



ADOPTED TEXT No. 83

"Little law"

NATIONAL ASSEMBLY

CONSTITUTION OF OCTOBER 4, 1958
SEVENTEENTH LEGISLATURE

April 1, 2025

PROPOSED LAW

aimed at getting France out of the drug trafficking trap ,

AMENDED BY THE NATIONAL ASSEMBLY
FIRST READING

(Fast-track procedure)

The National Assembly adopted the proposed law, the content of which is as follows:

See numbers:

Senate : 735 rect. (2023-2024), 253, 254 and TA 45 (2024-2025).

National Assembly : 907 and 1043 rect.

TITLE I

ORGANIZATION OF THE FIGHT AGAINST DRUG TRAFFICKING

Article 1

ÿ I and II. – (*Deleted*)

ÿ II *bis*. – In Chapter I of Title II of Book I of the Internal Security Code, an Article L. 121-1 is added, worded as follows:

ÿ “ Art. L. 121-1. – A lead service in the fight against organized crime is established by regulatory act.

ÿ “This act specifies the conditions under which this service:

ÿ “1° Drives, leads, pilots and coordinates the interministerial action of the State services which contribute to it, while respecting their missions, their powers and their authority of attachment;

ÿ “2° Organizes the exchange of information useful for the accomplishment of their missions;

ÿ “3° (*new*) Informs the national representation each year of the adequacy of the legal, material and human resources entrusted to it for the missions with which it is charged.

ÿ III. – Section II of Article L. 822-3 of the Internal Security Code is amended as follows:

ÿ 1° A (*new*) In the first paragraph, the words: “and 1° and 2°” are deleted;

ÿÿ 1° The second and third paragraphs are deleted;

ÿÿ 2° The fourth paragraph is amended as follows:

ÿÿ a) At the beginning, the mention: “2°” is deleted;

ÿÿ b) The words: "are subject to prior authorization from the Prime Minister, issued under the conditions provided for in Articles L. 821-1 to L. 821-4 after consultation with the National Commission for the Control of Intelligence Techniques" are added.

ÿÿ **III bis (new).** – In the third paragraph of Article L. 854-6 of the Internal Security Code, the words: “in the first two paragraphs and in 2° of” are replaced by the word: “in”.

ÿÿ **IV. – (Deleted)**

Article 1a (new)

Within six months of the promulgation of this law, the Government shall submit to Parliament a report describing the malfunctions of the software used by the police and their impact on the fight against drug trafficking. This report shall propose possible avenues for reform to address these malfunctions.

Article 2

ÿ **I. – (Deleted)**

ÿ **II. – The Code of Criminal Procedure is amended as follows:**

ÿ **1°** The first paragraph of Article 19 is supplemented by a sentence worded as follows: “When the crime or offence constitutes one of the offences mentioned in the first paragraph of Article 706-75, the judicial police officer shall simultaneously inform the territorially competent public prosecutor and the specialist section of the public prosecutor’s office of the judicial court mentioned in the same Article 706-75 whose jurisdiction is extended to the jurisdiction of one or more courts of appeal.”;

ÿ **1° bis (Deleted)**

ÿ **2°** In the last paragraph of article 52-1, the reference: “706-75-1” is replaced by the reference: “706-78-1”;

ÿ **3°** In the first paragraph of article 704-1, the words: , if it is a crime, “are deleted;

ÿ **4°** In the first paragraph of article 705, the words: “and 706-42” are replaced by the words: “, 706-42, 706-74-1 and 706-75”;

ÿ **5°** After the reference: “705”, the end of the last paragraph of article 706-42 is worded as follows: “, 706-17, 706-74-1 and 706-75 relating to economic and financial offenses, acts of terrorism and the fight against organized crime.”;

ÿÿ 6° Before Chapter I of Title XXV of Book IV, a Chapter I A worded as follows:

ÿÿ " CHAPTER I ^{ER} _{HAS}

ÿÿ "From the anti-organized crime public prosecutor

ÿÿ " Art. 706-74-1. – I. – The public prosecutor for anti-organized crime, the investigation unit, the criminal court and the assize court, which are those of Paris, exercise jurisdiction concurrent with that resulting from the application of Articles 43, 52, 704, 705, 706-42 and 706-75 for the prosecution, investigation and judgment of the following offenses, in cases which are or appear to be of great complexity due in particular to the seriousness or diversity of the offenses committed, the large number of perpetrators, accomplices or victims or the geographical area over which they extend:

ÿÿ "1° The crimes and offences mentioned in Article 706-73, excluding 11°, 11° *bis* and 18°;

ÿÿ "2° The crimes and offences mentioned in Article 706-73-1, excluding 11°, and in Article 706-74;

ÿÿ "3° (*Deleted*)

ÿÿ "4° (*new*) The offenses provided for in Articles 313-1, 313-2, 314-1, 314-2 and 324-1 of the Criminal Code, those provided for in Article 415 of the Customs Code and those provided for in Articles 1741 to 1753 *bis* A of the General Tax Code.

ÿÿ "This jurisdiction extends to related offenses.

ÿÿ "This jurisdiction also extends to the offenses of receiving stolen goods or objects originating from the offense provided for in Article 434-35 of the Criminal Code, of escape provided for in Articles 434-27 to 434-37 of the same Code and of criminal association provided for in Article 450-1 of the said Code which are committed in detention by a person detained, accused or convicted of crimes or offenses for which the anti-organized crime public prosecutor has exercised his jurisdiction.

ÿÿ "With regard to minors, the public prosecutor for anti-organized crime, the juvenile judge, the investigating judge, the juvenile court and the juvenile assize court, which are those of Paris, exercise, under the conditions defined in this article, jurisdiction

concurrent with that resulting from the application of the juvenile criminal justice code.

ÿÿ "When the public prosecutor for organized crime exercises his jurisdiction over a minor, he entrusts the prosecution to a deputy he has specially charged with cases concerning minors.

ÿÿ "When he is competent to prosecute offences falling within the scope of this article, the public prosecutor for anti-organised crime exercises his powers throughout the national territory. The same applies when the criminal court of the judicial court, the assize court or the juvenile assize court, which are those of Paris, exercise the jurisdiction conferred on them pursuant to the first paragraph of this I.

ÿÿ "II. – Without prejudice to the third paragraph of Article 41, the Public Prosecutor for Organised Crime may request, by judicial delegation, any Public Prosecutor to carry out or have carried out the acts necessary for the investigation and prosecution of the offences mentioned in I of this Article in the places where the latter has territorial jurisdiction.

ÿÿ "The judicial delegation shall mention the investigative acts entrusted to the public prosecutor thus requested. It may only prescribe acts directly related to the investigation for which it was issued. It shall indicate the nature of the offense being investigated. It shall be dated and signed by the public prosecutor for anti-organized crime.

ÿÿ "The anti-organized crime public prosecutor sets the time limit within which the delegation is transmitted to him, accompanied by the minutes relating to its execution. The judicial delegation and the minutes are transmitted to him within eight days from the end of the operations carried out within the framework of this delegation, in the absence of a time limit set by the latter.

ÿÿ "The magistrates appointed to execute the judicial delegation exercise, within the limits of the judicial delegation, all the powers of the anti-organized crime public prosecutor mentioned in I.

ÿÿ "III and IV. – *(Deleted)*

ÿÿ " Art. 706-74-2. – I. – Without prejudice to Article 43-1, the jurisdiction of the anti-organized crime public prosecutor is exercised as a priority over that of other jurisdictions as long as public action has not

been set in motion. The public prosecutors in these jurisdictions then immediately relinquish jurisdiction in his favor.

ÿÿ "In cases where the anti-organized crime public prosecutor has not exercised his jurisdiction in accordance with the first paragraph of this I, any public prosecutor at a judicial court other than that of Paris may, for the offenses mentioned in I of Article 706-74-1, request the investigating judge initially seized to relinquish jurisdiction in favor of the investigating court of Paris. The parties shall be notified in advance and invited to make their observations known. The decision of the investigating judge initially seized shall be rendered no earlier than eight days and no later than one month after the communication of the notice to the parties.

ÿÿ "When the investigating judge decides to withdraw jurisdiction, this decision only takes effect upon expiry of the five-day period provided for in II of this article.

ÿÿ "II. – In the event of refusal by the investigating judge to relinquish jurisdiction, when the decision provided for in the first paragraph of I has not been issued within one month or in the event of a dispute over the relinquishment by the parties, the decision issued pursuant to the same I may, to the exclusion of any other means of appeal, be referred to the criminal division of the Court of Cassation, no later than five days after its notification, at the request of the public prosecutor with territorial jurisdiction or of the parties.

ÿÿ "The criminal division shall designate, within eight days of receiving the file, the magistrate responsible for continuing the investigation. His decision shall be brought to the attention of the magistrates concerned and notified to the parties.

ÿÿ "As soon as the order becomes final, in the event of relinquishment, the territorially competent public prosecutor shall send the case file to the anti-organized crime public prosecutor.

ÿÿ "In the case provided for in this II, the warrant of committal or arrest retains its enforceable force; the acts of prosecution or investigation and the formalities carried out before the decision of relinquishment became final do not have to be renewed.

ÿÿ " *Art. 706-74-2-1 (new)*. – I. – Until the public action is initiated and at the request of the public prosecutor for anti-organized crime, the public prosecutor competent pursuant to Article 706-75 may exercise throughout the national territory a

joint jurisdiction with that of the anti-organized crime public prosecutor for cases of very high complexity relating to the offenses mentioned in I of article 706-74-1. In this case, the anti-organized crime public prosecutor coordinates the conduct of the procedure.

ÿÿ "Until the public prosecution is initiated, the anti-organized crime public prosecutor may exercise joint jurisdiction with the public prosecutor competent under Article 706-75, at the latter's request. In this case, the public prosecutor competent under the same Article 706-75 coordinates the conduct of the proceedings.

ÿÿ "II. – The decision of joint referral is not subject to appeal. It is added to the case file.

ÿÿ "III. – The public prosecutor at the territorially competent court pursuant to Article 706-74-1 in the context of the joint referral provided for in the first paragraph of I of this article or pursuant to Article 706-75 in the context of the joint referral provided for in the second paragraph of I of this article is represented either by the public prosecutor for organized crime, or by the public prosecutor mentioned in Article 706-76, or by both. All requests, procedural documents and decisions addressed to the public prosecutor pursuant to this code are addressed to the public prosecutor who coordinates the conduct of the procedure.

ÿÿ " Art. 706-74-3. – *(Deleted)*

ÿÿ " Art. 706-74-4. – The public prosecutor at the court of appeal in whose jurisdiction the competent court is located pursuant to Article 706-74-1 shall lead and coordinate, in consultation with the public prosecutor for anti-organized crime, the conduct of the public action policy for the application of this article.

ÿÿ "The competent public prosecutors of the courts mentioned in Article 706-75 transmit to the public prosecutor for anti-organised crime all the information necessary for the exercise of this priority jurisdiction throughout the national territory.

ÿÿ "The public prosecutors shall inform the public prosecutor for anti-organized crime without delay of the issue of a controlled delivery authorization pursuant to Article 706-80-1, of the issue of an infiltration authorization issued pursuant to Article 706-81,

of the communication of information pursuant to Article 706-105-1 or of the receipt of a European investigation order from a State requesting the implementation of an infiltration measure on national territory pursuant to Article 694-30. They also inform it without delay of elements suggesting that a person is likely to benefit from an exemption or a reduction of sentence pursuant to Article 132-78 of the Criminal Code when this person is implicated in a case concerning an offense mentioned in Articles 706-73, 706-73-1 and 706-74 of this Code.

“ Art. 706-74-5. – The court seized pursuant to Articles 706-74-1 to 706-74-3 remains competent regardless of the charges brought during the settlement or judgment of the case, subject to Articles 181 and 469. If the facts constitute a contravention, the referral of the case to the competent police court is ordered pursuant to Article 522.

" Art. 706-74-6. – I (new). – By way of derogation from Article 34, the public prosecutor at the Assize Court ruling at first instance is represented by the public prosecutor for anti-organized crime or by one of his deputies. On appeal, the public prosecutor may be represented by the public prosecutor for anti-organized crime or by one of his deputies.

"II. – By way of derogation from the second paragraph of Article 380-1, in the event of an appeal against a decision of an Assize Court whose territorial jurisdiction extends to the entire national territory for the trial of crimes falling within the scope of Article 706-74-1, the Criminal Division of the Court of Cassation may designate the same Assize Court, composed differently, to hear the appeal.";

7° The second paragraph of Article 706-75 is supplemented by a sentence worded as follows: “Under the conditions provided for in Article 19, these courts are notified of the finding by an officer or judicial police agent of any offence mentioned in the first paragraph of this article.”;

7° bis (new) After the same second paragraph, a paragraph is inserted worded as follows:

"This jurisdiction also extends to the offenses of receiving stolen goods or objects originating from the offense provided for in Article 434-35 of the Criminal Code, of escape provided for in Articles 434-27 to 434-37 of the same Code and of criminal association provided for in Article 450-1 of the said Code which are committed in detention by a person detained, accused or convicted of crimes

or offences for which the public prosecutor has exercised his jurisdiction pursuant to this article.

8° The last paragraph of said article 706-75 is deleted;

9° Article 706-75-1 is repealed;

9° *bis (new)* In article 706-75-2, the words: “of articles 706-73, with the exception of 11°, 706-73-1 or 706-74” are replaced by the words: “of article 706-75”;

10° Article 706-77 is amended as follows:

(a) The first sentence of the first paragraph is worded as follows: "The public prosecutor at a judicial court may, for the offences mentioned in the first paragraph of Article 706-75, request the investigating judge to relinquish jurisdiction in favour of the competent investigating court pursuant to the same Article 706-75.";

b and c) (Deleted)

11° *(Deleted)*

12° After Article 706-78, Articles 706-78-1 and 706-78-2 are inserted, worded as follows:

“ Art. 706-78-1. – Within each judicial court whose territorial jurisdiction extends to the jurisdiction of one or more courts of appeal, the Attorney General and the First President, after consulting the Public Prosecutor and the President of the judicial court, shall respectively appoint one or more public prosecutors, investigating judges and trial judges specifically responsible for the investigation, prosecution, investigation and judgment of offences falling within the scope of Article 706-73, with the exception of 11°, 11° *bis* and 18°, of Article 706-73-1, with the exception of 11°, or of Article 706-74. Honorary magistrates exercising judicial functions may be appointed to sit on the criminal court under the conditions provided for in Section II of Chapter V *bis* of Ordinance No. 58-1270 of 22 December 1958 establishing the organic law on the status of the judiciary.

"Within each assize court whose territorial jurisdiction extends to the jurisdiction of one or more courts of appeal, the first president appoints, in application of articles 244 to 253, trial magistrates specifically responsible for the judgment of crimes falling within the offences

mentioned in the first paragraph of this article. Honorary magistrates exercising jurisdictional functions may be appointed under the conditions provided for in the second paragraph of article 249.

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"Within each court of appeal whose territorial jurisdiction extends to the jurisdiction of one or more courts of appeal, the first president and the public prosecutor shall appoint magistrates, respectively of the bench and of the public prosecutor's office, specifically responsible for the trial of offences and the handling of cases falling within the scope of Article 706-73, with the exception of 11°, 11° *bis* and 18°, of Article 706-73-1, with the exception of 11°, or of Article 706-74. Honorary magistrates exercising jurisdictional functions may be appointed to sit on the criminal appeals chamber under the conditions provided for in Section II of Chapter V *bis* of Ordinance No. 58-1270 of 22 December 1958, cited above.

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“ Art. 706-78-2. – The magistrates mentioned in articles 706-74-1 and 706-76 as well as the public prosecutor at the competent court of appeal may request specialized assistants, appointed under the conditions provided for in Article 706, to participate, according to the procedures provided for in the same Article 706, in the procedures concerning crimes and offenses falling within the scope of Article 706-73, with the exception of 11°, 11° *bis* and 18°, of Article 706-73-1, with the exception

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12° *bis* A (*new*) Article 706-79 is repealed;

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12° *bis* (*Deleted*)

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12° *ter* The second sentence of the last paragraph of article 706-80-1 is deleted;

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13° (*Deleted*)

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III. – This article comes into force on July 1, 2026.

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IV. – The code of judicial organization is amended as follows:

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1° In Article L. 217-1, the words: “and an anti-terrorist public prosecutor” are replaced by the words: “an anti-terrorist public prosecutor and an anti-organized crime public prosecutor”;

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2° In Articles L. 217-2 and L. 217-3, the words: “and the anti-terrorism public prosecutor” are replaced by the words: “the anti-terrorism public prosecutor and the anti-organized crime public prosecutor”;

3° (*new*) In Article L. 217-4, the words: "or to the anti-terrorism public prosecutor Anti-terrorist Republic" are replaced by the words: " , or to the anti-organized crime public prosecutor".

V (*new*). – In the second sentence of the last paragraph of Article 67 *bis*-3 of the Customs Code, the words: "at the Paris judicial court" are replaced by the words: "anti-organized crime".

VI (*new*). – Pursuant to Article 10-1 of the Code of Criminal Procedure, at all stages of the proceedings, including during the execution of the sentence, the victim and the perpetrator of an offence referred to in this article may, provided that the facts have been acknowledged, be offered a restorative justice measure.

TITLE II

FIGHT AGAINST MONEY LAUNDERING

Article 3

I. – (*Deleted*)

I *bis*. – The internal security code is amended as follows:

1° Section 1 of Chapter II of Title III of Book I is amended as follows:

aa (*new*) The first paragraph of Article L. 132-3 is supplemented by the words: " , including the offences mentioned in Articles 222-34 to 222-39 and 324-1 to 324-5 of the Criminal Code";

a) After the same article L. 132-3, an article L. 132-3-1 is inserted, worded as follows:

" Art. L. 132-3-1. – The mayor is informed by the State representative in the department of the administrative closure measures taken on the territory of the municipality in application of article L. 333-2.

"The mayor is informed by the public prosecutor of cases dismissed, alternative measures to prosecution, prosecutions initiated, judgments that have become final or appeals lodged when these decisions concern offenses related to drug trafficking mentioned in

Articles 222-34 and 222-43-1 of the Criminal Code committed on the territory of the municipality and causing a disturbance of public order.

ÿ **b) (Deleted)**

ÿ **2°** After Chapter III of Title III of Book III, a Chapter III *bis* is inserted worded as follows:

ÿÿ **“ CHAPTER III BIS**

ÿÿ **“Shops and establishments open to the public**

ÿÿ **“ Art. L. 333-2. – For the purpose of stopping the commission or preventing the repetition of the offences provided for in Articles 222-34 to 222-39, 321-1, 321-2, 324-1 to 324-5, 450-1 and 450-1-1 of the Criminal Code which occur there, any commercial premises, establishment or place open to the public or used by the public may be subject to an administrative closure order.**

ÿÿ **“For the purpose of preventing or putting an end to breaches of public order resulting from the commission of the offences referred to in the first paragraph of this article, any commercial premises, establishment or place open to the public or used by the public may be subject to an administrative closure order when the conditions of its operation or attendance have made these offences possible.**

ÿÿ **“The crimes and offences or breaches of public order that may justify the closure measure must be related to the attendance or operating conditions of the premises, establishment or place mentioned in the same first paragraph.**

ÿÿ **“The decision is pronounced by the representative of the State in the department or, in Paris, by the police prefect, for a period not exceeding six months.**

ÿÿ **“When the closure is ordered for a period of six months, it entails the revocation of any authorization or permit permitting the operation of a commercial activity, granted by the administrative authority or by an approved body or resulting from non-opposition to a declaration.**

ÿÿ **“Before the end of the administrative closure, the Minister of the Interior may decide to extend it in accordance with the second paragraph, for a period not exceeding six months.**

ÿÿ **“ Art. L. 333-3. – Failure by the owner or operator to comply with a closure order issued on the basis of Article L. 333-2 is punishable by six months’ imprisonment and a fine of 7,500 euros,**

additional penalty of confiscation of income generated during the opening period following notification of the measure and the additional penalty of prohibition from managing a business for five years.

“In the event of a repeat offense, the perpetrator is liable to the penalty of confiscation of all property used to commit the offense.

“ Art. L. 333-4 (*new*). – For the purpose of preventing the commission of acts related to the offenses provided for in Articles 222-34 to 222-43-1, 321-1, 321-2 and 324-1 to 324-6-1, 450-1 and 450-1-1 of the Criminal Code made possible due to its frequentation or the conditions of its operation, any commercial premises, establishment or place open to the public or used by the public as well as their annexes may be subject to an administrative closure order for a period not exceeding one month issued by the mayor of the municipality concerned.

“ Art. L. 333-5 (*new*). – Failure by the owner or operator to comply with a closure order issued on the basis of Article L. 333-4 is punishable by six months’ imprisonment and a fine of €7,500, the additional penalty of confiscation of income generated during the opening period following notification of the measure and the additional penalty of a ban on managing a business for five years.

“In the event of a repeat offense, the perpetrator is liable to the penalty of confiscation of all property used to commit the offense.”

I *ter*. – The Public Health Code is amended as follows:

1° Articles L. 3422-1 and L. 3422-2 are repealed;

2° (*new*) In Articles L. 3823-3, L. 3833-2 and L. 3842-3, the reference: “L. 3422-1” is replaced by the words: “L. 333-2 of the Internal Security Code”;

3° (*new*) In the second paragraph of Article L. 3842-1, the words: “L. 3422-1 and L. 3422-2” are replaced by the words: “L. 333-2 and L. 333-3 of the Internal Security Code”.

I *quater* (*new*). – Article 706-33 of the Code of Criminal Procedure is amended as follows:

1° In the first paragraph, the words: “hotel, furnished house, boarding house, drinking establishment, restaurant, club, circle, dance hall, performance venue or their annexes or any place open to the public or used by the public,” are

replaced by the words: “commercial premises, establishment or place open to the public or used by the public as well as their annexes”;

••• 2° A paragraph is added worded as follows:

••• "This article is also applicable in the event of prosecution for one of the offences mentioned in Articles 321-1, 321-2 and 324-1 to 324-6-1 of the Criminal Code which is committed in connection with one of the offences mentioned in the first paragraph of this article."

••• II. – The highway code is amended as follows:

••• 1° A (*new*) After Article L. 330-1, an Article L. 330-1-1 is inserted, worded as follows:

••• “ Art. L. 330-1-1. – The authorization of automotive professionals to carry out registration operations recorded in automated processing can only be issued after an administrative investigation, carried out under the conditions provided for in Article L. 114-1 of the Internal Security Code.”;

••• 1° I of Article L. 330-2 is amended as follows:

••• a) The 3rd is supplemented by the words; “as well as to customs officers and tax service officers authorized to carry out judicial investigations pursuant, respectively, to Articles 28-1 and 28-2 of the same code”;

••• b) In 7° *bis*, after the word: “public”, the words: “and of” are inserted customs and indirect taxes administration”;

••• (c) After the same 7° *bis*, a 7° *ter* is inserted , worded as follows:

••• “7° *ter* To the agents of the national competence service mentioned in Article L. 561-23 of the Monetary and Financial Code, for the exercise of their missions;”

••• 2° (*Deleted*)

••• 3° I of Article L. 330-3 is amended as follows:

••• a) The 3rd is supplemented by the words; “as well as to customs officers and tax service officers authorized to carry out judicial investigations pursuant, respectively, to Articles 28-1 and 28-2 of the same code”;

••• b) A 7° is added, worded as follows:

“7° To the agents of the national competence service mentioned in Article L. 561-23 of the Monetary and Financial Code, for the exercise of their missions provided for by this same code.”

III. – The Monetary and Financial Code is amended as follows:

1° A After II *bis* of article L. 112-6, II *ter* and II *quater* are inserted as follows:

“II *ter*. – Notwithstanding I, payment for transactions relating to the rental of motor vehicles may not be made in cash beyond an amount defined by decree.

“II *quater* (*new*). – Notwithstanding I, the payment of a debt for the benefit of a person mentioned in Article L. 561-2 may not be made in cash if it exceeds 1,000 euros and may not be made by means of electronic money if it exceeds 3,000 euros.”;

1° Article L. 561-2 is amended as follows:

a) After 8°, an 8° *bis* is inserted , worded as follows:

“8° *bis* Property dealers and real estate developers, in conditions defined by decree; »

(b) After 10°, 10° *bis* to 10° *quater* are inserted , worded as follows:

“10° *bis* Persons who habitually and principally engage in the sale or rental of motor vehicles, with the exception of manufacturers and importers of motor vehicles sold to a distributor or dealer, when the sale, resale or rental price of the vehicle is higher than a threshold determined by decree;

“10° *ter* Persons who habitually and principally engage in the sale or rental of pleasure craft, with the exception of builders and importers of pleasure craft sold to a distributor or dealer, when the sale, resale or rental price of the pleasure craft is higher than a threshold determined by decree;

“10° *quater* (*new*) Persons who habitually and principally engage in the sale or rental of private aircraft, with the exception of manufacturers and importers of private aircraft sold to a distributor

or a dealer, when the sale, resale or rental price of the private aircraft is higher than a threshold determined by decree;

ÿÿ c) (new) After 16°, a 16° *bis* is inserted , worded as follows:

ÿÿ “16° *bis* (new) The sports companies mentioned in Article L. 122-1 of the same code affiliated with the French Football Federation, under conditions set by decree;”

ÿÿ 1° *bis* A Article L. 561-23 is amended as follows:

ÿÿ (a) In II, after the reference: “L. 561-27,” the reference is inserted: “L. 561-27-1”;

ÿÿ (b) III is amended as follows:

ÿÿ – after the word: “articles”, the reference is inserted: “L. 561-15-1,”;

ÿÿ – after the reference: “L. 561-27,” the reference is inserted: “L. 561-27-1”;

ÿÿ 1° *bis* B In the first sentence of the first paragraph of I of article L. 561-24, after the reference: “L. 561-27,” the reference is inserted: “L. 561-27-1”;

ÿÿ 1° *bis* Article L. 561-25 is amended as follows:

ÿÿ (a) In the second sentence of I, after the reference: “L. 561-27,” the reference: “L. 561-27-1,” is inserted;

ÿÿ (b) After II *quater*, II *quinquies* to II *septies* are inserted , worded as follows:

ÿÿ “II *quinquies*. – The service mentioned in Article L. 561-23 may request all information necessary for the accomplishment of its mission from strategic, financial or project management advisors.

ÿÿ “II *sexies*. – The service mentioned in Article L. 561-23 may request all the information necessary to carry out its mission from the dematerialization platform operators holding the registration mentioned in Article 290 B of the General Tax Code.

ÿÿ “II *septies*. – The service mentioned in Article L. 561-23 of this code may request all the information necessary to carry out its mission from the intermediation platforms for the domiciliation of companies.”;

ÿÿ (c) (new) In III, the reference: “II *quater* ” is replaced by the reference: “II *septies* ”;

ÿÿ 1° *ter* After Article L. 561-27, an Article L. 561-27-1 is inserted, worded as follows:

ÿÿ “ Art. L. 561-27-1. – The service mentioned in Article L. 561-23 receives all the information necessary to carry out its missions at the initiative of whistleblowers, under the conditions provided for in 1° of II of Article 8 of Law No. 2016-1691 of December 9, 2016 relating to transparency, the fight against corruption and the modernization of economic life.”;

ÿÿ 2° Article L. 561-34 is supplemented by a paragraph worded as follows:

ÿÿ “The persons listed in Article L. 561-2 are subject to mandatory training on their obligations relating to the fight against money laundering and the financing of terrorism. A decree defines the conditions under which this mandatory training is implemented.

The assessment of compliance with these obligations is carried out by the supervisory authorities mentioned in Article L. 561-36.

ÿÿ 2° *bis* (new) In 14° of I of article L. 561-36, after the reference: 8° *bis* ”; “8°”, the reference is inserted: “ ,

ÿÿ 3° Article L. 561-47 is supplemented by a paragraph worded as follows:

ÿÿ "When the registrar finds that a company or entity referred to in 1° of Article L. 561-45-1 of this Code has not declared to the trade and companies register or brought into compliance the information relating to beneficial owners at the end of a period of three months from a formal notice from the company or entity by registered letter with acknowledgement of receipt addressed to its registered office, he may proceed to automatically remove it from said register. Any automatic removal carried out pursuant to this article shall be brought to the attention of the keeper of the national register of companies and the public prosecutor. It may be reported under conditions set by decree.”;

ÿÿ 4° Article L. 561-47-1 is amended as follows:

ÿÿ (a) (new) In the first paragraph, the words: “entered in the register of” are replaced by the words: “relating to” and the word: “mentioned” is replaced by the word: “mentioned”;

ÿÿ (b) The second paragraph is worded as follows:

ÿÿ "In these cases, the registrar shall formally notify the registered company or entity to regularize its file through the single body referred to in Article L. 123-33 of the French Commercial Code. If the company or entity fails to comply with this formal notice within three months of its receipt, the registrar shall automatically remove the person concerned from the trade and companies register. Any automatic removal carried out pursuant to this article shall be brought to the attention of the keeper of the national register of companies and the public prosecutor.";

ÿÿ 5° (new) The first paragraph of Article L. 561-48 is supplemented by two sentences worded as follows: "He may proceed to the automatic deletion of the company or entity from the trade and companies register, within three months of notification of the decision. He shall inform the holder of the national register of companies and notify the public prosecutor";

ÿÿ 6° (new) III of articles L. 773-42 and L. 774-42 is supplemented by a 14° worded as follows:

ÿÿ "14° In Articles L. 561-47 and L. 561-47-1, references to the national business register are replaced by references to locally applicable provisions having the same purpose.";

ÿÿ 7° (new) The third line of the table in the second paragraph of I of Articles L. 732-1, L. 733-1 and L. 734-1 is worded as follows:

ÿÿ "

L. 112-6	Law No. 1 aimed at freeing France from the trap of drug trafficking
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 » ;

ÿÿ 8° (new) The table in the second paragraph of I of Article L. 775-36, in its wording resulting from Ordinance No. 2024-936 of October 15, 2024 relating to crypto-asset markets, is amended as follows:

ÿÿ a) The third line is worded as follows:

»

<p>“ L. 561-2 with the exception of its 1° <i>quater</i>, 6° <i>bis</i>, 9° <i>bis</i> only for gaming or betting operators on the basis of article 21 of law n° 2010-476 of May 12, 2010 and 17°</p>	<p>Law No. 1 aimed at freeing France from the trap of drug trafficking</p>	<p>» ;</p>
---	--	------------

»

(b) The twenty-fourth to twenty-sixth lines are replaced by a line worded as follows:

»

<p>“ L. 561-23 to L. 561-25</p>	<p>Law No. 1 aimed at freeing France from the trap of drug trafficking</p>	<p>» ;</p>
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»

(c) After the twenty-eighth line, a line is inserted as follows:

»

<p>“ L. 561-27-1</p>	<p>Law No. 1 aimed at freeing France from the trap of drug trafficking</p>	<p>» ;</p>
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»

(d) The fortieth line is worded as follows:

»

<p>“ L. 561-35</p>	<p>Law No. 1 aimed at freeing France from the trap of drug trafficking</p>	<p>» ;</p>
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»

(e) The fifty-second and penultimate lines are replaced by a line worded as follows:

»

<p>“ L. 561-47 to L. 561-48</p>	<p>Law No. 1 aimed at freeing France from the trap of drug trafficking</p>	<p>»</p>
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»

IV. – Section II of Chapter III of Title II of the Book of Procedures tax is amended as follows:

»

1° Article L. 135 ZC is amended as follows:

»

(aa) After the reference: “28-1”, the reference is inserted, ~~28-1-1~~ » ;

••• a) The last occurrence of the word: "and" and the words: "as well as" are replaced by the sign: " , » ;

••• (b) The words: "and to real estate legal data" are added;

••• 2° In Article L. 135 ZJ, the words: "detached or made available by the tax administration in application of" are replaced by the words: "mentioned in";

••• 2° *bis (new)* Article L. 135 ZL is supplemented by the words: "only , Thus to real estate legal information";

••• 3° V is supplemented by an article L. 151 C worded as follows:

••• " Art. L. 151 C. – The clerk of the commercial court or the judicial court ruling on commercial matters may obtain from the tax administration communication of the information held pursuant to Article 1649 A of the General Tax Code necessary for the validation and control provided for in Articles L. 123-41 and R. 123-95 of the Commercial Code."

••• V. – Paragraph 1 of Section 1 of Chapter I of Title XII of the Code customs is supplemented by an article 323-12 worded as follows:

••• " Art. 323-12. – During the customs investigation, customs officers may be authorized by the public prosecutor to seize, at the expense of the Treasury, a sum of money paid into an account opened with an establishment authorized by law to hold deposit, payment or digital asset accounts referred to in Article L. 54-10-1 of the Monetary and Financial Code and the confiscation of which is provided for by this code. The judge of liberties and detention, referred to by the public prosecutor, shall rule by reasoned order on the maintenance or lifting of the seizure within ten days of its completion, including if the trial court is referred to.

••• "The aforementioned order shall be notified to the public prosecutor, the account holder or the owner of the digital asset and, if known, to third parties having rights to this account or asset, who may refer it to the investigating chamber by declaration to the court registry within ten days of notification of the order. This appeal shall not have suspensive effect. The appellant may only claim in this context the provision of only the procedural documents relating to the seizure that he or she is contesting. If they are not appellants, the account holder and third parties may nevertheless be heard by the investigating chamber, without however being able to claim the provision of the procedure.

ÿÿÿ "When the seizure relates to a sum of money paid into an account opened with an establishment authorized by law to hold deposit or payment accounts or to digital assets mentioned in the same article L. 54-10-1, it applies indifferently to all the sums credited to this account or to all the digital assets held at the time of the seizure and up to, where applicable, the amount indicated in the seizure decision."

ÿÿÿ VI (*new*). – Article L. 123-2 of the Commercial Code is supplemented by a paragraph worded as follows:

ÿÿÿ "The clerk may verify by any means the consistency and validity of the foreign identity documents provided."

ÿÿÿ VII (*new*). – Paragraph 1 of III of this article shall enter into force on a date fixed by decree, and at the latest on July 10, 2027, with the exception of paragraph c, the date of entry into force of which shall be fixed by decree, at the latest on July 10, 2029.

Article 3 bis A (*new*)

ÿ Section II of Chapter III of Title II of the Book of Tax Procedures is supplemented by an article L. 135 ZR worded as follows:

ÿ " Art. L. 135 ZR. – For the purposes of carrying out their missions, the agents of the specialized intelligence services mentioned in Article L. 811-2 of the Internal Security Code, individually designated and specially authorized, have a right of direct access to the information contained in the files kept pursuant to Articles 1649 A and 1649 *ter* of the General Tax Code, to data relating to transfers for consideration or free of charge and to acts relating to companies as well as to the information mentioned in Article L. 107 B of this Code."

Article 3a

ÿ The customs code is amended as follows:

ÿ 1° (*new*) In the first sentence of the first paragraph of 1 of Article 66, the words: " , defined in Article 67 *sexies* " are replaced by the words: "mentioned in paragraph 47 of Article 1 of the delegated regulation (EU) No 2015/2446 of the Commission of 28 July 2015 supplementing the

Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code";

ÿ 2° Article 67 *sexies* is worded as follows:

ÿ " Art. 67 *sexies*. – I. – For the investigation and detection of the offences referred to in Articles 414, 414-2 and 415, when committed by an organised gang, as well as in Article 459, customs officers individually designated and specially authorised by the Minister responsible for customs shall access data relating to the identification and traceability of international traffic in goods, means of transport and persons which are contained in the automated processing of the following operators and service providers:

ÿ "1° Operators in the air sector;

ÿ "2° Operators in the rail freight sector;

ÿ "2° *bis (new)* Operators of road transport of people and goods;

ÿ "3° Operators in the maritime and river sector;

ÿ "4° The postal service providers defined in a to c of 2 of Annex I and in 1 of Annex II of Directive (EU) 2022/2555 of the European Parliament and of the Council of 14 December 2022 concerning measures to ensure a high common level of cybersecurity across the Union, amending Regulation (EU) No 910/2014 and Directive (EU) 2018/1972, and repealing Directive (EU) 2016/1148 (NIS 2 Directive).

ÿÿ "The data mentioned in I of Article 6 of Law No. 78-17 of 6 January 1978 relating to information technology, files and freedoms are excluded from the access provided for in the first paragraph of this I.

ÿÿ "This access cannot, under any circumstances, undermine the confidentiality of correspondence.

ÿÿ "II. – The Minister responsible for customs is authorized to use the data obtained pursuant to I of this article by means of automated data processing in compliance with Law No. 78-17 of January 6, 1978 cited above.

ÿÿ "These treatments cannot involve any reconciliation, interconnection or automated linking with other personal data processing operations.

- ÿÿ "They produce no other result and cannot found, by themselves, no individual decision or act of prosecution.
- ÿÿ "The service providers and companies mentioned in I of this article inform the persons concerned by the processing implemented by the General Directorate of Customs and Indirect Taxes.
- ÿÿ "III. – The data subject to the processing mentioned in II are kept for a period of two years from their recording.
- ÿÿ "The operators and service providers mentioned in I may conclude an agreement with the customs administration services defining the conditions for making available the data obtained in application of the same I.
- ÿÿ "III *bis (new)*. – Any operator or service provider mentioned in I who makes unusable, incomplete or manifestly false data available to the customs administration services or who fails to make the data mentioned in this article available to them shall be punished by a fine of up to EUR 50,000.
- ÿÿ "The breach is noted and prosecuted by a report drawn up under the conditions provided for by this code. A copy of the report is given to the person concerned. The fine is imposed for each transport giving rise to a breach.
- ÿÿ "IV. – A decree of the Council of State, taken after consulting the National Commission for Information Technology and Civil Liberties, shall determine the terms of application of this article. This decree shall determine in particular:
- ÿÿ "1° The categories of data mentioned in I and concerned by the processing mentioned in II;
- ÿÿ "2° The terms of access and use of this data by the agents mentioned in I;
- ÿÿ "3° The methods of monitoring compliance with the obligation mentioned in the last paragraph of II;
- ÿÿ "4° The methods of destroying data upon expiry of the period mentioned in III;
- ÿÿ "5° The methods of exercising by the persons concerned their right of access to data and of rectification thereof."

Article 4

ÿ I. – Article 324-1-1 of the Penal Code is supplemented by a paragraph worded as follows:

ÿ "This presumption applies to any transaction carried out, under the conditions provided for in the first paragraph of this article, by means of a crypto-asset with an integrated anonymization function as well as by means of any type of account or technique allowing the anonymization or opacity of transactions in crypto-assets."

ÿ II. – *(Deleted)*

ÿ III. – The Customs Code is amended as follows:

ÿ 1° *(Deleted)*

ÿ 2° After the word: "conceal", the end of article 415-1 is worded as follows: "such an origin or the beneficial owner of these funds or digital assets."

ÿ "This presumption applies to any transaction carried out, under the conditions provided for in the first paragraph of this article, by means of a crypto-asset with an integrated anonymization function as well as by means of any type of account or technique allowing the anonymization or opacity of transactions in crypto-assets."

Article 4 bis A

ÿ The penal code is amended as follows:

ÿ 1° *(Deleted)*

ÿ 2° Article 321-6 is supplemented by a paragraph worded as follows:

ÿ "Subject to the thirteenth paragraph of Article 131-21 and the rights of the bona fide owner, the confiscation of seized property whose owner cannot prove its origin and who, for this reason, has been convicted under this Article is mandatory. This confiscation does not have to be justified. However, the court may, by a specially justified decision, decide not to order the confiscation of all or part of the property mentioned in this paragraph, taking into account the circumstances of the offence and the personality of the perpetrator."

Article 4 bis BA (new)

ÿ I. – In the first sentence of the first paragraph of Article L. 2222-9 of the General Code of Public Property, after the word: “gendarmerie,” the words: “of the formations of the national navy,” are inserted.

ÿ II. – In the first sentence of the third paragraph of Articles 41-5 and 99-2 of the Code of Criminal Procedure, after the word: “gendarmerie,” the words: “to the formations of the national navy,” are inserted.

Article 4 bis B (new)

(Deleted)

Article 4 bis C (new)

ÿ I. – The first sentence of the ninth paragraph of Article 706-160 of the Code of Criminal Procedure is amended as follows:

ÿ 1° The word: “real estate” is deleted;

ÿ 2° At the end, the words: "and local authorities" are replaced by local the words: "; authorities as well as judicial services, customs services, police services, gendarmerie units, the French Biodiversity Office, the General Directorate of Civil Security and Crisis Management or services placed under the authority of the Minister responsible for the budget which carry out judicial police missions."

ÿ II. – The loss of revenue resulting for the State from I is compensated to the appropriate extent by the creation of an additional tax on tobacco excise provided for in Chapter IV of Title I of Book III of the Code of Taxes on Goods and Services.

Article 4a

(Compliant)

Article 5

(Deleted)

Article 5a

- ÿ I. – The Monetary and Financial Code is amended as follows:
- ÿ 1° After 1° *bis* of Article L. 562-1, a 1° *ter* is inserted, worded as follows:
- ÿ “1° *ter* “Drug trafficking”: the acts provided for and punished by Articles 222-34 to 222-38 of the Criminal Code as well as by the last paragraph of Article 414 and Article 415 of the Customs Code;”
- ÿ 2° After Article L. 562-2-1, an Article L. 562-2-2 is inserted, worded as follows:
- ÿ “ Art. L. 562-2-2. – The Minister responsible for the economy and the Minister of the Interior may jointly decide, for a renewable period of six months, to freeze funds and economic resources:
- ÿ “1° Which belong to or are owned, held or controlled by natural or legal persons or any other entity which commits, attempts to commit, facilitates or finances drug trafficking or participates in it and which presents a particularly serious threat to public safety and order because of their role in such trafficking and its scale;
- ÿ “2° Which belong to or are owned, held or controlled by legal persons or any other entity themselves owned or controlled by the persons mentioned in 1° or knowingly acting on behalf of or on the instructions of the latter.”;
- ÿ 3° In Articles L. 562-5 and L. 562-7 and in the first paragraph of Article L. 562-8, after the reference: “L. 562-2-1,” the reference: “L. 562-2-2,” is inserted;
- ÿ 3° *bis* After Article L. 562-7, an Article L. 562-7-1 is inserted, worded as follows:
- ÿÿ “ Art. L. 562-7-1. – Natural or legal persons or other entities subject to a freezing measure provided for in this chapter shall declare to the Minister responsible for the economy, within six weeks of the publication provided for in Article L. 562-9, the funds and economic resources with a value greater than an amount fixed by decree in the Council of State.”;
- ÿÿ 4° In the first paragraph of Article L. 562-9, after the reference: L. 562-2-2”; “L. 562-2-1”, the reference is inserted: “ ,
- ÿÿ 5° In the first paragraph of Article L. 562-11, the words: “and L. 562-2-1” are replaced by the words: “ , L. 562-2-1 and L. 562-2-2”.

ÿÿ II. – *(Unmodified)*

TITLE III

STRENGTHENING OF ADMINISTRATIVE INTELLIGENCE IN THE FIGHT AGAINST DRUG TRAFFICKING

Article 6

(Compliant)

Article 7

(Compliant deletion)

Article 7a *(new)*

ÿ After Chapter II of Title III of Book II of the Internal Security Code, a Chapter II *bis* is inserted , worded as follows:

ÿ “ CHAPTER II BIS

ÿ “*Collection of data relating to pleasure craft*

ÿ “ Art. L. 232-9. – I. – In order to prevent and suppress terrorism, to facilitate the detection of related offenses, to facilitate the detection of offenses related to organized crime within the meaning of Articles 706-73 and 706-73-1 of the Code of Criminal Procedure and of smuggling, import or export offenses committed by an organized gang, provided for and punished by the last paragraph of Article 414 of the Customs Code, as well as the detection, when they relate to funds derived from these same offenses, of the carrying out or attempted carrying out of the financial transactions defined in Article 415 of the same Code and in order to enable the gathering of evidence of these offenses and the search for their perpetrators, the port authority or the authority vested with the power of port police collects data that makes it possible to identify pleasure craft that have another home port, their owner, the persons they carry and their itinerary. It transmits this data to the State services responsible for the prevention and repression of the offenses mentioned in this paragraph.

ÿ “A joint order of the Minister of the Interior and the Minister responsible for ports determines the ports concerned by the obligation defined in the first paragraph of this I.

ÿ “II. – *(Deleted)*

ÿ “III. – The data collected and transmitted in application of I, the methods of their transmission as well as the State services mentioned in the first paragraph of the same I are specified by decree in the Council of State.

ÿ “This decree specifies the conditions under which the port authority or the authority vested with port police powers verifies the civil identity data of the persons concerned.

ÿ “III *bis*. – In the event of failure by a port authority or by an authority vested with port police powers to comply with the obligations set out in this article, the fine and procedure provided for in Article L. 232-5 shall apply.

ÿÿ “When the offence defined in the first paragraph of this III *bis* is committed habitually, it is punishable by two years' imprisonment and a fine of 30,000 euros.

ÿÿ “IV. – *(Deleted)*

ÿÿ “V. – The data mentioned in I may be kept for a maximum duration of five years.

ÿÿ “VI. – This article does not apply to vessels subject to Article L. 232-7-1.”

Article 8

ÿ I to V. – *(Deleted)*

ÿ V *bis*. – The first paragraph of I of article L. 851-3 of the code of internal security is thus modified:

ÿ 1° The words: “and 4°” are replaced by the words: “ , 4° and 6°”;

ÿ 2° At the end, the words: "or terrorist threats" are replaced by terrorists or words : " , relating to organized crime and organized delinquency concerning offenses punishable by ten years of imprisonment insofar as they concern drug trafficking, arms trafficking and trafficking of products

explosives, smuggling, the import and export of these prohibited goods committed by an organized gang as well as the laundering of the proceeds thereof.

ÿ V *ter*. – II of Article 6 of Law No. 2024-850 of July 25, 2024 aiming to prevent foreign interference in France is amended as follows:

ÿ 1° In the first paragraph, the date: “ July 1 ” is replaced by the date: “December 31”;

ÿ 2° The 1° is modified as follows:

ÿ a) In a, the words: “and 4°” are replaced by the words: “ , 4° and 6°”;

ÿ (b) In (b), the words: "or terrorist threats" are replaced by "terrorists or words : ", relating to organized crime and organized delinquency" concerning offenses punishable by ten years of imprisonment insofar as they concern drug trafficking, trafficking in arms and explosive products, smuggling, the import and export of these prohibited goods committed by an organized gang as well as the laundering of the proceeds thereof."

ÿÿ VI. – The Government shall submit to Parliament, under the conditions provided for in III of Article 6 of Law No. 2024-850 of 25 July 2024 aimed at preventing foreign interference in France, a report on the application of this article with regard to the purpose provided for in V *bis* and V *ter* no later than two years before 31 December 2028.

ÿÿ No later than six months before 31 December 2028, under the same conditions as those mentioned in the first paragraph of this VI, the Government shall submit to Parliament a report presenting the results of the application of this article with regard to the purpose provided for in V *bis* and V *ter*.

ÿÿ These reports assess, in particular, the relevance of the design parameters used in the processing and analyze their effectiveness in detecting threats or offenses related to organized crime and organized delinquency. They provide the meaning of the opinions issued by the National Commission for the Control of Intelligence Techniques. Versions of these reports sent to the parliamentary delegation for intelligence include examples of the implementation of algorithms and report on the volume of data processed, the number of identifiers reported by automated processing, and the number of transmissions to the judicial authority.

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Article 8a

(Compliant)

Article 8 ter A (new)

ÿ III of Article L. 853-3 of the Internal Security Code is amended as follows:

ÿ 1° At the end of the first sentence of the first paragraph, the words: "maximum of thirty days and is renewable under the same duration conditions as the initial authorization" are replaced by the words: "similar to that of the authorization to use the technical devices provided for in Articles L. 851-5, L. 853-1 and L. 853-2 of which it allows the installation, use, maintenance or removal";

ÿ 2° After the same first paragraph, a paragraph is inserted worded as follows:

ÿ "When its sole purpose is to allow the withdrawal of technical devices after the expiry of the authorization to use these devices, the authorization, specially justified, is issued for a maximum period of thirty days and is renewable under the same duration conditions."

Article 8 ter

(Deleted)

TITLE IV

**STRENGTHENING OF CRIMINAL REPRESSION
DRUG TRAFFICKING**

CHAPTER I^{ER}

Criminal law measures

Article 9

ÿ I. – The penal code is amended as follows:

ÿ 1° The 14° of II of article 131-26-2 is modified as follows:

ÿ **a) (Deleted)**

ÿ **(a)** After the word: "code", the words: "as well as the offense" are inserted of belonging to a criminal organization provided for in article 450-1-1";

ÿ **(b)** The words: "when it has as its object a crime or a" are replaced by the words: "when the criminal association or criminal organization has as its object the preparation of a crime or a";

ÿ **2° Title V of Book IV is amended as follows:**

ÿ **aa)** The title is supplemented by the words: "and membership in a criminal organization";

ÿ **a) (Deleted)**

ÿ **(b)** Article 450-1 is amended as follows:

ÿÿ – after the first paragraph, a paragraph is inserted worded as follows:

ÿÿ "When the prepared offence is a crime for which the law provides for a penalty of life imprisonment or aggravated punishment in the event of commission by an organised gang, participation in a criminal association is punishable by fifteen years of criminal imprisonment and a fine of 225,000 euros.";

ÿÿ – in the second paragraph, after the word: "crimes", the words: "other than those mentioned in the second paragraph" are inserted;

ÿÿ **c) (Deleted)**

ÿÿ **(d)** After the same article 450-1, articles 450-1-1 and 450-1-2 are inserted, worded as follows:

ÿÿ " Art. 450-1-1. – Any association of criminals preparing one or more crimes or one or more offenses mentioned in Article 706-73 of the Code of Criminal Procedure constitutes a criminal organization.

ÿÿ " Art. 450-1-2 (new). – Publicly advocating for a criminal organization is punishable by two years' imprisonment and a fine of 30,000 euros. The penalties are increased to three years' imprisonment and a fine of 45,000 euros when these acts are committed using an online public communication service.

ÿÿ "Failure to be able to provide proof of resources corresponding to one's lifestyle while having regular contact with one or more criminal organisations is punishable by five years' imprisonment and a fine of 75,000 euros.

ÿÿ "Knowingly, frequently or significantly contributing to the organization or operation of a criminal organization is punishable by ten years' imprisonment and a fine of 150,000 euros."

ÿÿ (e) In Article 450-2, after the reference: "450-1", the following are inserted: words: "or having committed the offense provided for in article 450-1-1";

ÿÿ (f) In the first paragraph of Article 450-3, the words: "of the offence provided for in Article 450-1" are replaced by the words: "of the offences provided for in Articles 450-1 and 450-1-1";

ÿÿ (g) In the first paragraph of Article 450-4, the words: "of the offence defined in Article 450-1" are replaced by the words: "of the offences defined in Articles 450-1 and 450-1-1";

ÿÿ (h) In Article 450-5, the words: "in the second paragraph" are replaced by the words: "in the second and third paragraphs".

ÿÿ II. – The Code of Criminal Procedure is amended as follows:

ÿÿ 1° 5° *bis* of I of article 28-1 is amended as follows:

ÿÿ (a) At the beginning, the words: "the crimes or" are added;

ÿÿ (b) After the word: "criminal", the words: "as well as the offense provided for" are inserted in article 450-1-1 of the same code";

ÿÿ (c) The words: "when they have" are replaced by the words: "when the criminal association or criminal organization has";

ÿÿ 2° Paragraph 4 of Article 689-5 is amended as follows:

ÿÿ (a) At the beginning, the words: "Crime or" are added;

ÿÿ (b) The word: "planned" is replaced by the word: "planned";

ÿÿ (c) After the word: "criminal", the words: "or offense of belonging" are inserted to a criminal organization provided for in article 450-1-1 of the same code";

ÿÿ (d) The words: "when" are replaced by the words: "when the criminal association or criminal organization";

ÿÿ 3° Article 706-34 is amended as follows:

ÿÿ (a) The words: “the offense” are replaced by the words: “the crimes or offenses”;

ÿÿ (b) The word: “planned” is replaced by the word: “planned”;

ÿÿ (c) After the words: “same code”, the words: “and the offense of belonging to a criminal organization provided for in article 450-1-1 of said code” are inserted;

ÿÿ (d) The words: "when" are replaced by the words: "when the criminal association or criminal organization”;

ÿÿ 4° The 15th of article 706-73 and the 4th of article 706-73-1 are amended as follows:

ÿÿ (a) At the beginning, the words: “Crimes or” are added;

ÿÿ (b) After the word: "penal", the words: "or belonging" are inserted to a criminal organization provided for in article 450-1-1 of the same code”;

ÿÿ (c) The words: "when they have" are replaced by the words: "when the criminal association or criminal organization has”;

ÿÿ 4° bis The 2° of article 706-74 is amended as follows:

ÿÿ (a) At the beginning, the words: “To the crimes or” are added;

ÿÿ (b) The words: “by the second paragraph” are replaced by the words: “in the second and third paragraphs”;

ÿÿ 5° The 7th of article 706-167 is amended as follows:

ÿÿ (a) At the beginning, the words: “The offense” are replaced by the words: “The crimes or offenses”;

ÿÿ (b) The word: “planned” is replaced by the word: “planned”;

ÿÿ (b bis) After the word: “criminal”, the words: “as well as the offense of belonging to a criminal organization provided for in Article 450-1-1 of the same code” are inserted;

ÿÿ (c) The words: "when" are replaced by the words: "when the criminal association or criminal organization".

Article 9a (new)

ÿ Section 7 of Chapter II of Title II of Book II of the Penal Code is supplemented by an article 222-43-2 worded as follows:

ÿ “ Art. 222-43-2. – When a crime or offense provided for in this section is aggravated by the carrying of an apparent or hidden weapon, the maximum custodial sentence incurred is increased as follows:

ÿ “1° It is increased to life imprisonment when the offense is punishable by thirty years of criminal imprisonment;

ÿ “2° It is increased to thirty years of criminal imprisonment when the offense is punishable by twenty years of criminal imprisonment;

ÿ “3° It is increased to fifteen years of criminal imprisonment when the offense is punishable by ten years of imprisonment;

ÿ “4° It is increased to seven years of imprisonment when the offense is punishable by five years of imprisonment.”

Article 9 ter (new)

ÿ After Article 222-37 of the Penal Code, Article 222-37-2 is inserted, worded as follows:

ÿ “ Art. 222-37-2. – The illegal transport, possession, offer, transfer, acquisition or use of narcotics is punishable by fifteen years of criminal imprisonment and a fine of 10 million euros when these offences are committed concurrently with the illegal carrying or possession, as provided for in Article 222-52, of a Category A or B weapon referred to in Article L. 311-2 of the Internal Security Code.”

Article 10

ÿ The penal code is amended as follows:

ÿ 1° In the first paragraph of article 227-18-1, after the word: “narcotics”, the words: “or to be complicit in such acts” are inserted;

ÿ 2° After the same article 227-18-1, an article 227-18-2 is inserted, worded as follows:

ÿ “ Art. 227-18-2. – The act of publishing, on an online platform or on an online social networking service, defined in 4 and 5 of I of Article 6 of Law No. 2004-575 of June 21, 2004 on confidence in the digital economy, content accessible to minors proposing to users to transport, possess, offer or transfer narcotics or to be an accomplice in such acts is punishable by seven years of imprisonment and a fine of 150,000 euros.”

Article 10 bis A (new)

ÿ The first paragraph of Article 227-18 of the Criminal Code is amended as follows:

ÿ 1° After the word: “provoke”, the words: “or exploit” are inserted; to manipulate

ÿ 2° After the word: “minor”, the words: “leading him” are inserted.

Article 10a

ÿ After Article 132-6 of the Penal Code, Article 132-6-1 is inserted, worded as follows:

ÿ “ Art. 132-6-1. – By way of derogation from Articles 132-2 to 132-5, when the perpetrator has committed an offence referred to in Articles 706-73 and 706-73-1 while he was detained, the sentences imposed for this offence shall be combined, without any possibility of confusion, with those he was serving or those imposed for the offence for which he was detained.”

Article 10 ter A (new)

ÿ The ban on entering French territory is imposed by the court under the conditions provided for in Article 131-30 of the Criminal Code, either permanently or for a period of ten years at most, against any foreigner guilty of one of the offences defined in Articles 222-34 to 222-38 of the same code.

ÿ However, the court may, by a specially reasoned decision, decide not to impose these penalties, taking into account the circumstances of the offence and the personality of the perpetrator.

Article 10 *ter* B (new)

ÿ After Article 222-37 of the Penal Code, Article 222-37-3 is inserted, worded as follows:

ÿ “ Art. 222-37-3. – When the offences provided for in Articles 222-34, 222-35, 222-36 and 222-37 are committed by an adult acting with the aid or assistance of a minor, directly or indirectly, for the transport, possession, offer, transfer, acquisition or sale of narcotics, the penalties incurred are increased to:

ÿ “1° Twenty years of criminal imprisonment and a fine of 500,000 euros when the offence is punishable by fifteen years of criminal imprisonment;

ÿ “2° Life imprisonment and a fine of one million euros when the offense is punishable by twenty years of criminal imprisonment.

ÿ “The involvement of a minor may be characterized by any act of solicitation, incitement or organization having the effect of integrating a minor into a drug trafficking network, whether this participation is voluntary or forced.”

Article 10 *ter*

(Deleted)

Article 10 *quater* (new)

In the second sentence of the first paragraph of Article 222-38 of the Criminal Code, the word: "half" is replaced by the word: "totality".

CHAPTER II

(Division abolished)

Article 11

ÿ I. – Article 706-88-2 of the Code of Criminal Procedure is thus reinstated:

ÿ “ Art. 706-88-2. – When the presence of narcotic substances in the body of the person in police custody for an offense mentioned in 3° of article 706-73 is established under the conditions provided for in this article,

the judge of liberties and detention may, exceptionally and in accordance with the terms provided for in the second paragraph of article 706-88, decide that the current police custody of this person will be subject to an additional extension of twenty-four hours.

ÿ "Before the expiry of the period of police custody provided for in the same article 706-88, the person whose exceptional extension of police custody is envisaged shall be examined by a doctor designated by the public prosecutor, the investigating judge or the judicial police officer. The doctor shall issue a medical certificate by which he establishes the presence or absence of narcotic substances in the person's body and decides on the fitness for continued police custody. This certificate shall be included in the file.

ÿ "At the end of the ninety-sixth hour, the person whose police custody extension is thus decided may request to speak to a lawyer, in accordance with the procedures provided for in Article 63-4. The person in police custody shall be informed of this right upon notification of the extension provided for in this article.

ÿ "She is also advised of her right to request a re-examination medical during the extension.

ÿ "If the request of the person in police custody to notify, by telephone, a person with whom they usually live or one of their direct relatives, one of their brothers and sisters or their employer of the measure to which they are subject, under the conditions provided for in Articles 63-1 and 63-2, they may repeat this request from the ninety-sixth hour."

ÿ II. – (*Deleted*)

Article 11 *bis* A (*new*)

ÿ After Article 222-44-1 of the Penal Code, Article 222-44-2 is inserted, worded as follows:

ÿ " Art. 222-44-2. – Natural persons guilty of the offenses provided for in Articles 222-34 to 222-40 also incur the following additional penalties:

ÿ "1° When the offence was committed in an aircraft carrying out a commercial flight or in a maritime vessel, the prohibition, for a

for a period of up to three years, to take a seat in any aircraft operating a commercial flight departing from and arriving at airports and in any maritime vessel departing from and arriving at ports, the list of which is determined by the jurisdiction;

ÿ "2° When the offence was committed in an airport or in a port, a ban, for a period of up to three years, on appearing in the airports and in the ports listed by the court.

ÿ "The prohibitions provided for in 1° and 2° of this article may be modified by the judge responsible for the application of sentences, under the conditions set out in the Code of Criminal Procedure.

ÿ "Any violation by the convicted person of the prohibitions provided for in 1° and 2° of this article shall be punishable by two years' imprisonment and a fine of 30,000 euros."

Article 11a (*new*)

ÿ After Article 222-37 of the Penal Code, Article 222-37-1 is inserted, worded as follows:

ÿ " Art. 222-37-1. – When the offences provided for in Articles 222-36 and 222-37 are committed using vulnerable persons, who are coerced or abused in their physical or psychological integrity, the penalties incurred are increased to fifteen years of criminal imprisonment and a fine of ten million euros.

ÿ "This article applies without prejudice to the provisions relating to human trafficking provided for in Articles 225-4-1 to 225-4-9.

CHAPTER III

Fight against online trafficking

Article 12

ÿ I. – Section 2 of Chapter II of Title I of Law No. 2004-575 of June 21, 2004 on confidence in the digital economy is amended as follows:

ÿ A. – Article 6-1 is amended as follows:

ÿ 1° A At the beginning of the first paragraph, the following is added: “I. –”;

ÿ 1° The first sentence of the same first paragraph is amended as follows:

ÿ a) The second occurrence of the word: “or” is replaced by the sign: “;”
“ ,

ÿ (b) After the words: “of the same code”, the words: “or against the transfer or supply of narcotics under the conditions provided for in Article 222-39 of said code” are inserted;

ÿ (c) At the end, the words: “and 227-23” are replaced by the words: “ , “227-23 and 222-39”;

ÿ 2° At the end of the first sentence of the second paragraph and in the first sentence of the fourth paragraph, the words: “and 227-23” are replaced by the words: “ , 227-23 and 222-39”;

ÿ 2° *bis (new)* At the end of the last sentence of the second paragraph, in the second sentence of the fourth paragraph and in the penultimate and last paragraphs, the word: “article” is replaced by the reference: “I”;

ÿÿ 3° A II is added as follows:

ÿÿ “II. – Without prejudice to Articles L. 521-1 and L. 521-2 of the Code of Administrative Justice, hosting service providers and content providers affected by a request for withdrawal made pursuant to I of this article, as well as the qualified person mentioned in the same I, may request the President of the Administrative Court or the magistrate delegated by the latter to cancel this request, within forty-eight hours of either its receipt or, in the case of the content provider, of the moment when it is informed by the hosting service provider of the withdrawal of the content.

ÿÿ “The legality of the withdrawal injunction shall be decided within a period of seventy-two hours from the date of referral. The hearing is public.

ÿÿ “Judgments rendered pursuant to the first paragraph of this II on the legality of the decision may be appealed within ten days of their notification. In this case, the appeal court shall rule within one month of its referral.

ÿÿ “The terms of application of this II are specified by decree in the Council of State.”;

ÿÿ **B. – Article 6-2 is amended as follows:**

ÿÿ (a) In I and the first paragraph of III, after the word: “criminal”, the words: “or content relating to the transfer or supply of narcotics covered by article 222-39 of the same code” are inserted;

ÿÿ (b) At the end of the third paragraph of III, the words: "of the offence provided for in Article 227-23 of the Criminal Code" are replaced by the words: "of the offences provided for in Articles 227-23 and 222-39 of the Criminal Code";

ÿÿ **C. – In the first paragraph of I of article 6-2-1, after the word: “criminal”, the words: “or content relating to the transfer or supply of narcotics covered by article 222-39 of the same code” are inserted;**

ÿÿ **D. – Article 6-2-2 is repealed.**

ÿÿ **II. – Article 323-3-2 of the Penal Code is amended as follows:**

ÿÿ **1° I is amended as follows:**

ÿÿ (a) (*new*) After the second occurrence of the reference: “6”, the words: “or those mentioned in Articles 15, 16 and 18 of the Regulation” are inserted (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a single market for digital services and amending Directive 2000/31/EC (Digital Services Regulation)”;

ÿÿ (b) The words: "five years of imprisonment and 150,000 euros" are replaced by the words: "seven years of imprisonment and 500,000 euros";

ÿÿ **2° In III, the amount: “500,000 euros” is replaced by the amount: “1,000,000 euros”.**

ÿÿ **III. – (*Deleted*)**

Article 12a

ÿ **I. – The postal and electronic communications code is amended as follows:**

ÿ **1° Article L. 34-1-1 is reinstated as follows:**

ÿ “ **Art. L. 34-1-1. – Electronic communications operators or their subcontractors offering an interpersonal communications service with prepayment are required to identify any purchaser of such a service and**

verify their identification by asking the person concerned to produce an official document containing their photograph.

ÿ "For the purposes of criminal proceedings and the prevention of organized crime and delinquency, they are required to retain information relating to the identification of the purchaser for a period of five years.

ÿ "The conditions of application of this article are specified by decree in the Council of State.”;

ÿ 2° After Article L. 39-8, an Article L. 39-8-1 is inserted, worded as follows:

ÿ “ Art. L. 39-8-1. – Failure to comply with the obligations set out in Article L. 34-1-1 shall be punished by a fine of 15,000 euros.”

ÿ II. – Paragraph 2 of I comes into force on the date of publication of the decree provided for in the last paragraph of Article L. 34-1-1 of the Postal and Electronic Communications Code, and at the latest one year after the promulgation of this law.

TITLE V

CRIMINAL PROCEDURAL MEASURES AND FACILITATION OF THE USE OF SPECIAL INVESTIGATIVE TECHNIQUES

Article 13

ÿ The Code of Criminal Procedure is amended as follows:

ÿ 1° A After Article 242, an Article 242-1 is inserted, worded as follows:

ÿ “ Art. 242-1. – Without prejudice to Title XVI of Book IV, for the trial of crimes committed by an organized gang and the crime of criminal association with a view to committing such crimes, the rules relating to the composition and operation of the Assize Court are set out in Article 698-6.

ÿ "For the trial of accused minors aged at least sixteen, the rules relating to the composition and operation of the juvenile assize court are also set out in the same article 698-6, two of the assessors being appointed from among the juvenile judges within the jurisdiction of the court of appeal, in accordance with article L. 231-10 of the juvenile criminal justice code.

Articles L. 513-2, L. 513-4 and L. 522-1 of the same code are also applicable.

ÿ 1° Article 706-26 is amended as follows:

ÿ (a) The words: “the offense” are replaced by the words: “crimes and offenses”;

ÿ (b) The word: “planned” is replaced by the word: “planned”;

ÿ (c) The words: “he has” are replaced by the words: “they have”;

ÿ d) (*Deleted*)

ÿÿ 2° (*Deleted*)

ÿÿ 2° *bis* After article 706-75-2, articles 706-75-3 and 706-75-4 are inserted, worded as follows:

ÿÿ “ Art. 706-75-3. – By way of derogation from Article 712-10, decisions concerning persons convicted of an offence falling within the scope of Article 706-73, with the exception of 11°, 11° *bis* and 18°, of Article 706-73-1, with the exception of 11°, and of Article 706-74 fall within the jurisdiction of the sentencing judge of the Paris judicial court, the Paris sentencing court and the sentencing chamber of the Paris court of appeal:

ÿÿ “1° Exclusively, when these persons have been convicted by the Paris courts ruling in accordance with Article 706-74-1, regardless of the place of detention or residence of the convicted persons;

ÿÿ “2° Concurrently, when these persons have been convicted in proceedings for which the jurisdiction provided for in the same article 706-74-1 has not been exercised.

ÿÿ “These decisions are taken after consultation with the competent sentencing judge pursuant to Article 712-10.

ÿÿ “In exercising their powers, the magistrates of the courts mentioned in the first paragraph of this article may travel throughout the national territory, without prejudice to the application of article 706-71 on the use of means of telecommunication.

“The public prosecutor in the first instance courts of Paris competent under this article is represented by the public prosecutor for organized crime in person or by his deputies.

“ Art. 706-75-4. – By way of derogation from Article 712-10, decisions concerning persons convicted of an offence falling within the scope of Article 706-73, with the exception of 11°, 11° bis and 18°, of Article 706-73-1, with the exception of 11°, and of Article 706-74 fall within the jurisdiction of the judge responsible for the enforcement of sentences of the judicial court referred to in Article 706-75 in whose jurisdiction is located either the penitentiary establishment in which the convicted person is imprisoned, or, if the convicted person is free, his habitual residence or, if he has no habitual residence in France, the judicial court which pronounced the sentence:

“1° Exclusively, when these persons have been convicted by the courts ruling in accordance with Article 706-75;

“2° Concurrently, when these persons have been convicted in proceedings for which the jurisdiction provided for in the same article 706-75 has not been exercised.

“The same applies to the determination of the territorially competent sentencing court and the sentencing chamber of the appeal court.

“These decisions are taken after consultation with the competent sentencing judge pursuant to Article 712-10.

“In exercising their powers, the magistrates of the courts mentioned in the first paragraph of this article may travel throughout the interregional territory, without prejudice to the application of the provisions of article 706-71 relating to the use of means of telecommunication.”;

3° *(Deleted)*

4° *(new)* The beginning of the first paragraph of Article 804 is worded as follows: “This code is applicable, in its wording resulting from law no. of aiming to free France from the trap of drug trafficking, in New Caledonia... *(the rest without change)*. ”

Article 14

ÿ I. – The penal code is amended as follows:

ÿ 1° A (*Deleted*)

ÿ 1° After Article 132-78, an Article 132-78-1 is inserted, worded as follows:

ÿ “ Art. 132-78-1. – When the person has benefited from the exemption or reduction of sentence mentioned in Article 132-78, the conviction decision also sets the maximum term of imprisonment incurred by the convicted person if, during a period of ten years in the case of conviction for an offence or twenty years in the case of conviction for a crime, new elements arise revealing the false or deliberately incomplete nature of the statements or if he commits a new crime or offence. The term of imprisonment incurred, combined with the prison sentence imposed, may not exceed the legal maximum in the absence of the exemption or reduction of sentence mentioned in the same Article 132-78.

ÿ “The conditions under which the sentencing court may decide, in whole or in part, to enforce imprisonment are set out in the Code of Criminal Procedure.”;

ÿ 2° Article 221-5-3 is amended as follows:

ÿ (a) In the first paragraph, the words: “assassination” are replaced by the words: “murder”;

ÿ (a bis) (*new*) After the same first paragraph, a paragraph is inserted worded as follows:

ÿ “The custodial sentence incurred by the perpetrator or accomplice of the crime of murder is reduced by half if, having notified the administrative or judicial authority, he has enabled the identification of the other perpetrators or accomplices. When the sentence incurred is life imprisonment, it is reduced to twenty years of criminal imprisonment.”;

ÿÿ (b) The second paragraph is amended as follows:

ÿÿ – the words: “reduced to twenty years of criminal imprisonment” are replaced by the words: “reduced by half”;

ÿÿ – the word: “and” is replaced by the word: “or”;

ÿÿ – a sentence is added worded as follows: “When the penalty incurred is life imprisonment, it is reduced to twenty years of criminal imprisonment.”;

ÿÿ 2° *bis (Deleted)*

ÿÿ 2° *ter (new)* In the first sentence of the second paragraph of articles 222-6-2, 224-5-1, 224-8-1, 225-4-9, 225-11-1 and 312-6-1 and in the second paragraph of article 311-9-1, the word: “and” is replaced by the word: “or”;

ÿÿ 3° *(Deleted)*

ÿÿ 3° *bis (new)* In the first sentence of Articles 222-43 and 422-2 and Article 442-10, the word: “and” is replaced by the word: “or”;

ÿÿ 3° *ter (new)* In the first paragraph of article 414-4, the second occurrence of the word: “and” is replaced by the word: “or”;

ÿÿ 4° *(Deleted)*

ÿÿ 4° *bis* Section 10 of Chapter II of Title II of Book II is supplemented by an article 222-67-1 worded as follows:

ÿÿ “ Art. 222-67-1. – Any person who has attempted to commit the offences provided for in this section is exempt from punishment if, having warned the administrative or judicial authority, he has prevented their commission and identified, where appropriate, the other perpetrators or accomplices.

ÿÿ “The custodial sentence incurred by the perpetrator or accomplice of one of the offences provided for in this section is reduced by two-thirds if, having notified the administrative or judicial authority, he has made it possible to stop the commission of the offence, to limit the damage or to identify, where appropriate, the other perpetrators or accomplices.”;

ÿÿ 5° Article 450-2 is supplemented by a paragraph worded as follows:

ÿÿ “The custodial sentence incurred by the perpetrator or accomplice of the offences provided for in Articles 450-1 and 450-1-1 is reduced by half if, having warned the administrative or judicial authority, he has made it possible to stop the offence, to prevent the commission of an offence prepared by the group or the agreement or to identify the other perpetrators or accomplices of the prepared offence.”

ÿÿ I *bis (new)*. – The defense code is amended as follows:

ÿÿ 1° In Articles L. 1333-13-10 and L. 2339-13, the second occurrence of the word: “and” is replaced by the word: “or”;

ÿÿ 2° In Article L. 2341-6 and in the first sentence of Articles L. 2342-76 and L. 2353-9, the word: “and” is replaced by the word: “or”.

ÿÿ *I ter (new)*. – In the penultimate paragraph of Article 1741 of the General Tax Code, after the word: “permit”, the words: “to stop the offense or” are inserted and, after the words: “to identify”, the words: “
 , if applicable, ».

ÿÿ *I quater (new)*. – Section 1 of Chapter V of Title VI of Book IV of the Monetary and Financial Code is supplemented by an Article L. 465-3-7 worded as follows:

ÿÿ “ Art. L. 465-3-7. – When public action is initiated by the financial public prosecutor under the conditions provided for in III of Article L. 465-3-6, Article 132-78 of the Criminal Code is applicable to the offenses mentioned in this section.

ÿÿ "In the case referred to in the second paragraph of Article 132-78 of the Criminal Code, the penalty incurred is reduced by half. The same reduction applies to the fine incurred."

ÿÿ II. – Title XXI *bis* of Book IV of the Code of Criminal Procedure is amended as follows:

ÿÿ 1° A The title is worded as follows: “Justice cooperators”;

ÿÿ 1° At the beginning, a Chapter I is added , worded as follows:

" CHAPTER I

ÿÿ **"On the granting of the status of justice cooperator**

ÿÿ “ Art. 706-63-1 A. – I. – Persons eligible for exemptions or reductions in sentence provided for in Article 132-78 of the Criminal Code may benefit, during the investigation or instruction, from the status of justice cooperator under the conditions provided for in this chapter.

ÿÿ “II and III. – (*Deleted*)

ÿÿ “ Art. 706-63-1 BA (*new*). – During the investigation or the investigation, when a person accused shows his or her willingness to make statements that either prevent the commission of the offense and, where applicable

where appropriate, to identify the other perpetrators or accomplices, or to stop the offence, to prevent the offence from causing damage or to identify the other perpetrators or accomplices, the public prosecutor or, after consulting the public prosecutor, the investigating judge may request a service placed under the authority or supervision of the Minister of the Interior and appearing on a list established by decree, for the purpose of assessing the personality and environment of this person.

ÿÿ "After receiving this assessment, the public prosecutor shall collect or arrange for the collection of statements from this person in a separate report when there are serious reasons to believe that these statements are decisive for the establishment of the truth. In the context of a judicial investigation, the investigating judge shall collect such statements himself or may arrange for them to be collected, subject to the second paragraph of Article 152. In all cases, this collection shall be carried out in the manner prescribed by this Code.

ÿÿ " Art. 706-63-1 B. – I. – (*Deleted*)

ÿÿ "II. – The public prosecutor or the investigating judge verifies the sincerity, completeness and decisiveness of the statements collected by report. He obtains the opinion of the commission mentioned in Article 706-63-1.

ÿÿ "If the public prosecutor or, on the advice of the public prosecutor, the investigating judge considers it appropriate to grant the status of justice cooperator, he shall refer the matter by application to the investigating chamber of the Paris Court of Appeal. The minutes of the declaration and assessment and the commission's opinion shall be attached to the application.

ÿÿ "Also attached to the request is the agreement, signed with the public prosecutor or the investigating judge, by which the person eligible for the status of justice cooperator undertakes, until his appearance before the court, to respond to the summonses issued as part of the procedure and not to commit a new crime or offense.

ÿÿ "III to V. – (*Deleted*)

ÿÿ " Art. 706-63-1 CA (*new*). – If the investigating chamber considers, in view of the case file, that the conditions mentioned in Article 132-78 of the Criminal Code are met, it grants by reasoned order the status of justice cooperator. It rules after having received in writing the requisitions of the public prosecutor as well as the observations

possible from the person concerned or their lawyer. The investigating chamber may, if it deems it necessary, proceed to hear the person concerned, if necessary using audiovisual telecommunications in accordance with the procedures provided for in Article 706-71 of this Code.

“The decision of the investigating chamber shall be notified to the person concerned or their lawyer as well as to the public prosecutor's office. It may be appealed, within ten days of its notification, before the same investigating chamber with a different composition, whose decision is not subject to appeal. The order of the investigating chamber of the Paris Court of Appeal shall also be communicated to the applicant and to the commission mentioned in Article 706-63-1.

“In the event that the status of justice cooperator is granted, once the decision has become final, the order, the request, the minutes of the declaration, the opinion of the commission mentioned in Article 706-63-1, the agreement mentioned in Article 706-63-1 B and all the documents relating thereto are then included in the file of the procedure.

“In the absence of referral to the investigating chamber or when the latter does not grant the request, the minutes of the declaration and assessment, the opinion of the commission mentioned in Article 706-63-1 and all acts relating thereto are not included in the case file but are kept in a file separate from the case file, which also includes, where applicable, the agreement mentioned in Article 706-63-1 B, the request and the order of the investigating chamber.

“ Art. 706-63-1 CB (new). – The status of justice cooperator may be revoked by the investigating chamber of the Paris Court of Appeal, referred to this end by the public prosecutor or the investigating judge, if new elements reveal the false or deliberately incomplete nature of the statements or in the event of the commission of a new crime or offence.

“ Art. 706-63-1 C. – When the case is referred to the trial court, it is required to grant the justice cooperator the benefit of the exemption or reduction of the penalty incurred provided for in Article 132-78 of the Criminal Code.

“However, the trial court may decide, by reasoned decision, not to grant this exemption or this reduction of sentence in the event of revocation of the status, in the event of the occurrence after its referral of a new element revealing the false or

deliberately incomplete declarations or in the event of the commission of a new crime or offense.

“ Art. 706-63-1 D. – *(Deleted)*

“ Art. 706-63-1 E *(new)*. – If, during a period of ten years in the case of a conviction for an offence or twenty years in the case of a conviction for a crime from the day on which this decision became final, new elements arise which reveal the false or deliberately incomplete nature of the statements or if the person concerned commits a new crime or offence, the court for the enforcement of sentences at the seat of the court which handed down the conviction may, upon request from the public prosecutor, order by a reasoned decision, issued after an adversarial hearing held in chambers, the execution of the imprisonment decided pursuant to Article 132-78-1 of the Criminal Code.

“ Art. 706-63-1 F *(new)*. – A decree in the Council of State determines the terms of application of this chapter.

1° *bis (new)* A Chapter II is inserted entitled: “On the protection of justice cooperators” and including articles 706-63-1 to 706-63-2;

2° Article 706-63-1 is amended as follows:

(a) The second paragraph is worded as follows:

"Protection and reintegration measures are defined, upon request from the public prosecutor, by a national commission whose composition and operating procedures are defined by decree in the Council of State. Under the protection measures, the person may, if necessary, be authorized to use an assumed identity. The national commission sets the obligations that the person must respect and ensures the monitoring of protection and reintegration measures, which it may modify or terminate at any time. In the event of an emergency, the competent services take the necessary measures and inform the national commission without delay.";

(a bis) *(Deleted)*

(a ter) *(new)* The penultimate paragraph is deleted;

b) *(Deleted)*

ÿÿ 2° *bis (new)* After the same article 706-63-1, articles 706-63-1-1 and 706-63-1-2 are inserted, worded as follows:

ÿÿ " Art. 706-63-1-1. – The penalties provided for in the third paragraph of Article 706-63-1 shall be imposed on anyone who, until the statements of the justice cooperator have been included in the file of the proceedings pursuant to Article 706-63-1 CA, reveals:

ÿÿ "1° The fact that a person has expressed his willingness to make statements enabling either the commission of the offence to be prevented and, where appropriate, the identification of other perpetrators or accomplices, or the cessation of the offence, the prevention of the offence from causing damage or the identification of other perpetrators or accomplices;

ÿÿ "2° The content of the statements of this person.

ÿÿ " Art. 706-63-1-2. – The justice cooperator may declare as his domicile the address of his lawyer or of the service placed under the authority or supervision of the Minister of the Interior mentioned in Article 706-63-1 BA, with their agreement.”;

ÿÿ 3° Article 706-63-2 is worded as follows:

ÿÿ “ Art. 706-63-2. – When this appearance is likely to seriously endanger their life or physical integrity or those of their relatives, the investigating chamber may, ex officio or at the request of the justice cooperators, order their appearance at all stages of the proceedings under conditions likely to preserve the anonymity of their physical appearance, including through the use of a technical device mentioned in Article 706-61. In this case, this decision is valid for any procedure in which they are a witness or a party. The investigating chamber shall rule after having collected the written observations of the public prosecutor and the parties concerned.

ÿÿ "The trial court may also order the hearing to be held in camera or for the appearance of justice cooperators under conditions that preserve the anonymity of their physical appearance. The trial court shall rule on this request in camera."

ÿÿ III (*new*). – Within five years of the promulgation of this law, the Government shall submit to Parliament a report on the development of the justice cooperation system.

Article 14a

- The Code of Criminal Procedure is amended as follows:
- 1° A (*new*) Article 706-40-1 is repealed;
- 1° B (*new*) The title of Title XXI of Book IV is supplemented by the words: “and victims”;
- 1° C (*new*) In the first sentence of the first paragraph of article 706-57, after the word: “offense”, the words: “, whether they are witnesses or victims,” are inserted;
- 1° D (*new*) In the first sentence of the first paragraph of article 706-58, the words: “of a person concerned” are replaced by the words: “of a witness mentioned”;
- 1° E (*new*) In the first and second paragraphs of article 706-59, the words: “of a witness” are replaced by the words: “of a person”;
- 1° The second paragraph of the same article 706-59 and the last paragraph of article 706-62-1 are supplemented by two sentences worded as follows: “When this revelation has resulted, directly or indirectly, in violence against this person or one of their relatives, the penalties are increased to seven years’ imprisonment and a fine of €100,000. When this revelation has resulted, directly or indirectly, in the death of this person or one of their relatives, the penalties are increased to ten years’ imprisonment and a fine of €150,000.”;
- 2° The second sentence of the first paragraph of Article 706-61 is worded as follows: “The anonymity of the witness is preserved by any means, including the use of a technical device allowing his voice or physical appearance to be altered or transformed.”;
- 3° (*Deleted*)
- 4° Article 706-62-2 is amended as follows:
- (a) (*new*) The first paragraph is amended as follows:
- – the word: “made” is replaced by the words: “or his relatives make”;
- – the word: “his” is replaced by the word: “their”;
- – the words: “under the conditions defined in article 706-63-1” are added;

ÿÿ (b) (new) The second and third paragraphs are deleted;

ÿÿ (c) The fourth and fifth paragraphs are replaced by a paragraph worded as follows:

ÿÿ "Revealing that a person is using an assumed identity under this title or revealing any element allowing their identification or location as well as that of their relatives is punishable by five years' imprisonment and a €75,000 fine. Where this revelation has resulted, directly or indirectly, in violence against that person or one of their relatives, the penalties are increased to seven years' imprisonment and a €100,000 fine. The penalties are increased to ten years' imprisonment and a €150,000 fine where this revelation has resulted, directly or indirectly, in the death of that person or one of their relatives.";

ÿÿ (d) (new) The penultimate paragraph is amended as follows:

ÿÿ – the word: “can” is replaced by the word: “do”;

ÿÿ – the word: “to do” is deleted;

ÿÿ – the word: “to be” is replaced by the word: “are”.

Article 15

ÿ I. – The Code of Criminal Procedure is amended as follows:

ÿ 1° and 1° bis (Deleted)

ÿ 2° After article 706-74, an article 706-74-1 A is inserted, worded as follows:

ÿ “ Art. 706-74-1 A. – I. – Without prejudice to Article 15-4, in the exercise of his duties, any officer of the national police or the national gendarmerie assigned to a department specifically responsible for investigations into organized crime and delinquency may be identified, in the absence of his surname and first name, by an administrative registration number, supplemented by his position and his department or unit of assignment, in the procedural documents that he draws up or in which he intervenes.

ÿ "The national police or national gendarmerie officer may also testify or appear as a witness during the investigation or before the investigating or trial courts and constitute himself as a civil party using the same identification elements in the following cases:

ÿ "1° When he has drafted procedural documents or participated in investigative acts;

ÿ "2° When he is heard as a witness or civil party because of acts committed in the exercise of his functions or in connection with the exercise of his functions.

ÿ "These identification elements are the only ones mentioned in the minutes, summonses, summonses, orders, judgments and rulings.

ÿ "This I shall not apply when, due to an act committed in the exercise of his duties, the officer referred to in the first paragraph of this I is heard pursuant to Articles 61-1 or 62-2 or is subject to criminal proceedings. Furthermore, the officer of the national police or the national gendarmerie may not rely on these methods of identification when the facts for which he is required to testify or appear as a witness or civil party are unrelated to the exercise of his duties.

ÿÿ "II. – When a party to the proceedings submits a written and reasoned request for the exercise of the rights of the defence or the rights of the civil party and seeking the communication of the surname and first name of an agent identified in accordance with the procedures provided for in I of this article, the investigating judge or the president of the trial court or, when Article 77-2 is applied, the public prosecutor shall inform the agent, who shall, where appropriate, submit his observations opposing it.

ÿÿ "The investigating judge, the president of the trial court or, when the same Article 77-2 is applied, the public prosecutor shall communicate the identity of the agent, unless he considers, in light of the latter's observations, that the revelation of his identity poses a threat to his life or physical integrity or to those of his relatives.

ÿÿ "When the investigating judge, the president of the trial court or, when the said Article 77-2 is applied, the public prosecutor considers communicating the identity of the agent despite his opposition, the agent may lodge a suspensive appeal before the investigating chamber or the competent public prosecutor. When the procedure is conducted by the investigating judge or a court is seized, the public prosecutor shall appeal before the investigating chamber under the conditions provided for in Articles 185 to 187-3. When the decision to communicate the identity

of the agent is the responsibility of the public prosecutor, the appeal of the agent whose identity is in question is processed under the conditions provided for in article 40-3

“III. – Except for the cases provided for in the last paragraph of I of this article, the disclosure of the surname and first name of the beneficiary of an authorization issued pursuant to the same I or of any element allowing his personal identification or location is punishable by five years’ imprisonment and a fine of 75,000 euros. Where this disclosure has resulted in violence against the beneficiary of the authorization or his relatives, the penalties are increased to seven years’ imprisonment and a fine of 100,000 euros. Where this disclosure has resulted in the death of the agent or one of his relatives, the penalties are increased to ten years’ imprisonment and a fine of 150,000 euros, without prejudice to Chapter I of Title II of Book II of the Criminal Code.

“IV. – A joint decree of the Ministers of the Interior and Justice establishes the list of services specifically responsible for investigations into delinquency and organized crime mentioned in the first paragraph of I of this article.”

II. – After Article 3 of Law No. 94-589 of 15 July 1994 relating to the exercise by the State of its police powers at sea to combat certain offences covered by international conventions, an Article 3-1 is inserted, worded as follows:

“ Art. 3-1. – Within the framework of the implementation of this law, the agents mentioned in Article 3 may be authorized, under the conditions and according to the procedures defined in Article 706-74-1 A of the Code of Criminal Procedure, not to be identified by their first and last name in the procedural documents that they draw up or in which they intervene.”

III. – The second sentence of the first paragraph of Article 55 *bis* of the Customs Code is supplemented by the words: “and, for agents assigned to a service appearing on the list mentioned in IV of Article 706-74-1 A of the same Code, according to the procedures provided for in the same Article 706-74-1 A”.

Article 15 *bis* A

Section 8 of Chapter II of Title XXV of Book IV of the Code of criminal procedure is supplemented by an article 706-105-2 worded as follows:

“ Art. 706-105-2. – Interpreters required during criminal proceedings relating to offences falling within the scope of Article 706-73, with the exception of 11°, and Articles 706-73-1 and 706-74, with the exception of

purposes of assisting in the acts provided for in Article 10-3 and the second paragraph of Article 100-5 or in application of Article 803-5 may be authorized by the competent public prosecutor not to be identified by their first and last name when the revelation of their identity is likely, taking into account the conditions of exercise of their mission or the nature of the procedures for which they are required, to endanger their life or physical integrity or those of their relatives.

ÿ "This authorization allows the performer who benefits from it to be identified by an anonymous number.

ÿ "The identity of the interpreters mentioned in the first paragraph of this article may only be communicated upon decision of the competent public prosecutor. It shall also be communicated, at his request, to the president of the court hearing the case.

ÿ "The disclosure of the first and last name or any element allowing the personal identification or location of an interpreter authorized not to be identified by his first and last name on the basis of the same first paragraph is punishable by five years' imprisonment and a fine of 75,000 euros. Where this disclosure has resulted in violence against the person or their relatives, the penalties are increased to seven years' imprisonment and a fine of €100,000. Where this disclosure has resulted in the death of the person or one of their relatives, the penalties are increased to ten years' imprisonment and a fine of €150,000, without prejudice to Chapter I. of Title II of Book II of the Penal Code.

ÿ "The terms of application of this article are specified by decree in the Council of State."

Article 15 bis B (*new*)

ÿ Section 8 of Chapter II of Title XXV of Book IV of the Code of Criminal Procedure is supplemented by an Article 706-105-4 worded as follows:

ÿ " Art. 706-105-4. – I. – Any prison administration officer who is a victim or witness, in the exercise of his duties, of an offence mentioned in Articles 706-73, 706-73-1 or 706-74 or of an offence committed by a person accused, charged, accused or convicted of offences mentioned in the same Articles 706-73, 706-73-1 and 706-74 may be authorized to be identified in procedural documents, in the absence of his surname and first name, by an administrative registration number, supplemented by his capacity and his establishment or service of assignment, when the revelation of his

identity is likely, given the conditions in which he carries out his mission, to endanger his life or physical integrity or those of his loved ones.

ÿ “The authorization is issued by the head of the penitentiary establishment or the director of the competent penitentiary integration and probation service.

ÿ “Article 706-74-1 A, with the exception of the first paragraph of I and IV, applies to prison administration officers using their administrative registration number.

ÿ “II. – Any prison administration officer may be authorized to be identified, in the reports he draws up at the request of the judicial authority in the context of criminal proceedings relating to an offense mentioned in Articles 706-73, 706-73-1 or 706-74 or concerning a person accused, suspected, accused or convicted of offenses mentioned in the same Articles 706-73, 706-73-1 and 706-74, in the absence of his surname and first name, by an administrative registration number, supplemented by his capacity and his establishment or service of assignment.

ÿ “The authorization is issued by the head of the penitentiary establishment or the director of the competent penitentiary integration and probation service.

ÿ “III. – The terms of application of this article are specified by decree in the Council of State.

Article 15 *bis* C (new)

ÿ Professionals accompanying minors in the context of criminal proceedings relating to offences falling within the scope of Articles 706-73, 706-73-1 and 706-74 of the Code of Criminal Procedure, the list of which is defined by decree, may be authorised by the competent public prosecutor not to be identified by their first and last name when the disclosure of their identity is likely, taking into account the conditions in which they carry out their duties or the nature of the proceedings for which they are accompanying minors, to endanger their life or physical integrity or those of their relatives. This authorisation allows social workers who benefit from it to be identified by an anonymised number.

ÿ The identity of the social workers referred to in the first paragraph of this article may only be communicated by decision of the competent public prosecutor. It shall also be communicated, at his request, to the president of the court hearing the case.

when the circumstances of the investigation do not allow the implementation of the technique mentioned in the first paragraph of Article 706-96 due to either the impossibility of identifying the places where the technical device could be usefully implemented, or the risks of harm to the life or physical integrity of the agents responsible for implementing these devices, the judge of liberties and detention, at the request of the public prosecutor, or the investigating judge, after consulting the public prosecutor, may authorize the remote activation of a mobile electronic device, without the knowledge or consent of its owner or possessor, for the sole purpose of capturing, fixing, transmitting and recording the words spoken by persons or their image, for a period strictly proportionate to the objective sought.

ÿ "The authorization is issued for a period of fifteen days, renewable once, in the case mentioned in 1° of article 706-95-12 and for a period of two months, renewable twice, in the case mentioned in 2° of the same article 706-95-12.

ÿ "The decision authorizing the use of remote activation mentioned in the first paragraph of this article specifies the offense which justifies the use of these operations, their duration and all the elements allowing the identification of the device; it is justified by reference to the factual and legal elements justifying that this operation is necessary and states the reasons attesting to the impossibility of using the technical device mentioned in the first paragraph of article 706-96.

ÿ "The public prosecutor or the investigating judge may designate any natural or legal person authorized and included on one of the lists provided for in Article 157 to carry out the technical operations allowing the implementation of the remote activation mentioned in the first paragraph of this article; he may also prescribe the use of State resources subject to national defense secrecy, in accordance with the forms provided for in Chapter I of Title IV of Book I

ÿ " Art. 706-100. – (Unamended) "

Article 16

ÿ The Code of Criminal Procedure is amended as follows:

ÿ 1° A, 1°, 2°, 2° bis and 2° ter (Deleted)

ÿ 3° Section 7 of Chapter II of Title XXV of Book IV is supplemented by Articles 706-104 to 706-104-1 worded as follows:

ÿ “ Art. 706-104. – I. – When, in an investigation or an investigation relating to one of the offences falling within the scope of Articles 706-73 and 706-73-1, the disclosure of information relating to the implementation of a special investigation technique mentioned in Sections 5 and 6 of this Chapter is likely to seriously endanger the life or physical integrity of a person, members of their family or their close relations, the judge of liberties and detention, seized at any time by a reasoned request from the public prosecutor or the investigating judge, may, by reasoned decision, authorise that the following do not appear in the case file:

ÿ “1° Information relating to the date, time and place of the implementation of the technical investigation devices mentioned in the same sections 5 and 6;

ÿ “2° Information enabling the identification of a person who participated in the installation or removal of the technical device mentioned in this chapter.

ÿ “The request specifies the compelling reasons which justify that these information is not included in the proceedings file.

ÿ “II. – The decision of the judge of liberties and detention is attached to the file of the proceedings. The information mentioned in 1° and 2° of I of this article is entered in a report, which is placed in a file separate from the file of the proceedings, in which also appears the request provided for in the first paragraph of the same I. This information is entered in a numbered and initialed register, which is opened for this purpose at the judicial court.

ÿ “II *bis* and II *ter*. – (*Deleted*)

ÿÿ “III. – During the investigation or the investigation, the separate file is accessible at any time to the public prosecutor, the investigating judge, the judge of liberties and detention and the president of the investigating chamber within the framework of their referral.

ÿÿ “The disclosure of the information contained therein is punishable by the penalties provided for in Article 413-13 of the Criminal Code.

ÿÿ “ Art. 706-104-1 A (*new*). – Without prejudice to appeals concerning the regularity of the technique implemented, the person accused or charged or the assisted witness may also, within ten days of

from the date on which he was informed of the special investigation technique, challenge before the president of the investigating chamber the use of the procedure provided for in Article 706-104. The decision of the president of the investigating chamber is not subject to appeal.

ÿÿ "The president of the investigating chamber may, if the complexity of the case so justifies, decide, either ex officio or at the request of the public prosecutor, the person accused or charged, or the assisted witness, to refer the judgment of the case to the collegiate formation of the court. He shall then be part of the composition of this court. This decision constitutes a measure of judicial administration which is not subject to appeal.

ÿÿ "No conviction may be pronounced on the basis of evidence collected by means of an investigative technique, certain elements of which have been entered in the separate report, unless the request and the report mentioned in II of the said article 706-104 have been included in the file.

ÿÿ " Art. 706-104-1. – By way of derogation from the second paragraph of Article 706-104-1 A and except in cases in which knowledge of the information mentioned in 1° and 2° of I of Article 706-104 is essential to the exercise of the rights of the defence, the judge of liberties and detention, seized by reasoned request from the public prosecutor or the investigating judge, may authorise, exceptionally and by specially reasoned decision, that certain elements collected under the conditions provided for in the same Article 706-104 may form the basis of a conviction without the request and the report mentioned in II of the said Article 706-104 having been included in the file when their knowledge is absolutely necessary to the manifestation of the truth in consideration of compelling reasons relating to the particular circumstances of the investigation or the investigation but that the disclosure of the information mentioned in 1° and 2° of I of the same Article 706-104 would present an excessively serious risk to the life or physical integrity of a person. or several people.

ÿÿ "The person charged on the basis of these elements may, within ten days of notification of the decision of the judge of liberties and detention rendered pursuant to the first paragraph of this article, contest before the investigating chamber the use of the procedure provided for in this article. When the chamber considers that the conditions mentioned in the first paragraph are not met or that knowledge of the information mentioned in 1° and 2° of I of article 706-104 is no longer likely to seriously endanger the life or physical integrity of the person, members of his family or close relatives, it shall make

the incriminating nature of the elements collected when submitting, to the procedural file, the report mentioned in II of the same article 706-104.

ÿÿ "The investigating chamber shall rule on the basis of the documents in the proceedings and those contained in the file referred to in the first paragraph of this article, by a reasoned decision.";

ÿÿ 4° (*Deleted*)

Article 16a

ÿ Article 706-95-20 of the Code of Criminal Procedure is supplemented by a III worded as follows:

ÿ "III. – During the investigation, with a view to setting up a technical device mentioned in I of this article and at the request of the public prosecutor, the judge of liberties and detention may authorize entry into a private place, including outside the hours provided for in Article 59, without the knowledge or consent of the owner or occupant of the premises or any person holding a right over them. These operations, which may have no other purpose than the setting up of the technical device, are carried out under the supervision of the judge of liberties and detention. This paragraph also applies to operations aimed at uninstalling the technical device set up.

ÿ "During the investigation, with a view to setting up a technical device mentioned in I of this article, the investigating judge may authorize entry into a private place, including outside the hours provided for in Article 59, without the knowledge or consent of the owner or occupant of the premises or any person holding a right over them. If it is a residential premises and the operation must take place outside the hours provided for in the same Article 59, the authorization shall be issued by the judge of liberties and detention, referred to this purpose by the investigating judge. These operations, which may have no other purpose than the setting up of the technical device, shall be carried out under the authority and control of the investigating judge. This paragraph also applies to operations aimed at uninstalling the technical device put in place.

ÿ "The installation of the technical device may not concern the places mentioned in Articles 56-1, 56-2, 56-3 and 56-5 nor be implemented in the office or home of the persons mentioned in Article 100-7.

ÿ "The decision authorizing the use of the technical device mentioned in I of this article includes all the elements allowing the identification of the private or public places concerned, the offense which justifies the use of this measure as well as its duration."

Article 17

ÿ I. – The penultimate paragraph of Article 230-46, the last paragraph of Article 706-32, the second paragraph of Article 706-80-2, the second paragraph of Article 706-81 and the last paragraph of Article 706-106 of the Code of Criminal Procedure are supplemented by a sentence worded as follows: "Acts or remarks which contribute to the continuation of an offence already prepared or begun at the time when the authorisation mentioned in this article was granted by the competent magistrate do not constitute incitement to commit an offence, including in the event of repetition or aggravation of the initial offence."

ÿ II. – The customs code is amended as follows:

ÿ 1° The last paragraph of Article 67 *bis-1 A* is supplemented by a sentence worded as follows: "Acts or remarks which contribute to the continuation of an offence already prepared or begun at the time of the information of the public prosecutor, including in the event of repetition or aggravation of the initial offence, do not constitute incitement to commit an offence.";

ÿ 2° The penultimate paragraph of II of Article 67 *bis*, the penultimate paragraph of Article 67 *bis-1* and the second paragraph of Article 67 *bis-4* are supplemented by a sentence worded as follows: "Acts or remarks which contribute to the continuation of an offence already prepared or begun at the time when the authorisation mentioned in this article was granted by the public prosecutor, including in the event of repetition or aggravation of the initial offence, do not constitute incitement to commit an offence."

Article 17 *bis A (new)*

ÿ I. – The Code of Criminal Procedure is amended as follows:

ÿ 1° In the penultimate paragraph of Article 230-46, the words: "to commit" are replaced by the words: "having determined the commission of";

ÿ 2° In the last paragraph of Article 706-32, in the second paragraph of Article 706-80-2 and in the last paragraph of Article 706-106, the words: "to commit" are replaced by the words: "having determined the commission of";

ÿ 3° In the last sentence of the second paragraph of Article 706-81, the words: “to commit” are replaced by the words: “having determined the commission of”.

ÿ II. – The customs code is amended as follows:

ÿ 1° In the last sentence of the penultimate paragraph of II of Article 67 *bis*, the words: “to commit” are replaced by the words: “having determined the commission of”;

ÿ 2° In the last paragraph of Article 67 *bis-1 A*, the words: “to commit” are replaced by the words: “having determined the commission of”.

Article 17a

ÿ I. – The first sentence of the second paragraph of Article 706-81 of the Code of Criminal Procedure is supplemented by the words: “or as a victim, a third party mandated by the latter or any person interested in the commission of the offence”.

ÿ II. – In the first sentence of the penultimate paragraph of II of Article 67 *bis* of the Customs Code, the word: “interested parties” is replaced by the words: “receivers or as a victim, a third party mandated by the latter or any interested person”.

Article 18

ÿ I. – Article 706-32 of the Code of Criminal Procedure is amended as follows:

ÿ 1° In the first paragraph, after the word: “criminal,” the words: “to note a money laundering operation constituting the offense mentioned in article 222-38 of the same code,” are inserted;

ÿ 2° A paragraph is added worded as follows:

ÿ “The authorization referred to in the first paragraph of this article may also allow the judicial police officers or agents concerned to use an assumed identity, including by using a device to alter or transform their voice or physical appearance.”

ÿ II. – (*Deleted*)

Article 19

ÿ I. – (*Unmodified*)

ÿ II. – The Code of Criminal Procedure is amended as follows:

ÿ 1° Section 1 of Chapter I of Title I of Book I is supplemented by an Article 15-6 worded as follows:

ÿ “ Art. 15-6. – The police and gendarmerie services as well as customs officers authorized to carry out judicial investigations pursuant to Article 28-1 may remunerate any person outside the public administrations who has provided them with information which has directly led either to the discovery of crimes or offenses, or to the identification of the perpetrators of crimes or offenses.

ÿ "The terms of remuneration of these informants are determined by joint order of the Minister of Justice, the Minister of the Interior and the Minister responsible for finance.";

ÿ 1° *bis* Title IV of the same Book I is supplemented by a Chapter IX worded as follows:

ÿ " CHAPTER IX

ÿ "*On the use of informants and the protection of their anonymity*

ÿ " Art. 230-54. – I. – In order to establish crimes or offenses, to gather evidence and to search for the perpetrators, judicial police officers or agents acting during the investigation or on a rogatory commission may have recourse to informants. Information enabling them to determine that they have contributed to the investigation or to identify them does not appear in the procedure.

ÿÿ "The collection of information, whether requested or not, is carried out under the responsibility of the hierarchical authority and by specially trained and duly authorized agents.

ÿÿ "A decree determines the conditions of application of this article, in particular the procedures for the collegial evaluation of informants by the police and gendarmerie services.

ÿÿ "II. – The relationships between judicial police officers or agents and the informants mentioned in I may not incite, in such a way as to determine it, the commission of an offense. Do not constitute an incitement to commit

an offense the relationships which contribute to the continuation of an offense already prepared or begun at the time when the collection was consented to or requested, including in the event of repetition or aggravation of the initial offense.

ÿÿ 2° (*Deleted*)

Article 20

ÿ The Code of Criminal Procedure is amended as follows:

ÿ 1° A and 1° (*Deleted*)

ÿ 1° *bis* The first sentence of the third paragraph of Article 173 is amended as follows:

ÿ (a) After the word: “address”, the words: “inadmissibility,” are , barely inserted;

ÿ (b) (*new*) After the word: “copy”, the words: “by any means, including electronic means,” are inserted;

ÿ 1° *ter* A (*new*) Article 197 is amended as follows:

ÿ (a) After the first paragraph, a paragraph is inserted as follows:

ÿ "However, when a judgment of the investigating chamber postpones the examination of the case to a new date, the public prosecutor may orally notify the parties and lawyers who were present when the judgment was delivered."

ÿ (b) In the second paragraph, after the word: "recommended", the following are inserted: words: “or oral notification”;

ÿÿ 1° *ter* Article 198 is amended as follows:

ÿÿ (a) The first paragraph is amended as follows:

ÿÿ – the words: “on the day of” are replaced by the words: “at five days working days before the scheduled date for”;

ÿÿ – a sentence is added worded as follows: “The last brief filed by a party shall summarize all the grounds for nullity of the procedure, failing which they shall be deemed to have been abandoned.”;

ÿÿ (b) (new) In the second paragraph, after the word: “recipients”, the words: “at least five working days” are inserted;

ÿÿ 2° (Deleted)

ÿÿ 2° bis (new) At the beginning of the last paragraph of I of article 221-3, the word: “Two” is replaced by the word: “Five”;

ÿÿ 3° Article 385 is amended as follows:

ÿÿ (a) At the end of the second sentence of the first paragraph, the words: "or before the expiry of the one-month or three-month periods provided for in Article 175" are deleted;

ÿÿ b) (new) The last paragraph is supplemented by a sentence worded as follows: “Except in the cases provided for in Articles 395 to 397, written submissions relating to exceptions of nullity must be filed by the parties with the registry of the criminal court five days before the scheduled date of the hearing, failing which they will be inadmissible.”;

ÿÿ 4° (Deleted)

Articles 20 bis and 20 ter

(Deleted)

Article 21

ÿ I. – (Deleted)

ÿ II. – Law No. 94-589 of July 15, 1994 relating to the exercise by the State of its police powers at sea to combat certain offenses covered by international conventions is amended as follows:

ÿ 1° A The 2° of article 1 is supplemented by the words: “and the offense defined in article 434-4 of the same code when it is related to one of these same offenses”;

ÿ 1° to 3° (Deleted)

Article 21a

ÿ Article 230-22 of the Code of Criminal Procedure is amended as follows:

ÿ 1° After the first paragraph, a paragraph is inserted worded as follows:

ÿ "By way of exception, if the inquiries and investigations referred to in the same 1° relating to one or more offences referred to in Articles 706-73 to 706-74 continue after the expiry of the three-year period provided for in the first paragraph of this Article, any personal data revealed by these inquiries and investigations may be retained until the investigation is closed, by decision of the magistrate handling the investigation or in charge of the investigation. The extension decision is valid for two years and is renewable until the investigation is closed.";

ÿ 2° (*new*) In the second paragraph, the words: "of the same article" are replaced by the words: "of article 230-20".

Article 21 *ter*

ÿ I. – (*Deleted*)

ÿ II. – Section 2 of Chapter IV of Title II of the Customs Code is amended as follows:

ÿ 1° (*Deleted*)

ÿ 2° Articles 64-1 to 64-6 are added, worded as follows:

ÿ " Art. 64-1. – In the event of flagrante delicto, if the requirements of the customs investigation relating to one of the offences mentioned in Articles 414, 414-2 and 415, when committed by an organised gang, so require, the judge of liberties and detention may authorise the customs officers who are authorised to do so to carry out search and seizure operations outside the hours provided for in Article 64.

ÿ " Art. 64-2. – Except in the case of flagrante delicto, if the requirements of the customs investigation relating to one of the offences mentioned in Articles 414, 414-2 and 415, when committed by an organised gang, so require, the judge of liberties and detention may authorise customs officers who are authorised to do so to carry out search and seizure operations outside the hours provided for in Article 64 when these operations do not concern residential premises.

ÿ " Art. 64-3. – Under penalty of nullity, the authorizations provided for in Articles 64-1 and 64-2 are given for specific search and seizure operations and are the subject of a written order specifying the classification of the offense.

of which proof is sought as well as the address of the places in which searches and seizures can be made.

ÿ "This order is justified by reference to the factual and legal elements justifying that these operations are necessary and that they cannot be carried out during the hours provided for in Article 64.

ÿ "The operations are carried out under the supervision of the magistrate who authorized them, who may visit the premises to ensure compliance with legal provisions. This magistrate is informed as soon as possible by the authorized customs officers of the actions carried out pursuant to Articles 64-1 and 64-2.

ÿÿ "For the application of the same articles 64-1 and 64-2, the judge of liberties and detention of the judicial court of the place of the customs directorate on which the service responsible for the procedure depends is competent. The search is carried out under the supervision of the judge who authorized it. When it takes place outside the jurisdiction of his judicial court, he issues a letter rogatory, to exercise this supervision, to the judge of liberties and detention of the judicial court in the jurisdiction of which the search is carried out

ÿÿ " Art. 64-4. – The operations provided for in Articles 64-1 and 64-2 may not, under penalty of nullity, have any other object than the investigation and establishment of the offences referred to in the decision of the judge of liberties and detention

ÿÿ "The fact that these operations reveal offences other than those referred to in the decision of the judge of liberties and detention does not constitute a cause for nullity of the incidental procedures.

ÿÿ " Art. 64-5 (new). – The order referred to in Article 64-3 may be appealed before the First President of the Court of Appeal under the conditions provided for in Article 64.

ÿÿ "The order of the first president of the court of appeal is liable of an appeal in cassation under the conditions provided for in the same article 64.

ÿÿ " Art. 64-6 (new). – The first president of the court of appeal hears appeals against the conduct of search and seizure operations authorized pursuant to Article 64-3 under the conditions provided for in Article 64.

ÿÿ "The order of the first president of the court of appeal may be appealed in cassation under the conditions provided for in the same article 64."

Article 21 *quater*

ÿ After section 1 *bis* of chapter II of title XII of the customs code, a section 1 *ter* is inserted , worded as follows:

ÿ "Section 1 *ter*

ÿ "From the letters rogatory of the investigating judge

ÿ " Art. 344-5. – Customs officers, specially authorized by the Minister of Justice on the proposal of the Minister responsible for customs, may receive letters rogatory from the investigating judge to investigate and establish the offenses provided for in this code. They may only exercise the powers provided for in sections 1, 3, 5 and 11 of Chapter IV of Title II, with the exception of Articles 60-3 and 65 *quinquies*, as well as the powers provided for in Chapters IV *bis* and VI of the same Title II."

Article 21 *quinquies*

(Compliant)

TITLE VI

**FIGHT AGAINST CORRUPTION LINKED TO DRUG TRAFFICKING
AND AGAINST THE CONTINUATION OF TRAFFICKING IN PRISON**

Article 22

ÿ I. – The internal security code is amended as follows:

ÿ A. – Chapter IV of Title I of Book I is amended as follows:

ÿ 1° (Deleted)

ÿ 2° Article L. 114-1 is amended as follows:

ÿ a) In the first paragraph of I, after the word: "defense", are inserted either words : " , public or private jobs exposing their holders to risks of corruption or threats linked to organized crime";

ÿ b) (Deleted)

ÿ 3° (Deleted)

ÿ **A bis (new).** – After the word: “law”, the end of the first paragraph of Articles L. 155-1, L. 156-1, L. 157-1 and L. 158-1 is worded as follows: “no. of the aiming to free France from the trap of drug trafficking, the following provisions:”;

ÿ **B.** – In Article L. 263-1, the reference: “IV” is replaced by the reference: “VI”.

ÿÿ **II.** – The transport code is amended as follows:

ÿÿ **A.** – (*Deleted*)

ÿÿ **B.** – Book III of Part Five is amended as follows:

ÿÿ **1°** (*Deleted*)

ÿÿ **2°** Article L. 5312-9 is supplemented by a paragraph worded as follows:

ÿÿ "No one may be appointed as a member of the board of directors if it results from the administrative investigation carried out under the conditions provided for in I of Article L. 114-1 of the Internal Security Code that their behavior is incompatible with the exercise of the missions assigned to this body. The investigation is renewed each year.";

ÿÿ **3°** (*Deleted*)

ÿÿ **3° bis** In Article L. 5332-1, the words: “, appearing on a list drawn up by the minister responsible for ports,” are deleted;

ÿÿ **3° ter AA (new)** Article L. 5332-3 is amended as follows:

ÿÿ **(a)** At the beginning of the first paragraph, the following is added: “I. –”;

ÿÿ **(b)** In 2°, the words: “prohibited objects or products such as weapons or unauthorized dangerous substances and devices” are replaced by the words: “unauthorized weapons, dangerous substances and devices, narcotics and other illicit objects or substances”;

ÿÿ **(c)** Two paragraphs are added, worded as follows:

ÿÿ "Security measures may also be intended to prevent criminal manipulation of cargo and the extraction of narcotics outside port facilities and port security boundaries.

“II. – Security measures may be implemented to prevent the risks of compromise and corruption of natural and legal persons identified in the security assessments provided for in Articles L. 5332-5 and L. 5332-9 and are, where appropriate, specified in the security plans provided for in Articles L. 5332-7 and L. 5332-10.”;

3° *ter* A (*new*) In the first paragraph of Article L. 5332-5, the words: “appearing on the planned list” are replaced by the word: “mentioned”;

3° *ter* After the first paragraph of Articles L. 5332-7 and L. 5332-10, a paragraph is inserted worded as follows:

"The security plan includes a section devoted to the prevention and detection of corruption linked to organized crime."

3° *quater* A (*new*) Article L. 5332-8 is worded as follows:

“ Art. L. 5332-8. – For security reasons or to prevent the commission or attempted commission of offences referred to in Section 7 of Chapter II of Title II of Book II of the Penal Code, the administrative authority may:

“1° Prohibit or restrict access and movements of vessels, boats or other floating craft:

“(a) In the part of the port security limits mentioned in Article L. 5332-6 of this code located outside the administrative limits of the port;

(b) Within the administrative limits of the port, by ordering the authority vested with port police powers to do so;

“2° Order the expulsion of ships, boats or other floating craft:

“(a) Outside the administrative limits of the port, by ordering the authority vested with port police powers to do so;

b) Outside the part of the port security limits mentioned in Article L. 5332-6 located outside the administrative limits of the port.”;

3° *quater* Article L. 5332-11 is amended as follows:

(a) At the beginning of the first paragraph, the following is added: “I. –”;

b) A II is added as follows:

“II. – The screening inspection covers, depending on the case, the following technical operations:

“1° The inspection, detection and identification of unauthorized weapons, dangerous substances and devices or narcotics using dedicated security equipment on:

“(a) Persons;

(b) Vehicles, intermodal transport units, goods, baggage, parcels and other property;

“2° Visual inspection of baggage and vehicles;

“3° Security pat-downs of people;

“4° Security searches of vehicles, intermodal transport units, goods, baggage, parcels and other property.”:

3° *quinquies* A (new) The second paragraph of article L. 5332-13 is deleted;

3° *quinquies* Article L. 5332-14 is amended as follows:

(a) At the beginning of the first paragraph, the following is added: “I. –”;

b) A II is added as follows:

“II. – For the sole purpose of preventing offences related to drug trafficking and the resulting risks of corruption and influence peddling, the administrative authority may, at the conclusion of the security assessment provided for in Article L. 5332-9 of a port facility where containers are loaded, unloaded, transhipped or handled and in light of local circumstances:

“1° Require that images captured by the video surveillance system of the port facility and its immediate surroundings be made available to national police, national gendarmerie or customs officers, by agreement;

“2° Require the operator of the port facility to retain the images captured by the video surveillance system for a period not exceeding thirty days.

“A decree in the Council of State specifies the elements appearing in the agreement mentioned in 1° of this II, in particular the indication of the

the services receiving the images, the terms of provision and storage of the images and the related security measures, the responsibilities and associated charges of each party entity and the terms of display and information of individuals.

“The video surveillance systems referred to in this II are processing of personal data governed by Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) and by Law No. 78-17 of 6 January 1978 relating to information technology, files and freedoms.”;

3° *sexies* Article L. 5332-15 is amended as follows:

a) In the first paragraph of I, after the word: “security”, the words: “mentioned in Article L. 5332-11” are inserted;

b) II is worded as follows:

“II. – Agents of French nationality or nationals of a Member State of the European Union or of a State party to the Agreement on the European Economic Area or of a third country, if they can demonstrate sufficient knowledge of the French language, designated for this task by the legal entities mentioned in Article L. 5332-4, may also carry out:

1° On any person subject to a screening inspection, with his consent :

a) To the technical operations mentioned in a of 1° of II of article L. 5332-11;

b) To the technical operations mentioned in 3° of the same II, under the supervision of judicial police officers or customs agents and provided that they have the approval provided for in 2° of Article L. 5332-18 and that they are carried out by a person of the same sex as the person who is the subject of them;

2° On any vehicle, any intermodal transport unit, any merchandise, any baggage, any package and any other property subject to a screening inspection, with the consent of its owner or the person responsible for it:

“ a) To the technical operations mentioned in *b* of 1° and 2° of II of article L. 5332-11;

“ b) To the technical operations mentioned in 3° of the same II, under the control of judicial police officers or customs agents and provided that they have the approval provided for in 2° of article L. 5332-18.

"Within the port security limits, when the persons targeted by the technical inspection-filtering operations mentioned in II of Article L. 5332-11 refuse to give their consent to the agents mentioned in the first paragraph of this article, this may be carried out by one of the officers or agents mentioned in I.";

3° *septies* Section 6 of Chapter II of Title III is worded as follows:

"Section 6

"Authorization, approval and authorization of natural persons

“ Art. L. 5332-16. – Any person must have authorization to access:

“1° A restricted access area of a port or port facility;

“2° A port facility in which containers are unloaded, loaded, transhipped or handled;

“3° A port facility presenting high risks and not including a restricted access area.

“ Art. L. 5332-17. – I. – Persons exercising, under this chapter, functions specified by decree in the Council of State on behalf of legal entities mentioned in Article L. 5332-4 are subject to approval.

“II. – The following are subject to authorization:

“1° Persons accessing, under the responsibility of the port authorities, the information systems of ports including at least one port facility mentioned in 2° of Article L. 5332-16;

“2° Persons accessing, under the responsibility of port facility operators, the operating system of a port facility mentioned in the same 2°.

- ÿÿ “III. – The approval or authorization serves as authorization for access to restricted access areas and port facilities mentioned in Article L. 5332-16.
- ÿÿ “ Art. L. 5332-18. – I. – Following an administrative investigation, carried out under the conditions provided for in Article L. 114-1 of the Internal Security Code, the following are issued:
- ÿÿ “1° By the administrative authority:
- ÿÿ “(a) Authorization for:
- ÿÿ “– permanent access to the restricted access areas mentioned in 1° of Article L. 5332-16 of this code or, when the administrative authority provides for it in light of local circumstances, temporary access to these areas;
- ÿÿ “– permanent access to the port facilities mentioned in 2° of the same article L. 5332-16 and, except for exceptions identified by the administrative authority in the security assessment provided for in article L. 5332-9 in light of local circumstances, temporary access to these facilities;
- ÿÿ “– permanent or temporary access to the port facilities mentioned in 3° of said article L. 5332-16 when the administrative authority provides for it in light of local circumstances;
- ÿÿ “ b) The approval provided for in Article L. 5332-17;
- ÿÿ “ c) The authorization provided for in the same article L. 5332-17;
- ÿÿ “2° By the administrative authority and the public prosecutor, the approval of the persons responsible for the operations provided for in 2° of II of article L. 5332-15.
- ÿÿ “II. – When the period of validity of the authorisations for access to port facilities mentioned in 2° of Article L. 5332-16 is greater than one year, the administrative inquiry mentioned in the first paragraph of I of this article is renewed each year.
- ÿÿ “III (*new*). – Any person for whom a access authorization, approval or authorization mentioned in I is informed that it is likely to be the subject of the administrative investigation provided for in the same I.
- ÿÿ “IV (*new*). – The decisions to withdraw the authorizations, approvals and authorizations mentioned in Articles L. 5332-16 and L. 5332-17 are

subject to compliance with a prior adversarial procedure under the conditions provided for in Chapters I and II of Title II of Book I of the Code of Relations between the Public and the Administration.

“ Art. L. 5332-18-1. – (*Deleted*)

“ Art. L. 5332-18-2 (*new*). – (*Deleted*) ”;

3° *octies* (*new*) Subsection 1 of section 3 of chapter VI of the same title III is worded as follows:

“Subsection 1

“Port security

“ Art. L. 5336-10. – The fact that the operator of a port facility authorizes access to this port facility in breach of the a of 1° of I of article L. 5332-18 is punishable by two years of imprisonment and a fine of 30,000 euros.

“ Art. L. 5336-10-1. – Entering or attempting to enter a restricted access area of a port or port facility without the authorization provided for in 1° of Article L. 5332-16 is punishable by one year of imprisonment and a fine of 15,000 euros.

“ Art. L. 5336-10-2. – Entering or attempting to enter without the authorization provided for in 2° of Article L. 5332-16 into a port facility in which commercial containers are unloaded, loaded, transhipped or handled is punishable by one year of imprisonment and a fine of 15,000 euros.

“ Art. L. 5336-10-3. – Entering or attempting to enter a port facility presenting high risks and not including a restricted access zone without the authorization provided for in 3° of Article L. 5332-16 is punishable by six months' imprisonment and a fine of 7,500 euros.

“ Art. L. 5336-10-4. – Entering or attempting to enter a port facility other than those mentioned in 1° to 3° of Article L. 5332-16 is punishable by two months' imprisonment and a fine of 3,750 euros.

“ Art. L. 5336-10-5. – The act of a remote pilot engaging or maintaining without authorization an aircraft circulating without anyone on board above the administrative limits of a seaport mentioned in

Article L. 5332-1 is punishable by one year of imprisonment and a fine of €15,000.

“The penalty is increased to two years' imprisonment and a fine of €30,000 when the aircraft proceeds without authorization, in breach of Article L. 6224-1, by means of a photographic or cinematographic device or any other remote sensing sensor, to the capture, recording, transmission, storage, use or dissemination of data collected above a port facility within which commercial containers are unloaded, loaded, transhipped or handled.”;

4° *(Deleted)*

C. – *(Deleted)*

C *bis (new)*. – Articles L. 5763-1, L. 5773-1 and L. 5783-1 are amended as follows:

1° In the first paragraph, the reference: “L. 5336-10-1” is replaced by the reference: “L. 5336-10-5”;

2° The second paragraph is amended as follows:

(a) The reference: “L. 5332-1” is replaced by the words: “L. 5332-2 to L. 5332-4, L. 5332-6, L. 5332-8, L. 5332-9, L. 5332-12, L. 5332-13, L. 5332-19”;

b) The words: , L. 5336-8 and L. 5336-10 to L. 5336-10-1” are replaced “by the words: “and L. 5336-8”;

3° After the same second paragraph, two paragraphs are inserted, worded as follows:

“Articles L. 5332-1, L. 5332-5, L. 5332-7, L. 5332-10, L. 5332-11 and L. 5332-14 to L. 5332-18-2 apply in their wording resulting from Law No. of aimed at freeing France from the trap of drug trafficking.

“Articles L. 5336-10 to L. 5336-10-5 apply in their wording resulting from Law No. of the aforementioned.

D. – *(Deleted)*

III. – *(Unmodified)*

ŸŸŸ **IV. – After Article 11-2 of the Code of Criminal Procedure, a Article 11-2-1 worded as follows:**

ŸŸŸ **“ Art. 11-2-1. – By way of derogation from I of Article 11-2, the public prosecutor shall inform without delay in writing the administration, any legal entity responsible for a public service mission or any professional body of the decisions mentioned in 1° to 3° of the same I concerning a person employed by it when these decisions relate to one or more offences mentioned in Articles 706-73 and 706-73-1, except in cases where this information is likely to undermine the prop**

ŸŸŸ **“Articles 11-2, II to V, are applicable.”**

ŸŸŸ **V. – (*Deleted*)**

ŸŸŸ **VI (*new*). – Training of port security officers and airport must include anti-corruption training.**

ŸŸŸ **VII (*new*). – Articles L. 5332-16 to L. 5332-18 of the Transport Code, in their wording resulting from 3° *septies* of B of II of this article, come into force six months after the publication of their implementing regulatory provisions, and at the earliest on January 1 of the year following the publication of this law.**

ŸŸŸ **VIII (*new*). – In order to prevent and detect corruption risks linked to drug trafficking, an obligation is established for all public services involved in the fight against drug trafficking, as well as for administrations and agents operating in particularly exposed areas, to establish a corruption risk map.**

ŸŸŸ **This mapping applies in particular to public services responsible for border control, customs, and security forces, as well as to agents working in sensitive areas such as port, airport, and railway infrastructure. It identifies the sectors most vulnerable to corrupt practices and proposes appropriate prevention and control measures.**

ŸŸŸ **It is developed in coordination with the French Anti-Corruption Agency and updated every two years.**

Article 22a

Ÿ **I. – The Code of Criminal Procedure is amended as follows:**

ÿ 1° The 1° of article 706-1-1 is worded as follows:

ÿ “1° In Article 432-15 of the Penal Code;”

ÿ 2° After the 16th of article 706-73, 16° *bis* and 16° *ter* are inserted as follows:

ÿ “16° *bis* Crimes and offences of corruption of public officials and influence peddling, provided for in Articles 432-11, 433-1, 433-2, 434-9, 434-9-1, 435-1 to 435-4 and 435-7 to 435-10 of the Criminal Code, when they are related to one of the other offences mentioned in this article;

ÿ “16° *ter* Offences of corruption of a private agent or sports actor, provided for in Articles 445-1 to 445-2-2 of the Criminal Code, when committed by an organized gang and when they are related to one of the other offenses mentioned in this article;”

ÿ 3° Article 706-73-1 is supplemented by 14° and 15° worded as follows:

ÿ “14° Crimes and offences of corruption of public officials and influence peddling, provided for in Articles 432-11, 433-1, 433-2, 434-9, 434-9-1, 435-1 to 435-4 and 435-7 to 435-10 of the Criminal Code, with the exception of those mentioned in 16° *bis* of article 706-73 of this code;

ÿ “15° Offences of corruption of a private agent or sports actor committed by an organized gang, provided for in Articles 445-1 to 445-2-2 of the Criminal Code, with the exception of those mentioned in 16° *ter* of Article 706-73 of this Code.”

ÿÿ II. – (*Unmodified*)

Article 23

ÿ I. – (*Deleted*)

ÿ II. – The Code of Criminal Procedure is amended as follows:

ÿ 1° (*Deleted*)

ÿ 1° *bis* After Article 145-1, an Article 145-1-1 is inserted, worded as follows:

ÿ “ Art. 145-1-1. – By way of derogation from Article 145-1, the duration of pre-trial detention may not exceed six months for the investigation of offences committed by an organised gang punishable by a sentence of ten years’ imprisonment as well as

for the offenses provided for in Articles 222-37, 225-5, 312-1 and 450-1 of the Criminal Code.

ÿ "In exceptional circumstances, the judge of liberties and detention may decide to extend pre-trial detention for a period not exceeding six months, by a reasoned order under the conditions provided for in Article 137-3 of this Code and issued after an adversarial hearing organized in accordance with the procedures provided for in the sixth paragraph of Article 145, the lawyer having been summoned in accordance with the procedures provided for in the second paragraph of Article 114 and the detained person having been notified at the latest five working days before the adversarial hearing is held. This decision may be renewed according to the same procedure, subject to Article 145-3, the total duration of detention not exceeding two years.

ÿ "The last paragraph of Article 145-1 is applicable.

ÿ "For the application of this article, the eight-month period provided for in the first paragraph of article 145-3 is extended to one year.";

ÿ 2° (*Deleted*)

ÿÿ 2° *bis* Article 148 is amended as follows:

ÿÿÿ a) (*Deleted*)

ÿÿÿ (b) The third paragraph is amended as follows:

ÿÿÿ – in the first sentence, the word: "five" is replaced by the word: "ten";

ÿÿÿ – in the second sentence, the word: "three" is replaced by the word: "five";

ÿÿÿ – two sentences are added, worded as follows: "Under penalty of inadmissibility, no application for release may be made until a decision has been made on the appeal of the decision rejecting a previous application. This inadmissibility applies automatically until the date of the decision rendered by the investigating chamber.";

ÿÿÿ (c) The first sentence of the last paragraph is amended as follows:

ÿÿÿ – the words: "the twenty" are replaced by the words: "a period of thirty";

ÿÿÿ – the words: "of its referral" are replaced by the words: "as of receipt of the request, »;

ÿÿ **d) (new)** A paragraph is added, worded as follows:

ÿÿ "In application of article 37-1 of the Constitution and for a maximum period of three years, the Minister of Justice may experiment, in the volunteer departments and regions, for a maximum of two regions and six departments, the establishment in penitentiary establishments, for persons placed under the control of the justice system who are imprisoned, of a guarantee of the possibility of formulating requests for release electronically, by ensuring individualized support. These experiments will give rise to a report making it possible to assess the urgency and the advisability of generalizing such temporary accessibility of the judicial courts.";

ÿÿ **2° ter** In the second sentence of the first paragraph and in the last sentence of the second paragraph of article 148-1-1, the word: "four" is replaced by the word: "eight";

ÿÿ **3°** Article 148-2 is amended as follows:

ÿÿ **aa) (Deleted)**

ÿÿ **(a)** The first sentence of the second paragraph is amended as follows:

ÿÿ – the first occurrence of the word: "the" is replaced by the words: "a period of";

ÿÿ – the second occurrence of the word: "les" is replaced by the word: "de";

ÿÿ **b and c) (Deleted)**

ÿÿ **(d)** In the last paragraph, the word: "twenty" is replaced by the word: "thirty";

ÿÿ **3° bis** In Article 148-4, the word: "four" is replaced by the word: "six";

ÿÿ **4°** Article 148-6 is amended as follows:

ÿÿ **a) (Deleted)**

ÿÿ **(a bis) (new)** After the second paragraph, a paragraph is inserted worded as follows:

ÿÿ "The declaration to the clerk may also be made by means of secure telecommunications, under conditions provided for by decree.

ÿÿ **b) (Deleted)**

ÿÿ (c) In the last paragraph, the words: “declaration to the clerk” are replaced by the words: “request for lifting or modification of judicial supervision”;

ÿÿ 4° *bis (Deleted)*

ÿÿ 5° Article 179 is amended as follows:

ÿÿ (a) In the fourth paragraph, the words: "either the referral order or, in the event of an appeal, the referral judgment not subject to appeal, the judgment declaring the appeal inadmissible, the non-admission order issued pursuant to the last paragraph of Article 186 or the judgment of the criminal division dismissing the appeal, or" are replaced by the words: "on which the decision ordering referral to the criminal court became final or";

ÿÿ b) *(Deleted)*

ÿÿ 6° In the first sentence of the first paragraph of Article 187-3, the word: “four” is replaced by the word: “eight”;

ÿÿ 7° In the second sentence of the fourth paragraph of article 706-71, after the word: “escape”, the words: “or its particular dangerousness” are inserted;

ÿÿ 7° *bis (new)* Title XXIII is supplemented by an article 706-71-2 worded as follows:

ÿÿ " Art. 706-71-2. – By way of derogation from the fourth paragraph of Article 706-71, the appearance before an investigating court of a detained person assigned to an organized crime unit, within the meaning of Article L. 224-5 of the Penitentiary Code, shall take place by means of audiovisual telecommunications, regardless of the cause requiring his or her appearance. The same applies when it is a hearing during which a decision must be made on the placement in pre-trial detention or the extension of pre-trial detention, on the appeal against a decision refusing release or on the direct referral to the investigating chamber pursuant to the last paragraph of Article 148 or Article 148-4 of this Code.

ÿÿ "However, the judge of liberties and detention, the investigating judge or the court seized may, at the request of the public prosecutor or ex officio, decide on his physical appearance. This decision must be justified.";

ÿÿ 8° and 9° *(Deleted)*

ÿÿ **II *bis* (new).** – In the first paragraph of Article L. 315-1 of the Code penitentiary, the words: "of article 706-71" are replaced by the words: "of articles 706-71 and 706-71-2".

ÿÿ **III.** – The penitentiary code is amended as follows:

ÿÿ **1°** Article L. 113-2 is supplemented by a paragraph worded as follows:

ÿÿ “The initial training of prison administration staff includes training on the risks of corruption and the responses to them.”

ÿÿ **2° (Deleted)**

ÿÿ **3°** Chapter III of Title II of Book II is supplemented by a section 4 worded as follows:

ÿÿ ***Section 4***

ÿÿ ***“Cameras installed on aircraft***

ÿÿ “ Art. L. 223-21. – I. – In the exercise of their missions, the prison administration services may be authorized to capture, record and transmit images by means of cameras installed on aircraft, for the purpose of ensuring:

ÿÿ “1° The prevention of attacks on the security of persons and property in penitentiary establishments which are particularly exposed, due to their characteristics or events which have already taken place there, to risks of incidents, escapes or trafficking in prohibited objects or substances or constituting a threat to security;

ÿÿ “2° The surveillance and protection of penitentiary establishments, the areas allocated to them and their immediate surroundings, when they are particularly exposed to risks of intrusion or damage;

ÿÿ “3° Support for law enforcement interventions carried out by prison security teams in prison establishments, in the areas allocated to them and in their immediate surroundings;

ÿÿ “4° The observation of offenses and the prosecution of their perpetrators by collecting evidence;

ÿÿ “5° Training of agents.

“The use of the devices provided for in this I may be authorized only when it is proportionate to the purpose pursued.

“II. – The devices mentioned in I are used in such a way that they are not intended to collect images allowing the interior of cells to be viewed, except in the event of a serious incident affecting order, discipline or the security of the penitentiary establishment, or the interior of homes or their entrances. When the use of these devices leads to viewing these places, the recording is immediately interrupted. However, when such an interruption could not take place given the circumstances of the intervention, the recorded images are deleted within forty-eight hours from the end of the deployment of the device, unless transmitted within this period as part of a report to the judicial authority on the basis of Article 40 of the Code of Criminal Procedure.

“III. – Authorization is subject to a request, which specifies:

“1° The department responsible for operations;

“2° The purpose pursued;

“3° The justification for the need to use the device, which in particular makes it possible to assess the proportionality of its use with regard to the purpose pursued;

“4° The technical characteristics of the equipment necessary to pursue the purpose;

“5° Where applicable, the methods of informing the public;

“6° The desired duration of the authorization;

“7° The geographical area concerned.

"The authorization is issued by written and reasoned decision of the competent interregional director of prison services, who ensures compliance with this section. It determines the purpose pursued and may not exceed the geographical scope strictly necessary to achieve this purpose.

“It is issued for a maximum period of three months and renewable under the same conditions when the conditions for its issue continue to be met.

ÿÿ "The interregional director of prison services may terminate the authorization he has issued at any time when he finds that the conditions that justified its issue are no longer met.

ÿÿ "He informs the State representative in the department concerned or, in Paris, the police prefect of the authorizations he has issued or renewed.

ÿÿ "IV. – The register referred to in Article L. 223-24 shows the details of each intervention carried out under the authorization. This register is sent each week to the interregional director of prison services, who ensures that the interventions carried out comply with the authorization issued.

ÿÿ " Art. L. 223-22. – The images captured and recorded may be transmitted to the crisis unit of the prison establishment concerned and to the agents involved in the conduct and execution of the intervention, who can view them in real time or delayed for the duration strictly necessary for the intervention.

ÿÿ "The cameras are equipped with technical devices to guarantee the integrity of the recordings until they are deleted and the traceability of the consultations carried out as part of the intervention.

ÿÿ " Art. L. 223-23. – The public shall be informed by any appropriate means of the use of airborne image capture devices and of the authority responsible for their implementation, except when circumstances prohibit it or when this information would contradict the objectives pursued. General information for the public on the use of airborne image capture devices shall be organized by the Minister of Justice.

ÿÿ " Art. L. 223-24. – The implementation of the processing provided for in Article L. 223-21 must be strictly necessary for the performance of the missions concerned and adapted to the circumstances of each intervention. It cannot be permanent. It may only give rise to the collection and processing of personal data strictly necessary for the performance of the missions concerned and must be carried out in compliance with Law No. 78-17 of 6 January 1978 relating to information technology, files and freedoms.

ÿÿ "Airborne devices cannot capture sound.
Images collected by airborne device cameras cannot be subject to any algorithmic processing.

ÿÿ "The responsible authority keeps a register of the processing operations carried out, specifying the purpose pursued, the duration of the recordings made and

that persons having access to the images, including, where appropriate, by means of a real-time transfer device.

“The recordings may be used, after anonymization, for educational purposes and for training agents.

"Except in cases where they are used in the context of a judicial, administrative or disciplinary procedure, recordings containing personal data are kept under the responsibility of the head of the department that implemented the airborne device, for a maximum period of seven days from the end of the deployment of the device, without anyone having access to them, except for the purposes of a report within this period to the judicial authority on the basis of Article 40 of the Code of Criminal Procedure.

“ Art. L. 223-25. – The terms of application of this section and the conditions of use of the data collected are specified by a decree of the Council of State issued after consultation with the National Commission for Information Technology and Civil Liberties. This decree specifies the exceptions to the principle of public information provided for in Article L. 223-23.”

Article 23 bis A (*new*)

(*Deleted*)

Article 23a

The penal code is amended as follows:

1° Article 434-35-1 is worded as follows:

“ Art. 434-35-1. – Entering or attempting to enter, without legitimate reason, the materially delimited area assigned to a penitentiary establishment shall be punished by six months' imprisonment and a fine of 7,500 euros.

"The act of entering a penitentiary establishment or climbing its walls under the same conditions shall be punished by one year of imprisonment and a fine of 15,000 euros."

2° After the word: "law", the end of article 711-1 is worded as follows: "no. of the aim of freeing France from the trap of drug trafficking, in New Caledonia, in French Polynesia and in the Wallis and Futuna Islands."

Article 23 *ter* A (new)

ÿ Article 434-35 of the Penal Code is supplemented by a paragraph worded as follows:

ÿ "The second paragraph of this article applies to detained persons who communicate with a person located outside the establishment, except in cases where this communication is authorized pursuant to Article 145-4 of the Code of Criminal Procedure or Articles L. 345-1 to L. 345-6 of the Penitentiary Code and is carried out by means authorized by the prison administration."

Article 23 *ter*

(Compliant)

Article 23 *quater*

ÿ Chapter III of Title II of Book II of the Penitentiary Code is supplemented by a section 5 worded as follows:

ÿ **"Section 5**

ÿ **"On-board cameras**

ÿ " Art. L. 223-26, L. 223-27 and L. 223-28. – (*Unamended*)

ÿ " Art. L. 223-29. – When the safety of officers is threatened, images captured and recorded using on-board cameras may be transmitted in real time to the command post of the department concerned and to the officers involved in the conduct and execution of the intervention.

ÿ "When such consultation is necessary to ensure the safety of interventions or to facilitate the accurate establishment of facts during intervention reports, the officers participating in the intervention may have direct access to the recordings they make in this context. The cameras are equipped with technical devices to guarantee the integrity of the recordings until their deletion and the traceability of consultations when they are carried out as part of the intervention.

ÿ "The responsible authority shall keep a register of the recordings made by each vehicle equipped with a camera. The register shall specify the persons having access to the images, including, where appropriate, by means of a real-time transfer device.

ÿ "In-vehicle cameras may not include automated facial recognition processing. These devices may not carry out any matching, interconnection, or automated linking with other personal data processing operations.

ÿ " Art. L. 223-30. – (*Unamended*)

ÿÿ " Art. L. 223-31. – The terms of application of this section and the conditions of use of the data collected are specified by a decree in the Council of State issued after consultation with the National Commission for Information Technology and Civil Liberties."

Article 23 *quinquies* (new)

ÿ Book II of the Penitentiary Code is amended as follows:

ÿ 1° In the last paragraph of Articles L. 211-2 and L. 211-3, the word: "specific" is replaced by the word: "secure" and, at the end, the reference: "L. 224-4" is replaced by the reference: "L. 224-9";

ÿ 2° Chapter IV of Title II is amended as follows:

ÿ (a) The title is worded as follows: "Secure neighborhoods";

ÿ (b) A section 1 entitled: "Specific districts" and including articles L. 224-1 to L. 224-4 is inserted;

ÿ (c) In Article L. 224-4, the words: "of this chapter" are replaced by the words: "of this section";

ÿ (d) A section 2 is added, worded as follows:

ÿ "Section 2

ÿ "*Neighborhoods to fight organized crime*"

ÿÿ " Art. L. 224-5. – As an exception, in order to prevent the pursuit or establishment of links with organized crime and delinquency networks, whatever their purposes and forms, adults detained for offenses falling within the scope of Articles 706-73, 706-73-1 or 706-74 of the Code of Criminal Procedure may, upon decision of the Minister of Justice, be assigned to organized crime units, after consulting the competent sentencing judge if the person concerned is a convicted person.

If it is a person who has been charged, the assignment cannot be carried out

only after informing the magistrate in charge of the investigation file and in the absence of opposition on his part within eight days of receipt of this information.

“ Art. L. 224-6. – The decision to assign to an organized crime fighting unit must be justified and only occurs after an adversarial procedure during which the person concerned, who must be assisted by his lawyer, presents his oral or written observations.

"This decision is valid for a period of two years. It is renewable under the same conditions.

"If the end of the pre-trial detention which justified the placement of the detained person in this area is ordered while the person remains detained for another reason or if the detained person is tried for the facts which justified the placement, the assignment decision is subject to a new review.

“ Art. L. 224-7. – The decision to assign to an organized crime unit does not affect the exercise of the rights of any detained person provided for in Book III of this Code, subject to the adjustments imposed by security requirements and the restrictions provided for in this section.

“ Art. L. 224-8. – Detained persons assigned to sections for the fight against organized crime are subject to systematic full body searches after having been in physical contact with a person on assignment or visiting the establishment without having remained under the constant supervision of a prison administration officer, without prejudice to Articles L. 225-1 to L. 225-5. This paragraph applies subject to the adaptations decided by the competent administrative authority.

"Visits systematically take place in a visiting room equipped with a separation device. This device does not apply to minors over whom the detained person, their spouse, the partner to whom they are bound by a civil solidarity pact or their cohabitant exercises parental authority, nor in the event of exceptional family circumstances. However, for minors over the age of sixteen, in the event of a risk of disruption to the good order of the penitentiary establishment, the competent administrative authority may decide that visits take place in a visiting room equipped with a separation device.
The provisions relating to family living units and family visiting rooms provided for in Article L. 341-8 do not apply in areas dedicated to combating organized crime.

ÿÿ "The terms and times of access to telephone correspondence devices are subject to restrictions provided for by regulation guaranteeing each detained person access to these devices for at least two hours, at least two days per week.

ÿÿ "The second and third paragraphs of this article do not apply to exchanges between the detained person and his or her lawyer. At the request of one of the latter, the lawyer's visit takes place in a visiting room equipped with a separation device, guaranteeing the possibility of transmitting and presenting documents.

ÿÿ " Art. L. 224-8-1. – This section does not apply to prisoners who have the status of collaborator of justice mentioned in Title XXI *bis* of Book IV of the Code of Criminal Procedure pursuant to Article 706-63-1 A of the same code or who have benefited from this status in the context of the procedure for which they are serving their sentence, except in the event of enforcement by the court of the application of sentences of all or part of the imprisonment decided pursuant to Article 132-78-1 of the Criminal Code.

ÿÿ " Art. L. 224-8-2. – Prison administration officers assigned to or working in organized crime units shall operate under conditions that guarantee the preservation of their anonymity. They may be authorized by the head of the prison establishment or by the director of the competent prison integration and probation service not to be identified by their first and last names when the disclosure of their identity is likely, given the conditions in which they carry out their duties or the nature of the procedures for which they are required, to endanger their lives or physical integrity or those of their loved ones.

ÿÿ " Art. L. 224-9. – The conditions of application of this section are defined by a decree in the Council of State issued after consultation with the General Controller of Places of Deprivation of Liberty."

Article 24

ÿ I. – (*Deleted*)

ÿ II. – After Title II of Book II of the Internal Security Code, it is inserted a title II *bis* worded as follows:

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**"TITLE II BIS
"FIGHT AGAINST THE DISORDERS GENERATED
BY DRUG TRAFFICKING**

ÿ “ Art. L. 22-11-1. – In order to put an end to disturbances of public order resulting from the occupation, in groups and on a recurring basis, of a portion of the public highway, of a collective facility or of the common parts of a residential building, in connection with drug trafficking activities, the representative of the State in the department or, in Paris, the police prefect may, after having informed the territorially competent public prosecutor, issue a measure prohibiting any person participating in these activities from appearing in the places concerned. He shall also inform the mayors of the municipalities concerned.

ÿ “The ban, which is imposed for a maximum period of one month, takes into account the family and professional life of the person concerned. In particular, the geographical scope of the measure cannot include his home.

ÿ “The prohibition measure taken pursuant to this article shall be written and reasoned. The State representative in the department or, in Paris, the police prefect shall give the person concerned the opportunity to submit their observations within five days of notification of the decision.

ÿ “ Art. L. 22-11-2. – Failure to comply with an order issued on the basis of Article L. 22-11-1 is punishable by a term of six months’ imprisonment and a fine of 3,750 euros.”

ÿ III. – Law No. 89-462 of July 6, 1989, aimed at improving rental relations and amending Law No. 86-1290 of December 23, 1986, is amended as follows:

ÿÿ 1° (*Deleted*)

ÿÿ 1° *bis* (*new*) Paragraph *b* of Article 7 is supplemented by the words: “and of refrain from any behavior or activity which, in the vicinity of these premises or in the same building complex, harms the collective facilities used by residents, the safety of people or their freedom to come and go”;

ÿÿ 2° (*Deleted*)

ÿÿ IV. – The construction and housing code is amended as follows:

ÿÿ 1° (*Deleted*)

ÿÿ 2° After Article L. 442-4-2, an Article L. 442-4-3 is inserted, worded as follows:

ÿÿ “ Art. L. 442-4-3. – When it is found that the actions of the habitual occupant of a dwelling related to drug trafficking activities seriously or repeatedly disturb public order and fail to comply with the obligations defined in *b* of Article 7 of Law No. 89-462 of 6 July 1989 aimed at improving rental relations and amending Law No. 86-1290 of 23 December 1986, the State representative in the department may order the lessor to refer the matter to the judge for the purpose of terminating the lease under the conditions provided for in Article L. 442-4-2 of this Code.
The injunction specifies the factual elements which justify the implementation of the procedure.

ÿÿ “The lessor shall inform the State representative, within fifteen days, of the action he intends to take in response to the injunction. In the event of refusal by the lessor, failure to respond at the end of this period or where, having accepted the principle of eviction, the lessor has not referred the matter to the court at the end of a period of one month from his response, the State representative may replace him and refer the matter to the court for the purpose of terminating the lease under the conditions mentioned in the same Article L. 442-4-2.”

Article 25 (*new*)

ÿ Chapter I of Title I of Law No. 89-462 of July 6, 1989, cited above, is supplemented by an Article 9-2 worded as follows:

ÿ “ Art. 9-2. – In the case provided for in the first paragraph of Article L. 442-4-3 of the Construction and Housing Code, the State representative in the department may order a lessor not covered by Book IV of the same code to implement a procedure for terminating the rental lease.

ÿ “In the event of no response within one month or refusal by the lessor, the State representative in the department has an interest in taking action before the civil court to request termination of the lease.”

TITLE VII
PROVISIONS RELATING TO OVERSEAS TERRITORIES
AND FINAL PROVISIONS

(New Division)

Article 26 (new)

ÿ I. – The table in the second paragraph of I of Article L. 775-37 of the Monetary and Financial Code is amended as follows:

ÿ 1° The second line of the second column is worded as follows: “the law no. aimed at freeing France from the trap of drug trafficking”;

ÿ 2° The fifth line is replaced by six lines worded as follows:

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L. 562-2-2	Law No. 1 aimed at freeing France from the trap of drug trafficking	» ;
L. 562-3 and L. 562-4	Order No. 2020-1342 of November 4, 2020	
L. 562-4-1	Order No. 2022-230 of February 15, 2022	
L. 562-5	Law No. 1 aimed at freeing France from the trap of drug trafficking	
L. 562-6	Order No. 2020-1342 of November 4, 2020	
L. 562-7 to L. 562-9	Law No. 1 aimed at freeing France from the trap of drug trafficking	

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3° The penultimate line is replaced by two lines worded as follows:

L. 562-11	Law No. 1 aimed at freeing France from the trap of drug trafficking	»
L. 562-12	Order No. 2020-1342 of November 4, 2020	

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II. – The penitentiary code is amended as follows:

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1° The second line of the table in the second paragraph of Articles L. 752-1, L. 762-1 and L. 772-1 are replaced by three lines worded as follows:

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“ L. 111-1 to L. 113-1		
L. 113-2	Law No. 1 aimed at freeing France from the trap of drug trafficking	
L. 113-3 and L. 113-4		» ;

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2° The table in the second paragraph of Articles L. 753-1, L. 763-1 and L. 773-1 is amended as follows:

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(a) The second line is replaced by three lines worded as follows:

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" L. 211-1		
L. 211-2 and L. 211-3	Law No. 1 aimed at freeing France from the trap of drug trafficking	
L. 211-4 to L. 223-19		» ;

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(b) After the third line, a line is inserted as follows:

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"	L. 223-21 to L. 223-31	Law No. 1 aimed at freeing France from the trap of drug trafficking	» ;
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(c) The penultimate line is replaced by three lines worded as follows:

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“ L. 224-1 to L. 224-3		
L. 224-4 to L. 224-9	Law No. 1 aimed at freeing France from the trap of drug trafficking	
L. 225-1 to L. 231-3		» ;

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3° The second line of the table in the second paragraph of Article L. 754-1 is replaced by three lines worded as follows:

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“ L. 311-1 to L. 313-3		
L. 315-1	Law No. 1 aimed at freeing France from the trap of drug trafficking	
L. 315-2 to L. 322-7		» ;

4° The second line of the table in the second paragraph of Articles L. 764-1 and L. 774-1 is replaced by three lines worded as follows:

»

“ L. 311-1 to L. 313-3	
L. 315-1	Law No. 1 aimed at freeing France from the trap of drug trafficking
L. 315-2 to L. 322-13	

» ;

III. – Articles L. 285-1, L. 286-1 and L. 287-1 of the Internal Security Code are amended as follows:

1° After the word: “law”, the end of the first paragraph is worded as follows: “no. of the aiming to free France from the trap of drug trafficking, the following provisions:”;

2° After 2°, a 2° *bis* is inserted , worded as follows:

“2° *bis* Title II *bis* ; ”.

IV. – Point c of 4° of II of Article 23 of this law comes into force six months after the promulgation of this law.

Deliberated in public session, in Paris, on April 1, 2025.

The President,

Signed: YAËL BRAUN-PIVET