

ISLAMIC FEDERAL REPUBLIC OF THE COMOROS -----

Federal Assembly Act No.- 082 P/A. F - Act 95-012/AF on the penal Code ( Crimes and offenses )

The Federal Assembly has deliberated and adopted in its meetings of May 15, 1981 and May 8, 1982 and 18/09/95.

THE LAW WHOSE CONTENT IS AS FOLLOWS:

PRELIMINARY PROVISIONS

FIRST ARTICLE: - the offense that the laws punish sentences of police is a contravention.

The offense that the laws punish of correctional penalties is an offense.

The offense that the laws punish an afflictive penalty and infamous is a crime.

ART. 2 . - Any attempt to commit a crime which has been manifested by a commencement of execution, if it has not been suspended or if it failed to achieve its effect only by circumstances independent of the will of its author, is regarded as the crime itself.

ART. 3. - The attempted offense is regarded as the offense itself that in the cases determined by a special provision of the law.

ART. 4. - Null contravention, no crime, no one crime may not be punished by penalties which were not foreseen by the law before they were committed.

ART. 5 . - In case of conviction of several crimes or offenses , the severest punishment is only pronounced.

When a main sentence is the subject of a forgiveness, it has to be taken into account, for the application of the confusion of sentences, the sentence resulting from the switching and non-of the original sentence.

First Book

of sentences in criminal matters and of corrections and their

ART effects. 6 . - The penalties in criminal matters are or afflictive and demeaning, or only demeaning.

ART.7.- The afflictive penalties or demeaning are:

1°) - death.

2°) - The work forces in perpetuity.

3°) - The work forces in time 4°) - The of the deteninelle.

ART. 8 . - The penalty only infamous is the civic degradation.

ART. 9 . - The sentences in correctional matters are:

1°)- The imprisonment to time in a place of correction 2°) -The prohibition to time of certain civil rights, civilians or of the family.

3°)- the fine.

ART.10. - The condemnation to the penalties established by the Act is always pronounced without harm of refunds and damages which may be due to the parties.

ART.11. - The prohibition of stay, the fine, the special confiscation either of the body of the offense, when the property in belongs to the condemned, either of the things produced by the offense, or of those who have served or who have been intended for the commit, are common penalties for material to criminal and correctional.

#### FIRST CHAPTER

of sentences in criminal matters

ART.12. -Any person sentenced to death will be executed by firing squad.

ART.13. - The bodies of those executed will be issued to their family if they are asking for, to support for them to be buried without a device.

The minutes of the execution will be, under penalty of a civil fine from 2000 to 10,000 francs, lists on the field by the registrar. It will be signed by the President of the Assize or its replacement, the representative of the public ministry and the clerk.

Immediately after the execution, a copy of the minutes will be, under the same penalty, displayed on the door of the prison establishment or took place the execution and y will remain affixed during twenty four hours. In the case where the execution would have been made out of the enclosure of a penitentiary institution, minutes in will be displayed on the door of the town hall of the place of execution.

No indication, no document relating to the execution other than the minutes, may not be published by the press, to penalty of a fine of 20,000 to 35,000 francs. It is prohibited, under the same penalty, as long as the minutes of execution has not been displayed or the decree of grace shall notify the condemned or mentioned to the minute of the judgment, to publish by the way of the press, posters, leaflets, or by any other means of advertising, no information relating to the notice issued by the Higher Council of the judiciary, the decision taken by the President of the Republic

er The minutes will be, under the penalty provided by paragraph 1 , transcribed by the clerk in the twenty four hours at the foot of the minute of the judgment. The transcript will be signed by him and he will make mention of any under the same penalty, in margin of the minutes. This mention will also signed and the transcript will show as the minutes itself.

If the condemnation comes from a jurisdiction other than the court of assizes, its President shall exercise the powers belonging to the President of the foundation, the application of this article.

ART.14. - If the execution should be done in a prison establishment, the latter must be among the prison establishments appearing on a list drawn up by order of the Minister responsible for justice.

Will be only allowed to attend the execution, the persons indicated below:

1°) - The president of the Court of Assize or to default, a magistrate designated by president court appeal 2°) - a representative of the mini stere public designated by the Attorney General.

3°) - a judge of the court of the place of execution.

4°) - The clerk of the Court of Assize or, by default, a clerk of the court of the place of enforcement.

5°) - The defenders of the condemned.

6°) - a minister of religion.

7°) - The Director of the prison establishment.

8°) - The atrocities will require of police and if there is a place, the agents of the public force required by the attorney general or by the public prosecutor of the Republic 9°) - The prison doctor or to default, a doctor designated by the attorney general or by the Public Prosecutor of the Republic.

9°) - The prison doctor or to default, a doctor designated by the attorney general or by the Public Prosecutor of the Republic.

No conviction can be executed during the days of national or religious holidays, or on Sundays, or on Fridays.

ART-15. - If a woman sentenced to death said, and if it is verified that she is pregnant, she will not suffer its penalty that after its issuance.

ART.16. - The length of the sentence of the work forces in time, it will be according to the cases specified by law, which is ten to twenty years, either of five to ten years.

ART.17. - The duration of the punishment of criminal detention will be, according to the cases specified by law, is ten to twenty years, either from five to ten years.

ART.18. - Men sentenced to the work forces will be employed in the work of public interest the more painful.

The women sentenced to the work forces will be employed and in the interior of the penal camp.

ART.19. - The criminal detention will be run in the neighborhood of the special penal camp. The sentenced person will communicate with the persons placed in the interior of the place of detention or with those of the outside, in accordance with the regulations of the prison administration.

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ART.20. - The duration of any deprivation of liberty account of the day or the convicted person is being held under the condemnation, become irrevocable who pronounced the sentence.

ART.21. - As there will be had preventive detention, this detention will be deducted in full from the length of the sentence that will be pronounced the judgment or the judgment of conviction, unless the judge had ordered, by special provision and reasoned that this posting will not take place or that it will take place only in part.

With regard to the preventive detention between the date of the judgment or of the judgment and the time or the conviction becomes irrevocable, it will always posted in the two following cases:

in toto) - If the sentenced person has exercised point of appeal against the judgment or the judgment.

2°) - If having exercised an appeal, his sentence was reduced on his appeal or to the result of his appeal.

ART.22. - The condemnation to a criminal penalty will prevail the civic degradation. The civic degradation will be incurred from the day or the conviction is irrevocable and, in the case of conviction in absentia, the date of the completion of the advertising provided below:

1°) - Publication of an extract of the judgment of conviction in a newspaper.

2°) - Display of the same extract to the door of the last known domicile of the fugitive, the door of the City Hall and to that of the praetorium- of the Court of assizes.

3°) - Notification of the judgment to the representative of the areas of the domicile of the fugitive.

ART.23. - Anyone who has been sentenced to a afflictive punishment and shaming will be of more, for the duration of his sentence, in a state of legal prohibition, he will be appointed a guardian and surrogate guardian to manage and administer his property, in the form prescribed for the appointments of guardians and surrogate guardians to prohibited.

The legal prohibition does not produce effect for the duration of the parole.

ART.24. - The property of the convicted him will be handed over after he has undergone his punishment and the tutor will report on its administration.

ART.25. - For the duration of his sentence, he will not be able to be handed no sum , no provision, no portion of its revenues

ART.26. - The civic degradation is

1 degrees) - In the dismissal and the exclusion of convicted of all functions, jobs or public offices.

2°) - In the deprivation of the right to vote, eligibility and in general of all civil and political rights and the right to bear any decor.

3°) - In the inability to be de jure, expert, to be employed as a witness in the acts and to remove in justice otherwise than to give simple information.

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4°) - In the inability to be part of no family council and to be guardian, curator, subrogated guardian or judicial council, if it is to his own children, and on the assent of the family.

5°) - In the deprivation of the right of port and weapons possession, right to serve in the gendarmerie, in the police and armed forces, in general to participate in a served any public, to hold school or to teach and to be employed in any establishment of instruction, as a professor, master or supervisor.

ART.27. - All the times that the degradation will be pronounced as the main penalty, it may be accompanied by a prison whose length determined by the judgment of condemnation, not exceeding five years.

If the convicted person is a foreigner or a Comorian having lost the quality of citizen, 1a sentence of imprisonment should always be pronounced.

ART.28. - The condemned to forced labor in perpetuity cannot dispose of his property, in whole or in part, either by gift inter vivos, either by testament, or receive to this title, if this is due to food. Any testament by him done so prior to his conviction contradictory, become final is zero. The above provisions are applicable to

convicted in absentia that five years after the completion of the advertising measures provided for in the Code of Criminal procedure in force.

The indictment chamber acting on request may raise the convicted person from all or part of the disability imposed by the previous paragraph, it may grant the exercise in the place of execution of the penalty, civil rights, or a few of these rights of which he has been deprived by her state of legal prohibition the acts done by the condemned in the place of execution of the sentence, may not initiate the goods that it possessed in the day of his conviction, or that he are matured at title free since that time.

ART.29. - In all cases where a conviction is handed down, for an offense under sections 55, 56 57,58,78 - 79,151,152,157 and 160, the competent courts may order confiscation for the benefit of the nation of all the assets of the convicted of whatever nature they may be, furniture, buildings, or individual following the procedures below.

ART.30. - If the convicted person is married, the confiscation will focus only on the half of its property.

If he has of the descendants or ascendants, the confiscation will focus only on the fifth of its goods. It will be, if there is place, proceeded to the share or the licitation following the rules applicable in the matter of succession.

ART.31. - The alienation of confiscated property will be pursued by the administration of the areas within the forms prescribed for the sale of State property The property vested in the State by the effect of the forfeiture, will remain strikes, up to the amount of their value, of legitimate debts prior to the conviction.

Will be declared null and void at the request of the administration of areas or of the public ministry, all acts inter vivos or testamentary at a cost or free, made by the guilty for less than three years at the time of prosecution, either directly, or by

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person interposed or by any other indirect means, if they have been made with the intention to conceal, divert or reduce all or part of his fortune.

Unless evidence to the contrary which may be made by all means, any act of provision or administration is presumed to have been accomplished in this intention if it is not established that it is previous to the period provided for by the preceding subparagraph.

Will be punished by a term of imprisonment of one to five years and a fine of 20,000 to 200,000 francs, or only one of these two penalties, those who knowingly aid directly, either indirectly or by interposition of persons, with the concealment of goods or values belonging to the convicted person.

CHAPTER there  
of sentences in correctional matters

ART.32. - The duration of sentences of imprisonment will be greater than a month without exceeding ten years, except in the case of recidivism or those for which the act will be determined other limits.

The penalty to a day of imprisonment is twenty-four hours. The one to one month is thirty days. The fine is greater than 1 0,000 francs

ART.33. - The courts judging correctionnellement may, in some cases, prohibit, in whole or in part, the exercise of civic, civil and family rights:

1°) - of voting and election.

2°) - for eligibility.

3°) - to be called or appointed to a juror or other public functions to administration jobs.

4°) - The port and weapons possession.

5°) - to vote and suffrage in the deliberations of the family.

6°) - To be guardian, curator, if this is of his children and of the opinion only of the family, 7°) - to be an expert or employee as a witness in the acts.

8°) - to testify in court, otherwise than for y make simple declarations.

When the penalty will be greater than five years, the courts can decide for a duration of not more than ten years, the prohibition of rights listed above the ban will take effect as of the day or the conviction will become final.

ART.34. - The courts do not vote the prohibition mentioned in the previous article that when it has been authorized or ordered by a particular provision of the Act.

Chapter 111

of penalties and other convictions that may be imposed for crimes or offenses.

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ART.35. - The prohibition of residence lies in the defense made for convicted persons to appear in certain places, in addition, it has measures of supervision and assistance.

Its duration is two to ten years,

it may be pronounced:

1°) - In criminal matters against the sentenced to forced labor for time, to 1a criminal detention and imprisonment for crime.

2°) - in correctional matters in the cases provided for by law.

Any person sentenced to a life sentence who obtains switching or remission of his sentence is, if he is otherwise prepared by the gracious decision, subject to full right to the prohibition of residence for a period of ten years. It is the same for any person sentenced a life sentence who has prescribed his sentence.

The list of prohibited places, as well as the measures of supervision and assistance are fixed by the Minister of the Interior, by arrested individual taken on the proposal of a commission composed by:

in toto) - The first president of the court of appeal - President.

2°) - The attorney general close to the court of appeal.

3°) - The Director of the federal police.

4°) - The commander of the gendarmerie.

5°) - The governors of the islands or their representatives.

The said commission will sit validly when half of its members will be present.

This decree will be able as to need be changed in the forms or he intervened. In any case, the minister of the Interior may not aggravate the proposals made by the commission mentioned above.

ART.36. - The order of prohibition is notified to the condemned man, who receives in addition to a copy of the said arrested a special card of identity which the template will be fixed by decree of the Minister of 1 "inside and which will have to be presented at police checks.

If the order of prohibition of residence has been notified to the condemned before his final release or correctional, it takes effect from the day of its liberation. If he has been notified after his release, he shall take effect from the day of notification.

If it has not been pronounced of deprivation of liberty without suspension, the arrested prohibition of residence will be notified to the convicted person that the judgment of conviction will become final.

If the sentenced person has prescribed his sentence, the order of prohibition of stay takes effect from the day or the prescription is accomplished.

Shall be punished by a term of imprisonment of six months to three years and a fine of 15,000 francs to 1 00,000 francs, or with only one of these two penalties, any prohibited to stay which in violation of the order of prohibition of residence which has been notified, will appear in a forbidden area and that will be subtracted from the measures of supervision and assistance.

The non-presentation of the special card of identity will be punished by a sentence of fifteen days to three months' imprisonment and a fine of 15,000 francs to 50,000 francs.

In case of emergency, the provisional authorisation to stay in a locality prohibited may be granted by the commissioner of the federal police.

ART.37. - When there will be place to restitution, the guilty may be sentenced in addition, toward the injured party, if it so requests, to the allowances which the determination is entrusted to the discretion of the Court or of the court, when the law does the will have not settled, without which the court or tribunal can consent even of the so-called share, declare the application to any manner of work.

ART.38. - The enforcement of fines, to refunds, damages and the costs can be continued by the stolen of the constraint by body.

ART.39. - In the event of competition of the fine with the refunds and the damages and interest, on the property insufficient of the condemned, these latest convictions will get the preference.

ART.40. - Subject to the provisions provided for in the code of criminal procedure, all individuals sentenced for the same offense or for related offenses, are severally bound almonds, refunds, damages and costs.

#### CHAPTER 1 V of sentences of recidivism for crimes and offenses

ART.41. - Anyone who has been sentenced to a afflictive punishment and shaming, or only infamous, will commit a new crime, will be punishable by the double of the penalty.

However, the individual who was sentenced by a court acting in matters of military justice, will, in the case of a crime or offense post, subject to the penalties of the recidivism, as much as the first conviction has been handed down for crimes or offenses punishable under the laws ordinary criminal.

ART.42. - Anyone who has been sentenced for a crime, to a punishment greater than a mutuels of imprisonment, will, within a period of five years, after the expiry of the sentence or its prescription, committed an offense or a crime which should be

punished by imprisonment, shall be sentenced to the maximum of the penalty range, by the act and this sentence may be high at the double.

In addition, the prohibition of stay may be imposed for a period of two to ten years.

ART.43. - It will be the same for the sentenced to a prison term of more than one year for offense which, in the same period of five years, would be convicted of the same offense or a crime to be punished with imprisonment.

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Those who, having previously been sentenced to a term of imprisonment of lesser duration, would commit the same offense in the same conditions of time, will be sentenced to imprisonment which may not be less than the double of the previously pronounced, without however that it can exceed the double of the maximum of the penalty.

The offenses of theft, fraud, breach of trust, corruption and all acts of misappropriation of funds, the public purse will be condemned as being at the point of view of the recidivism, a same offense.

It will be the same of the offenses of vagrancy and begging. The fencing will be considered, from the point of view of the offending, such as the offense who has procured, things which were located.

Second Book

of persons punishable, excusable or responsible for crimes or for offense

ART.44. - The accomplices to a crime or an offense will be punished with the same penalty as the perpetrators of this crime or for the offense, except where the law would otherwise provides.

ART.45. \_ - will be punished as an accomplice of a qualified action crime or offense, those, who by gifts, promises, threats, abuse of authority or power, machinations or trickery, will have caused to this action or gives instructions for the commit.

Those who will get the weapons, instruments or any other means which will be served to the action, knowing that there had to be used.

Those who will, with knowledge, aided or assisted the author or authors of the action, in the facts, which have prepared, or in those who have consumed, without prejudice to the penalties that will be specially brought by this code against the

authors of conspiracies or provocations that violate the security of the State, even in the case where the crime which was the object of the conspirators or provocateurs would have been committed.

ART.46. - Those who knowing the criminal conduct of persons engaging in armed robbery or violence against the security of the State, the public peace, the properties, their usually provide housing, place of retirement or of meeting, will be punished as their accomplices.

Those who outside of cases provided for above, will knowingly conceals a person they knew having committed a crime or that they knew sought of this fact by the justice or who will be subtracted, or attempts to evade the criminal to the arrest or to research, or will be using, to hide or to take the leak, will be punished by imprisonment of up to two months to three years and a fine of 12,000 to 300,000 francs or only one of these two penalties , all without prejudice to the more severe penalties that there are worthwhile.

Excepted are the provisions of the preceding paragraph, the parents or allies of the criminal up to the fourth degree exclusively.

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ART.47. - Without prejudice to the application of articles 87 and 88 of the present code, shall be punished by a prison sentence of two months to three years and a fine of 12,000 to 300,000 francs, or with only one of these two penalties, the one who, having already had knowledge of a crime attempted or consumed, will not, while it was still possible to prevent or minimize the effects or that one could think that the guilty parties, or one of them would commit new crimes, that a denunciation could prevent, immediately notified the administrative or judicial authorities.

Are excepted from the provisions of this article the parents and allies up to the fourth degree inclusive, of the authors or accomplices of the crime or the attempt except in regard to the crimes committed on minors of fifteen years.

ART.48. - Without prejudice to the application, if applicable, the more severe penalties provided for by the present code and the special laws, will be punished by a term of imprisonment of three months to five years and a fine of 12,000 to 300,000 francs or only one of these two penalties, anyone, that can prevent by his immediate action, without risk to him or to the third party, either an act classified as a crime, is a crime against the physical integrity of the person, shall refrain voluntarily to do so.

Will be punished with the same penalties anyone who refrains voluntarily to bring to a person in danger, the assistance that, without risk to him or for third parties, it could lend him either by his personal action , either by causing a relief.

Will be punished with the same penalties the person who, knowing the proof of innocence of a person incarcerated preventively or tried for crime or offense, refrains voluntarily to bring as soon the testimony to the judicial authorities or the police. However, no sentence shall be pronounced against the one who will bring his testimony late, but spontaneously.

Are excepted from the provisions of the preceding paragraph, the guilty of the fact which motivated his pursuit, his co-authors, his accomplices and the parents or allies of these people . Up to the fourth degree inclusive.

ART.49. - There is no crime or offense when the accused was insane at the time of the action, or when it was forced by a force to which he could not stand.

ART.50. - No crime, no crime can be excused, nor the sentence mixed that in cases where the circumstances or the act declares the fact excusable or allows him to apply a penalty less rigorous.

ART.51. - If, because of the circumstances of the personality of the offender, it is decided that a minor over the age of thirteen years must be the subject of a criminal conviction, the sentences will be pronounced as well as it follows:

if he has incurred the death penalty, of the work forces in perpetuity, he will be sentenced to a penalty of ten to twenty years of imprisonment.

If he has incurred the penalty of the work forces in time of ten to twenty years, of criminal detention for ten to twenty years or for five to ten years, he will be sentenced to imprisonment for a

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time equal to half that which he could have been sentenced to one of these two penalties.

If he has incurred the penalty of the civic degradation, he shall be sentenced to imprisonment for at most two years.

ART.52. - If the offense committed by a minor over the age of thirteen years is a crime or misdemeanour, the penalty which may be imposed against him under the

conditions of article 51, will not be able, subject to the same reservation, if elevated above the half of that to which he would have been sentenced if he had been eighteen years.

ART.53. - The innkeepers and hoteliers convinced of having housed, more than twenty four hours, someone, who, during his stay, would have committed a crime or an offense, shall be civilly liable for refunds, allowances and costs awarded to those to which the crime or offense would cause some damage by failing to have inscribed on their register the name, profession and domicile of the guilty, without prejudice to their civil liability.

ART.54. - In all other cases of civil liability that may arise in criminal cases, correctional or police, the courts and tribunals in which these cases will be brought, will comply with the provisions of the code of civil and commercial obligations.

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### BOOK THIRD

of crimes, offenses and their punishment

#### TITLE 1

crimes and offenses against the public thing

or CHAPTER 1

Crimes and offenses against the security of the State

Section 1

of the crimes and treason of espionage

ART.55. - Will be guilty of treason and punished by death, any Comoros, any soldier, sailor or airman in the service of the Comoros which:

1°) - will bear arms against the Comoros.

2°) - will meet the intelligences with a foreign person with a view to initiate or undertake hostilities against the Comoros or in will provide the means, either by facilitating the penetration of foreign forces on the Comorian territory, either by shaking the fidelity of the armies of earth, sea or air, either in any other manner.

3°) - will deliver to a foreign power or to the agents, the Comorian troops, either of the territories, cities, fortresses, books, posts, shops, arsenals, equipment, ammunition, vessels, buildings or aircraft navigational equipment belonging to the Comoros and assigned to his defense, 4 ' ) - In order to harm the national defense, wilfully destroys or damages a ship a device of air navigation, a piece of equipment ,

supply, a building or a particular installation, or which, in the same purpose, y will either before or after their completion, the workmanship of nature to the damage or to cause an accident

ART.56. - Will be guilty of treason and punished by death, any Comoros, any soldier, sailor or airman in the service of the Comoros, which , in time of war:

IN TOTO) - will cause the military or of the seamen to go in the service of a foreign power, they will facilitate the means or will of subjection to a power at war with the Comorians.

2°) - will meet the intelligences with a foreign power or its agents in order to promote the businesses of this power against the Comoros.

3°) - will impede the movement of military equipment.

4°) - will have knowingly participated in an enterprise of the demoralization of the army or of the nation having for object of detrimental to the national defense.

ART.57. - Will be guilty of treason and punished by death, any Comorian who:

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1°) - will deliver to a foreign power or its agents, in whatever form, and whatever means, a intelligence, subject, document or process that must be kept secret in the interest of national defense.

2°) - will ensure by any means whatsoever, the possession of such information, object, document, or proceed with a view to deliver it to a foreign power or its agents.

3°) - Will Destroy or will destroy such an intelligence, subject, document or process in order to promote a foreign power.

ART.58. - Will be guilty of espionage and punishable by death, any foreigner who will commit one of the acts referred to in article 55-2° - 53-3° and 55-4°, in article 56 and 57.

The provocation to commit or the offer to commit one of the crimes referred to in articles 55, 56 and 57 and in this article will be punished as the crime itself.

-Section 2 -

other violations to national defense

ART.59. - Will be punished with the maximum of the work forces in time, any Comorian or any alien who, with the intent to deliver them to a foreign power, will

bring together information, objects, documents or processes whose meeting and the exploitation is such as to impair national defense.

ART.60. - Will be punished by the criminal detention for ten to twenty years, any guardian, any depositary by function or quality of an intelligence, subject, document or process that must be held in secret in the interest of national defense or the knowledge of which could lead to the discovery of a secret of national defense which, without the intention of treason or espionage, the aura:

1 °) - destroyed, subtracts, leaves destroy or subtract, reproduced or leaves reproduce,

2°) - Door or leaves bring to the knowledge of a person not qualified or of the public.

The penalty shall be imprisonment from six months to five years if the guardian or the depositary has acted, either by clumsiness, carelessness, inattention, negligence or breach of the regulations.

ART.61. - Will be punished by the criminal detention of five to ten years ago, any Comorian or any alien other than those referred to in article 60 which, without intention of treason or espionage

1°) - will ensure being without quality, the possession of an intelligence, subject, document or process that must be kept secret in the interest of national defense or the knowledge of which could lead to the discovery of a secret of national defense.

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2°) - Will Destroy, will subtract, let destroy, reproduce or will reproduce such information , object, document or process.

3°) - will or will bring to the knowledge of a person not qualified or of the public, such information, object, document, or process , or will be extended the disclosure.

ART.62. - Will be punished by the criminal detention for ten to twenty years, any Comorian or any alien who, without prior authorization from the competent authority, will deliver or will communicate has a person acting for the account of a foreign power, either an intervention interesting national defense, or to information, studies, manufacturing processes relating to an invention of this kind or to an industrial application interesting national defense.

ART.63. - Will be punished by a term of imprisonment of one to five years, any Comorian or alien who, without intention of treason or espionage will be brought to the knowledge of a person not qualified or of the public, a military information not

made public by the competent authority and the disclosure of which is clearly likely to impair to national defense.

ART.64. - Will be punished by the criminal detention for ten to twenty years , all Comorian or alien who:

1°) - will be fed under a disguise, a false name or by hiding its quality or nationality, in a fortress, in a book, post, arsenal, in the work, camps, bivouacs or quartering of an army, in a building of war or of commerce employee for the national defense, in a device of air navigation or in a military vehicle or marine of any nature or in an establishment or yard interesting national defense,

2°) - even without disguising himself, or without concealing its name, its quality or nationality, will be organized in a manner conceals a any means, correspondence or of transmission To distance of nature to harm the national defense.

3°) - will overfly the Comorian territory by means of a foreign aircraft without being authorized by a diplomatic convention or a permission of the Comorian authority,

4°) - In an area of prohibition set by the military authority or maritime, will run without the permission of the board, of drawings, photographs, lifted or photographic operations within and around the seats, books, posts or military establishments and maritimes or interesting national defense.

5°) - should sojourn in defiance of a ban enacted by decree in a radius determined around the fortifications or military establishments or maritime.

6°) - will communicate to a person not qualified or will make public information relating either to the measures taken or to discover or stop the perpetrators and accomplices of the crimes and offenses defined in sections 1 and it of the present chapter, either at the market of the prosecution and of the statement, or to discussion before the trial court.

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However, in time of peace, the perpetrators of the offenses set out in the subparagraphs 3-4-5 and 6°, will be punished by a prison term of one to five years and a fine of 1,000,000 to 2,000,000 francs.

ART.65. - Will be punished by the criminal detention for ten to twenty years , anyone who

1°) - will be by hostile acts not approved by the government, exposed the Comoros to a declaration of war,

2°) - will be by acts not approved by the government, expose of the Comorians to suffer reprisals

3°) - will meet with the agents of a foreign power of the intelligences of nature to harm the situation military or diplomatic of Comoros or to its economic interests essential.

ART.66. - Will be punished by the criminal detention for ten to twenty years , anyone who will in time of war:

1°) will meet, without authorization of the government, a correspondence or relations with the subjects or agents of a hostile power.

2°)- will directly or by intermediary, acts of trade with the subjects or agents of a hostile power, in defiance of the prohibitions laid down.

ART.67. - Will be punished by a prison term of one to five years and a fine of 100,000 to 1,000,000 francs, anyone who, in time of war, knowingly performs an act of nature to harm the national defense not planned and repressed by a text.

ART.68. - Will be punished by the criminal detention of five to ten years, anyone who, in time of peace, with a view to harm the national defense, will be hampered the movement or military will be by any means , causes, facilitated or organized a violent action or concerted having these barriers for purpose or result.

ART.69. - Will be punished by the criminal detention of five to ten years, anyone who, in time of peace, will knowingly participates in a business to demoralization of the army, having for object of detrimental to the national defense.

ART.70. - Will be punished by a prison term of one to five years and a fine of 100,000 to 1,000,000 francs, anyone who, in time of peace, enlist soldiers for the account of a foreign power in Comorian territory.

- Section 3 -

of attacks, plots and other offenses against the authority of the State and the integrity of the national territory and of crimes designed to disturb the State.

ART.71. - The attack whose purpose will have been, either to destroy or change the constitutional regime, either to disturb by illegal means the regular operation of the authorities established by the Constitution, either to obtain by illegal means, the replacement of-say authorities, either

to excite the citizens or residents to arm themselves against the authority of the State, or to undermine the integrity of the national territory, will be punished by forced labor for life.

ART.72. - The plot to the crimes mentioned in article 71, if it has been followed by an act committed or started to prepare for the execution will be punished by the criminal detention for ten to twenty years.

If the conspiracy has not been followed by an act committed or started to prepare for the execution, the penalty will be that of the criminal detention in time of five to ten years.

There is a conspiracy of that resolution to act is concerted and stopped between two or more persons.

If there was a proposal made and non-authorized to form a conspiracy to arrive to the crimes mentioned in article 71, the one who has made such a proposal will be punished by a prison term of one to five years and a fine of 1 00,000 to 1,000,000 francs.

ART.73. - Anyone outside of the cases provided for in articles 71 and 72, will be undertaken by any means whatsoever, to undermine the integrity of the national territory or 1 'national unity, including by the comments or facts or discriminatory to subtract to the authority of the Comoros, a part of the territories in which this authority is exercised, will be punished by a prison term of one to ten years and a fine of 1 00,000 to 2,000,000 francs, or with only one of these two penalties.

ART.74, - those who will be lifted or fact lift of armed troops, committed or enlisted, fact engage or recruitment of troops or their have provided the weapons or ammunition, without order or without permission of the legitimate power, will be punished by forced labor for life.

ART.75. Those, who against the order of the government, will have retained such a commandment.

The commanders who have held their army or troupe gathered, after that the termination or separation in will have been ordered.

Will be punished the work forces in perpetuity.

SS.76 - When one of these offenses provided for in article 71 - 73- 74 and 75 will have been executed, or simply attempted with use of weapon, the penalty will be death.

ART.77.\_ - Any person who, that can dispose of the public force in will be required or ordered, fact require or order the action or employment to prevent the execution of

the laws on military recruitment or on the mobilization, will be punished with the work forces in time of ten to twenty years.

If this requisition or order have been followed by their effect, the guilty will be punished by life imprisonment

ART.78. - The attack whose purpose will have been either, to excite to the civil war by arming or bearing the citizens or inhabitants to arm themselves against each other, or to cause devastation, the massacre or the looting on the territory, will be punished with death.

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ART.79. - Other maneuvers or acts of nature to compromise public safety or cause serious political disturbances, cast discredit on political institutions or their operation, to violate the laws of the country, will be punished by imprisonment of at least three years and no more than five years and a fine of 100,000 to 1 5 00,000 francs. The guilty parties may in addition be subject to prohibition of residence.

Any individual, who will have received, accepted, solicited or authorized donations, present, subsidies, offers, promises, or any other means with a view to engaging in propaganda of nature to compromise public safety or cause of the disorder, to cast discredit on political institutions or their operations, or to encourage the citizens to violate the laws of the country, will be punished by a prison term of one year at least and no more than five years and a fine of double the value of promises approved or things received or requested, without that the so-called fine can be less than 1 00,000 francs. The guilty parties may in addition be subject to prohibition of residence.

It will never made restitution of things received neither of their value, they will be confiscated for the benefit of the treasury.

ART.80. - The plot to the crime provided for in article 78, if it has been followed by an act committed or started to prepare for the execution, will be punished with the maximum of criminal detention.

If the conspiracy has not been followed by an act committed or started to prepare for the execution, the penalty will be that of the criminal detention in time of ten to twenty years.

There is a conspiracy of that resolution to act is concerted and stopped between two or more persons.

If there was a proposal made and not authorized to form a conspiracy to arrive at the crime referred to in article 78, the one that has made such a proposal will be punished by the criminal detention of five to ten years.

ART.81. - Will be punished by death, anyone with a view to disrupting the State by one of the crimes provided for in articles 71 and 78 or by flooding, the looting or the sharing of public or private property or even by attack or resistance toward the public force acting against the perpetrators of these crimes; se will be placed at the head of armed bands, or will exercise a function or a any command.

The same penalty will be applied to those who have headed the association, lifted or fact lift, organized or fact organize bands or their will have knowingly and voluntarily provided or procured of subsidies, weapons, ammunition or instruments of crime or sent of neccessity or who will have in any other manner, practice of intelligences with the directors or the commanders of the bands.

ART.82. - The individuals that parties of bands, without y exercise no commandment or employment, will be punished by the criminal detention for ten to twenty years.

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ART.83. - Any individual who will fire or destroyed, by a mine explosion, buildings, warehouses, arsenals, vessels, or books, aircraft or other properties belonging to the State or other public authorities, will be punished with death.

- Section 4 -

of the crimes committed by the participation to an insurrectional movement

ART.84. - Will be punished in the criminal detention in time of ten to twenty years, the individuals who in an insurrectional movement:

IN TOTO) - will be done or will help to make barricades, forts or all other work having to object to hinder or stop the exercise of the public function

2°) - will have prevented us from using violence or threats the convening or the meeting of the public force, or which will causes or facilitates the gathering of insurgents either by the distribution of orders or proclamations, either through the port of flags or other signs of rallying , or by any other means.

3°) - will, to do attack or resistance toward the public force, invaded or occupied buildings, posts or other public establishments, houses inhabited, the penalty will be

the same in respect of the owner or tenant who knowing the purpose of the insurgents, their will be obtained without constraint, the entry of said houses.

ART.85. - Will be punished in the criminal detention for ten to twenty years, the individuals who, in an insurrectional movement:

1°) - Se will be seized weapons, ammunition or materials of all species, either with the help of violence or threats, either by the looting of shops or of posts, shops, arsenals or other public establishments, either by the disarmament of the agents of the public force.

2°) - Will Have door either of weapons open or hidden, or ammunition , either a uniform or costume or other insignia civilian or military.

If the individuals carrying concealed weapons or hidden, or ammunition, were coated with a uniform, a costume or other insignia civil or military, they will be punished the maximum of criminal detention.

The individuals who have made use of their weapons will be punished the work forces in perpetuity,

ART.86. - Will be punished with death, those who have directed or organized an insurrectional movement or who knowingly and voluntarily provided or obtain weapons, ammunition or instruments of crime, or sent the necessity or who, will in any way, practice the intelligences with the directors or commanders of movements.

- Section 5 -

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#### Miscellaneous Provisions

ART.87. - Subject to the obligations resulting from the professional secrecy, will be punished by a term of imprisonment of one to five years and a fine of 500,000 to 1,000,000 francs, any person who, having knowledge of acts constituting offenses against the security of the State referred to in this chapter, will not the revelation to the administrative authorities, judicial or military of the time or he will have known.

In addition to the persons designated in article 45, shall be punished as an accomplice, anyone, other than the perpetrator or accomplice:

1°) - will provide without constraint in in knowledge of their intentions, subsidies, means of livelihood, housing, place of retirement or of meeting the authors of crimes or offenses against the security of the State.

2°) - Will knowingly the correspondence of the perpetrators of such crimes or offenses, or their will facilitate knowingly, of a few ways that this either, the research, the fencing, the transport or transmission of the object of the crime or offense.

In addition to the persons designated in article 427, shall be punished as fenced, anyone, other than the perpetrator or accomplice:

1°) - will house knowingly the objects or instruments that have been used or to be used to commit the crime or offense or the objects, materials or documents obtained by the crime or offense.

2°) - Will Destroy, duck, will house, knowingly withholding a public or private document of nature to facilitate the search of the crime or offense, the discovery of the evidence or the punishment of the perpetrators.

In the cases provided for in this article, the court may exempt from the penalty, the parents or allies of the criminal to the fourth degree inclusive.

ART.88. - Will be free of the penalty incurred he who before any execution or attempted crime or offense against the security of the State, will give the first knowledge the administrative or judicial authorities.

The penalty will be only lowered to a degree if the termination occurs after the consumption or the attempt of the crime or offense, but before the opening of the prosecution.

The penalty will be also lowered to a degree with respect to the guilty who, prior to the initiation of legal proceedings, will provide the arrest of the perpetrators or accomplices to the same offense or other offenses of the same nature or of equal severities.

Except for the specific crimes they would have personally committed, there will be delivered no penalty against those who, having been a part of an armed band without y exercise no command and without y fill no employment or function, will be withdrawn at the first warning of civilian or military authorities or this will be rendered to these authorities.

ART.89. - The compensation received by the guilty, or the amount of its value when the retribution has not been entered, will be declared acquired the treasury by the judgment

the confiscation of the object of the crime or offense or of objects and instruments used to commit will be pronounced, are included in the word weapons, all machines, all instruments or sharp utensils, pierced or blunt.

The cannes simple and other any objects will be deemed weapons that, as far as he will have been used to kill, injure or strike.

ART.90. - The head of State may, by decree after opinion of the supreme court, extend either to the time of war, either for the time of peace, all or part of the provisions relating to crimes and offenses against the security of the State to acts concerning the latter which would be committed against States or powers, allies or friends of the Comoros.

### C H A P I T R E III

massings

ART.91. - Is prohibited on the public road or in a public place:

1°) - any armed mob,

2°) - Any crowds non-weapon which could disturb the public peace.

The crowd is armed if one of the individuals that comprise is carrying a weapon apparent, or if several of them are carriers of concealed weapons, or any objects visible or hidden, having been used as weapons or made to be used as a weapon.

The representatives of the public force called in order to dispel a crowd or to ensure the execution of the act, from a judgment or a mandate of justice may use force if the violence or assault are exercised against them, or if they cannot defend otherwise the ground they occupy or the posts in their custody.

In the other case, the crowd is dissipated by force after the government, the prefect, the mayor or one of his assistants, a commissioner of police or any other judicial police officer bearer of the insignia of its function.

1°) - will be announced its presence by a sound signal or light of nature to warn effectively the individuals constituting the crowd,

2°) - will sum the persons participating in the gape upon to disperse, to using a speakerphone or using a sound signal or light of nature also to warn effectively individuals constituting the crowd,

3°) -will be conducted in the same manner to a second summation if the first is remained without result.

The nature of the signals to which it will be used will be determined by decree.

ART.92. - Will be punished by a prison term of two months to a year, any person not army, which part of an armed mob or non-weapon , will not abandoned after the first summons.

The imprisonment will be from six months to three years if the person non-army has continued to be part of an armed mob is being dispelled that before the use of force.

The persons sentenced by application of the present article may be private for at least one year and at most five years, of all or part of the rights mentioned in article 33.

ART.93. - Without prejudice, where applicable, to more severe penalties, will be punished by a prison term of six months to three years, anyone who, in a crowd during a demonstration or on the occasion of a demonstration during a meeting or on the occasion of this meeting, will have been found carrying a weapon apparent or hidden or any objects visible or hidden, having served weapon, or doors to serve as weapons.

The imprisonment of one to five years in the case of crowd dissipated by the public force.

The sentenced persons in application of the present article may be prohibited to stay and private for at least five years and not more than ten years of the rights mentioned in article 33.

The prohibition of the national territory may be pronounced against any foreigner guilty of one of the offenses provided for in this article.

ART.94. - Any direct provocation to a crowd not armed either, by speech uttered publicly, either by written or printed, displayed or distributed will be punished by a term of imprisonment of one month to one year, if it has been followed by effect and in the case contrary , to imprisonment for two months to six months and a fine of 15,000 to 75,000 francs, or with only one of these two penalties.

Any direct provocation by the same means to an armed mob is punishable by a term of imprisonment of one to five years, if it has been followed by the effect, in the contrary case, a prison term of three months to one year and a fine of 15,000 to 75,000 francs, or with one of these two penalties only.

ART.95. - The exercise of the prosecution for the offense of crowd is not an obstacle to the prosecution for crimes and offenses individuals who would have been committed instead of crowding.

The flagrante delicto procedure is applicable to the offenses provided for and punished by this chapter committed on the same places of mass gatherings.

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Any person who will have continued to be part of a crowd after the second summons, made by a representative of the public authority may be sentenced to the pecuniary compensation of the damage caused by this crowd.

ART.96. - Meetings on the public road are prohibited.

Are subject to the obligation of a prior declaration, all processions, parades or gatherings of people and in a general way, any manifestation on the public road. However, are exempt from this statement, the outputs on the public roads conform to local practice.

ART.97. - The statement will be made to the administrative authority responsible for the maintenance of public order on the national territory which the event should take place, three clear days at least and fifteen clear days at most, before the date of the event.

The declaration made known the names, forenames and homes of the organizers and signed by three of them making election of domicile in the territory or will be held the demonstration. It indicates the purpose of the event, the place, the date and the time of the rally of the groups invited to participate and if there is a place, the projected route.

The authority that receives the statement in issued immediately receipt.

ART.98. - If the appointing authority of police powers believes that the planned event is of a nature to disturb the public order, it is prohibited by a decree that she immediately notify signatories of the declaration to the elected domicile.

This authority shall forward within twenty four hours, the statement of the minister of the interior and attached thereto, if applicable, a copy of its decision to ban.

The minister in charge of the interior, can take either a prohibition order, or cancel the decision that has been taken.

ART.99. -Will be punished by imprisonment for six months to one year and a fine of 75 00,500,000 francs, those who have made a declaration incomplete or inaccurate of nature to deceive on the conditions of the planned event, or who, either before the filing of the declaration submitted to the article 97, either after the ban, will address by any means, a convening to take part.

Will be punished by a prison term of at least one year and at most five years, and a fine of 100,000 to 1,000,000 francs those who have participated in the organization of a undeclared demonstration or who will have been banned.

In the cases provided for in the two preceding paragraphs, the guilty will be sentenced to the prohibition of stay under the conditions laid down in article 33.

## CHAPTER 1 1 1

### Crimes of crimes against the Constitution

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#### S e c t i o n 1

of offenses relating to the exercise of civic rights

ART.100.- When by crowd, tracks of facts or threats , we will have prevented one or more citizens to exercise their civic rights, each of the guilty will be punished by a prison term of at least six months and at most two years and of the prohibition of the right to vote and to be eligible for at least five years and not more than ten years.

ART.101.- If this offense has been committed as a result of a concerted plan to be running either on the full extent of the territory of the Republic, either in one or several administrative districts, the penalty will be from two to five years of imprisonment.

ART.102.- Any citizen who, being charged, in a ballot, the counting tickets containing the votes of citizens, will be surprised falsifying these tickets or spirited to subtract from the earth, or add to them, or to write on the ballot papers of voting non-letters in the names other than those which have been declared, will be punished with six months to two years of imprisonment, the right to vote and to be eligible for at least five years and not more than ten years.

ART.103.- All other persons guilty of the facts set forth in the preceding article shall be punished by imprisonment of at least two months and six months at the most,

and the prohibition of the right to vote and to be eligible for at least two years and five years at the most.

ART.104.- those who, in any manner, will have infringed or attempts to undermine the sincerity of the ballot, violates or attempts to violate the secrecy of the vote, prevents or attempts to prevent the operations of the ballot, or who will have changed or tried to change the results will be punished by a term of imprisonment of at least one month to one year and a fine of 15,000 to 75000 francs or only one of these two penalties.

The offender may in addition, be deprived of its civic rights for at least two years and five years at the most.

If the guilty is administrative or judicial officer, agent or employee of the government or a public administration, or support of a department of public services, the penalty will be doubled.

No prosecutions relating to facts suppressed by this section, against a candidate, may not be exercised prior to the proclamation of the ballot.

## Section 2

attacks to freedom

ART.105.- When a public official, an agent, a servant or a member of the government, will be ordered or done a few arbitrary acts or intrusive, either to individual freedom, the civic rights of one or more citizens, either in the Constitution, he will be sentenced to a penalty of civic degradation.

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If, however, he proves that he has acted by orders of his superiors for objects of the spring of the latter, on which it was their due to the hierarchical obedience, he will be free of 1a penalty, which will be in this case, applied only to the superior who gave the DSB re.

ART.106.- If the persons alleged to have ordered or authorised the act contrary to the Constitution claim that the signature to them, their was a surprise, they will be held, to stop the act, to denounce the one they will declare author of the surprise, if not it will be pursued personally.

ART.107.- The damages and interest which may be pronounced to reason of the attacks expressed in article 105, will be requested, either on the criminal

prosecution, either by the civil route and will be rules in regard to the people, either the injured individual, the so-called damage and interest can be below 20,000 francs for each day of illegal and arbitrary detention and for each individual.

ART.108.- If the act contrary to the Constitution has been made after a false signature of the name of the minister or of a public official, the authors of the false and those who have knowingly use, will be punished by the death of the work forces in time of ten to twenty years.

ART.109.- The public officials responsible for the administrative or judicial police, who have refused or neglected to refer to a legal claim to see the illegal and arbitrary detention, either in the houses for the custody of detainees, or elsewhere and which will not justify the have denounced to the superior authority, shall be punished by imprisonment of five to ten years and required of damages, which will be rules as it is said in the article 107.

ART.110.- The guardians and custodians of the houses of deposit, of judgment, of justice or punishment which will have received a prisoner without a warrant or judgment, or as it will be a deportation of an extraction, without interim order of the head of State, those who have chosen, or have refused to represent it at the magistrate, to the judicial police officer or to the bearer of its orders, without warrant of the defense of the prosecutor of the Republic or of the judge, those who have refused to show off their registers to the police officer, will be found guilty of arbitrary detention, punished by six months to two years' imprisonment and a fine of 15,000 to 7 000francs.

Art.111 - will be guilty of malfeasance and punished in the civic degradation, all officers of the judicial police, all attorneys and attorneys general of the Republic, all substitutes, all judges , who will have caused, given, signed a judgment, an order or a warrant to the individual pursuit or the indictment, either a minister or a member of the national assembly, either by the State, or who, outside the case of flagrante delicto will without the same permissions, gives or signed the order or the mandate to enter or stop one or several ministers or member of the national assembly.

ART.112.- are also punished in the civic degradation, all attorneys general or of the Republic, substitutes, judges, or public officers who will be retained or fact retain an individual outside the places determined by the government or by the public administration or who have translated a citizen before an assize court without that it has been previously established legally in charge.

Section 3

#### Coalition of officials

ART.113.- Any concert of measures contrary to the laws, practice either by the meeting of individuals or body depositaries of a few parts of the public authority, either by deputation or correspondence between them, will be punished by a prison term of six months at least and at most two years against each guilty, who will be able to no longer be sentenced to the prohibition of civil rights and of any public employment for ten at the most.

ART.114.- If, by one of the means expressed above, there has been concerted measures against the enforcement of laws or against the orders of the government, the penalty shall be imprisonment from two to five years.

If this concert was held, between the civil authorities and the military corps or their leaders, those who will be the authors or provocateurs will be punished with imprisonment of five to ten years. The other guilty or provocateurs will be punished with a prison sentence of at least two years to five years at the most.

ART.115.- In this case or the concert would have had to object or result a conspiracy intrusive to the security of the State, the guilty will be punished the work forces in perpetuity.

ART.116. - Will be guilty of malfeasance and punishable by the penalty of the civic degradation, public officials who will, by deliberation, stopped to give the resignations which the object would be to prevent or suspend either the administration of justice, or the fulfilment of any service.

#### Section 4

encroachment of administrative and judicial authorities

ART.117.- will be guilty of malfeasance and punished in the civic degradation:

IN TOTO)- The judges, attorneys general and of the Republic, their substitutes, the officers of the judicial police who will be interfered in the exercise of legislative power, either by the regulations containing legislative provisions, either by stopping or suspending the execution of one or more laws enacted.

2°)- The ministers, governors, mayors, all heads of administrative districts and other administrators who will be interfered in the exercise of the legislative power, as it is said in the first paragraph, or that would have taken the arrested or the decisions to convey orders or of any defenses to the courts or tribunals.

3°)- When the authorities referred to in paragraph 2 above, in addition to the cases provided for by the act, will undertake on the judicial functions by interfering to know of rights and private interests in the spring of the courts, and that after the claim of the parties or one of them, they will nevertheless decided the case before

the judicial authority has definitively statue, they will be punished with a fine of 500,000 francs at least and 1,000,000 francs at most.

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#### CHAPTER IV

crimes and offenses against the public peace

Section 1 of false paragraph first. Counterfeit Currency

ART.118.- anyone who will be forged or altered the bank notes or the currencies so-called metal having legal tender to the Comoros, or participated in the broadcast or the exposure of counterfeit currency or corrupt, or their introduction on the Comorian territory, will be punished the punishment of the work forces in perpetuity.

ART.119.- The counterfeiting or alteration of the foreign currency, of effects of foreign treasuries, foreign banknotes, the issuance, the exposure, the introduction in any country or the use of such currencies, such effects or tickets counterfeit or forged, will be punished as if it were of Comorian currencies, effect of treasury or bank notes Comorians, according the distinctions brought to this section.

However, those who, has abroad, are found guilty as perpetrators or accomplices of such crimes or offenses, can be pursued in the Comoros that under the conditions provided for in the code of criminal procedure in the chapter dealing with the crimes and offenses committed in Œ'abroad.

ART-120.- will be punished by a prison term of one to five years, anyone will be colored or try to shade the currencies being legal in the Comoros or the foreign currencies for the purpose of misleading about the nature of the metal, or will be issued, introduced on the Comorian territory.

The same penalty shall be imposed on those who will have participated in the program or to the introduction of the currencies as well colored.

ART.121.- The participation set forth in previous articles does not apply to those who, having received for good of banknotes or coins counterfeit, altered or colored, handed in circulation.

However, the one who will have made use of the so-called banknotes or coins after verifying or fact check the defects, will be punished with a fine triple at least and sixfold to more of the amount represented by the parts it will be rendered in circulation without that this fine can in no case be less than 50,000 francs.

Will be punished by a prison term of one to five years, those who have introduced, manufactures, employee or inmate, without authorization of the machines, appliances, instruments or other objects intended by their measure to the coloring, to the alteration of currencies or in the manufacture of false currencies.

The false currencies as well as the instruments or objects referred to in the preceding subparagraph shall be seized and confiscated.

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ART 122.- The subscription, the emission or the putting into circulation of means of payment having to object to supplement or replace the monetary signs being legal tender, will be punished by a prison term of one to five years and a fine of 1 00,000 to 1,000,000 francs, or only one of these two penalties.

The means of payment commitments, issued or put into circulation unlike the prohibitions of this article, will be seized by the agents authorized to see the offenses.

Their confiscation will be pronounced by the court.

ART.123.- The persons guilty of the facts mentioned in the article 1 1 8, will be exempted from penalty if, before the consumption of these facts and before any prosecution, they have given knowledge and reveals the authors to the constituted authorities or if even after the prosecution commenced, they provided the arrest of other guilty parties.

Paragraph 2 . Counterfeiting of seals of the State, of the effects and punches, stamps and marks.

ART.124.- those who have forged the seal of the State or made use of the counterfeit seal.

Those who have forged or falsified or effects issued by the public treasury with its stamp or mark, either tickets to bank authorized by the act or the tickets of the same nature issued by the treasury or which have made use of these effects, counterfeit or forged or that have introduced on the Comorian territory.

Will be punished the work forces in perpetuity.

The counterfeit seals and the effects counterfeit or forged will be entrusted and destroyed.

The provisions of the preceding article are applicable to the facts mentioned above.

ART.125.- those who have forged or falsified either one or several national stamps, either the hammers of the State serving the forest brands, either the punch or punches used to mark the contents of gold or money, or which have made use of the papers, effects, stamps, hammers or punches forged or counterfeit , will be punished the work forces of five to ten years.

ART.126.- will be punished by a prison term of two to five years and a fine of 25,000 to 2,500,000 francs:

1°)- those who have forged the marks to be affixed on behalf of the government on the various species of commodities or goods or which have made use of these false markings,

2°)- those who have forged the seals, stamps or marks of any authority or which have made use of the seal, stamp, or counterfeit trademark,

3°)- those who have forged the letterhead or printed in official use in the assemblies imposed by the Constitution, public administrations or the different jurisdictions, which have sold, propagated or distributed, or which have made use of the papers Or printed and counterfeit,

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4°)- those who have forged or falsified the postage stamps, postage meter impressions or reply coupons issued by the administration of Comorian posts and the stamps mobile, those who have sold, peddling, distributed or used knowingly the so-called stamps, fingerprints or reply coupons, counterfeit or forged.

They may be banned from stay.

In all cases, the body of the offense will be confiscated and destroyed.

The provisions of articles 121 and 125 and those of this article will be applicable to the attempts of these same offenses.

ART.127.- anyone who is being unduly provides real seals, marks, stamps or printed provided for in the preceding article or will be done to try to make application or a fraudulent use, will be punished by a prison term of six months to three years and a fine of 25,000 to 1,000,000 francs.

The guilty parties may in addition be deprived of the rights mentioned in article 33 of this code for at least five years and not more than ten years, starting from the day they will have suffered their sentence.

They will also be prohibited to stay.

ART.128.- shall be punished by imprisonment for six months to three years and a fine of 15,000 to 50,000 francs:

1°)- those who will be manufactured, sold, peddling or distributed all objects, printed or formulas, obtained by any process which, by their external shape would present with the coins or banknotes being legal in the Comoros or abroad, with the titles of sale, thumbnails and stamps of the post and telecommunications department or of the governed of the State actions, obligations, shares and interests, dividend coupons or interest thereon, and generally with the trustee securities issued by the State or any other communities public or semi-public, as well as by corporations, companies or businesses Private, a likeness of nature to facilitate the acceptance of the so-called objects, printed, or formulas, to places and places values emulated,  
2°)- those who will be manufactured, sold, peddling, distributes or uses of printed which by their size, their color, their text, their provision typographical or any other character would, with the letterhead or printed in official use in the institutional assemblies, public administrations and the various courts, a likeness of a nature to cause a misunderstanding in the minds of the public,  
3°)- those who knowingly makes use of postage stamps or stamps mobile having already been used, as well as those who will have by all means corrupted of the stamps in the purpose of evading the obliteration And thus to enable their reuse later.

4°)- those who will be overloaded by printing, perforation or any other means, 1es postage stamps or other fiduciary values postcards obsolete or not, with the exception of operations mandated by the Ministry of Posts, telegraphs and telephones, as well as those who have sold, peddling, offered, distributed exported of postage stamps as well overload,

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5°)- those who will be forged, imitated or corrupted the thumbnails the, stamps, postage meter impressions or coupons response issued by the postal service of a foreign country, which will be sold, peddling or distributes the say thumbnails, stamps, postage meter impressions or coupons answer or which have made use,  
6°)- those who will be forged, imitated or corrupted the identity cards postcards or Comorian foreign, subscription cards to the remaining post, Who will be sold, peddling or distributed the cards say or have made use.

In all the cases referred to in the present article, the body of the offense will be confiscated and destroyed.

### Paragraph 3: The false write authentic public

ART.129.- Any public official or officer who, in the exercise of its functions, will be committed or attempted to commit a false, - either by false signatures, - either by alteration of acts, writings, signatures, - either by assumption of people, - either by the scriptures made or intercalated on the registers, other public acts, since their garment or closure, will be punished by forced labor for life.

ART.130.- also will be punished in the same sentence, any public official or officer who, in drafting acts of his ministry, will be fraudulently misrepresented the substance or the circumstances, either by writing conventions other than those which would have been plotted or dictated by the parties, either by noting as true of false facts, or as solicitors of facts that were not.

ART.131.- will be punished of the work forces of five to ten years, all other persons who have committed or attempted to commit a forgery in writing authentic and public,  
- either by forgery or alteration of writing or signature,  
- either by manufacture of conventions, provisions, obligations or landfills or by their insertion after coup in these acts,  
- either by the addition or alteration of the clauses, to statements or facts that these acts had to object to receive and to note,  
will be punished with the same penalty, all administrators or accountants military who bear knowingly on the roles, the states of situation or reviewed, a number of men, materials, of horses or of days of presence beyond The actual numbers, which are exaggerating the amount of consumption or commit all other false in their accounts.

ART.132.- In all cases expressed in article 129 to 131, the one which will be made use or attempted to make use of the acts false, shall be punished by a term of imprisonment of at least two years and not more than ten years.

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ART.133.- are excepted from the above provisions, the false provided for in articles 136 to 144, inclusive on which it is particularly statue below -.

### Paragraph 4: The false in writing private, trade or bank

ART.134.- Any individual who will be, as one of the ways expressed in article 131, committed or attempted to commit a forgery in writing private, trade or bank, will

be punished with a prison term of three to seven years and a fine of 30,000 to 1,500,000 francs.

The guilty may in addition be sentenced to the prohibition of stay for not more than ten years.

ART.135.- will be punished with the same penalties the person who will have made use or attempts to make use of the counterfeit coin.

Paragraph 5: The forgery committed in certain administrative documents, in route sheets and certificates.

ART.136.- anyone who will be forged, falsified or altered permits, certificates, booklets, cards, newsletters, receipts, passports, let go or other documents issued by public administrations in order to ascertain a right, an identity or a quality, or to grant an authorisation, will be punished by a prison sentence of six months to three years and a fine of 15,000 to 300,000 francs.

The guilty may in addition be deprived of the rights mentioned in article 33 of this code for at least five years and not more than ten years, from the day or he will have undergone his punishment.

The attempt will be punished as the offense.

The same penalties will be applied:

1°)- The One who will have made use of a counterfeit documents, forged or altered.  
2°)- The person who will have made use of one of the documents referred to in the first paragraph, where the particulars invoked by the person concerned have become incomplete or inaccurate.

ART.137.- anyone who will be fact issue unduly or attempted to become unduly deliver one of the documents provided for in the preceding article, either by making false statements, either by taking a false name or a false quality, either by providing false information, certificates or attestations, will be punished by a prison term of three months to two years and a fine of 15,000 to 300,000 francs.

The same penalties will be applied to the one who makes use of such a document, is obtained in the conditions mentioned above, is established under a name other than his own. They also apply to holders of the documents which have loaned or sold.

The official who will issue or will issue a document provided for in the preceding article to a person he knew to be no right, will be punished by a prison term of one to five years and a fine of 15,000 to 300,000 francs, without prejudice to the more severe penalties

that it could incur by application of articles 158 and following of the present code. The guilty may, in addition, be deprived of the rights mentioned in article 33 of this code for at least five years and not more than ten years from the date of its final conviction.

ART.138.- The hotelkeepers and innkeepers who knowingly will register on the registers under false names or supposed, persons who are housed, at home, or that of convenience with them, will be omitted from the register, will be punished by a prison term of one to three months and a fine of 75,000 to 300,000 francs.

ART.139.- anyone who will manufacture a false road map, or falsifies a road map originally real, or will use a road map of fabricated or falsified, will be punished, namely:

1 °)- of an imprisonment of at least three months to three years at most if the road map n' has had to subject that to deceive the surveillance of the public authority,

2°)- to a prison sentence of at least one year and four years at the most, if the public treasury has paid to the bearer of the false road map, of the costs of road that were not due, or which exceeded those to whom he could have right, all nevertheless to the underside of 13 000 francs. and of a Imprisonment of at least two years and five years at most, if the amounts unduly received by the carrier of the sheet amounted to 13,000 francs and beyond.

In these last two cases, the culprits will be able, in addition, be deprived of the rights mentioned in article 33 of this code, for at least five years and not more than ten years, counting from the day or they will have suffered their sentence.

ART.140.- The penalties brought in the previous article will be applied according to the distinctions that y will have been established, to any person who are fact issue by the public officer, a road map under an assumed name or who will have made use of a sheet issued under a name other than his own.

ART.141.- If the public officer was instructed to the assumption of name where it has issued the road map, it will be punished, namely:

- In the first case assumes by article 139, by a period of imprisonment of at least one year and five years at most,

- In the second case of the same article, to a prison term of at least two years and five years at most.

- In the third case, a sentence of five to ten years.

In the first two cases, it will in addition, be deprived of the rights mentioned in article 33 of this code for at least five years and not more than ten years, from the day or it will be undergone his punishment.

ART.142.- anyone to write him even or postage meter others of a public service some , will manufacture under the name of a doctor, surgeon or any other person exercising a profession medical or para-medical, a certificate of illness or infirmity, will be punished by a term of imprisonment of at least one year and three years at the most.

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ART.143.- Outside the case of corruption provided for in article 158 below, any physician, surgeon, dentist or midwife who, in the exercise of its functions and to promote someone, will certify falsely or will gloss over the existence of diseases or disabilities or pregnancy status or provide false indications on the origin of a disease or infirmity or the cause of death, will be punished by a prison term of one to three years.

The guilty may in addition be deprived of the rights mentioned in article 33 of this code, for at least five years and not more than ten years, starting from the day he will have undergone his punishment.

ART.144.- anyone who will manufacture, under the name of a public official or officer, a certificate of good conduct, poverty or other circumstances specific to call the benevolence of the government or of the individuals on the designated person and to get him placed, credits or relief, will be punished by a prison term of six months to two years.

The same penalty will be applied:

; 1°)- was the one who or falsify a certificate of this species, originally real, for the ownership to a person other than the one to which he had originally been issued  
2°)- has any individual who will be served of the certificate as well manufactured or forged, if this certificate is manufactured under the name of a single individual, the manufacture and the use will be punished for one month to one year of imprisonment.

Will be punished by imprisonment for six months to two years and a fine of 10,000 to 150,000 francs or only one of these two penalties, without prejudice to the application, if applicable of heavier penalties provided for by the present code and special laws, anyone who:

1°)- will be established knowingly a certificate or a certificate stating the facts materially inaccurate.

2°)- will be modified or tampered with in any way a certificate or a certificate inaccurate or falsified.

ART.145.- The false repressed to this paragraph of or it could result from either lesion toward third parties, either prejudice toward the public treasury will be punished by a term of imprisonment of at least two years and not more than ten years.

#### COMMON PROVISIONS

ART.146.- The use of false is punishable only when its author has knowingly used the thing false.

ART.147.- it will be delivered against the culprits a fine of 15,000 to 400,000 francs, the fine may however be brought up to a quarter of the benefit illegitimate that the false procures or was intended to provide the authors of the crime, to their accomplices or to those who have made use of the counterfeit coin.

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#### Section 2

of the malfeasance or of crimes and offenses of public officials in the exercise of their functions.

ART.148.- Any crime committed by an officer in the exercise of its functions is a deceit.

ART.149.- Any malfeasance for which the law does not pronounced sentences for more serious is punished in the degradation.

ART.150.- The simple offenses do not constitute the officials in deceit.

Paragraph 1: deflections and subtractions committed by public officials.

ART.151.- Any agent civilian or military of the State, or to a public community, whether or not he or public accountant, any person wearing a mandate issued, any other depositary public and any public officer and ministerial which will be diverted or subtracted from private or public files or effects of assets taking place or parts, for payments, securities, containing or operations, obligations or landfills, household

effects, foodstuffs or any objects on the occasion of the exercise of its functions, shall be punished by a term of imprisonment of five to ten years.

Will be punished with the same penalties, any person designated in the preceding paragraph which will be fraudulently obtained by the State or by a public community through parts false or of any maneuvers, of sums of money or the material benefits that she knew not to be due.

ART.152.- will be punishable by the same penalties, the leaders and officers of any nature of the public institutions, the professional orders, co-operatives with the support of I State or of a community public, private agencies responsible for the execution of a public service, associations or foundations recognized public utility and of companies in which the State or any community holds at least half of the capital, which will be diverted or subtracted from sums of money, parts, titles of payment, household effects, foodstuffs or any objects on the occasion of the exercise of their functions.

Will be punished with the same penalties any person designated in the preceding paragraph which will be fraudulently obtained from the State or a public authority in the way of parts false or of any maneuvers, of sums of money or the material benefits that she knew not to be due.

ART.153.- In the case expressed in the previous two articles, it will be always pronounced against the condemned a fine of 50,000 to 5,000,000 francs.

The confiscation of all property of the condemned will be compulsorily imposed under the conditions laid down in articles 29 to 31, when the sums or objects being misappropriated or subtracted, have not been reimbursed or returned in full at the time of the judgment.

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ART.154.- has the respect of the defendants convicted of offenses punishable by articles 151 to 153, the application of the mitigating circumstances will be subject to the refund or refund, before judgment, of at least one-third of the value diverted or subtract.

The benefit of the stay may be granted only in cases of restitution or reimbursement before judgment, of at least three-quarters of the so-called value.

The request or proposal of the parole will not be admissible only after refund or repayment of the full amount of the so-called value.

The taxpayers' money, effects or any objects which will not be returned spontaneously by the perpetrator of the crime or on its precise indications, do not

enter in the calculation of fractions of the reimbursement for the application of the mitigating circumstances or of reprieve.

The investigating judge will the provisions of this article to the attention of the accused or defendant.

The administrative act noting the amount of the sums due to the State by the accused is not preliminary rulings to the judgment of offenses punishable by articles 151 to 153.

Paragraph 2: The extortion committed by public officials and their interference in the affairs or shopping.

SS.155 : All civil servants or public officers, all collectors of contributions or public funds, their clerks or servants who will have received, requires or ordered to collect for duties, taxes, contributions or money or for wages or salaries what they knew not be due or exceed what was due, will be punished, namely:

the convicts will be banned for not more than ten years, from the expiry of the sentence, the rights listed in article 33 of this code. In addition, they may be declared incapable of exercising any public employment for 20 years at the most.

The foregoing provisions are applicable to the clerks and ministerial officers when the fact was committed on the occasion of revenue which they are responsible by law.

Will be punished for these same penalties, all holders of the public authority who will enjoin of direct or indirect contributions, other than those permitted by law, all public servants, agents or employees who will establish the roles and will be the recovery.

The same penalties will be applicable to the holders of the public authority, which, in any form and for any reason whatsoever, will be without authorization of the act, granted exemptions or franchisees of rights, taxes or public taxes or will have done the free issuance of products of institutions of the State.

The beneficiaries will be punished as accomplices.

In all the cases referred to in the present article, the attempted offense will be punished as the offense itself.

ART.156.- Any official, any public officer, any member or agent of the government, either openly or by simulated acts, either by interpositions of people , will be taken or received

any interest whatsoever in the acts, business invitations which he has or had, at the time of the action in whole or part the administration or monitoring, will be punished by a prison term of at least one year and at most five years and will be sentenced to a fine which may not exceed one quarter of the refunds and allowances, nor be below the second.

There will be more said to never incapable of exercising any public service.

This provision is applicable to any officer or agent of the government who will have taken any interest in a case in which he was responsible to schedule the payment or to make the liquidation.

Any public official, agent or representative of an administration, support to reason even of its function of monitoring or the direct control of a private company and who, either in position of leave or availability, or after admission to the retirement, either by resignation, dismissal, revocation and for a period of five years from the cessation of the function, will take or will receive a participation by work, council or capital ( except by devolution hereditary as regards the capital), in the concessions , businesses or governed who were directly subject to its supervision or in its control, will be punished with the same penalty of imprisonment and of 1 00,000 to 500,000 francs of fine.

In addition, he will be struck by the inability laid down in paragraph 2 of this article.

The leaders of the concessions , businesses or governed, considered as accomplices, will be hit the same penalties.

ART.157.- Any officer, any officer of the administrative order or judicial, any officer or military career, which, openly or by acts of simulated or by interposition of persons will have exercised a commercial activity, will be punished with a fine of 100,000 to 500,000 francs and the confiscation of all property that is the subject of this activity or in allow the exercise.

The spouse will not be deemed as person interposed when the public servant, the agent of the administrative order or judicial, the officer or the military career of will have accomplished the formality that is, when the spouse is engaged in gainful activity, to make a declaration of the minister invested the power of appointment, which, if appropriate, take the appropriate measures to safeguard the interests of the administration after opinion of the superior council of the public service.

Paragraph 3: the corruption of public officials and employees of private companies.

ART.158.- will be punished by a prison term of two to ten years and a fine of double the value of promises or approved of things received or requested, without that the so-called fine can be less than 150,000 francs, anyone who will be requested, approved of the tenders or promises.

solicited or received donations OLI present for:

1°)- Being invested of an elected mandate, public official of the administrative order or judicial, military or assimilated agent or servant of the public administration, citizen support for a department of public service, officer or agent of any nature of a public institution, of a professional order, of a co-operative with the support of the State or of a

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; public community, of a private body support of a mission, of a service from a company whose A public community holds at least half of the capital, to do or refrain from doing an act of his or her duties or employment, fair or not, but subject to salary

2°)- Being arbitrator or expert appointed by either the court or the parties, make a decision or give a favorable or unfavorable opinion to a part,

3°) -Being physician, surgeon, dentist, midwife, certify falsely or conceal the existence of disease or infirmity or condition of pregnancy, or provide false indications on the origin of a disease or infirmity or the cause of death.

Will be punished by a prison term of one to three years and a fine of 15,000 to 1 00,000 francs , or only one of these two penalties, any committed, employee, servant, employee, or paid in any form, which, either directly or through an intermediary, will be, without the knowledge and consent of his boss, either requested or approved of the tenders or promises , either requested or received gifts, present, commissions, discounts or premiums to do or refrain from doing an act of his employment.

If the offers, promises, gifts or solicitations tended to the discharge or to the abstention of an act which, although outside the remit of personal the person corrupted was facilitated by its function or by the service that it provided, the punishment will be in this case of the paragraph 1 of the first subparagraph, due imprisonment of one to three years and a fine of 50,000 to 500,000 francs.

In the case of the second subparagraph, to imprisonment for six months to two years and a fine of 25,000 to 1 00,000 francs or only one of these two penalties.

ART.159.- shall be punished by a term of imprisonment of at least one year and five years at the most, and of fine provided for by the first paragraph of article 158, any

person who will be sought or approved of the tenders or promises, solicited or received gifts or present to obtain or attempt to obtain the decorations, medals, honors or awards, places, functions or jobs or of any favors granted by the public authority, markets, companies, or other benefits resulting from treaties with the public authority with a administration placed under the control of public power or in a general way a favorable decision of such an authority or administration and will be thus abused a real influence or supposed.

However, when the guilty party is one of the persons referred to in paragraph 1 of this paragraph of article 158 and q] 'he has abused the influence real or supposed that gives him his mandate or its quality, the penalty of imprisonment of at least two years and not more than ten years.

ART.160.: Anyone who, to obtain. either the performance or the abstention of a act, either one of the favors or benefits provided for in articles 158 and 159, will be worn of assault or threats, promises, offers, gifts or present, or ceded the stresses tending to corruption, even if he has not taken the initiative, will be that the constraint or the corruption has or has not produced its effect, punished the same penalties as those laid down in the so-called articles against the person corrupted.

ART.161.- In the case of corruption or the traffic of influence would have to object a fact with a heavier penalty, this penalty more strong will be applied to the guilty parties.

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In the cases provided for in paragraphs in toto and 3Â° of article 158 and paragraph 2 of article 159, the guilty, if he is an officer will be in addition punished by dismissal. If the guilty is a military or assimilated, it will be fact application, in respect of the sentence of fine, the provisions of the code of military justice.

In the case provided for in the preceding three articles, the culprits may in addition, be prohibited of the duties mentioned in article 33, for at least five years and not more than ten years, counting from the day or they will have suffered their sentence.

It will never get done at the cor-breaker, refunds of things by him delivered, nor of their value, they will be confiscated for the benefit of the treasury.

ART.162.- If it is a judge, pronouncing in correctional matters, or a juror who has allowed corrupt, either in favor or to the benefit of the accused, it will be punished by a prison term of five to ten years, in addition to the fine ordered by article 158.

Paragraph 4 - abuse of authority  
first class  
of abuse of authority against the individuals

ART.163.- Any administrative or judicial officer, any officer of justice or of police, any commander or agent of the public force, which, acting in its so-called quality, se will be introduced in the home of a citizen against the will of the latter, outside the cases provided by law, and without the formalities prescribed by it, will be punished by a prison term of six months to two years and a fine of 15,000 to 150,000 francs, without prejudice to the application of the second paragraph of article 105.

Any individual who will be introduced to the aid of maneuvers, threats, assault, violence or constraints in the home of a citizen, will be punished by imprisonment of up to two months to one year and a fine of 15,000 to 100,000 francs.

ART.164.- Any judge of a court, which, under any pretext whatsoever, even of silence or of the obscurity of the law, will be denied render justice that it must to the parties, after having required and which 1 will have persevered in its denial after warning or injunction of his superiors, will be continued and will be punished with a fine of 15,000 to 150,000 francs and the ban on the exercise of public functions for at least five years and twenty years at the most,

ART.165.- When a public official or officer, an administrator or designated agent of the government or the police, an executor of the mandates of justice or of judgments, a commander-in-chief or a sub-order of the public force, will, without Legitimate reason, worn or

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made use of violence against persons, in the exercise or on the occasion of the exercise of its functions, it will be punished according to the nature and severity of these violence and by raising the penalty following the rule laid down by article 177 below.

ART.166.- Any deletion, any opening of letters assigned to the post, committed or facilitated by an officer or agent of the government or of the administration of the post office, will be punished with a fine of 15,000 to 150,000 francs and imprisonment for a term of three months to five years. The guilty, will be of more banned from any function or public employment for at least five years and not more than ten years.

In addition to the cases referred to in the preceding paragraph, any deletion, any opening of correspondence addressed to third parties, made in bad faith, will be punished with imprisonment for up to six days to one year and a fine of 15,000 to 100,000 francs or only one of these two penalties.

Second class

of abuse of authority against the public thing

ART.167.- Any public officer, member, agent or employee of the government, any governor or agent of the governorate of some status and grade q(i it either, which will be required or ordered" fact require or order the action or the employment of the public force against the execution of an order or mandate of justice, either for any other order from a legitimate authority, will be punished with a sentence of five to ten years.

ART.168.- If this requisition or order were followed by their effect, the maximum penalty will be pronounced.

ART.169.- The sentences in articles 167 and 168 shall cease to be applicable to the officials or servants who would have acted by order of their superiors, that as far as this order has been given by the latter for objects from their spring and on which it was their due obedience hierarchical, in this case the penalties brought above will be applied only to superiors who, the first, will have given this order.

ART.170.- If as a result of the so-called orders or requisitions, it occurs other punishable offenses of more severe penalties than those expressed in articles 167 and 168, these more severe penalties will be applied to officials, agents or servants guilty of having given the so-called orders or fact the say requisitions.

Paragraph 5: a few offenses relating to the holding of the civil status

ART.171.- without prejudice to the disciplinary sanctions where appropriate, the officer of civil status who has knowingly or negligently omitted, to prepare acts or who will, without

justification, transcribed on simple flipcharts will be punished by a term of imprisonment of one month to three months and a fine of 15,000 to 50,000 francs, or with only one of these two penalties.

ART.172.- When for the validity of a marriage, the law prescribes the consent of the father or of any other person empowered to give, the officer of civil status, the Cadi or his replacement, who will not be provided of the existence of this consent, shall be punished by imprisonment of at least six months and one year and a fine of 15,000 to 150,000 francs.

ART.173. -The officer of civil status, the cadi or its replacement, who will not be insured in accordance with article 59 of the law on the civil status, that the conditions of form and substance, civil and religious, other than the consent are met, or who will have received before the time prescribed by the act of a woman already bound by the marriage, or that of a man with four wives, will be punished by a term of imprisonment of one to six months and a fine of 15,000 to 150,000 francs.

The same penalties apply to the woman they remarried before the dissolution of a previous marriage and to any man having more than four wives.

The above penalties shall be doubled when the officer of the civil status, the cadi or its replacement will be celebrated the marriage by knowing the existence of an impediment to marriage.

ART.174.- The sentences brought to the previous articles against the officers of the civil status, the cadis or their replacements will be applied, when even that the invalidity of the act would not have been requested or would have been covered, all without prejudice to the more severe penalties for false that they might have committed.

Paragraph 6: the exercise of public authority illegally anticipates or extended.

ART.175.- Any public official who will be between in exercise of its functions without taking the oath will be continued and will be punished with a fine of 15,000 to 50,000 francs.

ART.176.- Any public official, revoked, dismissed, suspended or prohibited legally who, after having had knowledge , officially, will have continued the exercise of its functions, or which, being temporary elective, the will be carried out after having been replaced, shall be punished by a term of imprisonment of at least six months and at most two years, starting from the day or he will have undergone his punishment, all without prejudice to the more severe penalties against the officers or the military commanders by article 75 of this code.

SPECIAL PROVISIONS

ART.177.- Outside the case or the law specifically governs the penalties for crimes and offenses committed by public servants or public officers, those of them who will have participated in other crimes and offenses that they were responsible to monitor or to suppress will be punished as follows:

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- if it is a misdemeanour, the penalty will be the double of the one attached to the species of offense.

- And if it is a crime. They will be sentenced to the maximum of the penalty against any other guilty.

### Section 3

of the disorders made to public order by the ministers of worship and religious authorities in the exercise of their ministry.

ART.178.- ministers of religion and the religious authorities who decide in the exercise of their ministry and in public assembly, a speech that contains a direct provocation to disobedience to the laws or other acts of the public authority or if it tends to raise or arming a part of the citizens against the other, the minister of worship or religious authority who will have made will be punished by imprisonment of two to five years, if the provocation was not followed by any effect, and a sentence of five to ten years if it gave rise to disobedience, however other than that which would have degenerated into sedition or rebellion.

ART.179.- When the provocation will have been followed by a sedition or rebellion whose nature will give rise against one or several guilty to a heavier penalty than a sentence of five to ten years, this sentence, whatever it may be applied to the minister of worship or to the religious authority guilty of provocation.

ART.180.- Any writing in whatever form, in which a minister of religion or a religious authority, se will be ingested to criticize, to censor, either the government or any other act of the public authority, will carry a penalty of imprisonment of two to five years against the minister of religion or the religious authority who will have published.

ART.181.- If the writing referred to in the preceding article contains a direct provocation to disobedience to the laws or other acts of the public authority or tends to raise or arming a part of the citizens against the other, the minister of

worship or religious authority who will have published, will be punished by a term of imprisonment of from five to ten years.

When the provocation contained in writing will have been followed by a sedition or rebellion whose nature will give against one or more of the guilty to a punishment more severe than that of the imprisonment of five to ten years, this sentence whatever it may be, will be applied to the minister of worship or to the religious authority, guilty of provocation.

#### Section 4

Resistance, disobedience and other failures to the public authority.

1Er . REBELLION.

ART.183.- Any attack, any resistance with violence and assaults against the ministerial officers, forest rangers, the public force, the officers in the collection of taxes and

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contributions, the porters of constraint, the customs officials, receivers, the officers or agents of administrative or judicial police, acting on the exercise of the laws, orders, orders of the public authority, the mandates of justice or judgment is qualified offense of rebellion.

ART.184.- If the rebellion has been committed by more than three persons, the guilty will be punished by a prison term of one to five years.

The guilty parties may in addition, be deprived of the rights mentioned in article 33 for at least five years and not more than ten years.

ART.185.- If the rebellion has been committed by less than three persons, the guilty will be punished by imprisonment for six months to two years and a fine of 15,000 to 45,000 francs, or with only one of these two penalties.

ART.186.- those who will be found carrying weapons will be liable to the double of the penalties provided for in articles 184 and 185.

ART.187.- In the event of rebellion with band and crowd control, article 88 of the present code will be applicable to the rebellions without functions, nor jobs in the band, which will be withdrawn at the first warning of the public authority, or even since, if they have been before us that outside of the place of the rebellion and without new resistance and without weapons.

ART.188.- The perpetrators of crimes and offenses committed during the course and on the occasion of a rebellion, will be punished the sentences against each of these crimes; if they are more severe than those of the rebellion.

ART.189.- will be punished as meetings of rebels, those who will have been trained with or without weapons and accompanied by violence or threats against the administrative authority, the officers and agents of police, or against public force:  
; 1°)- by the workers or day laborers in the public workshops to manufacture  
3°)- by the accused prisoners or prisoners. ; 2°)- by the individuals admitted in the hospices

ART.190.- The penalty for rebellion to prisoners awaiting trial, accused or convicted persons relatively to other crimes and offenses, will be by them suffered, namely:

- by those who, because of the crimes and offenses which have caused their detention, are or would be sentenced to a penalty or punishment nor in perpetuity, immediately after the expiry of the sentence,
- and for the other, immediately after judgment or judgment in last spring that the will be paid or returned the absolute fact for which they were held.

ART.191.- The leaders of a rebellion and those which have caused may in addition be sentenced to the prohibition of stay for a period of two to ten years and to the deprivation of the rights mentioned in article 33.

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Paragraph 2: Outrages and violence to the depositaries of the authority and of the public force.

ART.192.- When one or more judges of the administrative order or judicial, when one or more jurors, will have received in the exercise of their functions, or on the occasion of this exercise a few outraged by words, in writing, by drawings not made public, aimed in these various cases, to charge their honor or delicacy, one who, their will address this contempt, will be punished by imprisonment of from one month to two years.

If the contempt by words took place for the hearing of a course or of a tribunal, the imprisonment shall be from two to five years.

ART.193.- The insult by gestures or by threats or by sending any objects in the same intention, and aimed a magistrate or a juror in the exercise or on the occasion of the exercise of its functions, will be punished with one to six months of imprisonment, and if the contempt took place for the hearing of a court or a tribunal, he will be punished by a term of imprisonment of one month to two years.

ART.194.- The contempt is by words, gestures, threats, written or drawings not made public or even by sending any objects in the same intention, aimed any officer, agent or depository of the public force or any citizen support of a ministry of public service, in the exercise or on the occasion of the exercise of its functions, shall be punished with imprisonment from one to three months and a fine of 15,000 to 45,000 francs, or with only one of these two penalties.

ART.195.- The contempt mentioned in the previous article when it will have been directed against a commander of the public force, will be punished with a prison term of one to six months and may be also to a fine of 15,000 to 45,000 francs.

ART.196.- anyone who will publicly by act, words or writings, sought to discredit on an act or a judicial decision, in the conditions of nature to impair the authority of justice or its independence, will be punished with one to six months of imprisonment and of 15 000 to 45 000 francs fine or only one of these two penalties.

The court may also order the application and the publication of its decision in the conditions it determines at the expense of the condemned, without that its costs could exceed the maximum fine provided for above.

The foregoing provisions may not, in any circumstances, be applied to comments purely technical, nor to acts, words or writings aimed at the revision of a conviction.

When the offense has been committed by all means of public dissemination, the provisions of article 268 of this code will be applicable.

The resistance of bad faith in the execution of final decisions of the courts acting in civil, commercial, social and criminal as well as the fraudulent diversion of goods in order to escape the tracks of execution, will be punished by a

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imprisonment of three months to one year and a fine of 1 0,000 to 30,000 francs, or with only one of these two penalties.

ART.197.- will be punished with the penalties provided for in article 196, anyone will be punished before the intervention of the judicial decision of final comments tending to exert pressure, on the statements of the witnesses or on the decision of the courts of instructions or judgments.

The provisions of the last three paragraphs of article 196 are also applicable.

ART.198.- Any person who, even without a gun and without it either results from injuries, will have struck a magistrate in the exercise of its functions or on the occasion of this exercise, or committed any other violence or assault toward him in the same circumstances will be punished by imprisonment of two to five years.

The maximum of this penalty will be always pronounced if the track in fact took place in the hearing of a court or tribunal.

The guilty may in addition, in both cases, be deprived of the rights mentioned in article 33 of this code, for at least five years and not more than ten years, from the day or he will have undergone his punishment and be forbidden to stay for a period of two to five years.

ART.199.- The violence or assault of the species, expressed in article 198 directed against a ministerial officer, an agent of the public force or a citizen responsible for a department, a public service, if they were held while they were exercising their ministry or on this occasion.

will be punished by imprisonment for one month at least and at most three years and a fine of 15,000 to 45,000 francs.

ART.200.- If the violence exerted against the officials and agents designated in articles 198 and 199 have been the cause of bloodshed, injury or disease, the penalty shall be imprisonment of three to ten years, if the death followed, the guilty will be punished the work forces in perpetuity.

ART.201.- In the case where these violence would not cause of bloodshed, injury or disease, the shots will be punished by imprisonment of five to ten years, if they have been doors with premeditation and ambush.

ART.202.- If the shots were doors or the injuries made to one of the officials or agents designated in articles 198 and 199 in the exercise or on the occasion of the exercise of its functions with intent to cause the death, the guilty will be punished with death.

Paragraph 3 - refusal of a due service legally.

ART.203.- every commander, any officer or non-commissioned officer of the public force who, after having been legally required by the administrative or judicial authority, will be refused or se will be refrained from making act the force under his

orders, will be punished with the dismissal and a prison term of one to two years or only one of these two penalties.

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ART.204.- The criminal laws and regulations relating to military conscription will continue to receive their execution.

ART.205.- The witnesses and jurors who have alleged an excuse recognized false, will be sentenced, in addition to the fines imposed for the non-appearance to imprisonment for one month to three months.

Paragraph 4: escape of prisoners.

ART.206.- all of the time that an escape of prisoners will take place, the ushers, the commanders-in-chief or in sub order, either of the RCMP, either of the armed force , serving as escort or lub the posts, janitors, guards, jailers and all other servants to the conduct, to the transport or the custody of detainees, will be punished and that it is provided in the following articles.

ART.207.- If the escape is due to the negligence of servants to the custody or to the conduct of the prisoner, the penalty for the latter will be of two to six months of imprisonment.

In cases of collusion, the penalty will be a year to five years' imprisonment and a fine of 75,000 to 900,000 francs, in addition, the guilty may be rive the rights mentioned in article 33 for at least five years and not more than ten years.

ART.208.-- those who, even not being responsible for the custody or on the behavior of the prisoner, will have yielded, facilitates or attempts to procure or facilitate his escape or its leak, once the escape performed, shall be punished by imprisonment for one month to three years and a fine of 50,000 to 500,000 francs.

ART.209.- If the escape took place or was attempted with violence or breakage of prison, those who have favored in providing instruments own to operate, will be punished by imprisonment for six months to three years and a fine of 50,000 to 1,000,000 francs, all without prejudice to the more severe penalties provided for in the preceding articles.

The guilty may, in addition, be deprived of the rights mentioned in article 33 for at least five years and not more than ten years, starting from the day they will have suffered their sentence.

ART.210.- When third parties who provides or facilitates the escape will be succeeded in corrupting the guards or warders or in collusion with them, they will be punished the same penalties as the so-called guards or jailers.

SS.211.- If the escape ave breakage or violence has been favored by the transmission of weapons, the guards and drivers who would have participated in will be punished by imprisonment of five to ten years, the other people, to a prison term of two to five years and necessarily, of the final deprivation of all the rights mentioned in article 33.

ART.212.- all those who will connive, aid to the escape of a detainee will be severally condemned, by way of damages, to everything that the civil part of the inmate, would be entitled to obtain against him,

ART.213.- The prisoners, who will be escaped or who have attempted to escape , by breaking of prison or of violence will be for this fact alone, punished by a term of imprisonment of at least six months,

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which may be elevated up to a penalty equal to that by reason of which they were being held, or if they were detained preventively, to that committed by the law, to the charge that motivated the detention, without that it can, in one or the other case, exceed ten years of imprisonment, all without prejudice to the More severe sentences that they would have been liable for other crimes or offenses that they have committed in their violence.

They will suffer this penalty immediately after the expiry of the one that they will be incurred for the crime or offense for which they were detained or immediately after the judgment or the judgment which will be paid or returned absolute of that crime or offense.

Will be punished with the same penalty, which will be suffered in the same conditions, any inmate being transferred in a health institution or hospital and who, by any means, will be escaped or will attempt to escape.

Will be punished with the same penalty, which will be suffered in the same conditions Any sentenced person who will have escaped or will be tempted to become "swedged" while he was employed at the outside of a prison establishment,

or that he was subject to the regime of semi-freedom or that he had enjoyed a permission of output of Lin prison establishment.

ART.214.- The above penalties established against drivers or the guards, in the case of negligence only, would cease when the escapees will be resumed or represented, provided that this is in the four months of the escape and that they are not arrested for other crimes or offenses committed subsequently.

No prosecution will take place against those who have attempted to procure or to facilitate an escape, if before that the latter has been carried out, they have given knowledge of the project to the administrative or judicial authorities and revealed the authors.

ART.215.- without prejudice to the application, if applicable, the more severe penalties brought to the previous articles, will be punished by imprisonment of from one to six months, anyone who will be in irregular conditions, delivered or sent or try to remit or to reach an inmate in any place whatsoever, sums of money, correspondence or any objects.

The output or the attempt of irregular output of sums of money, correspondence or any objects, will be punished with the same penalties.

The acts referred to in the preceding paragraphs will be regarded as made in irregular conditions, if they were committed in violation of a regulation emanating from the direction of the prison administration or approved by it.

If the guilty party is one of the persons designated in I article 206 or a person empowered by its function to approach regardless of who that the detainees, the penalty to its respect will be to a prison term of six months to two years.

Paragraph 5: Breakage of seals and removal of parts in the public deposits.

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ART.216.- When the seals, either by order of the government, either as a result of an order of justice, delivered in any matter, will have been broken, the guards will be punished, for mere negligence, from one month to six months of imprisonment.

ART.217.- anyone who will, by design, broken, or attempted to break the seals affixed or participated in the breakage of seals or the attempt of the breakage of

seals, will be punished by a prison term of one to three months, if it is the custodian himself who has broken the seals or participated in the breakage of seals, it will be punished by imprisonment of two to five years.

It may in addition, be deprived of the rights mentioned in article 33, for at least five years and not more than ten years, starting from the day on which it will have undergone his punishment.

ART.218.- In the cases provided for in the preceding article, the guilty will be sentenced to a fine of 15,000 to 150,000 francs.

ART.219.- Any theft committed with the aid of a breakage of seals will be punished as the theft committed with the aid of breaking and entering.

ART.220.- With respect to the subtraction, destruction and kidnapping of parts or criminal proceedings, or other papers, registers, acts and effects, contained in the archives, transcripts, public deposits or handed over to a public depositary in this quality, the penalties will be against the clerks, archivists, notaries or other depositaries negligent, of three months to one year of imprisonment and a fine of 15,000 to 140,000 francs.

ART.221.- anyone who is guilty of subtraction, abductions or destruction mentioned in the preceding article, shall be punished by a prison term of two to five years.

If the offense is the fact of the depositary itself, it will be punishable by a prison term of five to ten years.

The attempt of the offense will be punishable as if the offense itself.

ART.222.- If the breakage of seals, and the destruction, kidnapping or subtractions of parts have been committed with violence against persons, the penalty will be, against any person, that of the imprisonment of five to ten years, without prejudice to more severe penalties, if there is a place for after the nature of the other crimes that would be attached.

Paragraph 6: Degradation of monuments.

ART.223.- anyone who will be destroyed, slaughtered, mutilated or degraded of monuments, statues or other objects intended for the usefulness or the public decoration and entrusted by the public authority with or without authorization, will be punished by a term of imprisonment of one month to two years and a fine of 15,000 to 100,000 francs.

Paragraph 7: Usurpation of titles or functions

ART.224.- anyone who, without title, shall be interfering in public functions, civilian or military, or will be done act of one of these functions, will be punished by imprisonment of two to five years, without prejudice to the penalty of false if the act is the character of this offense.

ART.225.- Any person who will be publicly wear a costume, a uniform, a decoration that does not belong to him, will be punished by a term of imprisonment of one month to two years and a fine of 15,000 to 1 00,000 francs.

Will be punished with the same penalties he who, without fulfilling the conditions required for the porter, will be put to use or will be claimed from a title attached to a profession legally regulated, of an official diploma or of a quality which the conditions of award have been laid down by the public authority.

Will be punished with a fine of 15,000 to 1 00,000 francs, anyone who, without law and in order to assign an honorary distinction, will be publicly taken, title, load, altered or modified the name which assigned the acts of civil status.

The court will order the mention of the judgment in margin of authentic acts or acts of civil status in which the title will have been taken wrongly and the name altered.

In all the cases provided for by this article, the court may order the full insertion or by extract of judgment in the newspapers that it will designate, all at the expense of the condemned.

ART.226.- will be punished with a fine of 15,000 to 150,000 francs and can be of a term of imprisonment of one month to one year, anyone will publicly wear a costume with a likeness of a nature to cause a misunderstanding in the minds of the public, with the uniform of a body of the State, as it has been defined in a regulatory text.

ART.227.- without prejudice to the application of more severe penalties if there is another, will be punished with a fine of 15,000 to 45,000 francs, any person who, in a public act or authentic or in an administrative document intended to the public authority, and outside the case or the regulations in force the authorized to subscribe for these acts or documents under a civil status of borrowing, will not taken the patronymic which is legally hers.

The court may order that the decision be published wholly or in part, in the newspapers that it designated and displayed in the places that it indicates, the rate at the expense of the condemned.

Paragraph 8: Obstacles to the free exercise of religion.

ART.228.- Any individual who, by, of assault or threats will be forced or prevents one or several persons to exercise one of the cults allowed, to attend the exercise of this worship, to celebrate certain holidays, to observe certain days of rest, and , accordingly to open or close, the workshops, shops, stores and to make or leave-some work, will be punished for the mere fact of a fine of 15,000 to 45,000 francs and a prison term of one to three months.

ART.229.- those who have intentionally prevented, delayed or interrupted the exercises of a worship by disorder or disorder, Cree or noises coming from the inside or the outside of a mosque or other place intended for the exercise of a cult, will be punished by a prison term of two to six months and a fine of 15,000 to 75,000 francs, or with only one of these two penalties.

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Will be punished by a term of imprisonment of flax to five years and a fine of 100,000 to 1,000,000 francs, anyone who intentionally will have degraded a building intended for the celebration of a cult or damaged a book and sacred object regardless of the place of conservation.

Art.229-1.- Any overt act committed intentionally likely to disturb public order and good morals relating to the practice of fasting of ramadan will be punished by a term of imprisonment of one to six months and a fine of 15,000 to 25,000 francs.

Art.229-2.- The manufacture of alcoholic beverages is prohibited.

Anyone who will be punished by a prison term of two months to one year and a fine of 100,000 to 1,000,000 francs.

The court will decide in addition the confiscation, in view of the destruction, of raw materials, manufacturing equipment and products manufactured.

Art.229-3.- anyone will be imported without authorization, of alcoholic beverages will be punished by imprisonment of up to two months to one year and a fine of 100,000 to 1,000,000 francs, or only one of these two penalties.

The court will decide in addition the confiscation of goods for the benefit of the public treasury.

In the event of recidivism, the culprits may be private for five years at most of the rights mentioned in article 33 above.

Art.229-4.- will be punished by a prison term of one to three months and a fine of 20,000 to 150,000 francs or only one of these two penalties, anyone will be found intoxicated demonstrated in the streets, squares, roads or in a place open to the public.

Art.229-5.- every driver of a motor vehicle found intoxicated manifest or under the influence of a substance classified among the narcotic drugs will be punished by a term of imprisonment of three months to one year and a fine of 50,000 to 500,000 francs.

The court will decide in addition, the temporary withdrawal or cancellation of his license to drive with prohibition for a period of three years to read to seek a new one.

Art.229-6.- Any restaurateur, tenant of bar which will be served. alcoholic drinks to people obviously drunk, will be punished by a prison term of one to six months and a fine of 15,000 to 50,000 francs.

In the event of recidivism, the closing of the establishment can be imposed for a period which does not exceed three months.

Will be punished with the double of these penalties, any conservator or lessee of bar which will be served alcohol to a minor.

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SS.229-7. -Any Muslim who will, ostensibly consumed in knowledge of cause of products prohibited by the Islamic laws, will be punished by a prison term of one to six months and a fine of 15,000 to 200,000 francs.

Art.229-8. -Anyone who discloses, spreading, taught to Muslims a religion other than the Muslim religion, shall be punished by a prison term of three months and a fine of 50,000 to 500,000 francs.

Will be punishable by the same penalties , the sale, offering for sale, distribution even free to Muslims, books, brochures, magazines, discs and cassettes disclosing a religion other than Islam.

ART.230.- Any person who has in any way profane:

2°)- The objects of worship in the places indicated above, will be punished with a fine of 15,000 to 1 00,000 francs and a prison term of three months to a year. ; 1°)- premises intended or currently serving in the exercise of a worship

ART.231.- anyone who desecrates the minister of a religion, in the exercise of its functions, will be punished with a fine of 15 000 to 45 000 francs and a prison sentence of six months to two years.

The one who smites the minister of a cult in the exercise of its functions, will be punished by imprisonment of two to five years.

ART.232.- will be punished by imprisonment of two months to two years and a fine of 15,000 to 500,000 francs or only one of these two penalties, anyone who will be delivered to the practices of witchcraft, magic or charlatanism which will have disturbed the public order or infringes to persons or property.

ART.233.- will be punished by a prison term of one to six months and a fine of 75,000 to 800,000 francs or only one of these two penalties" the founders, the directors or managers of companies or institutions subject to commercial, industrial or financial, who have done or leave included the name of a member of the government or of a parliamentarian with reference to its quality in any advertising in the interest of the company that they run or which they propose to base.

In the event of a repeated offense, the penalties provided for above may be brought to one year of imprisonment and to 1,500,000 francs of fine.

ART.234.- will be punished the penalties provided for in the preceding article, the founders, the directors or managers of companies or institutions subject to commercial, industrial or financial which will have done or leave include the name of a former member of the government, of a civil servant, of a magistrate or a member of the national order, with reference to its quality, in any advertising in the interest of the company that they run or which they propose to base.

The same will be applicable to all bankers, lobbyists who have made use of advertisements provided for above.

ART.235.- will be punished with a fine of 15,000 to 800,000 francs, the persons exercising the profession of business agent or of legal council, which have made or let their quality of honorary magistrate, a former magistrate, of honorary solicitor, of former public officer

or ministerial, former approved on all flyers, announcements, leaflets, claimed, plates, paper to letters, mandate and in general on all documents or written any used in the context of their activity.

It is prohibited in the same conditions and subject to the same penalties to avail themselves of professional degree to help you access the functions of advocate, public or ministerial officer.

In the case of recurrence, the sentence above laid down may be doubled.

## Section 5

Association of Malefactors, vagrancy and begging  
er Paragraph 1: Association of criminals.

ART.236.- Any association formed whatever its duration or the number of its members, any agreement established with the purpose of pre-deal or to commit one or more crimes against persons or property, constitute Lin crime against the public peace.

ART.237.- will be punished with the penalties of work forces in time of ten to twenty years ago, anyone who will be affiliated with an association formed or will have participated in an agreement established in the purpose specified in the preceding article.

The people who will be guilty of the crime mentioned in the present article shall be exempt from the penalties, if before any prosecution, they revealed to the constituted authorities, the agreement established or made known the existence of the association.

ART.238.- will be punished the work forces in time of ten to twenty years, anyone who knowingly and voluntarily assists the perpetrators of the crimes provided for in article 237 by providing them with the instruments of crime, means of correspondence, dwellings or places of meeting.

The guilty may in addition, be struck by the prohibition of stay for a period of five to ten years.

However, will be applicable to the guilty of the facts provided by this article, the provisions contained in paragraph 2 of article 237.

Paragraph 2: vagrancy.

ART.239.- The vagrancy is an offense.

ART.240.- The vagrants or people without a confession, are those who have neither home sure, nor livelihoods, and which do not normally engage neither business, nor profession.

ART.241.- The vagrants, or people without a confession, which will have been legally declared as such, will be for this fact alone, punishable by one to three months of imprisonment.

ART.242.- The individuals declared vagrants by judgment, will if they are foreign nationals, be ducts, on orders from the government, outside the territory of the Republic.

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If they are claimed by the government, this measure may intervene even before the expiry of their sentence.

Paragraph 3 - begging.

ART.243.- begging is prohibited. The fact of solicit alms, to the days, in the places and in the conditions enshrined in the religious traditions does not constitute an act of begging.

Any act of begging will be liable to a prison term of one to six months.

Will be punished with the same punishment, those which will leave begging minors of twenty and one year subject to their authority.

All beggars who will have use of threats or will be entered, without permission of the occupier or people from the home, either in a compound in dependent, or who will be synthetic howls of wounds or disabilities, or who mendieront in meeting, unless it is the husband or the wife, the father or the mother and their young children, the blind and its driver, shall be punished by imprisonment for six months to two years.

Provisions common to the vagrants and beggars,

ART.244.- Any beggar or vagrant who will have been entered transvestite in any manner, or the bearer of arms, although it has worn threat, or fitted with limes, hooks or other instruments own either to commit robbery or other crimes, either provide them the means to penetrate into the homes, will be punished by two to five years of imprisonment.

ART.245.- Any beggar or vagrant who will be exercised or sought to exercise some act of violence that either toward the people, will be punished by imprisonment of

two to five years, without prejudice to the more severe penalties; if there is a place in reason of the kind and in circumstances of violence if the beggar or vagrant that has attempted to exercise or exercises violence was, in addition, in one of the circumstances expressed in article 244, he will be punished by a prison sentence of five to ten years.

ART.246.- Any beggar or vagrant is necessarily condemned to the prohibition of stay in the conditions and subject to the reservations set out by article 35 and following of the present code,

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Section 6:

Offenses committed by all means of public dissemination.

ART.247.- are considered as means of public dissemination, broadcasting, television, the cinema, the press, the display, the exposure, the distribution of writings or images of all kinds, the speech, singing, shouting or threats uttered in the workplace or public meetings and generally all technical processes intended to reach the public.

er Paragraph 1: Provocation to crimes and offenses.

ART.248.- will be punished as an accomplice of a qualified action crime or offense, those, who, by one of the means referred to in article 247, will have directly caused the author or authors to commit their action, if the provocation was followed by effect.

This provision will be legally applicable when the provocation will have been followed by no effect.

ART.249.- those who by, one of the ways set forth in article 247 will have directly caused, either a crime, is a criminal offense, will be punished in the case where this provocation will not been followed by effect, of one year to five years of imprisonment and of 15,000 to 300,000 francs of fine.

ART.250.- Any provocation by one of the means set forth in article 247 addressed to the military, gendarmes in the designed to deflect them from their military duties and obedience that they owe it to their heads in everything they their control for

breach of military laws and regulations, shall be punishable with imprisonment of one to five years and a fine of 15,000 to 200,000 francs.

ART.251.- will be punished by a prison term of one to three years and a fine of 15,000 to 200,000 francs, those who, by one of the means set forth in article 247, will the apology of a crime or offense.

ART.252.- All cries and chants uttered seditious in places or public meetings, will be punished by a prison term of two to six months and a fine of 15,000 to 75,000 francs, or with only one of these two penalties.

Paragraph 2: Offenses against the public thing.

ART.253.- insulting the president of the Republic by one of the means set forth in article 247 of this code shall be punishable by imprisonment of three months to one year and a fine of 15,000 to 75,000 francs, or with only one of these two penalties.

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The penalties provided for in the preceding paragraph shall be applicable to the offense to the person who exercised all or part of the prerogatives of the president of the Republic.

ART.254.- The publication, dissemination. The disclosure or reproduction by a few means that this is the new false, from parts manufactured, falsified or misleading are allocated to third parties, will be punished by a prison term of one to three years and a fine of 75,000 to 750,000 francs, when the publication, dissemination, disclosure, reproduction, made or not in bad faith, will have led, disobedience to the laws of the country or infringes the moral of the population or discredited the public institutions or their operation.

The same penalties will also incurred when this publication, dissemination, disclosure or reproduction have been likely to cause the same consequences.

In all cases, the perpetrators may be hit by a prohibition of residence for five years at the most.

The procedure of offense is not applicable to the offenses provided for in this article and in the previous article.

ART.255.- will be punished by a term of imprisonment of one month to two years and a fine of 15,000 to 150,000 francs, anyone who will have :

- Manufactured or detained with a view to making it into trade, distribution, rental, display or exhibition, - imported or fact import, exports, or fact export, transports or done knowingly transporting for the same purposes:

- Displays, presentation or projected to the public gaze, - sold, leased, offered for sale or lease, even non-publicly, - offered even for free, even non-publicly in any form whatsoever, directly or by indirect means, - Distributed or delivered with a view to their distribution by any means - All printed, all written, drawings, posters, engravings, paintings photographs, films Or negatives, matrices or photographic reproductions, emblems, all objects or images that are contrary to good morals.

The sentenced person may in addition to the object, for a period not exceeding six months, of a prohibition to exercise, directly or by a person interposed, in law or in fact, of steering functions of any business printing, publishing, grouping, and distribution of newspapers and periodicals. Anyone who will violate the prohibition referred above, will be punished with the penalties provided for in this article.

ART.256.- will be punished with the same penalties:

- anyone who will be heard publicly for the edges, screaming or speech contrary to morality.

; - Anyone who will publicly drew attention to an opportunity of debauchery or will have published an announcement or a correspondence of this kind, what that in either the terms

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- anyone who will be screened for the eyes of the public of the films to character licentious or other, in violation of the visa of censorship characteristic for the ages determined;

- anyone who will, under the guise of preaching, incited hatred, violence or discrimination,

Paragraph 3: Offenses against persons.

ART.257.- Any allegation or imputation of a fact prejudicial to the honor or reputation of the person or the body which the fact is imputed is a defamation.

When it has been made by one of the means listed in article 247, it is punishable, even if it relates to a person or a body not expressly appointed, but whose

identification is made possible by the terms of the speeches, shouting, threats, written or printed, banners or posters incriminated.  
All offensive expressions, terms of contempt or invective which do range the posting of no fact is an insult.

ART.258.- The libel committed by one of the means set forth in the anchor 247, toward the courts, tribunals, the army and the public administrations, will be punished with imprisonment for up to two months to one year and a fine of 15,000 to 150,000 francs or only one of these two penalties.

ART.259.- will be punished with the same punishment , defamation committed by the same means, by reason of their duties or their quality, owed to one or several public official, a depositary or agent of a public authority, a citizen support of a service, or a public mandate, temporary or permanent, a juror, a witness, to reason of his testimony.

The libel against the same persons concerning the private life, reading of the following article.

ART.260.- defamation of individuals by one of the means set forth in article 247, shall be punishable with imprisonment of one to six months and a fine of 15,000 to 75,000 francs, or with only one of these two penalties.

The libel committed by the same means against a group of persons not designated by the preceding article, but who belong by their origin to a particular race or religion , shall be punishable by a prison sentence of two months to two years and a fine of 15,000 to 200,000 francs, when she will have had to aim to excite hatred among the citizens and inhabitants.

ART.261.- The insult committed by the same means against the body or the persons designated by the articles 258 and 259, will be punished by a prison term of one to three months and a fine of 15,000 to 1 00,000 francs or only one of these two penalties.

THE slur in the same manner against individuals, when it will not have been preceded by provocation, will be punished with imprisonment for up to two months to the maximum and a fine of 15,000 to 200,000 francs, or only one of these two penalties. The maximum term of imprisonment shall be for six months and that of the fine of 200,000

francs 54, if the insult has been committed by a group of people who belong by their origin, to a race or religion determined, with the aim to excite the hatred toward the citizens and inhabitants.

ART.262.- articles 259 - 260 and 261 will not be applicable to defamation or insults directed against the memory of the dead that in cases where the perpetrators of these defamation or insults would have had the intention to undermine the honor or the consideration of the heirs, spouses or residuary beneficiaries live.

That the authors of defamation or insults have or not the intention to harm the honor or the consideration of the heirs, spouses, residuary beneficiaries alive, the latter can user, in both cases, the right of reply.

ART.263.- Any reproduction of a posting which has been deemed defamatory will be deemed made in bad faith, unless evidence to the contrary by its author.

Paragraph 4: Offenses against the heads of State and foreign diplomatic representatives.

ART.264.- The offense committed publicly toward the foreign heads of State, heads of government foreigners, and their ministers will be punished with imprisonment of three months to one year and a fine of 15,000 to 400,000 francs, or only one of these two penalties.

ART.265.- The contempt committed publicly to the occasion of their functions, to the ambassadors and ministers plenipotentiary, sent, reps or other diplomatic agents accredited near the government of the Republic, will be punished by a term of imprisonment of one month to one year and a fine of 15,000 to 300,000 or only one of these two penalties.

Paragraph 5: Prohibited Publications, immunities of Defense

ART.266.- It is prohibited to publish all acts of criminal procedure or corrections before they have been read in public hearing and that, under penalty of a fine of 15,000 to 50,000 francs.

ART.267.- It is prohibited to make account of debates to defamation proceedings or insults when they relate to the privacy of individuals or of the facts dating back more than ten years or amnesties, as well as the trial for a declaration of paternity, divorce, separation, adultery and abortion.

This prohibition does not apply to judgments or decisions, which may be published, the parties being designated by their initials.

Of all the civil and commercial affairs, the courts may prohibit the trial record.

All violations of these provisions are punishable by a fine of 45,000 to 50,000 francs.

ART.268.- Do not give opening to no action , the speeches held in the breast of the national assembly and the advice from the islands as well as the reports or any other workpiece printed by order of one of these assemblies.

Will not give rise to any action, the record of the meetings of the assemblies referred to in the above paragraph done in good faith in the newspapers, do not give rise to any action for defamation, insults, contempt, or the faithful record of good faith of the judicial proceedings, rii the speeches or written products before the courts.

The judges before the cause and acting on the merits may nevertheless decide the removal of speech offensive, defamatory or slanderous, and condemn that it will be up to the damages. The judges may also, in the same case, to make injunctions to lawyers, ministerial officers.

However the facts foreign defamatory to the cause may give rise to the opening, either to the public action, either to the civil action of the parties, when these actions their will have been reserved by the courts, and, in all cases, to the civil action of third parties.

Paragraph 6: The responsible persons

ART.269.- will be liable, as principal authors, of sentences which constitute the suppression of offenses provided for in this section:

1 °)- The directors of publications, co-directors, producers, publishers or managers regardless of their denomination,  
 2°)- was their fault, the authors,  
 3°) -- A fault of the authors, the directors of printing companies, registration, production or dissemination of any kind are,  
 4°)- In the absence of any of the above, the sellers, displays(irs and distributors, whatever their denomination, importers, exporters or freight forwarders (him will have participated knowingly to say offenses may be prosecuted directly as principal authors.

ART.270. - When the director of publication, co-directors, producers, publishers, or manager, will be in question, the perpetrators will be prosecuted as an accomplice.

Article 45 will not apply to directors of companies prosecuted for fact printing, reproduction or dissemination except in the cases and under the conditions provided for by article 94 or in default of co-director of the publication, when the appointment of the latter is mandatory. However, they can be prosecuted as

accomplices if the criminal irresponsibility of the director or co-director of the publication was ordered by the courts.

ART.271.- The owners of newspapers, periodicals and all businesses of dissemination whatever their denomination, are responsible for the financial penalties

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pronounced in favor of third parties against the authors, co-authors and accomplices of the offenses provided for in this section.

In all cases, the recovery of fines and damages may be continued on the assets of the business.

ART.272.- The civil action resulting from the offenses of defamation provided for and punished by articles 258 and 259 may not, except in the case of the death of the author of the offense or amnesty, be pursued separately from the public action.

ART.273.- The penalties enacted above can be pronounced so that the various acts which constitute the elements of the offenses, would have been made in different countries.

ART.274.- The convicted person may in addition be subject to a ban to exercise, directly or through an intermediary in law or in fact, of the functions of direction of any printing company, recording, reproduction, editing, grouping, distribution, publication or dissemination of a few natures that they are, however, the court may reduce this prohibition to a duration which do- will not be less than six months. Anyone who will violate the prohibition referred will be punished with the penalties provided for in article 255.

ART.275.- When the person responsible for the offense is a legal person, the prosecution will be exerted against the president director general or the director, or to the delegated administrator or manager.

Paragraph 7: supplementary sentences

ART.276.- If there is a conviction, the decision may in the cases provided for in articles 249, 250, 255, 264 and 265, say, in addition, the confiscation of all publication media seized and, in all cases, order the seizure and removal or destruction of all published copies.

However, the deletion or !a destruction may apply only to certain parts of the seized copies.

ART.277.- In case of any conviction in application of articles 249.250 , 251.254 and 255, the suspension of the newspaper or periodical, may be pronounced by the same decision of justice for a period which will not exceed three months. This suspension will be without effect on the contracts of work linking the operator, which remains held of all contractual or legal obligations resulting therefrom,  
ART.278.- increasing the penalties resulting from the recidivism will not be applicable to the offenses provided for in this action.

## TITLE 2nd

Crimes and offenses against the individual Crimes and offenses against persons

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### Section 1

attacks and threats of attacks against persons

paragraph the: murders, assassinations, parricides, infanticide, poisonings.

ART.279.- The homicide committed voluntarily is qualified murder.

ART.280.- Any murder committed with premeditation or entrapment is qualified assassination.

ART.281.- The premeditation consists in the design form with the action, an attempt on the person of an individual determines, or even of that which will be found or met- when even this design would be dependent on a few circumstances or of a few conditions.

ART.282.- The felonious intent is to wait for more or less time in one or various places, an individual, either to give him the death, or to exert on him of acts of violence.

ART.283.- is qualified parricide the murder of fathers or mothers legitimate, natural or adoptive, or of any other ascendant.

ART.284.- infanticide is the murder or assassination of a new-born child.

ART.285.- is qualified poisoning, any attack on the life of a person by the effect of substances which may give the death more or less promptly, in any manner that these substances have been employed or administered and what have been the suites.

ART.286.- all guilty of murder, parricide or of poisoning will be punished with death.

ART.287.- will be punished as guilty of murder, all criminals, regardless of their denomination; which, for the execution of their crime , employ torture or commit acts of barbarity.

ART.288.- The murder shall carry the death penalty, when it will be preceded, accompanied or followed another crime.

The murder will prevail also the death penalty, when he will have had to object either to prepare, either to facilitate or run an offense, either to promote the leak or to ensure the impunity of the perpetrators or accomplices of this offense.

In any other case, the guilty of murder will be punished of work forces in perpetuity.

In all the cases provided for in this paragraph, the confiscation of weapons, objects and instruments used to commit the crime will be pronounced.

#### Paragraph 2: Threats

ART.289.- anyone who will be threatened by writing anonymous or signed, picture, symbol or emblem, murder, poisoning or any other attack, against the people, which would be punishable by a criminal penalty, will be in the case where the threat would have been made with order of

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deposit a sum of money in a place indicated or to fulfill any other condition, will be punished by imprisonment of two to five years and a fine of 15,000 to 200,000 francs.

The guilty may in addition, be deprived of the rights mentioned in article 33 of the present criminal code for at least five years and not more than ten years from the date or it will suffer its penalty.

ART.290.- If this threat has been accompanied by no order or condition, the penalty will be imprisonment for a term of at least one year and at most three years and a fine of 15,000 to 1 00,000 francs.

ART.291.- If the threat was made with order or under conditions, has been verbal, the guilty will be punished by a prison term of six months to two years and a fine of 15,000 to 75,000 francs.

In this case, as in the case of the previous articles, the penalty of the prohibition of stay be pronounced against the guilty.

ART.292.- anyone who will be by one of the means provided for in the preceding articles, threat of assault or violence not provided for by article 289, shall be punished by imprisonment for six days to three months and a fine of 15,000 to 50,000 francs, or with only one of these two penalties.

If the threats and assault or violence laid down by article 209 and the preceding articles are carried out with hijacking of an aircraft, boat, car or any other gear designed for public transport of persons, the guilty will be punished of work forces in perpetuity.

If the threats have been accomplished with use of a firearm, even dummy, the guilty will be punished with death.

Section 2 wounds and blows volunteers unskilled of murder and other crimes and offenses volunteers.

ART.293.- Any individual who, voluntarily, will be made of injuries or blows, or committed any other violence or assault, whether it is result of these kinds of violence, a disease or a total incapacity to work personal for more than twenty four hours, will be punished by imprisonment of from one year to five years and a fine of 25,000 to 250,000 francs.

When the violence expressed above will have been followed by death, mutilation, amputation, loss of use of a limb, blindness, loss of an eye or other permanent disability, the guilty will be punished by a prison term of five to ten years and a fine of 25,000 to 500,000 francs.

The guilty may in addition be deprived of the rights mentioned in article 33 for at least five years and not more than ten years.

ART.294.- when there will be was premeditation or entrapment, the penalty will be, if the death is followed or if the violence has resulted in the mutilation, amputation or the deprivation of

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the use of a limb, blindness, the loss of an eye or other permanent disability, forced labor in time of ten to twenty years, in the case provided for in the first subparagraph of article 293, the penalty of imprisonment of five to ten years.

ART.295.- When the wounds or blows or other violence or assault, will not caused a disease or an inability to work staff mentioned in article 293, the guilty will be

punished by a term of imprisonment of one month to two years and a fine of 15,000 to 1 00,000 francs , or only one of these two penalties.

If there was premeditation or ambush, the imprisonment will be from two to five years and a fine of 25,000 to 200,000 francs.

ART.296.- The one that will be done voluntarily of injuries or blows to its father, mother 1egitimes, natural or adoptive or other ascendants, will be punished with the maximum sentence provided in the preceding articles.

ART.297. - Anyone who deliberately injures or blows to a child below the age of fifteen years he accomplished, or who will voluntarily deprived of food or care, to the point of jeopardizing or who will be committed to its against any other violence or assault, to the exclusion of small arms violence, will be punished by a prison term of one to five years and a fine of 15,000 to 200,000 francs.

Sil in results from the different kinds of violence or deprivation above, a disease or a total inability to work for more than twenty days or if there is premeditation or entrapment, the penalty shall be three to seven years' imprisonment and 20 000 to 200 000 francs fine.

If the culprits are the fathers, mothers and other ascendants, or any other persons having authority over or custody of the child, the penalty of imprisonment of five to ten years.

In the cases provided for in this article, the guilty, may, in addition, be deprived of the rights mentioned in article 33 for at least five years and not more than ten years, from the day or he will have undergone his punishment.

ART.298.- If the violence or deprivation referred to in the preceding article have been followed in mutilation, amputation, or deprivation of the use of a limb, blindness, loss of an eye or other permanent disability, or if they have caused the death without intention to give, the penalty will be forced labor in time of ten to twenty years.

If the culprits are the fathers and mothers or other ascendants or any other persons having authority over or custody of the child, the penalty will be that of the work forces in perpetuity.

If the violence or deprivation usually practiced it causes death, even without the intention of giving, the penalty will be the work forces in perpetuity will always pronounced.

If the violence or deprivation have been practiced with the intention of causing death, the perpetrators will be punished as guilty of murder.

If the violence or deprivation have been practiced with the intention of causing death, the perpetrators will be punished as guilty of murder.

ART.299.- anyone who, when it comes to the consumption of a marriage celebrated according to the traditional law will have accomplished or attempted to perform the sexual act on the person of a child below 13 years of age or who has not reached puberty will be punished by two to five years' imprisonment.

If the result for the child of serious injury, infirmity even temporary, or if the reports it resulted in the death of the child or if they have been accompanied by violence, the guilty will be punished by a prison term of five to ten years.

In the case provided for in the first paragraph of this article, the guilty may in addition be deprived of the rights mentioned in article 33 for at least five years and not more than ten years from the date or it will have undergone his punishment.

ART.300.- The crimes and offenses provided for in this section and in the previous section, if they are committed in seditious meeting, with rebellion or looting, are attributable to the heads perpetrators, instigators and provocative of these meetings, rebellions, or looting which will be punished as guilty of these crimes or of these offenses and sentenced to the same penalties as those who have personally committed.

ART.301.- Any individual who will be manufactured or debited all weapons of any part that is prohibited by the laws and regulations, shall be punished by a term of imprisonment of three months to one year and a fine of 120,000 to 500,000 francs.

The one who will be found bearer of said weapons will be punished by a prison term of three months to one year and a fine of 150,000 to 500,000 francs.

In either case, the guns will be confiscated.

All without prejudice to more severe penalties, if there is another, in case of complicity in the commission of a crime or offense.

ART.302.- In addition to the penalties mentioned in the preceding articles, the courts can impose a ban to stay.

ART.303.- Any person guilty of crime of castration will suffer the penalty of the work forces in time of ten to twenty years.

If the death ensued, the guilty will be punished with death.

ART.304.- anyone who, through food, beverages, medicines, maneuvers, violence, or by any other means procures or attempts to procure the miscarriage of a pregnant woman, or supposed chamber that she has consented or not , will be punished by a prison term of one to five years and a fine of 15,000 to 1 00,000 francs.

The term of imprisonment shall be five years and a fine of 30,000 to 400,000 francs, if it is established that the guilty is usually ships in the acts referred to in the previous subparagraph.

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Will be punished by a prison term of six months to two years and a fine of 15000 to 1 00,000 francs, the woman who this will be procuring the abortion to it same or will attempt to obtain or who will have consented to make use of the means to it indicated or administered to this effect.

The doctors, pharmacists and any other person exercising a profession medical, para-medical, as well as the students in medicine, students or employees in pharmacy, herbalists, merchants of surgical instruments which will have indicated, promotes or practice the means to perform the abortion, will be sentenced to the penalties provided for in paragraphs 1 and 2 of this article.

The suspension for at least five years or the absolute incapacity of the exercise of their profession, will, in addition, imposed on the guilty.

Anyone who contravenes the prohibition to exercise his profession pronounced under the preceding paragraph shall be punished by a prison term of six least at least to at most two years and a fine of 75,000 to 400,000 francs or only one of these two penalties.

It may in addition, be pronounced the stay of execution of the sentence when the guilty will be one of the persons set forth in subparagraph 4.

However, the interruption of pregnancy may be practiced for medical reasons very serious recorded in writing by two doctors at least.

ART.305.- The one that will be caused to others an illness or incapacity for work staff in administering him voluntarily, in any manner whatsoever of substances which, without being of nature to give the death, are harmful to health, will be punished by a term of imprisonment of one month to five years and a fine of 15,000 to 75,000 francs, it may be prohibited to stay.

If the illness or incapacity for work staff has lasted for more than twenty days, the penalty will be five to ten years of imprisonment.

If the offender has committed the offense specified in the two paragraphs above, toward one of his ascendants or descendants, he will be punished in the first case of criminal detention of five to ten years, and in the second case of work forces in time of ten to twenty years.

### Section 3

#### Homicides and unintentional injuries

ART.306.- Any person who, by bungling, carelessness, inattention, negligence or breach of regulations will be involuntarily committed a homicide or in will have been unwittingly the cause, will be punished by a term of imprisonment of three months to three years and a fine of 15,000 to 200,000 francs.

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If it is as a result of default of address or precaution, injuries, strokes or diseases leading to the victim a total incapacity to work of a more than a month, the guilty will be punished by a term of imprisonment of fifteen days to eighteen months and a fine of 15000 to 100,000 francs or only one of these two penalties.

OFFENSE OF LEAK: There is offense of flight, when the driver, knowing that his vehicle has just cause or result in an accident has not stopped and has thus attempted to evade the liability, civil or criminal, that he may have incurred, regardless, if applicable, the penalties provided for in the preceding subparagraphs.

The author of such an offense is punishable by a term of imprisonment of one month to one year or a fine of 20,000 to 500,000 francs, without that it can be less than the amount of the injury.

In the event of recidivism or when there will be an offense to leak or fault of insurance, the penalties provided for by the preceding subparagraph, shall be doubled and the court may decide, at title of additional penalties, the cancellation or suspension of the driving license of the guilty with prohibition to seek a new for a period which may not exceed three years.

The penalties provided for in subparagraph 1 and 2 will be also doubled, if it is a non-driver's license holder.

These additional penalties may be declared enforceable in as a measure of protection.

ART.307.- If a fire unintentionally caused resulted in the death or caused the injury of one or several persons, it will be fact application of penalties for homicide or injury by reckless according to the distinctions laid down in the preceding article.

Section 41  
of the offenses excusable and cases where they cannot be excused.

ART.308.- The murders as well as the injuries and the blows are excusable, if they were caused by blows or serious violence toward people.

ART.309.- The crimes and offenses mentioned in the previous article are also excusable, if they have been committed in pushing, during the escalation or break fences, walls or entries of a house or an apartment inhabited or of their dependencies.

If this case happened during the night, this case is set by article 316 of this code.

ART.310.- The parricide is never excusable.

ART.311.- The murder committed by the husband of the wife, or by the latter on his spouse, is not excusable, if the life of the husband or of the wife who has committed the murder has not been put in jeopardy in the time that the murder took place.

However, in the case of adultery, provided for by article 330, the murder committed by one of the spouses on the other as well as on the accomplice, at the instant or it surprises in flagrante delicto is excusable.

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ART.312.- The crime of castration, if it has been immediately provoked by a contempt of the indecent assault, will be considered as murder or injury excusable.

ART.313.- When the fact of excuse will be pronounced -.

If it is a major crime, the death penalty or to life imprisonment, the sentence will be reduced to a prison sentence of two to ten years.

If it is of any other crime, it will be reduced to two to five years' imprisonment.

In these first two cases, the culprits will be able to no longer be prohibited to stay by the judgment or the judgment for a period of five to ten years.

If it is an offense, the penalty will be reduced to a term of imprisonment of one month to one year.

ART.314.- there is no crime or offense when the homicide, injuries and the blows were ordained by the law and controlled by the legitimate authority.

ART.315.- there is no crime or offense when the homicide, injuries and the blows were ordered by the current need for self-defense is itself or of others.

ART.316. - Are included in the case of current need for defense, the following two cases:

1°)- If the homicide has been committed and if the injuries were made, or if the blows have been dealt by pushing back during the night, the escalation or the breaking and entering, fences, walls or entries of a home , of an apartment inhabited or of their dependencies,

2°)- If the fact took place in defending itself against the authors of flights or looting carried out with violence.

## S e c t i o n 5 attacks to morals

ART.317.- Any person who has committed a contempt for the indecent act will be punished by a prison term of three months to two years and a fine of 15,000 to 150,000 francs.

ART.318.- Any indecent assault or attempted on the person of a child of either sex under the age of fifteen years, will be punished by imprisonment of two to five years.

Will be punished with the maximum sentence, the indecent assault committed by any ascendant or any person having authority over the minor victim over the age of fifteen years.

Without prejudice to the more severe penalties provided for by the preceding paragraphs or by articles 320 and 321 of the present code, shall be punished by a prison term of one to five years and a fine of 50,000 to 1,000,000 francs, anyone who has committed an indecent act or against

nature with a person of the sex. If the act was committed with a minor, the maximum penalty will be always pronounced.

ART.319.- anyone who has committed or attempted to commit a rape will be punished by a prison term of five to ten years.

If the offense has been committed or simply attempted on the person of a child of less than fifteen years old, the maximum penalty will be increased to fifteen years of imprisonment.

Anyone who has committed or attempted to commit an indecent assault, consumed or attempted with violence against individuals of one sex or the other, will be punished with a sentence of five to ten years.

If the offense was committed on the person of a child below the age of fifteen years old, the maximum of the penalty will be increased to fifteen years of imprisonment.

ART.320.- If the culprits are the ascendants of the person on which has been committed the attack, if they are of those who have authority over it, if they are of those who are responsible for his education or his servants to wages of persons below designated, if they are civil servants or ministers of worship, or if the guilty whatever it may be, has been using in his offense by one or more persons, the penalty will be that of a imprisonment of ten years.

ART.321.- In the cases provided for in articles 318-319 and 320, it will not be delivered to suspend the execution of the penalty.

ART.322.- will be considered as pimp and punishable by a prison term of one to three years, and a fine of 75,000 to 1,000,000 francs, without prejudice to the more severe penalties if there is another, the man or woman -

1°)- which, in any way, help, assisted or protected knowingly the prostitution of others or soliciting for prostitution.

2°)- which, in any form, sharing the products of the prostitution of others or receives subsidies of a person engaged usually to prostitution.

3°)- who, knowingly, lives with a person who is engaged in prostitution.

4°)- which, being habitual relations with one or more persons engaged in prostitution, cannot justify resources corresponding to its lifestyle.

5°)- who procures, entices or maintains, even with his consent, a person even major in view of prostitution or to engage in prostitution or debauchery.

6°)- who acts as an intermediary, in any capacity, between the person who is engaged in prostitution or debauchery and the individuals who exploit or paying for the prostitution or debauchery of others.

7°)- which, by threats, pressures, maneuver or by any other means, hampered the action for prevention, control, assistance or re company by the

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qualified agencies in favor of persons engaged in prostitution or in danger of prostitution.

ART.323.- The punishment will be to two to five years' imprisonment and a fine of 150,000 to 2,000,000 francs in the cases where:

1°)- The offense has been committed in respect of a minor.

2°)- The offense has been accompanied by threats, contrary, of violence, assault, abuse of authority or of flights.

3°)- The author of the offense was the bearer of a weapon apparent or hidden.

4°)- The author of the offense is husband, father, mother or guardian of the victim or belongs to one of the categories listed in article 321.

5°)- The author of the offense is called upon to participate, by its functions in the fight against prostitution, for the protection of health or the maintenance of public order.

6°)- The offense has been committed to 'respect of several persons.

7°)- The victims of the offense have been delivered or encouraged to engage in prostitution outside the national territory.

8°)- The victims of the offense have been delivered or encouraged to engage in prostitution to their arrival or within a period closer to their arrival, on the national territory.

9°)- The offense has been committed by several authors, co-authors or accomplices.

Will be subject to the penalties provided for in this article, anyone who will be waiting to morals in exciting, promoting or facilitating usually the debauchery or corruption of the youth of the one or the other sex below the age of 21 years, or even occasionally, of minors of 16 years.

The penalties provided for in article 322 and in this article will be pronounced even as the various acts which are the constituent elements of the offenses would have been made in different countries.

ART.324.- will be punished with the penalties provided for in the preceding article, any individual:

- ; 1°)- Who holds directly or through an intermediary, who manages, directs, fact operate, finance, helping to finance an establishment of prostitution
- ; 2°)- who, holding, managing, operating, financing, helping to fund a hotel, furnished house, pension, flow of drinks, restaurant, club, circle, dancing, place of entertainment or their annexs or any place open to the public or used by the public, accepted or tolerated usually that one or several persons involved in prostitution to the inside of the institution or in its annexs or y are looking for customers in view of the prostitution
- 3°)- who attended the individuals referred to in the first and second subparagraph.

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In the case of a new offense within a period of 10 years, the penalties involved shall be doubled.

ART.325.- In all cases where the facts complained will be produced in an establishment referred to in the first and second of article 324 and which the holder, the manager or the servant is sentenced by application of articles 323 and 324, the judgment will withdrawal of the license which the condemned would be beneficiary and will deliver in addition the closure of the establishment or of the parties of the establishment used for the purpose of prostitution for a period which shall not be less than three months nor more than five years.

In all cases, the judgment or the judgment may in addition, put the guilty in state of prohibition of stay and pronounce the withdrawal of passports as well as, for a period of three years at the most the suspension of the driving license. This period may be doubled in the case of recidivism. The movable having served directly or indirectly to commit the offense will be seized and confiscated, to a few people that they belong to.

The perpetrators of offenses provided for in articles 322 - 323 and 324 may be sentenced to repay any costs of repatriation of those or those which they have exploited or attempts to exploit or contributed to exploit prostitution. When these expenses will have been developed by the administration, they will be recovered as costs of justice.

ART.326.- The attempt of the offenses referred to in this section shall be punished with penalties for these offenses.

In all cases the culprits may be further developed, by the decision of judgment, in a state of prohibition of stay for at least two years and not more than ten years from the date or they will have suffered their sentence, deprived of rights listed in article 33 and banned from any trusteeship.

ART.327.- Any minor of 21 years which is delivered, even occasionally to prostitution, at the request of parents, or of the public ministry, called to appear before the tribunal of children which he applies one of the protection measures provided for in the code of criminal procedure chapter of children in danger.

HAS RT.328. -Notwithstanding the particular provisions relating regulation of trade, of the detention and the use of poisonous substances, will be punished by a term of imprisonment of one to ten years and a fine of 1,000,000 francs to 50,000,000 francs, those who, without authorization will have grown, purchased, imported, processed, transported, distributed even for free, put on sale, fact buy, import, transport, transform, distribute, put on sale all qualified products narcotic drugs and particularly the hashish or Indian hemp.

The same penalties are applicable to all those who have helped others to the use of these substances is, in providing for this purpose a local, or by any other means.

The courts will decide in addition:

- the confiscation and the immediate destruction and public of seized substances.

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- The confiscation of sums of money from prohibited transactions for the benefit of the public treasury.

- The confiscation of the means of transport which the owner has knowingly allowed or simply tolerated employment for purposes prohibited by the present article.

ART.329.- adultery is the sexual intercourse of a married person with a person of the opposite sex other than their spouse.

THE adultery cannot be denounced by the other spouse.

ART.330.- The husband convinced of adultery will be punished by a prison term of three months to two years and a fine of 50,000 to 150,000 francs, or only one of these two penalties.

The accomplice of adultery will be punished with the same penalties.

The other spouse will remain master to stop the proceedings and the effect of the conviction.

The only evidence that can be admitted against the defendant and an accomplice, will be, in addition to the flagrant offense those resulting from the confession or letters or other parts written by the accused.

ART.331.- The fornication or zina is prohibited.

The fornication resulted from the flagrante delicto, established, according to the Koranic law by four male witnesses, pubescent, sane and trustworthy, which attest having seen the accomplishment of the act.

The guilty of fornication will be punished by a sentence of one month to one year of imprisonment and a fine of 20,000 to 150,000 francs or only one of these two penalties.

The unmarried woman, pregnant who door complaint admitted to this fact fornication is liable to the same penalties.

The fathers and mothers or the people who can consent to the marriage of a minor girl of twenty-one years have only the possibility to file a complaint.

ART-332.- In case of marriage celebrated according to the custom, the spouse"which without serious cause or out of the cases provided for by the so-called custom, abandons the matrimonial home, will be punished with a fine of 15,000 to 50,000 francs.

The other spouse remains the master to stop the effect of this condemnation.

## S e c t i o n 6

illegal arrest or kidnapping

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ART.333.- will be punished by the death of the work forces in time of ten to twenty years those who, without orders from the constituted authorities and outside the

case or the law orders of the defendants, will be arrested, detained or abducted persons whatsoever.

Anyone who has prepared a place to run the detention or sequestration will suffer the same penalty.

Are also punished with the same punishment, those who have concluded a convention having to object to alienate, either free of charge or for expensive, the quality of a third person. The confiscation of money, objects or values received in execution of the said convention will always be ordered. The maximum penalty will be always pronounced if the person who is the subject of the convention is under the age of fifteen years.

Anyone who will be placed or received a person in pledge, on whatever grounds, will be punished by imprisonment of from one month to two years and a fine of 15,000 to 150,000 francs or only one of these two penalties.

The term of imprisonment may be increased to five years if the person placing or received in pledge is under the age of fifteen years.

The guilty will in addition, in all cases, be deprived of the rights mentioned in article 33 for at least five years and not more than ten years.

ART.334.- If the detention or abduction has lasted for more than a month, the penalty will be that of the work forces in perpetuity.

ART.335.- The sentence will be reduced to the imprisonment of one to five years if the guilty of the offenses mentioned in article 333, not yet been prosecuted, has rendered the freedom to the person falsely imprisoned, arrested or detained, before the tenth day accomplished since that of the arrest, detention or abduction.

ART.336.- In each of the two following cases

1°)- If the arrest was executed with a false costume, under a false name or under a false order of the public authority, 2°)- If the person arrested, detained or abducted has been threatened with death, the guilty will be punished the work forces in perpetuity.

But the penalty will be that of the death, if the persons arrested, detained or kidnapped have been subjected to physical torture

Section 7

Offenses relating to the marital status of a child, abduction of minors, family abandonment, breaches of the laws on the burials.

Paragraph in toto - Crimes and offenses against the child.

ART.337.- The guilty of kidnapping, of receiving or deletion of a child, of substitution of one child for another, or assumption of a child to a woman who has not given birth.

will be punished by imprisonment of five to ten years.

The same penalty shall be imposed on those who, being responsible for a child, does not represent the point to the people who will have the right to claim it.

ART.338.- Any person who, having attended a birth, will not made the declaration to it prescribed by the regulations of the civil status, shall be punishable with imprisonment of one to six months and a fine of 15,000 to 75,000 francs, or with only one of these two penalties.

ART.339.- Any person who, having found a new-born child will not reset to the officer of civil status, shall be punishable by the penalties brought in the previous article.

This provision is not applicable to that which would have consented to take charge of the child and which would have made his statement in this regard before the administrative authority of the place where the child was found.

ART.340.- those who will expose or caused exposure, abandoned or fact abandon in an isolated place, a child or incapable person, not in a state to protect themselves by reason of their physical or mental condition, will be for this fact alone sentenced to a prison term of one to three years and a mended from 15,000 to 150,000 francs.

ART.341.- The sentence scope to the previous article will be from two to five years and a fine of 30,000 to 250,000 francs against the ascendants or any other persons having authority over the child or incapable or having custody.

ART.342.- If it is from the exposure or neglect a disease or a total inability of more than twenty days, the maximum penalty will be applied.

If the child or incapable person is remains mutilated or crippled or if it is rest reaches a permanent disability, the guilty will suffer the penalty of imprisonment of five to ten years.

If the culprits are the persons mentioned in article 341, 1a sentence will be of ten years of imprisonment.

When the exposure or neglect in an isolated place will have led the death, the action will be considered as a murder.

ART.343.- those who will expose or caused exposure, abandoned or fact abandon in an isolated place, a child or incapable person out of state to protect themselves because of their physical or mental condition, will be, for this fact alone, sentenced to a prison term of three months to one year and a fine of 15,000 to 150,000 francs.

If the culprits are the persons mentioned in article 341, the penalties shall be doubled.

ART.344.- If it is from the exposure or neglect a disease or a total inability of twenty days and more, or of one of the infirmities laid down in article 293 subparagraph 2' , the guilty will suffer imprisonment for one to five years and a fine of 15,000 to 150,000 francs.

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If the death was caused without intent to give, the punishment will be that of the criminal detention of five to ten years.

If the culprits are the persons mentioned in article 342, the penalty will be in the first case, that of a imprisonment of five to ten years, and in the second case, the work forces in time of ten to twenty years.

Paragraph 2: abduction of minors

ART.345.- anyone who will by fraud or violence, abducted or fact remove of minors and the will be trained, diverted or displaced or will the fact cause, divert or moved from the place where they were placed by those of the authority or of the direction which they were submitted or entrusted, will suffer the penalty of the work forces in time of five to ten years.

ART.346.- If the minor kidnapped or hijacked is under the age of fifteen years, the penalty will be forced labor in perpetuity.

The same penalty will be applied, regardless of the age of the minor if the guilty was done pay a ransom by the persons under the authority or the monitoring of what the minor was placed.

However, in the cases provided for in the two previous paragraphs, the penalty will be that of the work forces of five to ten years, if the minor is found alive that have been rendered the judgment of conviction.

The kidnapping shall carry the death penalty if it was followed by the death of the minor.

ART.347.- The One who, without fraud or violence, will be removed or diverted or attempts to remove or divert a minor ten eight years, will be punished with a prison sentence of two to five years and a fine of 15,000 to 200,000 francs.

When a minor as well removed or diverted will wife his abductor, the latter can not be continued that on the complaint of the persons who have standing to seek the annulment of the marriage and may be convicted only after this cancellation has been pronounced.

ART.348.- When it has been ruled on the custody of a minor by a decision of justice, interim or final, the father, the mother or any other person does not represent this minor to those who have the right to claim or who without fraud or violence, taken away or will deflect or will remove or divert from the hands of those to whom his custody will have been entrusted, or places the last will place, will be punished by a prison term of two months to two years and a fine of 15,000 to 200,000 francs.

If the offender has been stripped of the paternal power, the imprisonment may be increased up to three years.

Paragraph 3: abandonment of the family

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ART.349.- will be punished with imprisonment of three months to one year and a fine of 15,000 to 200,000 francs:

1°)- The father or the mother of the family who abandoned without serious cause for more than two months, the family residence and is subtracted from all or any part of the moral or material obligations resulting from the paternal power or legal guardianship, the time limit of two months may be interrupted only by a return to the home involving the desire to resume definitively family life.

2°)- The husband who, without serious cause, voluntarily abandons, for more than two months, his wife the knowing pregnant.

3°)- The father and mother, that the forfeiture of the paternal power either or not pronounced against them, that seriously endanger by the bad example notorious, by a lack of care or by a lack of direction necessary, either the health, the safety, or the morality of their children or of one or several of the latter.

With regard to the offenses provided for in the first and second of the present article, the continuation will include initially an interpellation, found by trial- minutes of the offender by a judicial police officer. A lai of eight days will be granted pou perform its obligations.

In the same case, during the marriage, the continuation will be exerted only on the complaint of the husband stays at home.

The same penalty will be applied to any mother or father who abandons his children pending a period of two months.

ART.350.- will be punished with the same penalties, any person who, in defiance of an enforceable judgment or a decision of justice, having sentenced to pay alimony to his spouse, ascendants, to his descendants, will voluntarily remains more than two months without providing the totality of supply determined by the judgment, nor acquitted the full amount of the pension.

The default of payment will be presumed voluntary, unless evidence to the contrary, the insolvency resulting from the habitual misconduct, laziness or drunkenness, in no event will a pattern of valid excuse for the denounce.

Any person sentenced by one of these offenses provided for in this article in the previous article may in addition be struck, for at least five years and not more than ten years of the prohibition of rights mentioned in article 33 of this code.

The competent court for the offenses referred to in this article will be on the domicile or residence of the person who should receive the pension or benefit from the subsidies.

Paragraph 4: breaches of the laws on the burials.

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ART.351.- those who, without the prior permission of the officer of civil status, in the cases where it must be prescribed, will have done bury a deceased person, will be punished by two to six months of imprisonment and a fine of 20,000 to 1 00,000 francs, without prejudice to the continuation of crimes whose perpetrators of the offense could be warned of this circumstance.

The same penalty shall be imposed against those who have violated in any manner whatsoever to the act and the regulations relating to the burials.

ART.352.- anyone who has harbored or cache the corpse homicide or died of wounds and blows, will be punished by a prison term of six months to two years and a fine of 30,000 to 200,000 francs, without prejudice to more severe penalties, if he was involved in the crime or offense.

ART.353.- will be punished by a prison term of three months to one year and of 30 000 to 200 000 francs fine, anyone who is guilty of violation of tomb or burial, without prejudice to the penalties against the crimes or offenses which would have attached to the latter.

The same penalties will apply to anyone who will layman or mutilated a corpse, even non-buried.

-Section 8

false testimony, slander, insults, revelation of secrets.

1ST: false testimony.

ART.354.- anyone who will be guilty of false testimony in a criminal matter, either against the accused, either in its favor, will be punished with the penalty of the work forces in time of five to ten years.

If, however, the accused was sentenced to a greater punishment than that of work forces in time of five to ten years, the false witness that will be filed against him, will suffer the same penalty.

ART.355.- anyone who will be guilty of false testimony in correctional matters, either against the accused, either in its favor, will be punished by a prison term of at least two years and no more than five years, and a fine of 15,000 to 200,000 francs.

If, however, the accused was sentenced to more than five years of imprisonment, the false witness who has testified against him, will suffer the same penalty.

Anyone who will be guilty of false testimony in the matter of capital of police, either against the accused, either in its favor, will be punished by a prison sentence of at least three months and not more than one year and a fine of 15,000 to 150,000 francs.

In the first case, the culprits may in addition be deprived of the rights mentioned in article 33 of the penal code- for at least five years and not more than ten years, starting from the day they will have suffered their sentence and be banned from stay during the same duration.

ART.356.- in any other subject, the guilty of false testimony will be punished by a prison term of one to three years and a fine of 50,000 to 300,000 francs. It may be also of accessory penalties mentioned in the preceding article.

ART.357.- The false witness in criminal matters which will have received money, some sort of reward or promises, will be punished with the work forces in time of ten to twenty years.

The false witness in any other subject, who will be in receipt of the money, some sort of reward or promises, will be punished by imprisonment of one to five years and a fine of 20,000 to 200,000 francs.

It may be also of accessory penalties mentioned in article 355.  
In all cases, the false witness will have received, will be confiscated.

ART.358.- anyone, either in the course of a procedure and in any case, either in any material with a view to a request or a defense in justice will be worn, of promises, offers, present, of pressures, threats, assault, maneuvers or tricks to determine others to do - deliver a testimony, a statement or an attestation will be misleading that this subordination, has or has not produced its effect, punishable by a prison term of one to three years and a fine of 30,000 to 350,000 francs or only one of these two penalties, without prejudice to the more severe penalties provided for in the preceding articles, if it is an accomplice of false testimony crime or offense.

ART.359.- The one to whom the oath will have been referred or drafted in civil matters, will have made a false oath, shall be punished by imprisonment for a year at least and no more than five years and a fine of 15,000 to 250,000 francs.

Moreover, it may be deprived of the rights mentioned in article 33 of this code for at least five years and not more than ten years and be forbidden to stay during the same number of years from the day on which he will have undergone his punishment.

ART.360.- The interpreter , who after being sworn in, will be in bad faith, misrepresented the substance of words or documents orally translated, will be punished with the penalties of false testimony according to the provisions contained in the articles 354.355 , 356 and 357.

The suborning of interpreter will be punished as subornation of according to the provisions of article 358.

Paragraph 2: slander, insults, revelations of secrets.

SS.361 .- anyone who will by any means whatsoever made a slanderous denunciation against one or more individuals, to police officers or of administrative justice or judicial, or any other authority having the power to follow or enter the competent authority, or even the superiors or employers of the denounced, will be punished by a prison term of six months to five years and a fine of 30,000 to 200,000 francs.

The court may also order the insertion of the judgment, in full or by extracts, in one or more newspapers and at the expense of the condemned.

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If the fact denounced is likely to disciplinary or criminal sanctions, prosecution may be initiated under this article , either after trial or judgment of acquittal or relaxed, either after order or judgment on the non-place, either after classification of the denunciation by the magistrate, civil servant, superior authority or employer responsible for giving him the result that it was likely to contain.

The court seized by virtue of this article shall be held to stay proceedings if proceedings concerning the fact denounced are pending.

ART.362.- The doctors, surgeons, as well as pharmacists, the midwives and all other persons depositaries, by status or by profession, or by temporary functions or permanent of the secrets that is assigned to them, which, excluding cases where the law requires or allows them to be whistleblowers, will reveal these secrets, will be punished by a prison term of one to six months and a fine of 30,000 to 200,000 francs.

CHAPTER It  
Crimes and offenses against property  
Section 1

V O L S

ART.363.- anyone who fraudulently subtracted from a thing which does not belong to him is guilty of theft.

ART.364. - Do may give rise only to civil reparations, the subtractions committed, by husbands to the injury of their women by women to the injury of their husband , by a widower or a widow as to the things which had owned to the deceased spouse, by fathers and mothers or other ascendants to the injury of their children or other ascendants.

The subtraction committed:

1°)- by children or other descendants to the injury of their father or mother or other ascendants,

2°)- by the allies to the same degrees to conditions that the subtractions are committed during the duration of the marriage and outside of a period during which the spouses are allowed to live separately, can be continued on a complaint by the victim.

The withdrawal of the complaint off the civil action.

Has the respect of all other individuals who may have harbored or applied to their benefit all or part of the stolen objects, it will be punished as guilty of concealment in accordance with articles 429 and 430.

ART.365.- will be punished the work forces in time of ten to twenty years, the individuals guilty of robbery committed with two of the following circumstances:

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1°)- If the theft had been committed by two or more persons.

2°)-- If the or the culprits were bearers of weapons real or fake.

3°)- if it has been made use of threats, violence or assault.

4°)- If the culprit or culprits are assured the provision of Lin vehicle in order to facilitate their business or to promote their leak.

ART.366.- even if it has been made use of that violence and if the violence has led to a failure of more than 15 days or a permanent disability, the guilty will be punished by the work forces in perpetuity.

If the violence has led to the death, the death penalty will be imposed.

ART.367.- will be punished by a term of imprisonment of from five to ten years and a fine of 20,000 to 200,000 francs, any individual found guilty of theft or attempted theft; committed with one of the circumstances provided for in article 365 and with one of the causes set forth below:

1°)- if it has been made use of burglary, escalation, undermines or false keys.

2°)- If the flight has been committed on the public roads or in a means of public transport.

3°)- If the flight has been committed in a place intended for or used in the exercise of worship.

4°)- If the flight has been committed by a domestic or an employee on the occasion of its service.

5°)- If the theft had been committed by an innkeeper, hotelier, valet parking or one of their servants, when they will have stolen all or part of the things that their were entrusted to this title.

6°)- If the theft had been committed at night.

7°)- If the theft had been committed in taking the title of a public officer , of an officer or military, or after being in the uniform or costume of official or of the officer, or by alleging a false order of the civil or military authority.

ART.368.- The theft or attempted theft of horse shall be punished by imprisonment of at least three months and not more than seven years and a fine of 50,000 to 500,000 francs.

The theft or attempted theft of vanilla, cloves, coffee, will be punished by a prison term of two to five years and a fine of 20,000 to 200,000 francs.

The other flights or attempts of flights not specified in this section, shall be punished by imprisonment of at least one year and at most five years and a fine of 15,000 to 150,000 francs.

The prohibition of stay from two to ten years can be pronounced.

ART.369.- anyone will be forged or altered the keys, will be sentenced to a prison term of three months to two years and a fine of 20,000 to 100,000 francs.

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If the guilty is locksmith by profession, he will be punished by imprisonment of two to five years and a fine of 50,000 to 400,000 francs.

All without prejudice to more severe penalties, if there is another , in case of complicity in the commission of a crime.

ART.370.- anyone who has extorted or tried to extort by force, violence, coercion, threat written or verbal of revelations or defamatory postings, either the remittance

of funds or values, either the signature or the remission of a written document, a deed, title, to any part containing or operating obligation, provision or discharge, shall be punished by five to ten years of imprisonment and a fine of 50,000 to 400,000 francs.

ART.371.- will be liable to a penalty of one to five years of imprisonment the one who will be destroyed, diverted or attempted to destroy, or to divert the objects seized on him and entrusted to his custody or to that of a third person.

The same penalty shall apply to any debtor, borrower or third parties, licensor of pledge which will be destroyed, diverted or tries to destroy or divert the objects by him given for assassins.

The one who will knowingly conceals objects diverted, the spouse, the ascendants and descendants of the seized, the debtor, of the borrower or third party licensor of pledge which the will aid in the destruction, the diversion or in the attempt to destruction or misuse of these objects, will be punished by a penalty equal to that that it will be incurred.

ART.372.- Any person who, knowing that he is in the absolute impossibility of pay, will be taken in renting a car in place or it will be done serve drinks or food he will have consumed in whole or part, in establishments to this intended, even if it is housed in the so-called institutions, will be punished by imprisonment of two months at least and at most two years and a fine of 15,000 to 100,000 francs.

The same penalty shall apply to the one, who knowing that he is in the absolute impossibility of pay, will have done assign one or several rooms, in a hotel or hostel and will be effectively occupied.

However, in the cases provided for in the preceding paragraph, the occupancy of the dwelling must not have exceeded, a duration of five days.

ART.373.- In the event of offenses to one of the articles 365, 368, 370 and 371, if the accused is in a state of recidivism, the application of the provisions of article 430 may not have the effect of reducing the imprisonment becoming compulsory at the bottom of the minimum of the penalty applicable to the simple state.

In all the cases provided for in the present section, excluding those which are provided for by article 372, the guilty is necessarily condemned to the prohibition of stay in the conditions and subject to the reservations set out by article 35. In addition, it may be deprived of all or part of the rights mentioned in article 33 for at least five years and not more than ten years.

## Section 2

bankruptcies, scams, and other species of fraud.

er Paragraph 1: bankruptcies and scams.

ART.374.- those who are found guilty of bankruptcy, will be punished: the bankruptcies of simple imprisonment for one month to two years, the fraudulent bankruptcies a sentence of five to ten years.

ART.375.- The accomplices of bankruptcy simple or fraudulent shall incur the penalties provided for in the preceding article, even if they have not the quality, of a trader.

ART.376.- those who are engaged in foreign exchange transactions, securities brokerage or banking operations, when they will be convicted of bankruptcy, simple or fraudulent, will be punished in all cases of sentences of fraudulent bankruptcy.

ART.377.- anyone, either by making use of false names or false qualities, either by employing fraudulent maneuvers, to persuade the existence of false companies, power or imaginary credit or to bring about the hope or fear of a success, an accident or any other event chimerical, se will be done again or issue of funds, furniture or obligations, provisions, tickets, promises , receipts or landfill and who will by one of these means, defrauded or attempted to defraud the whole or part of the fortune of others, will be punished by a prison term of one to five years and a fine of 20,000 to 500,000 francs.

If the offense has been committed by a person who has appealed to the public, in view of the issuance of shares, bonds, gifts, shares, or securities of any kind, whether of a society, or of a commercial or industrial enterprise, the above penalties may be doubled.

In all cases the culprits may be, in addition, strikes for ten years at the most of the prohibition of the rights mentioned in article 33 of this code, they will also be subject to the prohibition of stay during the same number of years.

The penalties provided for in the first and third paragraph of the present article shall also apply to anyone who, in the case of the marriage to be celebrated according to the custom, given or promised in marriage a daughter which, according to this custom, he could not, or no longer be prepared and collected or attempted to collect all or part of the dowry and gifts fixed by the use.

Anyone who will be sold or mortgaged a building does not belong to him or do him belonging more will be declared guilty of stellionat and punishable by the penalties provided for in the first subparagraph of this article..

ART.378.- is punishable of the penalties provided for in the first paragraph of the preceding article, without that the fine could be less than the amount of the check or the insufficiency.

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The One, who in bad faith, and has either issued a check without prior provision and available or with a provision less than the amount of the check, be withdrawn after the issuance, all or part of the provision, either done at the defense pulled to pay, the One, who knowingly, has agreed to receive a check in the conditions referred to in the previous subparagraph.

Is liable to the penalties provided for in paragraph 2 of this article without the fine could be less than the amount of the check.

The one who has forged or falsified a check.

The One, who knowingly has agreed to receive a check forged or falsified.

In all the cases provided for above, the court may also make application of subparagraph 3 of the preceding article.

However, the offenses referred to above are considered to be at the point of view of recidivism, a same offense.

Paragraph 2: abuse of trust.

ART.379.- anyone who abused the needs, weaknesses or the passions of a minor, for him to do subscribe, of obligations, receipts or unloaded as well as loan of money, or of things transferable securities or effects of shopping or all other mandatory effects, in any form that this negotiation has been made n being disguised, will be punished by imprisonment of two to more and a fine of 15,000 to 300,000 francs.

The fine may, however, be scope to the quarter of refunds and damages, if it is higher than the maximum provided for in the preceding paragraph.

The guilty may in addition be struck by the prohibition of rights mentioned in article 33 for ten years, it may also be subjected to a ban to stay during the same number of years.

ART-380.- anyone abusing a blank check which will have been entrusted, will fraudulently written above an obligation or discharge or any other act that could compromise the person or the fortune of the signatory, shall be punished by a prison term of one to five years and a fine of 15,000 to 300,000 francs.

In the case or the blank check would not have been, entrusted, it will be continued as forger and punished as such.

ART.381.- anyone who received the owners, owners or holders of the effects, taxpayers' money, goods, tickets, receipts or writings containing or operating obligation or discharge to title of SSAS, deposit, mandate, collateral, of ready to use or for a salaried job or non-employee, will not after simple implementation remains, executes its commitment to make them or represent them or to make it a use or a job determined,

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will be punished by a term of imprisonment of at least six months and not more than four years and a fine of 20,000 at least and of 1,000,000 francs at most.

There is no offense when the breach of the undertaking has to cause the force majeure, the fact the remitter or of a third party or the involuntary absence of the author. The latter may establish the fact proof by all means.

If the abuse of trust has been committed by a person making appeal to the public in order to obtain, either for its own account, either as administrative director or agent of a company or of a commercial or industrial enterprise the remittance of funds or values as a deposit, to mandate, collateral, the duration of the term of imprisonment may be increased to ten years and the fine to 500,000 francs.

In all cases the guilty may be in addition struck for ten years at most of the prohibition of the rights mentioned in article 33 of this code. It may also be struck by the prohibition of stay during the same number of years.

ART.382.- anyone after product, in a legal challenge, a title, part, memory, the will be subtracted from any way, will be punished with a fine of 20,000 to 100,000 francs. This penalty will be imposed by the court seized of the dispute.

Paragraph 3: Diversion of loans granted or guaranteed by the State.

ART.383.- anyone who has received an advance, of a loan, an endorsement or a guarantee in any form, either by the State, or a body of credit, a marketing agency or of a fund having the shape of a public establishment or operating under the

guardianship of the State, will have employee all or portions of the sums of money which have been loaned or advanced for purposes or in conditions other than those provided for in the contract of a loan or advance, will be punished by a prison term of at least one year and five years at the most, and a fine of from 50,000 to 1,000,000 francs.

The guilty may in addition, be struck for ten years at the most of the prohibition of the rights mentioned in article 33 of this code as well as the prohibition of stay during the same number of years.

Will be punished with the same penalties the beneficiary of one of the operators provided above- which will give all or part of the goods purchased, a destination other than that provided for in the contract.

It will at any time, at the request of the creditor body, justify of 1 'use of amounts received or represent them, because by him of power, the do it will be punishable by the penalties provided for in the first paragraph of this article.

ART.384.- Any person who has obtained or attempted to obtain a loan, an advance, a downstream or a guarantee of the State or of one of the agencies referred to in the preceding article, either by making a false statement, either by taking a false identity or a false quality, either by providing false information, a false certificate, a false certificate, will be punished with the penalties provided for in article 383 subparagraph in toto and 2°.

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When the recipient of the loan, of the advance- of the warranty or downstream is a legal person, its directors, managers, administrators or agents will be criminally liable for offenses referred to in this paragraph.

In the case of pecuniary judgment, the legal person shall be jointly responsible with them from payment of the condemnation.

ART.385.- The provisions of articles 383 and 384 are applicable to advances, credits, loans, guarantees or guarantees granted by the companies, consortia or private organizations of marketing approved by the State under conditions laid down by decree.

Paragraph 4: Games of chance, lotteries and houses of ready on assassins.

ART.386.- The practice of games of chance is prohibited. Are considered as games of chance, all games in which the chance, the address and the combinations of intelligence when the mobile based on the gain..

Any offender is punishable by a term of imprisonment of 15 days to six months and a fine of 50,000 to 500,000 francs or only one of these two penalties.

ART.387.- those who, without authorization given by decree, will have held a gaming house, of chance, will have been the bankers and there will be admitted the public, either freely, either in the presentation of the interested parties or affiliates, all those who have prepared or held lotteries not authorized by the act, all directors, servants or agents of these establishments, shall be punished by imprisonment of at least three months and not more than one year and a fine of 25,000 to 1,000,000 francs.

The guilty parties may be of more, starting from the day they will have suffered their sentence- banned for at least five years and ten years in addition to the rights mentioned in article 33 of this code.

In all cases, will be confiscated all funds or effects which will be found, exposed to the game or put in the lottery, the furniture, instruments stencils , devices employees or intended for the service of games or lotteries, the furniture and household effects whose places will have been lubricated or decorated.

ART.388.- those who have established or view of the houses of ready on pledge or collateral without legal authorization, or who, having an authorization, will not view the register complies with regulations containing suite, without any white, or interline, sums or the objects loaned, the names, home and profession of borrowers, the nature, the quality, the value of the objects placed in collateral will be punished by a prison term of one to six months and a fine of 15,000 to 100,000 francs.

Paragraph 5: Barriers to the freedom of the auction.

ART.389.- those who, in the invitations of the ownership, usufruct, for the rental of the things transferable securities or real estate to a company, for supplies of a exploitation or any kind of service, will have hampered disorder, attempting to obstruct or disrupt the freedom of auction or commissions by assault, violence or threats, either before or during

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the auction or bids, shall be punished by imprisonment of one month to one year and a fine of 30,000 to 500,000 francs.

The same penalty shall be imposed against those who, by gifts, promises or fraudulent agreements, will have departed from or is trying to keep the bidders or attempts to limit the auction or bids, as well as against those who will have received these donations or accepted the promises.

Will be punished with the same punishment, all those who, after a public tender, shall conduct or participate in a discount at auction without the assistance of an officer competent ministerial.

Paragraph 6: Violation of the laws and regulations relating to manufactures, trade, the arts, to work and to the execution.

ART.390.- Any violation of the laws and regulations relating to the products Comorians who will be abroad, and which have as their object to ensure good quality, the dimensions and the nature of the manufacture, will be punished with a fine of 20,000 to 300,000 francs and the confiscation of goods. These two sentences can be imposed cumulatively or separately depending on the circumstances.

ART.391.- will be punished by a prison term of three months to three years and a fine of 30,000 to 300,000 francs, or only one of these two penalties, anyone who, with the help of violence, against people or against the things, assault, threats, fraudulent or spreading false news, will be infringed or attempts to undermine the free exercise of industry or labor.

Will be punished by a term of imprisonment of one month to two years and a fine of 15,000 to 100,000 francs, or only one of these two penalties, anyone by any of the means referred to in the preceding subparagraph, deterred or will attempt to deter any person to exercise its rights or freedoms in education or culture.

Subject to the exercise of the right to strike or to the simple concerted abstention or not to follow a teaching, will be punished with the penalties provided for in the preceding paragraph, anyone who will be involved in all forms of collective actions having the effect or for purpose of interfering with the operation of a public educational institution or private, of a research institution or a cultural agency, including by the irregular occupation of the premises of these establishments, institutions or agencies.

ART.392.- When the facts punished by the previous article will have been, committed as a result of a concerted plan, the culprits may be prohibited to stay, by the decision or judgment, for at least two years and five years at the most.

ART.393.- Any director, any committed, worker of the factory, which will be communicated or attempted to communicate to foreigners or to of the Comorians residing in foreign country, the secrets of the manufactured or it is employee, will be punished by imprisonment of two to five years and a fine of 30,000 to 500,000 francs.

Moreover, it may be deprived of the rights mentioned in article 33 of this code, for at least five years and not more than ten years, from the day or he will have undergone his punishment, and struck of prohibition of residence, for the same number of years.

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If these secrets were communicated to the Comorians living in the Comoros, the penalty will be imprisonment for a term of three months to two years and a fine of 20,000 to 400,000 francs.

The maximum of the penalty imposed by paragraphs 1 and 3 of this article, will necessarily be applied if it is to trade secrets of weapons and ammunition of war belonging to the State

ART.394.- all those

1°)- which, by the facts false or libellous will have knowingly in the public, by offers of piers on the market, to deliberately disturb those courses by suoffres made the price that were asking the sellers themselves, by the tracks or fraudulent means any, 2°)- or who, exercising or attempting to exercise, either individually, or by meeting or coalition, an action on the market for the purpose of obtaining a gain that would not be the result of the natural forces of the offer and of the Request, will directly or through an intermediary, operates or attempts to operate the increase or decrease of the artificial price of commodities or goods or effects of public or private, will be punished by a prison sentence of two months two years ago- and a fine of 30,000 to 400,000 francs.

The court may, in addition vote against the guilty, the penalty of prohibition of residence for at least two years and five years at the most.

ART.395.- The sentence may be extended to three years, if the increase or decrease have been made or attempted, on key products of agriculture of the Comoros, such as vanilla, clove, ylang-ylang and copra.

The term of imprisonment may be increased to five years if it is of commodities or goods which do not fit in the habitual exercise of the profession of the offender.

In the case provided for in the present article, the prohibition of stay which may be pronounced shall be of at least five years and not more than ten years.

ART.396.- Any edition of writings of musical composition, film , drawing, painting, or any other production printed, saved or engraved in whole or in part, in disregard of

the laws and regulations relating to the property of authors, is a and every infringement is a crime.

The infringement on the Comorian territory, of public works in the Comoros or abroad, is punished with a fine of 30,000 to 300,000 francs.

Will be punishable by the same penalties of offense to import or export of infringing works.

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ART.397.- is also an offense of counterfeiting, any reproduction, representation or dissemination by a few ways that this may be, of a work of the spirit in violation of the rights of the author, such that they are defined and regulated by law.

ART.398.- The punishment will be from two months to two years of imprisonment and of 50 000 to 500 000 francs fine, if it is established that the guilty is usually ships to the acts referred to in the two preceding articles, in case of recidivism, after conviction pursuant to the preceding paragraph, the temporary or permanent closure of establishments operated by the infringer of habit and his accomplices will be pronounced.

When this measure of closure has been pronounced, the staff will receive an allowance equal to his salary, plus all the benefits in kind, for the duration of the closure and the more for six months.

If the collective agreements or provide for special, after dismissal compensation on top, it will be due.

Any breach of the provisions of the preceding two paragraphs shall be punishable with imprisonment of one to six months and a fine of 20,000 to 100,000 francs.

In the event of recidivism, the penalties shall be doubled.

ART-399.- In all cases provided for in articles 396, 397 and 398, the guilty will be, in addition, sentenced to the confiscation of sums equal to the amount of the shares of the revenues produced by the reproduction, representation or the illicit spread as well as to the confiscation of any equipment specifically installed in view of the illegal reproduction of all the copies, or infringing objects

The tribunal may order, at the request of the civil party, the publication of the judgments of conviction, in full or by extracts, in the newspapers that he will appoint and the display of so-called judgments in the places that he will indicate, inter alia to

the doors of the homes of all establishments, entertainment venues, the condemned, all at the expense of the latter, without However that the cost of this publication can exceed the maximum fine incurred.

When the display will be orderly, the tribunal shall determine the dimensions of the displays and the typographical characters who may be employed for its printing.

The court shall set the time during which this display will have to be maintained, without the duration may not exceed fifteen days.

The removal, concealment or the laceration total or partial posters which will have been made voluntarily by the condemned, at his instigation or on his orders, he will be carried out again to the full implementation of the provisions of the judgment relating to the display, at the expense of the condemned.

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ART.400.- In the cases provided for by articles 396 to 399, the hardware or the infringing copies, as well as revenues or revenue shares having given rise to confiscation, will be handed over to the author or his successors in title to compensate for as much of the prejudice that they have suffered, the surplus of their allowances if there is no confiscation of equipment, counterfeit objects or revenue, will be settled by the ordinary channels.

Paragraph 7: Offenses of suppliers.

ART.401.- All individuals responsible, as member of company or individually for supplies of businesses or governed for the account of the armed forces, who, without having been forced by a force majeure, will have done miss the service of which they are responsible, will be punished for two to five years' imprisonment, and a fine which may not exceed one quarter of the damages and interest, nor be below 100,000 francs, the whole, without prejudice to the more severe penalties in case of intelligence with the enemy.

ART.402.- When the cessation of the service will come from the agents of suppliers, the agents will be sentenced to penalties brought by the present article.

Suppliers and their agents will also convicted, when some and the other will have participated in the offense.

ART.403.- If public officials or officers or employees of the government, have helped the guilty to make miss the service, they shall be punished by imprisonment of five to ten years, without prejudice to the more severe penalties in case of intelligence with the enemy.

ART.404.- Although the service did not lack, if, through negligence, the connections and the work has been delayed or if there was fraud on the nature, the quality of work or labor, or of the things provided, the guilty will be punished by a prison sentence of at least six months and no more than five years and a fine which may not exceed one quarter of the damages and interest nor be lesser of 50,000 francs.

In the various cases provided for by articles component the present paragraph, the continuation may be made only on the denunciation of the government.

### Section 3.

Destruction, damage, damage.

ART.405.- anyone who has voluntarily set fire to buildings, ships, aircraft, boats, shops, shipyards, as they are inhabited or used for housing, and generally for the inhabited places or used to housing, that they belong or that they did not belong to the perpetrator of the crime, will be punished with death.

Will be punished with the same penalty, anyone who has voluntarily put the fire, either in cars or houses containing people, either in cars or cars containing not of people, but as part of a convoy which contains.

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Anyone who has voluntarily set fire to buildings, ships, aircraft, boats, shops, yards, when they are neither inhabited, nor used to housing, or to the forest, wood, coppice, or harvested on foot, when these objects do not belong to him, will be punished by forced labor for life.

The One, who by putting or by making set fire to one of the objects listed in the preceding paragraph and to him even belonging, will voluntarily cause harm to others, will be punished with the work forces in time of five to ten years.

Will be punished with the same punishment the one to put fire on the order of the owner.

Anyone, will voluntarily set the fire or tried to implement, either in shacks or flakes when they are neither inhabited, nor used to housing, either to the spreader or harvested in piles or in grinding wheels, either wood in the willing in piles, or in stacked cubic meters, either in cars or cars loaded or not loaded with goods, or other movable objects not doing point part of a convoy containing people, if these objects do not belong to him, will be punished by a term of imprisonment of from five to ten years.

The One, who by putting or by making set fire to one of the objects listed in the preceding paragraph and to him even belonging, will voluntarily cause any harm to others, will be punished with the same punishment.

Will be punished with the same penalty, the one who will be placed or attempted to put the fire on order of the owner.

The one who will release the fire to one of the objects listed in the previous paragraphs wilfully setting fire to any objects, belonging either to him, or to others, and placed so as to communicate the fire, will be punished with the same penalty as if he had directly set fire to these so-called objects in all cases, if the fire has caused the death or permanent disability of one or several people currently on the premises fires, the penalty shall be death.

ART.406.- The penalty will be the same, according to the distinctions made in the previous article against those who, will voluntarily destroyed in whole or in part or tries to destroy by the effect of a mine or any other explosive substances, buildings, dwellings, dykes, roads, ships, aircraft, boats, vehicles of all kinds, shops or yards, or their outbuildings, bridges, public roads or private and generally all movable objects or property of whatever nature.

The deposit, in a criminal intent, on a public or private road of an explosive device, will be assimilated to the attempt of premeditated murder.

People guilty of the offenses mentioned in this article, will be exempted from punishment, if before the consumption of these offenses and before any prosecution, they were given knowledge and reveals the authors to the constituted authorities or if, even after the prosecution commenced, they provided the arrest of other guilty parties.

ART.407. - The threat of fire or to destroy, by the effect of a mine or any other explosive substance, the objects included in the enumeration of the preceding article

shall be punished with the penalty scope against the threat of assassination, and on the other hand, the distinctions drawn by the articles 289, 290 and 291.

ART.408.- anyone who, voluntarily, will be destroyed or overthrown, by any means whatsoever in whole or part, of buildings, bridges, dikes or causeways, or other constructions that he knew belong to others or cause the explosion of any installation of energy production, will be punished by a prison term of five to ten years and a fine which may not exceed one quarter of the refunds and allowances, nor be below 100,000 francs.

However, anyone who has voluntarily destroyed or fire a shack in straw or in sheet metal, or other materials of recovery will be punished by imprisonment not exceeding five years.

ART.409.- Any person who, by assault, se will be opposed to the manufacture of work authorized by the government or to the execution of a judicial decision in regard to land or real estate, will be punished by a term of imprisonment of three months to two years and to a fine which may not exceed one quarter of the damages and interest, nor be below 50,000 francs.

The promoters will be liable to the maximum- the penalty,

ART.410.- anyone who has voluntarily burned or destroyed, in any manner of registers, minutes or acts originals of the public authority, of the securities, promissory notes, bills of exchange, effects of trade or bank, containing or operating obligation, provision or discharge.

Anyone who knowingly destroys, removes, conceals, conceals or alters a public document, or deprived of nature to facilitate the search of the crimes or offenses, the discovery of evidence or the punishment of their author will, without prejudice to the more severe penalties provided for by law, punished as follows :

If the destroyed parts are acts of the public authority or the effects of trade or bank, the penalty will be a sentence of five to ten years, and a fine of 100,000 to 250,000 francs.

If it is of any other part, the guilty will be punished by a term of imprisonment of one to three years and a fine of 50,000 to 150,000 francs.

SS.41l.- Any looting, any damage of commodities or goods, effects, properties investment securities, committed in a meeting or in-band and to open force, will be punished by work forces in time of ten to twenty years, each of the guilty will be condemned to a fine of 25,000 to 300,000 francs.

ART.412.- nevertheless, those who will prove they had been trained by the provocations or solicitations to take part in these violence, will not be punished as to the criminal detention of five to ten years.

ART.413.- If the commodities looted or destroyed are vanilles, cloves, copra, ylang-ylang, other agricultural products, the penalty that will undergo their heads instigators or provocateurs only, will be the maximum of the work forces in time and that of the fine imposed by article 411.

ART.414. Anyone who, with the help of a liqueur corrosive or by any other means will voluntarily damaged goods, materials or any instruments used in the manufacture, shall be punished by a term of imprisonment of one month to two years and a fine which may not exceed one quarter of the damages, nor be lesser of 50,000 francs.

If the offense has been committed by a worker of the factory, or by a clerk of the house of manufactures, the imprisonment shall be from two to five years, without prejudice to the fine, and that it has just been said.

ART.415.- anyone who will have devastated crops on foot or on plants came together naturally or man-made, will be punished by a prison sentence of at least two years and five years at the most.

The guilty parties may in addition, be subject to prohibition of residence for a period of five to ten years.

ART.416.- anyone who will be shot down one or several trees that he knew belong to others, will be punished by a prison sentence which will not below a month either on top of six months to reason of each shaft, without that the whole may not exceed five years and a fine of 15,000 to 75,000 francs.

ART.417.- The penalties will be the same reason for each shaft mutilated, cut, or bark of way to destroy him.

ART.418.- If there has been destruction of one or several transplants, the imprisonment will be one to three months to reason for each registry, without that the whole may not exceed two years.

ART.419.- In the cases provided for by the preceding articles, if the act was committed against a desk sergeant public to reason of its functions, the guilty will be punished with the maximum of the penalty established by the article to which the case is made.

It will be the same if the fact was committed during the night.

ART.420.- Any break , any destruction of instruments for agriculture, parks , of cattle, shack of guardian will be punished by imprisonment of two months to two years.

ART.421.- anyone who will be cultivated or occupied in any manner a field which others could have, either by virtue of a land title, either by virtue of an administrative or judicial decision, will be punished by a prison term of six months to three years and a fine which cannot be less than 30,000 francs.

Will be punished with the same penalties, anyone will be occupied without right a land registered in the name of the State or of a community public, or will be concluded or attempts to conclude a convention having for object such a land.

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ART.422.- anyone who has voluntarily poisoned a field of others, of oxen, sheep, donkeys, pigs, goats, poultry or other domestic animals, fish in ponds, tanks or reservoirs, will be punished by a prison term of one to five years and a fine of 15,000 to 50,000 francs.

It may in addition, be forbidden to stay for a period of at least two years and at most five years

ART.423.- those who, without need have killed or mutilated one of the animals mentioned in the preceding article, shall be punished as follows:

If the offense had been committed within the buildings, corrals, and dependencies or the land on which the master of the animal killed or maimed is the owner, tenant or farmer, the penalty will be imprisonment for a term of one month to one year. The maximum penalty will be imposed in case of violation of closure.

If the slaughter or mutilation have been committed by the owner, lessee or tenant of the land on which they have been committed, the penalty shall be a fine of 10,000 to 25,000 francs, if animals have caused no damage, if the damage has already been done, the guilty will be exempted from the penalty on the condition that they were not appropriate for the animai killed.

If the slaughter or mutilation have been committed on the ground not belonging to the author of the offense, the penalty will be from one to six months' imprisonment.

There is no offense when the animal killed or mutilated the was in a graveyard, a mosque or other holy place.

ART.424.- In the cases provided for by articles 416 and following up to article 423 included, it will be pronounced a fine which may not exceed one quarter of the refunds, damages and interest, nor be below 15,000 francs.

ART.425.- Any person who abducts a terminal serving to the delimitation of a property registered, or who will be opposed by violence or threats to the installation of such a terminal, will be punished by a prison term of one to five years and a fine of 10,000 to 200,000 francs.

The one who will be moved or attempted to move or remove the fences of any kind as they are, will be punished by a prison term of two months to two years and a fine of 10,000 to 1 00,000 francs.

Anyone who will be in whole or part, filled ditches, destroyed fences, of some materials that they are made, cut or torn out of hedges or dry, anyone will be deleted of terminals or trees planted or recognized to establish boundaries between different inheritances, will be punished by a term of imprisonment which may not be below a month and not exceed one year and a fine equal to a quarter of refunds and damages which may in no case be below 15,000 francs.

ART.426.- If the offenses of correctional police which it is talked about in this chapter have been committed by the forest guards, or police officers to whatever title, a term of imprisonment of at least one month of a third party to the more above the severest punishment which would be applied to another guilty of the same offense.

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#### Section 4 of the r e c e l

ART.427.- those who, knowingly, will holds in all or part of the things removed, diverted or obtained using a crime or an offense, will be punished the penalties provided under article 368.

The fine may be even higher up beyond 300,000 francs, up to half of the value of objects illicitly retained.

All without prejudice to the more severe penalties, if there is anoth in case of complicity.

ART.428.- In the case or a corporal or ignominious punishment is applicable to the fact which will provides the things which were located, the possessor will be punished by the penalty attached by law to the crime and the circumstances of the crime of which he will have had knowledge at the time of concealment. Nevertheless the death penalty will be replaced with respect fences by forced labor for life.

#### GENERAL PROVISIONS

ART.429.- -Except contrary provisions and explicitly in the act, the sentences handed down against the one or those of the accused found guilty in favor of circumstances, the court of assize will be declared the extenuating circumstances will be modified as well as it follows:

- If the penalty is death, the court will apply the penalty of life imprisonment or forced labor in time of ten to twenty years.
- If the penalty is that of work forces in time of ten to twenty years, the court will apply the penalty of the work forces of five to ten years.
- If the penalty is of the work forces of five to ten years, the court will apply the penalty of criminal detention of five to ten years, or that of the imprisonment of two to five years.

In the case or the law pronounced the maximum of a, corporal or ignominious punishment and if there are extenuating circumstances, the court will apply the penalty of forced labor.

In the case or the law pronounced the maximum of a corporal or ignominious punishment and if there are extenuating circumstances, the court will apply the penalty immediately below.

ART.430.- Except as otherwise provided and explicitly in the act. The penalties against that or those of the defendants convicted, in favor of which he has been declared exist of extenuating circumstances, will be modified as follows:

If the punishment is more than five years of imprisonment, the court shall apply in all cases, the imprisonment of at least two years.

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If the penalty is a term of imprisonment equal to or less than five years, the correctional courts are allowed, even in the event of recidivism, to deduct the

imprisonment even below one month and the fine even of 12,000 francs or a lesser amount. They can also vote separately the one or the other of these penalties and even substitute fines to imprisonment.

ART.431.- are hereby repealed articles first to 463 of the penal code previously in force.

Are repealed all provisions contrary to this code.

Are also repealed, as of the date of entry into force of the decree establishing the code of contraventions, articles 464 to 486 of the penal code previously in force, ART.432.- The legislative or regulatory provisions aimed the articles of the criminal code now aimed the corresponding articles of this code in accordance with the table y annex will continue to be applied by the courts and tribunals, criminal provisions specific non-incorporated in this code.

ART.433.- This code shall be published according to the emergency procedure.

This act will be executed as a law of the State.

DOCUMENT UPDATED. June 1996.

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Islamic FEDERAL REPUBLIC  
OF THE COMOROS -----  
Federal Assembly Act No.81/007 ON A CODE FOR CONTRAVENTIONS

The Federal Assembly has deliberated and adopted at its session of May 14, 1981, the law whose content is as follows:

PRELIMINARY PROVISIONS

ART .1°.- The penalties of police are

- THE imprisonment.

- The fine

- and the confiscation of some objects.

ART.2.- imprisonment for breach of police will not be lesser of a day, nor exceed one month, except in cases of recidivism.

The days of imprisonment are full days or twenty four hours.

ART.3.- There is repetition in all cases provided for by the present code, when it has been rendered against the offender in the preceding twelve months, a first judgment for breach of police committed in the spring of the same court.

ART.4.- The constraint by body has held for the payment of the fine.

ART.5.- In case of a shortage of goods, refunds and allowances due to the injured party, are preferred to the fine.

ART.6.- In the cases provided for by the present code or by the specific laws and regulations, will or may be confiscated, either the things seized in contravention, or things produced by the contravention, either the materials or the instruments which have been used or were intended for the commit.

ART.7.- In cases specially provided, the courts may order that their decision be posted in conspicuous, in the places that they indicate, at the expense of the condemned.

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Unless otherwise provided, this display will be delivered for a period which may not exceed fifteen days.

The deletion, the concealment and the laceration total or partial posters affixed in accordance with the first article operates voluntarily, will be punished by a fine of one thousand francs to ten eight thousand francs and to a prison term of one to fifteen days or only one of these two penalties, it will be conducted again in the full implementation of the display at the expense of the condemned.

## CHAPTER Ier

### Contraventions and penalties

#### Section 1: Contraventions of first-class

ART-8.- will be punished with a fine of 1,000 francs to 10,000 francs inclusive:

1°)- those who have neglected to maintain, repair, or clean the ovens, fireplaces or factories or the we made use of the fire,

- 2°)- those who, forced to the lighting, the will have neglected and those who have neglected to clean the streets and passages, in the communities where the care is left to the inhabitants,
- 3°)- those who, will be thrown out or presentation on the public roads of the things of nature to harm by their fall or exhalations unhealthy,
- 4°)- those who, will have thrown the body or hard garbage against The buildings, fences, or in the gardens and paddocks,
- 5°)- The innkeepers, hoteliers, landlords or renters of houses lined with who will have neglected to include, on their arrival, without any white, on a register kept regularly, given names, names, grades, habitual residence, and date of entry of all persons lying or passing all or part of the night in their homes, as well as during his departure, date of discharge,
- 6°)- those who, without being duly authorities, will be removed from the public domain or to a private property of the lawn, land or stones, or who in the national domain will be removed from the lands or materials under reservations of rights of use,
- 7°)- those who will have door in public insignia, ribbons, or rosettes bearing With them of decorations conferred by the State, a likeness of a nature to cause a misunderstanding in the minds of the public,
- 8°)- those who, without authorization or regular reporting, will offer, will offer for sale or will showcase in view of the sale of goods in public places, in contravention to the provisions of the regulations on the police in these places.

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- 9°)- those who, have exposed without need, publicly or far, ill-treatment toward a domestic animal or tamed, or held in captivity, in the event of a conviction of the owner of the animal or if the owner is unknown, the court may decide that the animal will be handed over to an implementation of animal protection recognized public utility or declared, which may freely dispose,
- 10°)- those who, will have picked up or eaten, on the same place of fruit belonging to others,
- 11°)- those who, have gleaned, raked or gleanings in the fields not yet completely empty of their crops or during the night.

ART.9.- a sentence of imprisonment for fifteen days at the most, can be imposed in the event of recidivism against all the persons mentioned in article 8 above.

## S e c t i o n 2

Contraventions of 2' class

ART.10.- will be punished with a fine of five thousand francs up to thirty thousand francs inclusive:

- IN TOTO)- those who have left ranting crazy or of madmen or animals being in their custody,
- 2°)- those who will be excited or have not retained their dogs, when they are attacking or continuing the passers, when even he does not result would no evil, nor damage,
- 3°)- those who will be left in the fields or public places, instruments or weapons which can abuse the malefactors,
- 4°)- The perpetrators or accomplices to noises, podorythms massings or insulting or night, disturbing the tranquility of the inhabitants,
- 5°)- those who will voluntarily diverted or unduly Uses of water intended for irrigation by the act or not of the regulatory provisions emanating from the administration or to a body of distribution,
- 6°)- those who have embarrassed the public road, leaves in it or y applicant without need, materials, things whatsoever which prevent or diminish the freedom or the safety of passage,
- 7°)- those who have neglected to enlighten the materials by them stored or the excavations by them made in the streets and squares,
- 8°)- those who have neglected or refused to execute the Decrees or Orders regarding the highways or to obey the summons from the administrative authority or to repair or demolish the buildings threatening ruin,

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9°)- those who contravene the provisions of the laws and Regulations having for object:

The strength of the public cars, their weight, the mode of their loading, the number and the safety of passengers, the indication of placed on the inside of the cars, the price of the seats, the indication on the outside of the name of the owner,

10°)- those who will have degraded or damaged in any way whatsoever, for the public roads or spoofed on their width,

1in toto)- those who without having been provoked, will be uttered against someone of insults non-public,

12°)- those who are neither owner, or tenant, or tenant, or farmer, or enjoying a field or of a right of passage, or that being neither attendant of any of these people, will be entered and will between on this land or on a part Of this land,

13°)- those who, without being owners, usufructuary or tenants of a building or without y be authorized by one of these persons, will by any means that this either, performs the inscriptions, signs trace or drawings,

14°)- Anyone, regularly convened by a reasoned opinion emanating from an administrative or judicial authority, will be refused to receive, or he will be subtracted to his surrender, or will have, without legitimate cause, refused to refer,  
15°)- those who have contravened the decrees and orders lawfully made by the administrative authority or the judgments published by the municipal authority.

16°)- those who are declaring married, could not justify by a writing.

SS.1I.- a sentence of imprisonment for a month at most, may be pronounced, in the event of recidivism, against all the persons mentioned in article 10 above.

### Section 3

#### Contravention of 3emeclasse

ART.12.- shall be punished by imprisonment for fifteen days to one month and a fine of twenty thousand to eighty thousand francs or only one of these two penalties .

1°)- those who have accepted, detained or uses of the means of payment for having objects to supplement or replace the monetary signs which are legal tender,

2°)- those who have allegedly refused to receive the cash and national currencies not false, nor corrupted, according to the value for which they have course,

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3°)- those who can, have refused or neglected to do the work, services or to lend the relief they will have been required, in the circumstances of an accident, tumults, shipwrecks, floods, fires or other disasters, as well as in the case of armed robbery looting, flagrante delicto, public clamor or of judicial execution, except application, if there is place of the penalties provided for by article 48 of the penal code and by the laws And regulations in force,

4°)- those who, will work on weights and measures different from those established by the laws in force,

5°)- those who, outside the cases provided for in articles 183 and following of the penal code, se will be opposed, by acts, words, gestures, any maneuvers or by all voluntary abstentions, premeditated, repeated, or agreed to the exclusion of the legitimate authority of a depositary agent of the public force or of any citizen support of a department of public service and will have door attacks on the public order or hindered the proper market for services administrative or judicial,

6°)- those who, without permission of the administration, will be by any process whatsoever, carried out of inscriptions, signs trace or drawings on a well, furnished or Building the domain of the State and territorial communities or on a well located

on this area, either in order to permit the execution of a public service, either because it is placed at the disposal of the public,

7°)- The perpetrators or accomplices in fights, assault or of small arms violence or of throwing hard body or garbage on people,

8°)- those who, by bungling, carelessness, inattention, negligence or breach of the regulations, will have unwittingly been the cause of the injuries, strokes or diseases not entailing for victims a total incapacity to work staff greater than one month,

9°)- those who, without right, will have spent or will have left go of animals in the field of others seeded, prepared, loaded with fruit Or before the removal of the crop.

10°)- those who, will cause the fire properties of securities of others, by imprudence, clumsiness, inattention, negligence or breach of regulations,

11°)- those who will have degraded the ditches or fences,

12°)- those who, outside the case planned since article 405 up to and including article 426 of the penal code, will voluntarily caused the damage to the properties investment securities of others,

13°)- The people who are doing business to guess and predict or explain the dreams,

14°)- All cadi, any officer of civil status, which will be omitted to draw up on the field, the act of marriage.

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ART.13.- The term of imprisonment may be increased to two months and the fine to 160,000 francs at most, in the event of recidivism against the persons mentioned in article 12 above.

ART.14.- notwithstanding the application of the provisions of article 13 , the contraventions of 3° class do not lose their character and remain the competence of the tribunal of simple police.

#### COMPLEMENTARY PROVISIONS

ART.15.- will be of more seized and confiscated

1°)- The instruments or weapons mentioned in article 10-30.

2°)- The means of payment for the purpose of supplementing or replacing the monetary signs having course in the case of article 12-in toto.

3°)- The weights and measures different from those that the law has established in the case of article 12-4°.

4°)- The insignia, ribbons, or rosettes mentioned in article 8-7°.

ART.16.- in all the materials which have not been settled by the present code and which are governed by specific laws and regulations, the courts will continue to observe them.

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