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Within the general performance of public duties, the Code criminalizes conduct by public officials who commit crimes of corruption, embezzlement, abuse of power or public force or unlawful involvement in public affairs by anyone holding public office. This Penal Code broadens the concept of public official to include other analogous situations such as officials of international organizations, foreign public officials performing activities in the country or any person called to perform or participate in an activity included in public administrative or juridical office. Title VII provides a legal definition of crimes of forgery of documents, technical reports, currency and s

BOOK I
GENERAL PART
TITLE I
APPLICATION OF CRIMINAL LAW
SINGLE CHAPTER
GENERAL PRINCIPLES

Article 1. Principle of legality

1. No act or omission may be qualified as crime unless it was defined as such by law before it was committed, with the respective punishment described.
2. Security measures may only be applied to cases of danger to self and others, with the conditions thereof previously determined by law.

Article 2. Prohibition of analogy

No act or omission may be qualified as a crime, in defining danger to self and others or in determining the corresponding legal consequences, through the use of analogy.

Article 3. Applicability of criminal law over time

1. No person may be punished for an act defined as a crime at the time of its commission if a subsequent law no longer considers it as such.
2. In such a case, if a decision convicting the person has already been rendered, execution of said decision and its penal effects shall cease, even when the decision rendered is final.
3. The law subsequent to the commission of the crime shall apply to previous conduct whenever the same proves to be more lenient to the perpetrator and, in the case of a final decision, if any benefit may still be obtained.

Article 4. Exceptional or temporary law

Exceptional or temporary law shall remain applicable to acts committed while such law was in force, even though its duration has expired or its determinant circumstances have ceased.

Article 5. Time of commission of the act

An act is considered as committed at the time of the act or omission, regardless of the time when the typical result occurs.

Article 6. Place of commission of the act

An act is considered to have been committed in the place where, by any means, the action or omission occurred, wholly or in part, as well in wherever the typical result has or should have been caused.

Article 7. Principle of territorial applicability

Except as otherwise provided in international treaties and conventions, and regardless of the nationality of the perpetrator Timorese criminal law is applicable.⁸¹ 259.34 Tm[

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Article 8. Crimes committed outside national territory

Except as otherwise provided in treaties and conventions, Timorese criminal law is applicable to acts committed outside of the national territory of Timor-Leste in the following cases:

- a) They constitute crimes provided for in articles 196 to 206, 229 to 242 and 307 to 313;
- b) They constitute crimes described in articles 123 to 135, 161 to 169 and 175 to 178, as long as the perpetrator is found in Timor-Leste and cannot be extradited or a decision has been made not to do so;
- c) They are committed against Timorese nationals, so

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**CHAPTER V CAUSES FOR
EXCLUSION SECTION I
CAUSES FOR EXCLUSION OF UNLAWFULNESS**

Article 43. Exclusion of unlawfulness

1. When the unlawfulness of an act, considered in its entirety, is excluded by the legal system, the same shall not be liable to criminal punishment.

2. Specifically, any act committed in exercise of a right or performance of a duty, in legitimate defense, a state of justifying need or with consent, is not unlawful.

Article 44. Legitimate defense

An act constitutes legitimate defense when committed as the necessary means to repel an imminent or present unlawful attack on legally protected interests of the perpetrator or of a third party.

Article 45. State of justifying

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**SECTION II
CAUSES FOR EXCLUSION**

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2. General aggravating circumstances may include the following:
- a) The crime is committed with disloyalty, as occurs in cases of betrayal, ambush, waiting or disguise
 - b) The crime is committed against persons using means or ways that directly or indirectly seek to ensure execution without the danger that could result from possible defense of the victim.
 - c) The crime is committed by fraud, deceit, abuse of power or authority, or by taking advantage of circumstances of place and time.
 - d) The crime is committed for payment or to receive a sum or reward.
 - e) The crime is mot

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2. There is no recurrence if, between the commissions of one and the other crime, more than four years have elapsed, not considering the time that the perpetrator has been subject to a procedural measure, penalty or s

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- a) The perpetrator's actions were influenced by a serious threat or orders from another person on whom the perpetrator is dependant or to whom obedience is due;
- b) The perpetrator's conduct was prompted by an honorable reason, by a strong solicitation or temptation from the victim him or herself or by unjust provocation or unwarranted offense;
- c) The perpetrator makes reparation of damage caused or diminishes its effects, at any time in the proceeding but before the date of the first trial hearing;
- d) The perpetrator has maintained good conduct long after the crime was committed;
- e) The perpetrator has a noticeably diminished criminal liability.

Article 57. Degrees of extraordinarily mitigating circumstances

1. Whenever special mitigation of the penalty occurs, it does so relatively to the limits of the applicable penalty:

- a) The maximum limit of the penalty of imprisonment shall be reduced by one third;
- b) If the minimum limit of imprisonment is equal to or greater than three years, said limit shall be reduced to one-fifth and, to the minimum established by law if the minimum limit of imprisonment less than three years;
- c) The maximum limit of the penalty of fine shall be reduced by one third and the minimum limit reduced to the legal minimum;
- d) If the maximum limit of the penalty of imprisonment does not exceed 3 years, the penalty of imprisonment may be replaced by a penalty of fine within general limits.

2. An extraordinarily mitigated penalty that was specifically set may generally be replaced or even suspended.

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Article 60. Limit of penalties and security measures

1. The penalty shall never exceed the extent of guilt.
2. A security measure is grounded in the danger posed by the perpetrator of an act defined as a crime and lasts for the duration of such danger, and shall not have a duration exceeding the maximum limit of the penalty corresponding to said crime.

Article 61. Purpose of penalties and security measures

The purpose of applying penalties and security measures is to protect legal interests essential to life in society and the perpetrator's reintegration into the same.

Article 62. Determination of penalties and security measures

1. Whenever a sentence of deprivation of liberty and another penalty that does not involve deprivation of liberty are alternatively applicable, the court shall give preference to the latter, whenever the latter adequately and sufficiently fulfils the purpose of the penalty.
2. In determining the type of security measure to be applied to a perpetrator whose danger is procedurally established, the personality of the perpetrator and appropriate treatment of the case shall be considered.

Article 63. Effects of penalties and security measures

No penalty or security measure results in the loss of the perpetrator's civil, professional or political rights.

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**CHAPTER II SENTENCE OF
IMPRISONMENT**

Article 66. Duration of a prison sentence

1. A prison sentence shall have a minimum duration of 30 days and a maximum of 25 years.
2. In special cases provided for by law, the max

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**CHAPTER V. PENALTY OF
ADMONISHMENT**

Article 82. Admonishment

If the perpetrator is found guilty of committing a crime that carries an abstract prison sentence not exceeding three years or a fine, the court may limit itself to admonishing the individual, provided that, cumulatively:

- a) Reparation has been made for the damage caused by the

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- b) The perpetrator is manifestly undignified or unfit to hold such an office;
- c) The nat

**CHAPTER VII DETERMINATION
OF PENALTIES**

Article 90. General principles

1. Whenever the law establishes a penalty, it refers to the crime in its consummated form.

2. The concrete extent of the penalty within the scope of the abstract penalty shall be determined in the following manner:

- a) Any modifying aggravating circumstances of recurrence and habitual criminality, as described in articles

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whenever the case or incident run their course and there is no longer any reason for revocation.

Article 98. Revocation of probation

1. Probation shall be revoked whenever:

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weapons for a period from 5 to 10 years, whenever the personality of the perpetrator raises reasonable fears that the same may commit additional acts of the same nature,

3. Provisions in subarticle 86.3 are correspondingly applicable

**CHAPTER IX
OTHER CONSEQUENCES OF CRIME**

Article 102. Forfeiture of objects of the crime

1. Objects that were used or destined to be used in the commission of a crime, or were results from the same, shall be forfeited to the State,

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**TITLE V
RIGHT TO FILE COMPLAINO**

Article 111. Counting the limitation

1. 1 . The statute of limitation for criminal prosecution runs from the date the act was committed or from the date of the last act of execution in the case of an un consummated crime, continued crime or habitual crime.
2. 2 - Limitation in permanent crimes runs from the date the consummation ceases.
3. 3 - The act of the principal shall be considered in the case of complicity.

Article 112. Suspension of limitations

1. Limitation for criminal prosecution is suspended, in addition to cases specifically provided for in law, whenever:
 - a) Prosecution may not legally be initiated or proceed due to lack of legal authorization or due to a sentence pronounced by a non-criminal court, or due to a return of a prejudicial matter to the non-criminal proceeding;
 - b) The delinquent serves, overseas, a sentence or security measure involving internment;
 - c) Criminal proceedings are pending, from the time the formal suspect is notified of the charges.
2. Limitation begins again from the date the cause for suspension ceases.
3. Under no circumstance may the cause for suspension exceed one half of the limitation provided for in article 110.

**CHAPTER II
PRESCRIPTION OF SENTENCES AND SECURITY MEASURES**

Article 113. Prescription of sentences

1. Statutes on sentences expire within the following limitations:
 - a) 25 years if the sentence exceeds 12 years imprisonment;
 - b) 20 years if sentence exceeds 8 but is less than 12 years imprisonment;
 - c) 12 years if sentence exceeds 4 but is less than 8 years imprisonment;
 - d) 8 years for all other prison sentences;
 - e) 4 years in cases with penalties of fine.
2. Prescription of a sentence counts from the date the final decision applying the same is rendered.

Article 114. Prescription of accessory penalties

Prescription of accessory penalties is subject to the application of the primary penalty.

Article 115. Limitations on security measures

Statutes on security measures expire in the following cases:

- a) 15 years in the case of sentences involving internment;
- b) 5 years in the case of sentences not involving internment;
- c) 2 years in all other cases.

Article 116. Suspension of limitations

1. Limitation on sentences and security measures is suspended, in addition to cases specifically provided in law, during the period in which:
 - a) By force of law, execution of the penalty cannot begin or proceed;

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- b) Upon escape of the convict as long the same is not recaptured;
 - c) The convict is serving another sentence or security measure involving internment;
 - d) There is a delay in paying the fine;
 - e) The convict is temporarily hindered from providing community services.
 - f) Execution has yet to occur.
2. Limitation begins again from the date the cause for suspension ceases.
 3. Provisions in subarticle 112.3 are correspondingly applicable.

**CHAPTER III
EXEMPTION FROM STATUTE OF LIMITATIONS**

Article 117. Crimes of genocide, crimes against ET BT 1 0 0 1 263.09 662.63/n.79 Tm [() TJ

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- g) Declares or threatens, in the capacity of an officer, that no quarter will be given;
- h) Treacherously kills or injures hostile combatants;
- i) Launches an attack while capable of knowing that such an attack will cause widespread, long-term and severe damage to the natural environment which would be clearly excessive in relation to the concrete and direct overall military advantage anticipated;
- j) Commits perfidy, construed as the act of killing, wounding or capturing an adversary by appealing to good faith, with the intention to deceive, leading the same to believe that he or she is entitled to, or is obliged to accord, protection under the rules of humanitarian international law; is punishable with 15 to 30 years imprisonment.

Article 127. War crimes committed using prohibited means of warfare

1. Any person who, within the theater

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Article 135. Religious or racial discrimination

1. Any person who establishes or constitutes an organization or develops activities of organized propaganda inciting or encouraging

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the crime is committed while performing or because of performance of his or her duties;

- j) If the victim is a witness, declarant, expert, aggrieved party or victim and the crime is committed

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3. If the victim is a spouse, descendant, parent or collateral kin to the second degree, a person who has adopted or is adopted by the perpetrator or a person cohabiting with the perpetrator in conditions analogous to those of spouse, the limits to the penalties referred to in the previous subarticles shall be increased by one-third.

Article 144. Incitement or aiding suicide

1. Any person who incites another person to commit suicide, or provides assistance for said purpose, if the suicide is actually attempted or consummated, is punishable with up to 3 years imprisonment or a penalty of fine.

2. If the acts described in the previous subarticles are committed again

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impairment, and causes harm to said person's body or health, or inflicts physical or mental mistreatment or cruel treatment, is punishable with 2 to 6 years imprisonment, if no heavier penalty is applicable by force of another legal provision.

2. If the victim is a descendent, collateral kin, family or similar to the second degree, a person who has adopted or been adopted by the perpetrator or person cohabiting with the perpetrator under similar conditions, the limits of the sentence shall be increased by one third.

Article 154. Mistreatment of a spouse

Any person who inflicts physical or mental mistreatment or cruel treatment upon a spouse or person cohabiting with the perpetrator in a situation analogous to that of spouse is punishable with 2 to 6 years imprisonment if no heavier penalty is applicable by force of another legal provision.

Article 155. Mistreatment of a

**CHAPTER III
CRIMES AGAINST PERSONAL LIBERTY
SECTION I
PERSONAL AGGRESSIONS**

Article 157. Threats

1. Any person who, by any means, threatens another person with commission of a crime in order to cause fear or unrest or to undermine that person's freedom of decision-making is punishable with up to 1 year imprisonment or a fine.
2. Prosecution depends on the filing of a complaint.

Article 158. Coercion

1. Any person who, by means of violence or threat of serious harm, compels another person to commit an act or omission, or to accept an activity under duress is punishable with up to 2 years imprisonment or a fine.
2. Prosecution depends on the filing of a complaint.

Article 159. Serious c

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Article 165. Trafficking in human organs

1. Any person who obtains, sells, 6.7 T0ss3(n)g(n)-1s,

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commits any of the acts described therein while de f

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2. Any person who offers, obtains, seeks or delivers a minor aged less than 17 years for purposes of child prostitution is punishable with 4 to 12 years imprisonment if no heavier penalty

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**SECTION V COMMON
PROVISIONS**

Article 182. Aggravation

1. The penalties prescribed from Section II to Section IV of this chapter shall have their minimum and maximum limits increased by one t

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committed by 3 or more persons, or uses a weapon, resorts to violence or threat of violence or uses scaling, breaking into or employs a lockpicking device, the same is punishable with up to 3 years imprisonment or a fine.

3. If there are people inside the dwelling when the perpetrator commits the crime, the limit to the penalty provided for in previous subarticle shall apply, increased by one third.

4. The attempt is punishable.

5. Prosecution depends on the filing of a complaint.

Article 186. Trespassing on sites restricted from public access

1. Any person who practices any of the acts described in subarticles 1 and 2 of the previous article in connection with any other place closed to or restricted from public access or not freely open to public access, is punishable with, respectively, the penalties referred to in those subarticles, with their maximum limits reduced by one half.

2. Prosecution depends on the filing of a complaint.

Article 187. Tampering with correspondence or telecommunications

1. Any person who, without consent or apart from any procedurally admissible case, opens a parcel, letter or any other written document addressed to another person, or becomes privy to contents, or prevents or delays the receipt of a communication received by its addressee, is punishable with up to 2 years imprisonment or a fine.

2. Any person who, under the same circumstances, tampers with or becomes privy to contents of a communication made by telephone, telegraph or by any other means of telecommunication, incurs the same penalty.

3. Any person who discloses the contents of a letter, parcel, closed written document, telephone call or any of the other communications referred to in the previous subarticles, is punishable with up to 51 379.9ET5s,

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3. Any person who joins, supports or participates in any of the activities conducted by said criminal group, organization or association is punishable with 2 to 6 years imprisonment.

4. The head or leader of any group, organization or association referred to in the previous subarticles is punishable with 4 to 12 years imprisonment.

5. The penalties referred to in the preceding

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Article 193. Disobed

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2. The same penalty shall apply to any person who, at least by negligence, drives a
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Article 214. Tampered or deteriorated products

1. Any person who sells, administers or provides, by any means, any person with food or pharmaceutical products that, due to being either deteriorated, tampered with, or contaminated, are likely to endanger life, is punishable with 2 to 8 years imprisonment.

2. Whenever death is caused by commission of the acts described above due to consumption of said products, the penalty is 3 to 12 years imprisonment.

**SECTION II
CRIMES AGAINST THE ENVIRONMENT**

Article 215. Crimes against the environment

1. Any person who, failing to comply with legal or regulatory provisions intended to protect the environment, directly or

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or commercial establishments, including shareholders or members who authorize them to act, in the event the same is not lawfully incorporated, are criminally liable.

Article 217. Crimes against fauna or flora

1. Any person who causes serious harm to the environment through slashing, burning, uprooti

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**SECTION III
OTHER CRIMES**

Article 222. Hindering or disturbing

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necessary assistance to remove said danger, be it by personal action, or calling for rescue, is punishable with up to 1 year imprisonment or a fine.

2. If the situation referred to in the preceding subarticle has been prompted by the person who fails to provide necessary assistance, said person is punishable with up to 2 years imprisonment or a fine.

3. Failure to assist is not punishable if a serious risk to the life or physical integrity of the person failing to assist exists or where, for another relevant reason, the assistance to be provided cannot be demanded from said person.

4. Prosecution depends on the filing of a complaint.

Article 228. Refusal to provide medical assistance

Any medical doctor or health professional who refuses to provide assistance in his or her professional capacity in a case involving risk of life or serious danger to the physical integrity of another person that cannot be otherwise addressed, is punishable with up to 3 years imprisonment or a fine,

CHAPTER IV

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2. Any person who hinders the exercise of the right to electoral canvassing or unlawfully destroys canvassing material, is punishable with up to 2 years imprisonment or a fine.

Article 234. Obstructing freedom of choice

1. Any person who, by means of violence, threat of violence or through

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Article 239. Refusing an electoral post

Any person who is appointed to serve as an electoral official and unjustifiably refuses to assume or ceases to perform said duties, is punishable with up to one year imprisonment or a fine.

Article 240. Breach of voting secrecy

Any person who, in an election held by sec

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Article 245. Release of prisoners

1. Any person who, by

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**TITLE IV
CRIMES AGAINST ASSETS
CHAPTER I
CRIMES AGAINST PROPERTY**

Article 251. Larceny

1. Any person who, with unlawful intent to appropriate for him or herself or another party, takes a moveable object belonging to another, is punishable with up to 3 years imprisonment or a fine

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4. If the value of the stolen object is less than US\$ 50.00, the circumstances referred to in subarticle 1 above shall only be considered as aggravating circumstances of a general nature.

Article 253. Robbery

1. Any person who, with unlawful intent to appropriate for him or herself or any other person, takes someone else's moveable property or compels said person to deliver the same, by means of violence against said person or threat of imminent danger to said person's life or physical integrity, or makes it so that said person is unable to resist, shall be punishable with a penalty of 3 to 10 years imprisonment.

2. If any of the circumstances described in subarticle 1 of the previous article are present, during conduct of said perpetrator, the penalty shall be from 4 to 12 years imprisonment.

3. If the conduct of the perpetrator endangers the life of the victim or causes serious harm to the victim's physical integrity, the perpetrator is punishable with 5 to 15 years imprisonment.

4. If the act results in death of the victim, the perpetrator is punishable with 5 to 20 years imprisonment.

Article 254. Violence during commission of larceny

Any person who, if caught in the act of larceny, reacts by any of the means described in the preceding article for the purpose of retaining the appropriated object or hindering restitution thereof, is punishable with the penalties respectively corresponding to the crime of robbery.

Article 255. Vehicle theft

1. Any person who uses a car or other motor vehicle, aircraft, vessel or

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Article 258. Property damage

1. Any person who wholly or partially destroys, causes damage to, defaces or renders unusable the property of another is punishable with up to 3 years imprisonment or a fine.
2. The attempt is punishable.
3. Prosecution depends on the filing of a complaint.

Article 259. Aggravated property damage

Any person who wholly or partially destroys, damages, defaces or renders unusable the property of another:

- a) Destined for public use or utility;
- b) Possessing high scientific, artistic or historical value or is of great importance to technological or scientific development;
- c) Is a means of communication or transportation of great social importance;
- d) Causes losses over US\$ 1,000.00;
- e) Pertains to another and is used for religious worship or venerating the memory of the deceased and is at a place of worship or in a cemetery, is punishable with 2 to 8 years imprisonment.

Article 260. Property damage with use of violence

If the acts described in articles 258 and 259 are committed with violence against a person or with threat of imminent danger to the life or physical integrity of said person, placing the same in a situation where he or she cannot resist, said conduct is punishable with 4 to 12 years imprisonment.

Article 261. Usurpation of property

1. Any person who, by means of violence or serious threat against another person, invades or occupies property of another person with the intent to exercise right of ownership, possession, use or easement no3.09 BT1 0 0 1 398.47 366.41 Tm6 5130ETBT1 0 0 1

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3. The perpetrator is punishable with up to 3 years imprisonment or a fine if the acts are committed with negligence, whenever no heavier penalty is applicable by virtue of another legal provision.

4. If the danger referred to in subarticle 1 is caused by negligence, the penalty is 2 to 6 years imprisonment.

5. In cases provided for in subarticle 4, prosecution depends on the filing of a complaint.

Article 264. Active repentance

Whenever, after commission of any of the crimes described in articles 251, 252, 256 to 261 and 263.4, but before trial hearings are initiated, the perpetrator performs any act aimed at fully or partially restituting the property or repairing the damage caused, the penalty may be extraordinarily mitigated.

Article 265. Definitions

For the purposes of the provisions in this present Code:

- a) "Breaking and entering" means totally or partially breaking, cracking or destroying any device designed to lock or prevent entrance to a house or an enclosed place annexed to the same, whether said device be inside or outside the premises.
- b) "Scaling" means entering a house or an enclosed place annexed to the same, through a passage not normally used as an entrance or through any other device designed to lo

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2. Provisions in article 264 are correspondingly applicable.

Article 268. Computer fraud

1. Any person who, with intent to obtain unlawful gain for him or herself or a third party, causes loss to the property of another by interfering with the results of computer data processing or through improperly structuring a computer program, improperly or partially using data, using unauthorized data, or by any other unauthorized tampering with data processing, is punishable with up to 3 years imprisonment or a fine.

2. The attempt is punishable.

3. Prosecution depends on the filing of a complaint.

Article 269. Aggravated online fraud

A perpetrator is punishable with 3 to 10 years imprisonment if any of the circumstances described in article 267.1 above occur as a result of the conduct described in the preced

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**TITLE V
CRIMES OF OBSTRUCTION OF JUSTICE**

Article 278. Perjury or providing false information

1. Any person who is called to depose as party to a legal proceeding, and provides false information regarding acts on which he or she is to depose, after having taken an oath and having been warned of the criminal consequences arising from such an act, is punishable with up to 3 years imprisonment or a fine.
2. The same penalty shall apply to suspects or defendants regarding statements on their identity and criminal record.
3. If any person is deprived of liberty as a consequence of the perpetrator committing any of the acts described above, the same is punishable with 2 to 8 years imprisonment.

Article 279. Bearing false witness, providing false expert opinion, interpretation or translation

1. Any person who, acting as a witness, expert, technician, translator or interpreter before a court or competent official that is to receive any statement, report, information or translation as evidence, and provides a false statement, reports, information or translation, is punishable with up to 4 years imprisonment or a fine.
2. The same penalty shall apply to any person who, without just cause, refuses to make a statement, present a report, information or translation.
3. If the perpetrator commits the act referred to in subarticle 1 after having taken an oath and having been warned of the criminal consequences arising from such

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2. If the act described in the preceding subarticle is committed with intent to cause harm or benefit to any person, said official is punishable with up to 5 years imprisonment.

3. If the conduct described in the preceding subarticles results in deprivation of liberty of a person, the penalty is 2 to 8 years imprisonment.

4. If the conduct described above is committed with gross negligence, the minimum and maximum limits penalties are reduced by half.

Article 283. Coercion against a magistrate

1. Any person who, by means of violence, threat to cause serious harm, or by any other means, acts in such a manner as to prevent a ju

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2. If any of the acts described above result in deprivation of liberty of any person or cause a situation of unlawf

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**TITLE VI
CRIMES COMMITTED IN THE PERFORMANCE OF PUBLIC FU**

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3. If the value or property referred to in the previous subarticles exceeds US\$ 5,000.00, the penalties shall respectively be from 4 to 12 years or 2 to 5 years imprisonment.

4. If the value or property referred to in subarticle 1 is less than US\$ 50, the perpetrator is punishable with up to 3 years imprisonment or a fine.

Article 296. Misappropriation of public assets

Any official who uses or allows another to use any vehicle or other moveable asset of significant value in his or her responsibility or possession or to which he or she has access due to the office held, for purposes other than those in

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Article 302. Concept of official

1. For the purposes of the criminal law, an official

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- c) Acquires or receives said gain under any wise or uses or holds or maintains the same, shall be punishable by 4 to 12 years imprisonment.
2. Punishment for the acts described in subparagraphs a) to c) of the preceding subarticle are applicable even when the acts related to the originating crime were committed outside Timor-Leste or where the place of commission of the act or identity of the principals are unknown.
3. Knowledge, intent or purpose, required as elements constituting the crime, may be construed from effective and concrete factual circumstances.
4. No prior sentencing of the perpetrator for committing the originating crime is required to prove illicit origin of the proceeds.
5. Originating crime shall include any crime committed outside Timor-Leste whenever said act is considered a crime in the State where committed and within Timor-Leste.
6. The person who committed the originating crime shall not be punishable for crime of money laundering.
7. Attempted money laundering is punishable and may be subject to a reduced penalty under general terms.
8. The punishment provided for commission of unlawful acts described in subparagraphs a) to c) of the preceding subarticle shall not exceed the maximum limit provided for the corresponding originating offences.

Article 314. Tax fraud

1. Any person who, with intent to evade payment or enable a third party to evade payment, wholly or in part, of any tax, fee or other pecuniary tax obligation due to the State, by:
- a) Failing to declare taxable items or facts required for the payment of said tax;
 - b) Inaccurately declaring facts used as the basis for assessment; or
 - c) Hinders, by any means, or withholds necessary information for proper monitoring of any activity or fact subject to taxation, shall be punishable by 2 to 6 years imprisonment.
2. If the amount due and unpaid exceeds US\$ 5,000.00, the perpetrator shall be punishable by 2 to 8 years imprisonment.

Article 315. Illegal import and export of g

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2. Whenever the value of said goods or merchandise exceeds US\$ 10,000.00, or the perpetrator habitually commits any of the acts described in the previous subarticle, the penalty shall be 2 to 8 years imprisonment or a fine.

3. Whenever the conduct described in the preceding subarticles pertain to goods or merchandise that require a license or for which import or export is prohibited, the maximum limit of the penalty described in the previous subarticles shall be increased by one third.

Article 317. Avoidance of customs duties

1. Any person who imports or exports goods or merchandise and fully or partially avoids payment of customs duties or fees due for entry or exit of the same is punishable by 1 to 4 years imprisonment or a fine.

2. If the value of said goods or merchandise exceeds US\$ 10,000.00, or if the perpetrator commits any of the acts described in the preceding subarticle habitually, the penalty is 2 to 6 years imprisonment or a fine.

Article 318. Exemption from punishment

The perpetrator of any of the acts described in the preceding articles may be exempted from punishment if the same voluntarily pays the assessed customs duties or fees, and said conduct is an isolated case.

Article 319. Mismanagement of public funds

1. Any person who uses public funds differently than as established by law is punishable by up to 2 years imprisonment or a fine.

2. If funds are misused for other than public purposes established by law, the penalty is 2 to 6 years imprisonment.

Article 320. Failure t

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- Chapter I Crimes against life (Articles 138 to 144)
- Chapter II Crimes against physical integrity (Articles 145 to 156)
- Chapter III Crimes against personal liberty (Articles 157 to 182)
- Section I Personal assault (Articles 157 to 170)
- Section II Sexual assault (Articles 171 to 173)
- Section III Sexual exploitation (Articles 174 to 176)
- Section IV Sexual abuse (Articles 177 to 181)
- Section V Common