.

I- The Members shall perform their duties in their personal capacity. They are fully independent, and they do not follow any directives from any authority, including the one who nominated or elected them.

Article 7: Cases of incompatibility and dedication

A- Members of the Institution are prohibited from carrying out any other public or private function, be it paid or unpaid, during their period of office, including, for example, the presidency of or membership in the Ministry or the Parliament, the presidency of or membership in the Board of Directors of a public institution or private company or a bank, the presidency of or membership in a public body, the presidency of or membership in a municipal council or a private company that manages a public service, as well as the presidency of or membership in the boards of trade unions or the authorities nominating candidates.

B. A member of the Institution shall not have any direct or indirect interest in any institution subject to the Institution's control.

C- A member of the Institution may not, before at least six full years have elapsed after the end of his membership, present himself as a candidate

for parliamentary, municipal or elective elections or hold any public political, administrative, security or trade union position.

D- The civil servants and the tenured higher education teachers are considered to have resigned once they have accepted their appointment in the Institution.

Article 8: Taking Oath

The members of the Institution take the following oath before the President of the Republic:

"I swear before Almighty God to perform my duties in the National Anti-Corruption Institution with honesty, sincerity and independence, and to act in everything I do with integrity, thereby enhancing confidence in the Institution and strengthening the rule of law."

Article 9: Bylaws

A- The Institution shall draft bylaws that includes detailed rules and procedure for its organization, workflow and financial management, including the powers of each of the President, Vice President and other functions within a period of three months from the date of the issuance of the decree appointing members of the Institution by virtue of a regulatory decision issued by the Institution by majority of two thirds of the members who are entitled to vote and following the approval of the State Council.

B. The Institution may amend the bylaws in accordance with the same procedure.

C. The Institution shall establish, in accordance with the abovementioned procedure, a mandatory code of conduct to be applied in its operations.

D- The Institution may establish commissions to perform permanent or temporary tasks in accordance with the Bylaws.

Article 10: The Vacancy

(a) Members of the Institution continue to perform their duties despite the expiry of the mandate for any reason until their replacements are appointed and sworn in.

(b) If a position in the Institution is vacant due to death, resignation, incapacity or for any other reason at least six months before the end of its mandate, the institution shall confirm that the vacancy has occurred and the matter is reported within a week to the Council of Ministers to be notified and to take the necessary measures to select the replacement for the remaining period of office for the vacant position. The selection shall be made within 15 days of the date of the notice in accordance with the rules of procedure provided for in Article 6 of this Law.

Article 11: Member Immunity

A- Except when caught in the act, it is not permissible to prosecute any member of the Institution, with a criminal action, or take any criminal law procedure against them, or arrest them or suspend them for the duration of their term of office, except after obtaining the authorization from the Institution by majority of two thirds of the members who are entitled to vote, at least, with the exception of the member concerned who attends but does not participate in the voting **session**.

B- Except when caught in the act, it is not permissible to prosecute any of the employees of the Institution or delegated by it, with a criminal action or take any criminal law procedure against them or arrest them throughout the period of their work in the Institution, for actions related to said work, except after obtaining permission from the Institution by a majority of at least two thirds of the members eligible to vote. The powers of the Institution in this case are limited to determining whether the act for which the prosecution is requested relates to working for the Institution. It shall not decline granting the authorization, except when it deems that the act is related to working for the Institution and the prosecution for this matter is ungrounded and not based on any serious motive.

C- It is not permissible to search the Institution's offices or take any judicial or administrative action in this regard, except after the approval of its president. For this purpose, the concerned judicial authority shall send a confidential letter to the president of the Institution aimed at granting the authorization. The president must decide on the request within five days from the date of its receipt. If the deadline has passed without an explicit decision being made, the authorization shall be deemed granted.

When caught in the act, the Institution's offices are inspected by order of the Public Prosecutor at the Court of Cassation or by decision of the First Investigating Judge, provided that this is done in the presence of the President of the Commission or whomever he delegates to this end.

D- The decisions of the President of the Institution concerning the inspection of offices or any other judicial procedure are subject to challenge before the Criminal Division of the Court of Cassation within 15 days of the date of its notification to the authority requesting the prosecution.

Article 12: Members are irrevocable

A. One or more members of the Institution may be revoked only by decision of the Council of Ministers with the approval of two thirds of the members of the Institution eligible to vote, with the exception of the person concerned, either at the request of the Council of Ministers or at the request of half of the members of the Institution and after hearing the member against whom the complaint was filed, only in the following cases:

- 1- If he becomes incapacitated, or can no longer fulfill the conditions for appointment or incompatibility or dedication.
2. If his health or mental status prevents him from carrying out his duties.
3. If he makes a substantial error while performing his duties.

B. The member shall be revoked as a matter of course upon issuing a final sentence for a misdemeanor or felony. It is also up to the Institution to decide, by majority of two thirds of its members eligible to vote, except for the person concerned, to suspend his membership as soon as an order or any sentence for the aforementioned crimes has been issued against him.

C- The Council of Ministers is informed of the decision to appoint a replacement of the member who was revoked or who resigned in accordance with the rules of procedure and within the time limits stipulated in this law.

D- The Council of Ministers may take the decision of suspending or putting a halt to the activities of the Institution or dissolving it under any circumstances, including emergencies and wars.

Article 13: Institution meetings

A- The Institution convenes at least once a week and whenever the need arises upon call from its President or one third of its members.

B- The meeting shall be considered as legal in the presence of the absolute majority of members eligible to vote.

C- The decisions of the Institution shall be taken by the absolute majority of the number of members who are entitled to vote.

D. No member shall be absent from a Institution's meetings except for a legitimate excuse and for compelling reasons. The member who skips three meetings in three months, without justification, is deemed to have resigned as a matter of course, and a replacement thereof shall be duly appointed.

Article 14: The Administrative Service

A- The Institution is assisted by a full-time administrative service headed by a Secretary- General, appointed by the Institution following a competitive exam by the Civil Service Board.

B- The procedure for appointing the Secretary-General and his duties, as well as the rules of procedure for regulating and appointing the administrative service and its duties are stipulated in the Bylaws.

C- The Institution may use the services of any experts from outside the Institution and its staff.

D- The Secretary-General and members of the administrative service are subject to the **Staff Regulations**.

Article 15: Funding

A- The Institution shall have a special annual budget to be included in a special section within the general budget and it shall be sufficient to cover the expenses and activities of the Institution.

B- The Institution shall open a special account at Banque Du Liban, and the President of the Institution shall disburse its expenditures and monitor said disbursements in accordance with the rules of procedure stipulated in the Public Accounting law. At the end of the fiscal year, the President of the Institution sends lists of disbursed credits to the Ministry of Finance certified by him, and the provisions of the Financial Regulations of the Institution shall be applied in accordance with these lists.

C- The Institution's accounts are subject to the internal audit system and independent audit by audit and accounting offices in accordance with

the provisions of Article 73 of Law No. 326 dated 28/6/2001 (2001 Budget Law) and the accounts and audit reports pertaining thereto are published in the Official Gazette and on the official website of the Institution.

D- An additional credit of 10 billion Lebanese Pounds shall be opened in the General Budget of the Institution for the first operational year after this law enters into force.

Article 16: Members' benefits

The President and members of the Institution receive a lump sum monthly compensation equivalent to the salary of the President and members of the Constitutional Council.

Article 17: The Right to Receive Documents and Information

The Institution may request any Lebanese or foreign authority to provide it with documents or information it deems useful to the good conduct of its functions. The Lebanese authorities concerned must respond to the request without delay within the legal framework.

The request may be addressed directly to the competent officer, provided his superiors are notified.

In the event of a failure to respond by the relevant administration, the Institution may refer to the competent jurisdiction in this regard.

Part 4: The Powers and Duties of the Institution

Article 18: Defining the duties of the Institution

A- The Institution aims at fighting, preventing and disclosing corruption, implementing the relevant international conventions and treaties ratified by Lebanon, and performing the special duties assigned to it by virtue of this law and other laws.

B- In particular, the Institution is entrusted with the following duties in accordance with the provisions of this law:

1. To receive the disclosure statements relating to corruption, to investigate corruption crimes, to review them and refer them, when necessary, to other competent supervisory, disciplinary and judicial authorities.

2- Monitoring the status, cost and causes of corruption, as well as the efforts to fight and prevent it in the light of the laws in force, the policies adopted and the binding bilateral and multilateral agreements and drafting special or periodic reports in these matters and publish them in the Official Gazette and on its website.

3- To give an opinion automatically or at the request of the competent authorities, regarding legislations, decrees, resolutions, bills, policies and strategies related to the fight against corruption and its prevention.

4- Contributing to the spread of a culture of integrity in public administrations and institutions, in society and the knowledge needed to fight and prevent corruption.

C- The Institution also **undertakes the duties entrusted by all laws in addition to the** following duties :

1- Receive statements for financial disclosure, its preservation, management and audit in accordance with the provisions of the Law on Illicit Enrichment.

2- Protecting and motivating corruption disclosers in accordance with the provisions of the Law on the Protection of Corruption disclosers.

3. Receiving complaints about the non-application of the Right to Access Information Act, investigating these complaints and make decisions regarding them, advising the competent authorities on the implementation of the law, developing and publishing an annual report in this regard , and participating in community education to establish this right.

D- The Institution performs its functions within the framework of the principles of good governance and cooperates with public administrations and institutions, civil society bodies, the private sector, the media, regional and international organizations and their counterparts from other countries.

Chapter 1: Duties and powers for investigation and referral

Article 19: Powers of the Investigative Authority

A- The Authority has the following powers:

Investigating corruption offences, automatically or upon received disclosures. It may, notwithstanding any other provision, request the assistance of the judicial police and its associates in order to obtain the information available thereat while maintaining their confidentiality.

If the Authority deems, while conducting investigations, that it is necessary to investigate certain bank accounts, it may make a grounded request to the "Special Investigation Commission (SIC)" provided for in Law for Fighting Money Laundering and Terrorism Financing № 44/2015 in order to exercise its powers under the said law. If the Special Investigation Commission decides to lift the banking secrecy for the accounts in question, it will be done in favor of the Authority. The Special Investigation Commission shall notify the National Anti-Corruption Institution as soon as possible.

B- The Authority may delegate some of its powers on a case-by-case basis to one of its members or one of its specialized employees.

C- Without prejudice to the provisions of the Law on Banking Secrecy and notwithstanding the provisions of Article 25 of the Tax Procedures Law, obtaining information or documents requested by the Authority during the conduct of its investigative work or directing it to the non-judicial bodies subject to implementation is mandatory, under penalty of a fine ranging from ten times to twenty times the official minimum wage, to be sentenced to the concerned person refraining from enforcing the decision or hindering such enforcement, after being notified in writing by the Authority of the necessity of the enforcement obligation within five days.

D- The fine of the person concerned shall not prevent him from being criminally or disciplinarily prosecuted if the conditions of such prosecution are met, particularly in accordance with the provisions of article 371 of the Penal Code.

Article 20: Precautionary measures

The Institution has the capacity and powers to ask the competent authorities to take all available precautionary measures, including:

1- The request from the Judge of Urgent Matters to issue a gratuitous grounded decision prohibiting the person against whom the complaint was filed from traveling for a period that does not exceed three months, renewable at the request of the Institution for one time only in the event of serious reasons justifying this. The Institution shall be notified of the decisions issued in this regard.

2- Pleading before the Judge of Urgent Matters to seize the funds of suspects, prevent disposal thereof, and set a ban on disposition of

immovable or movable funds subject to registration by a grounded decision for a period of three months renewable at the request of the Institution for one time only in the event that there are serious reasons justifying it. The Institution shall be notified of the decisions issued in this regard.

3- Requesting from the "Special Investigation Commission" provided for in Law for Fighting Money Laundering and Terrorism Financing N^o 44/2015, dated 24/11/2015 to take the available precautions, including freezing the bank account or accounts belonging to the person against whom the complaint was filed and other suspects in accordance with due process in this regard.

Article 21: Powers of referral

A- As a result of the investigative work, the Institution may take any of the following decisions:

1- Keeping the file if it appears that no judicial or disciplinary prosecution or other measure are required.

2- Referral to the competent public prosecution, which must inform the Institution of the progress of the investigation and its outcome, and if the public prosecution decides to keep the file, the institution may ask to expand the investigation

3- Prosecuting directly before the competent court to request the punishment of the perpetrators and ruling civil obligations favor of the state. The Institution has the right to challenge the decisions issued in this regard within the time limits prescribed by law.

4- Filing the necessary lawsuits and remedies before the competent judicial or administrative authorities, to demand the resetting of the situation and the recovery of funds and compensation, as a result of corruption proven by an administrative or judicial final decision.

B- In cases involving corruption, the Institution shall have all the rights and powers given to the State and the personal prosecutor in the rules of civil, penal and disciplinary procedure at all stages of investigation and trial.

C- The Institution shall be exempt from all fees, advances, judicial and disciplinary guarantees.

Article 22: Obligations of confidentiality

(a) The investigations conducted by the Institution, the available information pertaining thereto and the deliberations relating thereto are deemed of confidential nature. Any person disclosing the abovementioned shall be punished by imprisonment up to two years and a fine ranging from twenty-five times the official minimum wage to seventy-five times or by one of these two penalties.

(b) Anyone disclosing information acquired during his work at the Institution shall be punished by imprisonment up to three years and a fine ranging from 40 times the official minimum wage to 110 times or by one of these two penalties.

C. These prosecutions do not prevent the Institution from taking any disciplinary measures provided for by its Bylaws.

Chapter 2: Monitoring and Evaluation Powers

Article 23: Monitoring and evaluation

- A- Monitoring, documenting and following up on cases of corruption by all means available to end impunity.
- B- Evaluating all laws, decrees, administrative decisions, memorandums and circulars, in light of the standards for fighting and preventing corruption.
- C- Monitoring progress in the implementation of legislation, decrees, policies and strategies on fighting and preventing corruption.
- D- Assessing the risks of corruption in the public sector in accordance with scientific methodologies and providing suggestions and recommendations to fight and prevent corruption.

Chapter 3: Powers related to expressing opinions

Article 24: Reports

A. The Institution issues annual reports related to its activities that indicates at least information about its work mechanism, including costs, goals, rules, achievements, difficulties in its workflow and its audited accounts, as well as public policies adopted and projects that have been implemented and which have not been implemented, the reasons for this and any suggestions that contribute to the development of its work. The Institution submits this report to the office of the Presidency of the Republic, the Presidency of the Parliament, the Presidency of the Council of Ministers, the members of the Parliament and the Ministers. A copy of said report shall be published in the Official Gazette and on its website.

B- The Institution issues special reports regarding the corruption status in Lebanon, its cost and causes, the progress made in fighting and preventing it and the recommendations to strengthen these efforts, provided it shall publish the first comprehensive report in this regard at the end of the first year of its mandate, followed by periodic reports every six months. The Institution submits these reports to the Presidency of the Republic, the Presidency of the Parliament, the Presidency of the Council of Ministers, the members of the Parliament and the Ministers, and sends a copy thereof to the Head of the Supreme Judicial Council, the President of the State Council and the Head of the Court of Audit.

C- The Institution provides advice in drafting reports required from the Lebanese state under international or regional conventions, and suggests independent recommendations on them.

D- The Institution should urge the relevant administrations to submit the required reports timely and in accordance with due process.

Chapter 4: Advisory Powers

Article 25:

A- To give an opinion, automatically or upon request regarding all legislation, decrees, resolutions, bills and policies in relation to fighting and preventing corruption.

- B- To suggest texts of ethics, codes of conduct and morality to be met by employees, to follow up on their approval, good implementation and promotion.
- C. The consultation of the Institution is mandatory in the development of the national strategy for fighting and preventing corruption.

Chapter 5: Powers for the dissemination of culture

Article 26:

- A- To develop studies and research, to publish reports, publications and prints specialized in promoting integrity, fighting and preventing corruption and creating a database.
- B- Educating public opinion about the causes of corruption and its consequences, as well as the methods for fighting and preventing it by all available means and developing programs for education and promotion of integrity, especially through educational institutions, universities, media and civil society organizations.
- C-Urge the Ministry of Education and Higher Education and other public and private educational bodies, and cooperate with them to include in their curricula theoretical and practical material in the field of integrity and fight against and prevention from corruption, and to develop these educational materials and the associated means of education.
- D- Organizing conferences, seminars and training courses for various public and private institutions in all subjects within their competence.

Part 4: Transitional and final provisions

Article 27: Application details

Unofficial translation

The details of the application of this law shall be determined, if necessary, by decrees taken in the Council of Ministers upon proposal of the Minister of Justice, automatically or at the request of the Institution.

Article 28: Final Provisions

This law shall be in force upon publication in the Official Gazette.

Unofficial

The Rationale

1. The issue of fighting corruption is at the forefront of the issues that the modern state, keen to enhance transparency, tends to address, and this issue turns into a challenge facing developing countries, which once determined to keep pace with political, economic and social development, they face what impedes their progress, including corruption which costs the national economy a great deal and contradicts the concepts of good governance and contributes to the spread of a negative culture i.e. the culture of adopting fraudulent means and destabilizing the state of the law in order to achieve illegal short-term gains.

2. International organizations and countries seeking to strengthen the rule of law did not stand still when faced with the phenomenon of corruption. They remedied with various conventions, laws and measures aimed at defining the concepts of corruption, investigating it, prosecuting its perpetrators and striving to prevent it. However, they differed in its definition, in determining the extent to which it encompasses both the public and private sectors, and in the inclusion of appropriate penalties corresponding to the acts committed or the lack thereof within the anti-corruption laws, and in other areas. But they were unanimous when recognizing the seriousness of this phenomenon, and the obligation of dealing with it in a manner that is appropriate to each country, at a specific stage of its development.

3. In this context, the most important and comprehensive text on the subject must be mentioned, namely the United Nations Convention against Corruption, which was approved by the United Nations General Assembly on October 31, 2003 and became effective on December 14,

2005, and was ratified by many foreign and Arab countries. It was approved by the Council of Ministers in its meeting held on 15/6/2006, and ratified by the Parliament in its meeting held on 8/10/2008.

4. In light of this, it has become necessary, in addition to the merits of joining the United Nations Convention, in the event when this takes place, for Lebanon to take great attention to fighting corruption, noting that acknowledging the spread of corruption in Lebanese society, and in the public sector in particular, is one of the incentives to addressing it.

5. The content of the draft law mainly revolves around the following:

A – Limiting the efforts at this point, to dealing with the issue in the public sector, not the private sector, given the danger of widespread corruption in the public sector.

B – Controlling the acts that are considered as acts of corruption.

C - Refraining from setting corresponding penalties for the acts considered as acts of corruption, as long as these acts have appropriate penalties in other laws that have dealt with them (including, for instance, the penal code, the illicit enrichment law...)

D - Stipulating the establishment of an independent Institution, namely the " National Anti-Corruption Institution", and its composition, in order to enjoy legal status, administrative and financial independence in order to enhance its immunity, and other rules related to the safety of its work.

E - Giving the Institution some general duties that enable it to work on preventing and disclosing corruption, to enhance integrity and transparency in the public sector, and to mainstream an anti-corruption culture within society in general, and in educational institutions in particular.

Among these duties are preventing the exploitation or obstruction of the citizen's right to achieve public services, advising public administrations to take all necessary measures to fight corruption, including stressing the

need for merit when nominated for public service, and contributing to international cooperation in the area of anti-corruption.

F - Imposing upon the public administrations to provide the Institution with documents and information it deems useful for the proper conduct of its duties.

G - Giving it the powers to file a complaint before the Public Prosecution when it is established that acts of corruption that may constitute punishable crimes have occurred, given it is entrusted with the fight against corruption.

Said powers allow the Institution to transfer some of its tasks from the level of recommendations and general control to the level of actual response to the corruption.

For the aforementioned reasons, the attached bill was drafted, wishing the honorable Parliament shall deliberate and approve said bill.