

CENTRAL ANTI-CORRUPTION BUREAU

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Major CBA action

Officers of the Central Anti-corruption Bureau have detained entrepreneurs providing specialized services to Military Economic Units. This is the result of an investigation into bid rigging and acting to the detriment of the economic interests of military units.

The investigation, under the supervision of the 8th Military Department of the District Prosecutor's Office in Kraków, is being conducted in its entirety by officers of the CBA Regional Office in Kraków in cooperation with the Inspectorate of the Military Counterintelligence Service in Kraków.

The findings of the investigation indicate that several entrepreneurs, acting in order to achieve financial gain, jointly entered into an agreement consisting in unlawfully exerting influence on the results of tender procedures conducted by military units throughout the country. As part of this procedure, financial benefits were given to officials and employees of civilian and military institutions. Additionally, as part of mutual arrangements and agreements, private entrepreneurs jointly agreed on the content and price conditions of offers submitted in tender procedures. They took action to invalidate tenders and, as a result, to have military units announce new tenders. Such actions resulted in increased financial outlays allocated by these units and thwarted the possibility of selecting the objectively most advantageous offer in conditions of fair competition.

7 people detained

At the request of the prosecutor, officers of the CBA Regional Office in Kraków detained 7 people, including private entrepreneurs and their employees, from the Pomeranian, Wielkopolska, Masovian and Łódź provinces. The detainees represented business entities specializing in the provision of services related to the maintenance of

liquid fuel infrastructure and MPS devices for military units.

Over 70 CBA officers participated in the implementation, who simultaneously secured tender documentation, electronic devices and materials regarding cooperation between suspects and military units on the premises of 17 military units. Procedural activities were also carried out at the headquarters of suspected business entities in Wielkopolska and Pomerania.

Preventive measures applied

The detainees were brought to the 8th Military Department of the District Prosecutor's Office in Kraków. In total, the suspects were charged with 84 charges related to the procedure of bid rigging, as well as giving financial benefits, inciting to certify falsehoods in documents and giving false testimony in court proceedings.

Due to the attitude of the suspects, the prosecutor applied preventive measures in the form of: financial bail in the total amount of PLN 530,000, police supervision, a ban on leaving the country combined with the seizure of passports, a ban on contacting specific persons and a ban on disclosing information from the proceedings.

CBA appeals

This is the first implementation in the preparatory proceedings conducted by officers of the CBA Regional Office in Kraków. The case has been followed by further threads related to criminal activity. Investigators are planning further procedural implementations. In connection with the ongoing proceedings, the Central Anti-corruption Bureau informs that persons who have been entangled in corruption and have given a financial benefit have the opportunity to take advantage of the so-called non-punishability clause resulting from:

art. 229 § 6 of the Penal Code, which states:

The perpetrator of the offence specified in § 1-5 shall not be subject to punishment if a financial or personal benefit or its promise has been accepted by a person performing a public function, and the perpetrator has notified an authority established for the prosecution of offences and disclosed all relevant circumstances of the offence before the authority became aware of it.

and also from art. 305 § 6 of the Penal Code, which states:

The perpetrator of the offence specified in § 1 or 2 who has notified the body

responsible for prosecuting offences or the competition protection body of a Member State of the European Union or the European Commission about the fact of its commission and has disclosed all the essential circumstances of the offence before the body responsible for prosecuting offences has learned about it shall not be subject to punishment.

CBA Press Team



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