

Non-Official Translation
For Selected Articles
Republican Decree Pertaining to
Law No. (12) of 1994 on Crimes and Penalties

Principle of Legality

Article (2)

Penal responsibility is personal. There is no crime nor penalty without a law.

Principle of Territoriality

Article (3)

This law shall be applicable to all crimes committed in the state's territory regardless the nationality of a perpetrator. A crime is deemed committed in the state's territory if one of the acts of a crime takes place there.

Betrayal of Responsible Servant

Article (148)

The penalty stipulated in the previous ~~act~~ shall be applied to a responsible public servant if (s)he defaults on his/her duties or is lenient in performing them with the intention of causing damage to the nation's economy; and such act has resulted in damage to property referred to the previous article.

Crimes of Public Servants and Those with Similar Status

Bribery

Article (151)

Every public servant who requests or accepts a gift, benefit of any kind, an undertaking

3. the public servant deliberately states, provides, or gives incorrect information from which others are impaired;
4. the public servant abuses his/her post so as to make others work for him/her or for others in a way contrary to law; or
5. the servant takes advantage of his/post in purchasing something from its owner for himself/herself or for others by force.

Illegal Inspection

Article (169)

Any public servant who inspects a person, his residence, or his place without his approval, not subject to terms and conditions stipulated in the law, with his/her knowledge thereof, shall be sentenced to imprisonment for the period of not more than three years.

Misguidance of Judiciary

Article (183)

Any person shall be sentenced to imprisonment for the period of not more than two years in case:

1. one changes, with the intention of misleading judiciary, the status of individuals, places, or anything else related to a crime; or
2. one hides things obtained from a crime or used therefor with one's knowledge.

Damage to a Document Which Can be Evidence before Judiciary

Article (184)

Any person intentionally damages a writing or document written to rely thereon or to resort thereto upon disagreement or to be useful if provided as evidence in judicial procedures shall be sentenced to imprisonment for the period of not more than a year or shall be fined. Damage is to make a writing or instrument in a state of being impossible to extract affecting particulars which it contains. An offender shall be exempted from punishment in case that the writing is evidence against him/her and he/she confesses the truth which was therein.

Interference in the Affairs of Justice

Article (187)

Any public servant or someone of distinction who interferes with a judge or a court in favour of one of the parties or to cause damage to a party through an order, request, appeal, or recommendation, shall be imprisoned for not more than three years.

Judiciary Bias

Article (188)

Any judge who delivers deliberately an unfair judgment as a result of an appeal, recommendation, connections, or bias towards a party shall be sentenced to imprisonment for the period of not more than seven years.

Disclosure of Procedures Secrecy

Article (189)

Any person discloses information related to an investigation made before a court or general prosecution and determined to be made confidential shall be sentenced to

Fifthly: Tempting publicly obscenity or disseminating advertisements or means for this purpose regard~~to~~ the words used.

Falsification and Forgery of Seals and Official Marks

Article (208)

Any person who falsifies or forges the seal of the State, the President of the Republic, public servant, or of any other agency in which employees are deemed public servants, shall be sentenced to imprisonment for the period of not more than ten years. Any instrument which is used by such an agency in its own affairs to have a particular mark is considered as a seal; any person who uses anything stipulated herein shall be punished with the same penalty. However, any person who uses, without any right, a true seal or instrument which results in damaging a public or private interest shall be sentenced to imprisonment for the period of not more than two years. Any person who reports to a public competent authority prior to the completion of the crime and commence of search

without having a right, a true thing provided for hereinbefore shall be imprisoned for not more than a year.

Falsification and Possession of Forgery Devices
and Confiscation of Seized Materials
Article (211)

1. Any person manufactures or possesses machinery, devices, or substances with a view to using them in the forgery or falsification of anything stipulated in the previous articles, shall be sentenced to imprisonment for the period of not more than five years.
2. The confiscation of devices and seized materials in the crimes provided for in this chapter shall be decided.

Writings Forgery
Tangible Forgery in Official Writings
Article (212)

Any person who falsifies an official writing or makes changes to a true official writing with a view to using it to result in legal effects shall be sentenced to imprisonment for the period of not more than five years. In case that it has been done by a public servant during the performance of his/her duties, the servant may be sentenced to imprisonment for not more than seven years.

Forgery Done by Public Servant
Article (214)

Every public servant who commits forgery in an official writing even if not in charge of its writing shall be sentenced to imprisonment for the period of not more than five years.

Disclosure of Job Secrets

Article (258)

Because of his/her occupation, craft, or status as secrets depository, any person who discloses a secret not in accordance with legally authorized conditions, or uses it for one's own interest or the interest of someone else unless permitted for its disclosure or its use by the one concerned with the secret, shall be punished with imprisonment for the period of not more than a year or shall be fined. The punishment shall be imprisonment for the period of not more than three years ~~in case~~ that the offender is a public servant that the secret was deposited during, because, or on the occasion of performing his/her post.

Crimes of Cheques

Article (311)

Anyone who gives a cheque while one is aware that the cheque has no sufficient counter payment and is not alienable, who, after giving the cheque, recovers all the payment or some thereof where it does not satisfy its value, who orders the drawee not to pay, or who signs the cheque intentionally with an unreliable signature for the drawee, shall be sentenced to imprisonment for the period of not more than three years or shall be fined. The same penalty shall be applied to anyone any person shows someone a cheque or hands it in to its holder while one is aware ~~that~~ the cheque has no payment satisfying its value or it is not payable.

The crime shall not be considered committed ~~until~~ the committer has not satisfied the cheque's value to its holder within a week ~~from~~ the date of notifying the committer of the payment.

Fraud

Article (312)

A punishment of imprisonment for not more than a year or fine shall be decided as follows:

Firstly: Any person cheats or starts cheating a contracting party with one of the

following ways:

1. quantity, size, measure, weight, or standard of merchandise;
2. if the merchandise submitted is not the one agreed upon;
3. substance, nature, or substantial specifications of merchandise, or the useful elements that merchandise contains ~~general~~ the inputs of merchandise; or

Any person demolishes, sabotages, or destroys a real estate, movable, or plant which does not belong to him/her, or makes it useless, or damages or breaks it down by any means, shall be sentenced to imprisonment for the ~~term~~ of not more than a year or shall be fined. The penalty shall be imprisonment for the period of not more than five years in case: the crime was committed by force, threat or by many persons; it was committed during outbreak, disturbance, or catastrophe; it resulted in breaking down any public facility or a business of an authority of a ~~public~~ interest; or it resulted in putting the life, security, or health of the people at risk. In case the crime results in the death of an individual, the penalty shall be capital punishment, without prejudice to the right of the