



## Algunas discordancias legislativas sobre la responsabilidad criminal de las personas jurídicas en el código penal español /

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Analítica

Resum: In this article, various legislative disagreements regarding criminal liability of legal entities are pointed out to facilitate its reform and meanwhile interpretations are offered in accordance with the principle of validity. It is quite surprising that Organic Law 1/2015 boasts of making 'a technical improvement', as it incurs obvious contradictions by exempting criminal liability to legal persons for a crime that should not have existed due to compliance programs, as well as taking into account to limit the punishment non-serious breaches control duties. Organic Law 1/2015 also created mitigating circumstances not contemplated in article 31 quater, contradictory penal rules in article 66 bis and even an absurd prison for legal persons due to an awkward referral. Already in 2010 the Spanish legislator invoked the alleged 'need to comply with international commitments', however this model of responsibility was not mandatory, gave the same treatment to purposely and reckless infringements and provided the same penalties for different crimes.

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