

Sentence Law Reform

[Act No. 1.478 of 12/11/2019 amending certain provisions relating to sentences](#), published in the *Journal de Monaco* on 15/11/2019, is the result of Bill No. 984, which incorporated Bill No. 224 on work in the public interest of the National Council as part of a comprehensive reform of law of sentencing.

Act No.1.478, which is “*part of the Principality’s criminal policy*”, constitutes a major reform (99 articles) that modernizes the concept of the sentence: “*While striving to increase the tools for personalizing the sentence*”, it “*offers convicted persons better chances of reintegration, a sine qua non condition for preventing recidivism*”.¹

It reinforces the freedom of assessment of the courts, which will have broader sanctions and better adapted to contemporary delinquency.

Act No. 1.478 amends 16 texts, mainly the Criminal Code and the Code of Criminal Procedure.

► MAJOR AXES OF THE REFORM

- Modification of the range of sentences that may be imposed, in particular introduction of **days-fine** (an alternative to imprisonment) and **community service** (an alternative to imprisonment or fine).
- Modification of the modalities of enforcement of sentences, in particular introduction of **partial suspension** (only part of the sentence is executed, the execution of the remaining sentence being temporarily suspended), **period of day-parole** and **placement in society** (adjustment of prison sentence, which allows the sentenced person to benefit from a special imprisonment regime with the authorization to leave the prison).
- Clarification of the mechanism of **sentences running concurrently** (by which one sentence is deemed to be served at the same time as another, stronger sentence).
- Clarification of procedural rules for **default judgments**.
- New chapter on the **residence ban**.

¹ Report on the Bill No. 984, amending certain provisions relating to sentences (Rapporteur on behalf of the Legislation Commission: Thomas BREZZO), 23/10/2019, p.1.