The Investigation of Crimes and the Punishment of Legal Entities on the Basis of the Islamic Penal Code 2013

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Abstract
One of the innovations of Islamic Penal Code (2013) is accepting criminal responsibility of legal entities. With the acceptance of this issue, the discussion of quality of punishment for them is also considered. As legal entity can’t commit any kind of crime, any kind of punishment can’t be also considered for these entities. Accordingly, article 20 of the said law has counted applicable punishments for legal entities. However, the law has not mentioned all relevant points and issues of punishment of legal entities. In the aid law, it has been tried to use sanctions adjusted with legal entities to behave them. Punishments such as dissolution, confiscation, fines, publication of the judgment, atonement, social and economic exclusions such as ban on business activities, prohibition of the public invitation to raise capital and ban from drawing business documents mentioned in article 20 are the punishments that are relatively different from common punishments for legal entities. The punishments have also relative variety; although it should be mentioned that the details and conditions of executing each penalty is not certain; i.e. execution of the punishments faces ambiguity in many cases. It was better if the legislator could specify the details exactly or could provide the possibility through binding approval of the executive regulations of this punishment.

Key words: legal entities, punishment, blood money, prohibition, confiscation

Introduction
Criminal actions committed by entities are considered as a phenomenon against social norms. The consequences of such actions can make the criminal party involved through authentication of pillars and conditions of criminal responsibility and through creating causal relationship between criminal action and the doer of crime. In Iran, before approval of Islamic Penal Code (2013), although some sanctions were considered in scattered manner in some regulations for crimes of legal entities, criminal responsibility of these entities was not recognized systematically (however, in Computer Crimes Law approved in 2009, criminal responsibility of legal entities was accepted just about this kind of crime). With the approval of Penal Code (2013), criminal responsibility of legal entities about crimes capable to be committed by legal entities were accepted by the legislator comprehensively. In this study, the main objective is to focus on Islamic Penal Code (2013) to investigate the general regulations required for criminal responsibility of all legal entities and special regulations of criminal responsibility of each group of legal entities.

Complementary, consequential and religious punishments of legal entity
As punishments of real entities are classified from several dimensions (Aliabadi, 1973: 2/4; Bolek, 2005, 61), punishments of legal entities can be also classified. Lawyers have usually classified punishments of legal entities from 3 dimensions (Baheri, 1961, 281; Ardabili, 2014: 3/ 60-61). The first one is in terms of intensity of the punishment, which is itself divided to three classes of criminal punishments, misdemeanor punishments and offense. The second one is in terms of their identity, which is divided to physical punishments, depriving freedom, tax and depriving the right. The third case is division of punishments in terms of their attribution to each other. From this perspective, punishments are divided to original,
complementary and consequential punishments\(^1\). The division is also applicable for legal entities and the punishments of legal entities can also be classified based on this pattern. However, as the legislator in Islamic Penal Code has rejected classification of punishments of real entities to criminal, consequential and offence, it has taken same way for legal entities (Poorbaferani and Seyfi, 2015, 104). This section of the study has investigated firstly the capability of applying complementary punishments and then consequential punishments on legal entities and finally, the capability of applying religious punishments (Hudud, Qisas and Diyat) on them.

**Complementary punishment and legal entities**

In terms of legal analysis, there is no prevention to apply complementary punishment on legal entities, since the punishments are mainly in group of right deprivation punishments (deprivation of social rights), which can be logically applied on legal entities. Among applicable punishments on the real entities, only physical punishments (Death, life retribution, organ retribution, Hadd and Ta'zir whipping) and freedom deprivation punishments (imprisonment) can't be applied on legal entities; although the right depriving punishments that encompass mainly the complementary punishments are applicable on the legal entities. With regard to complementary punishments mentioned in article 22 of Islamic Penal Code, it could be found that some of these punishments under the title of "punishment of deprivation of social rights" have the capability to be applied for legal entities; e.g. deprivation of having cheque or issuing business documents, commitment to public services, detention of the institute interfered in commitment of crime, commitment to learn certain profession or job and publishing definitive conviction. However, article 23 of Islamic Penal Code has not accepted applying complementary punishment on legal entities.

Article 23: "the court can sentence a person who has been sentenced to hadd, qisas, or ta'zir punishments from sixth to first degree, to one or more punishment(s) from the following complementary punishments:

(a) Compulsory residence in a specified place
(b) Ban from residing in (a) specified place(s)
(c) Ban from holding a specified profession, career or job
(d) Dismissal from governmental and public offices
(e) Ban from driving or operating motor vehicles
(f) Ban from having a checkbook or drawing commercial bills
(g) Ban from carrying a gun
(h) Ban from leaving the country for Iranian citizens
(i) Deportation of foreign nationals
(j) Providing public services
(k) Ban from membership of political or social parties and groups
(l) Seizure of the means for commission of the offense or the media or organization involved in commission of the offense
(m) Compulsory learning of a specified profession, career, or job
(n) Compulsory education
(o) Publication of the final judgment"

The article speaks about "person" who encompasses just real entities. Most of these punishments are adjusted with identity of real entities. However, contrary to some comments defending measures of legislator (Ardabili, 2013, 2/71), the procedure of the legislator in rejecting applicability of complementary punishment on legal entities is not so rightful, especially as it was mentioned, the legislator has faced restrictions in field of determining original punishments for legal entities and sometimes, the restriction in this field can also lead to determining intense type of original punishment. However, the permission of the legislator to the courts to have authority to apply complementary punishments for legal entities could provide more conditions for them to apply such punishments on legal entities; e.g. in terms of original punishment, they can choose lighter punishment and beside it, they can determine suitable complementary punishment, so that the damaging consequences of the punishment can less make stockholders, employees

\(^1\) The division is not specified to Iran law and is also existed in legal system of other states such as Arabic States (Hosna, 1984: 684) and France (Lutermey and Kolb, 2008: 107-114).
and other beneficiaries involved in it compared to services of legal entity. On the other hand, the legislator has not predicted temporary closure as original punishment of legal entities and the permission of legislator to courts to apply complementary punishment could meet the deficit. The capabilities mentioned in article 23 have also provided the conditions for the court properly: for example, in paragraph I of article 23, the term "organization" refers to legal entity. Hence, if the legislator permits the courts to apply complementary punishments on legal entities, the courts can impound the organization involved in crime commitment (or a branch of offender branches) as complementary punishment for several months (up to two years). As temporary holiday is not predicted in article 20 that has counted original punishments of legal entity, detention of the organization up to 2 years as a complementary punishment could fill this gap (Poorbaferani and Seyfi, 2015, 106).

Consequential punishment and legal entities
Consequential punishment is mainly in form of deprivation of social rights in law of different countries such as Iran. Deprivation of social rights is among punishments applicable for legal entities. Hence, in terms of identity of consequential punishment, there is no problem with applying it on legal entities. However, it seems that applying consequential punishments on legal entities is not logical. As it is known, consequential punishment is in form of deprivation of social rights such as custodianship of social positions such as membership if Guardian Council, Expediency Council, nomination for presidential elections, Islamic Council, Urban and Rural Islamic Councils and employment in governmental systems that are possessed to real entities and not legal entities. The basis of discussion is that the social members don’t accept that a person who has been in prison till yesterday because of committing crime can be suddenly become a member of an important state organization; e.g. Member of Parliament or member of the Guardian Council. However, considering articles 25 and 26 of Islamic Penal Code on consequential punishments shows that the legislator has followed same approach about consequential punishments.

Article 25: Final criminal conviction of intentional crimes after the sentence was executed or subjected to lapse of time, shall deprive the convict from social rights as a consequential punishment during the period provided in this article:
(a) Seven years from the date the execution of the main punishment is stopped, in the case of sentences of deprivation of life and life imprisonments
(b) Three years in the case of sentences of limb amputation, qisas of limb if the diya of the suffered injury exceeds half of the victim’s diya, banishment, and imprisonment of the fourth degree
(c) Two years in the case of sentences of hadd flogging, qisas of limb if the diya of the suffered injury is half or less than half of the victim’s diya, and imprisonment of the fifth degree
No one of punishments considered by legislator as consequential punishments in triple paragraphs of the article is among applicable punishments on legal entities. Noting to examples of social rights inserted in article 26 of the said law that is among consequential punishments shows that it has no adjustment with legal entities.

Religious punishments (Hadd, Qisas and Diya) and legal entities
Before accepting criminal responsibility of legal entity, conviction to Diya was not possible; although some regulations in scattered form used to consider Diya for legal entities like note 2 of article 2 of the Law on free access to rail transport network approved on 2005 whereby:
Railway and the affiliated companies are responsible for compensation of loss and paying Diya (blood money) to victims based on the case and in railway accidents in accordance with Civil Liability Law. Hence, except for special cases, it was hardly possible to make legal entities pay Diya. The problem was solved with the approval of Islamic Penal Code (2013), since according to article 14 of the said law, "If causality between a legal person’s conduct and a loss is established, diya and damages can be claimed. Imposing ta’zir punishments against legal persons shall be in accordance with article 20”.
Article 505: “when driving accidents cause injury or death of passengers as a result of accidents such as vehicle overturning or collision with barriers and if the accident is not happened because of force events such as flood and earthquake and is attributed to the driver, the driver is responsible to pay Diya. If the
accident is attributed to other legal or real entity, the entity is responsible”. This article and note of article 14 have referred to legal entity absolutely. Despite some theories (Safaei and Ghasemzadeh, 2013, 189), public or private legal entities are inclusion of this article even if they have governance. However, as a discussion related to Diya, it is necessary to refer to possibility of commitment of crimes resulting in Qisas and Hass on behalf of legal entities. Firstly, if it is imagined that intention of legal entity as collective intention of real entities in form of board of directors is belonged to commitment of one of these crimes such as murder or drinking (Ardabili, 2013: 2/96) that seems impossible as such crime can't be in line with interests of legal entity: Qisas punishment (death or retaliation of organs) or hadd (like whipping) for legal entity is impossible. Accordingly, the legislator has not considered such punishments for the legal entity (Poorbaferani and Seyfi, 2015: 110).

Types of punishments in offenses of legal entities

Financial punishments

Fine:
Fine is among original punishments and refers to commitment of the defendant in accordance with conviction sentence to pay in cash in interest of the government (Ardabili, 2013, vol.1, 167). Conviction of legal entity to fine can be very useful, if it is adjusted with the profit and advantages gained by offense. Most financial advantages possessed by legal entities are expanded and can't be compared to financial resources in limit of authority of real entities. Naturally, if legal entities commit crime, they may face more intense and damaging outcomes and determining adjusted fine is significantly effective. However, if heavy fine determined by the courts can pave the way for fall and collapse of legal entity, the informed agents may provide required information for the court to prevent this issue.

Confiscation of property
Confiscation of properties refers to dominance of the government on entire or a part of existing property of the defendant whereby the verdict of the court. The order of confiscation may be general or specific. In general confiscation, all properties of the defendant for cash and non-cash, movable or immovable properties are confiscated. In specific confiscation, a part of the properties are confiscated that are sometimes the product of crime or the instrument to commit crime (Ardabili, 2013, vol.1, 167). In regard with confiscation of properties of legal entities, it seems that the desired goal is obtained by the punishment properly. Particularly, if the subject of activity of legal entity is criminal actions such as weapon smuggling or alcoholic drink, the goal is achieved through confiscation of the properties obtained by the crime.

Nonfinancial punishments

Suspension of punishment
At the first, it should be mentioned that in field of applying punishments, the adjustment of crime and punishment should be observed as it was mentioned before. In the above presented classification under the title of financial and nonfinancial sanctions, nonfinancial punishments can also be effective, provided that the legislator paid special attention to it; e.g. suspension of punishment or taking useful social measures or decline and change of punishment can be effective sanctions that can provide readjustment of the legal entity in addition to reform of the legal entity. Suspension of punishment is one of the mild sanctions that can be in line with introducing real criminal to the courts or suspension can be realized with the objective of reform of structure of legal entity and in-organization punishment by legal entity and also under strong supervision of control and supervision forces. Moreover, these entities can be reformed through taking public utility activities and continuous participation in charity actions or similar issues to reform the entities.

Public notification of criminal conviction of legal entity
Although applying sanctions can be useful in many cases, the effect and output of the punishments may be different depending on various legal entities. For example, only one punishment can be effective or on the contrary, applying several punishments at the same time may not be efficient.
Public notification of criminal conviction of legal entity is among those punishments that can be significantly effective in admonishing legal entity. This is because; fines can be compensated over the time; although when the subject is dignity and credit and fame, service, power and originality of legal entity that is obtained hardly and over the time, nothing can be compensated easily and such punishment can be significantly effective.

**Punishments on deprivation or limitation of rights**

Such sanctions that are determined based on intensity and depth of the committed crime may be temporary (limiting rights) or permanent (deprivation of rights). For example, legal entity who is active in production affairs or has agency of well-known brand and is deviated from the issue an main policies of company and is taken measure to commit crime such as smuggling or any other action to violate the law is recognized as a criminal entity and shall be punished. It seems that due to times of committing crime and bad intention of legal entity, a punishment based on the criminal action should be considered. Punishment such as deprivation of production here is considered that can be temporary or permanent due to the case.

**Dissolution of legal entity (permanently)**

Dissolution of legal entity, similar to death penalty of real entities, can be interpreted as follows: The aim by punishment is reform and renewal of the criminal party for new life in the society; although it is without recidivism. However, when the law and the society have been disappointed from reforming the criminal, they have to omit the entity to save security and peace at the society and the entity would be deprived from right to life absolutely. In other words, dissolution can be also similar to death of legal entity. However, in Computer Crime Law, recidivism is the intensified reason and can lead to dissolution of legal entity. In other words, for example, closure of one branch of sub-branches of legal entity in time of activity of mother branch can be similar to cutting organ of the criminal party.

**Deprivation of one or more job or social activities of legal entity (permanently or temporarily)**

Deprivation of employment or special profession with the aim of prevention of society is a punishment that the said profession or job can provide conditions for it. Hence, verdict of the court is aimed in completing the original preventive sentence (Ardabili, 2012, vol.2, 189). For example, when the court is afraid that the desired legal entity may commit crime again through being employed to special profession that has been former job of the entity, it would be better to deprive the entity from doing the job permanently or temporarily. The most important goal of job deprivation is prevention of recidivism that is mostly similar to supplementary actions. According to note 3 of article 14 of Computer Crime Law, committing crime if is as profession of the criminal is among intensified causes. In other words, it would be better to deprive legal and real entities from their former job that may conduct them toward committing crime again.

**Ban of public invitation to increase capital (permanently or temporarily) and ban of issuing business documents (temporarily)**

One way to neutralize disadvantages of fine, especially fluctuations of money value or lack of financial capability of entity to pay that is to apply heavy punishment for the legal entity if necessary. The punishment is not in cash or confiscation of properties, but also it is in form of securities and it means that the convicted party; e.g. a commercial company has to assign some stocks equal to value of the fine for relevant crime to the plaintiff as compensation (or in line with punishment, the legal entity would be deprived from issuing any kind of business document or increasing capital that can be the causes for power and credit of legal entities). For example, in crimes against the Natural Environment, the stock would be assigned to the institutes for protection of environment and in crimes against consumers’ rights; the stocks would be assigned to Consumer Protection Organizations. Usefulness of this method is appeared when considerable fine can't be applied based on intensity of the crime because of limited financial resources of a company (Zare Mehrjerdi, 1995, 168). However, about two recent cases, the court should be ensured of commitment of crime by legal entity, since t recent punishments can be resulted from the offense taken in formation of the councils and observance of quorums determined by law. However, as it was mentioned in discussion of
punishments for legal entities, it can't be resulted from administrative offenses, but also it is a punishment that is applied on criminal party as a result of crime. At the end of this part, it should be mentioned that although civil society and common punishment law believe that criminal actions committed by legal entity are punishable, due to newness of accepting criminal responsibility of legal entities, determined punishments in Penal Code can't most likely meet all crimes committed by the recently mentioned entities and the law should think about punishing them due to their character and just lack of punishment can't be a reason on immunity. Hence, in line with implementing justice at the society and the people, adjustment of applied punishment on legal entity should be observed due to times and damaging consequences of crime commitment on the society and people. Punishments should be applied based on characters, so that they can leave their favorable effects. If financial punishment or taking public utility services or other types of commitment are applied uniformly and without considering character and their effect, they can never lead to favorable results. Moreover, it would be better to apply such punishments according to credit, value and position of legal entity to gain desired outcome. Accordingly, although criminal responsibility of legal entities was accepted and this is a useful step toward consistence with the current civic society, the aspect of moderation should be observed in this field and prevent this field from being new gate to promote criminalization of legal entities. This is because; due to the current needs and increasing promotion of communications, no criminalized attitude should be towards these entities and they should not be in bottlenecks through approval of various criminal laws, since the society can't be developed and be industrialized and joined to The International Community. In every field, radical consideration of these issues should be avoided. In regard with attribution of criminal responsibility to legal entity, the court should first ensure of commitment of crime by the recently mentioned entity through authenticating the bad intent of the entity. If legal entity follows formal goals and subject or is deviated from policies and main issue and goals in way of activity or has violated explicit national laws or has appointed criminal manager or representative, or is informed of criminal action of a representative after appointing him and takes no preventive action; these actions can be cases of recognizing an entity as criminal party. All of the said actions are punishable and can cause conviction of legal entity.

**Criminal sanctions of legal entities (with regard to Computer Crime Law)**

Before approval of new Penal Code, the discussion of accepting criminal responsibility of legal entities was wrong as a rule in criminal system of Iran. In laws that the legislator has referred to legal entities, determining the punishments has not referred to accepting criminal responsibility of legal entities by itself. First, among the criminal sanctions, difference should be considered between punishment in special sense on one hand and supplementary actions on the other hand. Actions such as permanent or temporary closure of an institute and training actions are totally measures of social defense and are made independent from responsibility of the doer. As an example, among article referring to criminal responsibility, article 79 of act on reforming some articles of fourth economic, social and cultural development plan of Islamic Republic of Iran on executing general policies of article 44 of the Constitution approved in 2007 by the Islamic Parliament and confirmed by Expediency Council (2008). This article predicts that punishment legal entities would be as follows:

1. If any crime mentioned in this chapter is committed by legal entity and their managers, due to the case, they shall be punished by the punishment mentioned in this law for legal entities.
2. If commitment of crime by legal entity is as a result of intention or fault of each employee, in addition to paragraph of the law, the said party shall be punished due to the case in accordance with regulations of this law.
3. If each manager or employee of legal entities proves that the crime is committed without their information or they have done their best to prevent crime or they have notified it to the relevant authorities immediately after that they are informed, the party would be exempted from the relevant punishment.

Although the term "legal entity punishment" is used in top of this article, paragraph 1 of the article has referred again to managers and it seems that the aim by punishment of legal entities is same punishment of managers and not the legal entity (Farajollahi, 2010, 36). However, it seems that in Computer Crime Law, the legislator has reached civil maturity and evolution and has mentioned in article 19 and note 2 of the said law:
"Criminal responsibility of legal entity can't prevent punishment of the criminal and if the conditions are not provided and the crime is not attributed to the entity, the legal entity is responsible by itself". In fact, it seems that this article has considered legal entity as a priority and in next step; it has referred to responsibility of legal entity.

Article 20 of Computer Crime Law has referred to sanctions of legal entity committed computer crimes. According to this article, "legal entities subject to the said article, in accordance with conditions and position of crime, earning level and the consequences of crime, shall be convicted in addition to 3-6 times of maximum fine of the crime as follows:

a) If the maximum punishment of imprisonment is up to 5 years, temporary closure of legal entity from 1 to 9 months and if the crime is repeated, temporary closure would be considered for the legal entity from 1 to 5 years (right deprivation sanction temporarily)

b) If the maximum punishment of imprisonment is over 5 years, temporary closure of legal entity shall be from 1 to 3 years and in case of recidivism, legal entity would be dissolved."

"In regard with recidivism, permanent deprivation of rights is considered; although in Islamic Penal Code, amount of punishment of legal entity is not specified in case of recidivism."

Determining punishment for legal entity should be in accordance with traits of the entity and hence, Islamic Penal Code has considered 3 punishments including fine, temporary closure and dissolution. Fine is in two types of absolute and public fine and legal entity should pay it for committing any kind of computer crime. Determining fine is done in two steps for legal entity. In first step, maximum fine of computer crime predicted in law is considered. In second step, according to the conditions and position of the crime, income level and the consequences of crime commitment, the sentence would be enhanced to 3-6 times more than maximum fine. However, according to the mentioned, criminal responsibility of legal entity is based on prediction of current criminal law and predicting fine is depended on prediction of the punishment for the relevant computer crime. If the fine is not predicted, two sanctions of temporary and permanent closure and dissolution should be considered (Hashemi, 2006, 125). Similar to fine, temporary closure is applied on all types of computer crime of legal entity; although dissolution of legal entity is just for recidivism of computer crimes. If the maximum punishment of imprisonment for computer crime is up to 5 years (like most crimes predicted in Computer Crime Law), temporary closure of legal entity if from 1 to 9 months and in case of recidivism, temporary closure of legal entity shall be from 1 to 5 years and if maximum punishment of imprisonment of the crime is more than 5 years (like Computer espionage or computer terrorism), temporary closure of the legal entity would be 1-3 years and in case of recidivism, legal entity would be dissolved. Determining punishment for legal entity is depended on this issue that fine or imprisonment or at least one of them is determined for the crime; otherwise, determining punishment would face challenge. For example, if the criminal has taken measured mentioned in article 14 of Computer Crimes Law or is not recognized as corruptor on the earth in organized manner, the entity shall be punished by maximum level of both punishments in this article (Hashemi, 2006, 130). Accordingly, if the magistrate recognizes that behavior of legal entity is corruption on the earth, what punishment shall be determined? In adjusted punishments with legal and real entity should be selected. In this field, on basis of ending section of the note on determining maximum level of both punishments of imprisonment and fine, both fine and temporary closure are determined for legal entity and real entity is convicted to Mohareba in case of authentication of corruption on the earth. Determining punishment for real entity is because of this issue that in presence of criminal responsibility of legal entity, the entity shall be responsible for such criminal action; although the entity may claim that he has committed such crime in benefit of legal entity and in his name. According to note 2 of article 19 of the Computer Crimes Law, criminal responsibility of legal entity can't prevent punishment of the offender and in case of lack of conditions in top of the article and lack of attribution of crime to the legal entity, only the legal entity would be responsible. Legal entities are not only responsible for Computer Crimes, but also the responsibility may be derived from lack of observance of legal issues in field of supplying internet services. Criminal responsibility here encompasses unintentional behaviors too. Computer Crime Law has predicted suppliers of services to two groups of access services suppliers and server service suppliers. According to article 21 of Computer Crime Law, suppliers of access services are responsible for refining content resulted from computer crimes and content used for
commitment of computer crimes according to technical regulations and the list determined by committee of determining examples of the subject in criminal content regulated in framework of law. If the filter of criminal content is prevented intentionally, the entity shall be dissolved and if the conditions are provided to have access to illegal content based on carelessness; at the first step, fine from 20million to 100million is predicted and in second step, fine from 100million to 1billion and in third step, 1-3 years temporary closure is predicted. In the said article, the term "shall be dissolved" shows that the content of this article is only related to legal entities; otherwise, the dissolution is not related to real entities (Hashemi, 2006, 136). Moreover, according to article 23 of Computer Crime Law, server service suppliers are responsible for avoiding continuing access to the computer systems immediately after getting the agenda of committee to determine the said examples in said article or the juridical authority handling the case based on existence of criminal content in computer systems. If the conditions are provided to have access to said criminal content as a result of carelessness, at the first step, the entity shall be convicted to fine from 20million to 100million and in second step, fine from 100million to 1billion and in third step, 1-3 years temporary closure. Commitment of criminal actions with destructive and non-compensable results that are usually realized in guise of legal entity and using personal interest of the facilities and with the brilliance of crimes such as economic crimes, corruption and organized crimes on one hand and development of privatization and establishment of private companies and organizations on the other hand made the Iranian legislator to take measure to predict criminal responsibility for legal entities (Hashemi, 2006, 140).

Conclusion and suggestions
In article 20 of penal code, the legislator has mentioned the punishments applicable on legal entities and all of them are among Ta'zir punishments. In field of determining the punishments, Iranian legislator has copied French Criminal Law such as determining total regulation of criminal responsibility of legal entities in article 143. The said punishments in article 20 have relative variety to behave criminal legal entities. Such property helps the court to select a kind of punishment for any kind of crime that is at the first mostly in consistence with situation and position of legal entity and on the other hand, it has the lowest effect on users of services of legal entities. Among the punishments recognized for legal entities, physical punishments and freedom deprivation punishments are not considered. In this field, main punishments applicable on legal entities are limited to destructive punishments such as dissolution and disrupting punishments such as financial punishments or punishment son depriving rights and dignity. Article 20 of Islamic Penal Code has accepted these punishments partially compared to French Criminal Law. Although the legislator is limited to determine original punishments for legal entity because of identity of these entities and can for example just select the referred punishments, it has not even required deepening in limit of same punishments and for example, it has neglected the temporary closure that is related to legal entities similar to imprisonment for a season. Moreover, although complementary punishments can be applied on legal entities because of their nature, the manner of writing article 23 of Islamic Penal Code has not reflected applying the punishments by the courts. However, on consequential punishments, applying them for legal entities is illogical in both attitudes of philosophy of codifying the punishments and from perspective of the legislator. Among religious punishments, only Diya (blood money) can be applied on legal entities. Hence, punishments of legal entities could be investigated in two groups of "original punishments" and "complementary punishments". Although applying complementary punishment is impossible on legal entities currently in accordance with article 23 and its paragraphs, the legislator can reform the article 23 in this case and it is enough to replace the term "individual" with "personal".
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