

CYPRUS BAR ASSOCIATION**CYLA****W****The Criminal Code Law (CHAP.154)****History of Modifications**

CHAPTER 154 3/1962 43/1963 41/1964 69/1964 70/1965 5/1967 58/1967 44/1972 92/1972 29/1973 59/1974 3/1975 13/1979 10/1981 46/1982 86/1983 186/1986 111/1989 236/1991 6(I)/1994 3(I)/1996 ANAK.3309 99(I)/1996 36(I)/1997 40(I)/1998 45(I)/1998 15(I)/1999 37(I)/1999 38(I)/1999 129(I)/1999 30(I)/2000 43(I)/2000 77(I)/2000 162(I)/2000 169(I)/2000 181(I)/2000 27(I)/2001 12(I)/2002 85(I)/2002 144(I)/2002 145(I)/2002 25(I)/2003 48(I)/2003 84(I)/2003 164(I)/2003 124(I)/2004 31(I)/2005 18(I)/2006 130(I)/2006 126(I)/2007 127(I)/2007 70(I)/2008 83(I)/2008 64(I)/2009 56(I)/2011 72(I)/2011 163(I)/2011 167(I)/2011 84(I)/2012 95(I)/2012 134(I)/2012 125(I)/2013 131(I)/2013 87(I)/2015 91(I)/2015 112(I)/2015 113(I)/2015 31(I)/2016 43(I)/2016 31(I)/2017 72(I)/2017 23(I)/2018 24(I)/2018 108(I)/2018 134(I)/2020 150(I)/2020 27(I)/2021 45(I)/2021 190(I)/2021 39(I)/2023 77(I)/2024 129(I)/2024 18(I)/2025 21(I)/2025

PART I INTRODUCTORY PROVISIONS**Short title**

1. This Law shall be referred to as the Criminal Code Law.

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Reservations

2. The provisions of this Code shall not affect in any way-

- (a) criminal liability, trial or punishment for a criminal offence committed in violation of any law in force in the Republic, other or this Law or
- (b) be liable to trial or punishment for a criminal offence, under the provisions of any law in force in the Republic and relating to the jurisdiction of the Courts of the Republic, for acts committed outside the ordinary jurisdiction of such Courts or
- (c) the power of any Court to punish for contempt of Court or
- (d) criminal liability or trial or punishment under a penalty imposed or to be imposed in respect of any act committed or commenced before the entry into force of this Code;
- (e) the powers to grant pardon, to reduce or commute in whole or in part or to suspend the execution of any sentence imposed or to be imposed; or
- (f) law, which is in force at any time and which concerns the administration of the military or naval or air forces or the police force of the Republic:

It is understood that a criminal act both under the provisions of this Law and under the provisions of another law, from the categories mentioned in this article, is not punishable except under the provisions of one of these laws.

[CHAPTER 154](#) [18\(I\)/2006](#)

Interpretation

General rule of interpretation of the Code

3. This Code shall be construed in accordance with the principles of legal interpretation prevailing in England, but the expressions used therein shall be deemed to be used in the sense assigned to them by English criminal law and shall be interpreted accordingly, to the extent that such interpretation is not contrary to the content of the text or provided that it is not expressly provided for by some other meaning.

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Interpretation

4. In this Code-

"mutilation" means the destruction or permanent incapacitation of an external or internal bodily organ, membrane or sense

"security" includes any document owned by any person, and evidencing either the right of ownership or the right to recover or receive any asset

"serious bodily harm" means bodily harm which amounts to amputation or dangerous bodily harm or which causes or is likely to cause serious or permanent harm to health or comfort or which extends to permanent disfigurement or permanent or serious damage to an external or internal bodily organ, membrane or sense;

"Republic" means the Republic of Cyprus

"public" in relation to acts that have been performed, means either-

(a) that these acts were carried out in a public place in such a way that they were visible to any person who is or is not in a public place, either

(b) that they were carried out in a non-public place in such a way that they were likely to be visible to a person in a public place

"public thoroughfare" includes any main road, market, square, street, bridge or other thoroughfare, lawfully used by the public

"public official" means a person holding any of the following offices or exercising the duties appropriate to such office, whether as a deputy or otherwise, namely-

(a) any public office as well as any public position, provided that the power to appoint or remove from such position lies with the President of the Republic or the Council of Ministers or a public committee or council, or

(b) any position to which a person is appointed or designated by law or by election or

(c) any public position, provided that the power to appoint or remove from that position is vested in a person or persons holding a public office or position included in each of the two preceding paragraphs of this definition, or

(d) any position of arbitrator or umpire in an arbitration exercised by order or with the approval of a Court or in application of any law

the term referred to above further includes-

(i) the members of an investigative committee appointed in the implementation of any law;

(ii) all persons employed in the execution of warrants and writs

(iii) all persons belonging to the military or police force of the Republic

(iv) all persons serving in any Government Department

(v) religious ministers of any religious denomination, in so far as their duties relate to notifications of future marriages or the solemnization of marriages, or the preparation or maintenance of registers or certificates of marriage, birth, baptism, death, or burial, but not in so far as their other duties relate.

(vi) persons in the service of the municipal authority

(vii) the respective community leader and the members of the local committee of any community

"public place" or "public premises" includes a public thoroughfare and a building, place or place of natural convenience, to which the public has a right or permission to enter at any time, whether unconditionally or on payment, as well as a building or place used at any time for public or religious assembly, for assembly or as a court in public session

"municipal authority" means a municipal council, municipal committee, or other body appropriate under the law and which is authorized to exercise municipal power and administration

"Court" means the competent court

"judicial proceedings" includes any proceedings conducted or exercised before any Court or committee of inquiry or person who may take sworn testimony, whether or not such sworn testimony is taken;

"with knowledge", in connection with a term that implies the meaning of putting into circulation or using a certain thing, implies knowledge of the nature of the thing being put into circulation or used

"dangerous bodily harm" means bodily harm that endangers life

"Cheque" means a written order from the issuer to a Bank for the payment of a specified amount to a specific natural or legal person or to a beneficiary bearer, regardless of whether it becomes payable at a later time than the date of its issuance and/or delivery and includes a double-lined cheque.

"puts a thing into circulation" means and includes using or handling a thing or attempting to use or handle such a thing and attempting to induce another to use or handle or act upon such a thing

"felony" means a criminal offense expressly defined by law as a felony or one not expressly defined by law as a misdemeanor, punishable, without proof of previous conviction, by imprisonment for three years or more;

"residence" includes any building or structure or part thereof, used at any time by the owner or occupier thereof for his own residence therein, that of his family or servants or any of them, regardless of whether it ever remains uninhabited; a building or structure adjoining the residence or which is occupied or which is in any way used together with the residence is considered part of the residence only if there is communication between the building or structure and the residence, either by direct or by a covered and enclosed passage leading from one part to the other;

"possession" -

(a) "to possess" or "to have in possession" includes not only having in his own personal possession, but also having knowledge that it is in the actual possession or custody of any other person or keeping in any place (whether owned or occupied by him or not) for the use or benefit of himself or any other person;

(b) to more than one person, if one or more of them have any thing in their custody or possession with the knowledge and consent of the others, that thing is deemed to be in the custody and possession of each and all of those persons

"public" means not only all persons in the Republic, but also persons residing in or using a particular place, or any number of such persons, even persons indefinite, who may be affected by the action in connection with which this term is used;

"law" includes any ordinances or procedural or other regulations made pursuant to authority of the law

"night" or "during the night" means the period between the hours of six thirty in the evening and six thirty in the morning

"oath" includes an affirmation or declaration

"property" includes any animate or inanimate thing that can be the object of ownership

"misdemeanor" means any criminal offense, which is not a felony

"criminal offence" means an act punishable by law, an attempt or omission

"person" and "owner" and other similar terms, when used in connection with property, include organizations of every nature, as well as any association capable of owning property, but if used in such a way, they also include the Republic.

"vessel" includes a ship, a boat and any other type of vessel used in navigation either at sea or in inland waters

"Constitution" means the Constitution of the Republic

"bodily harm" means bodily injury, disease or disorder, whether permanent or temporary

"wound" means a cut or tear that cuts or penetrates an external membrane of the body and an external membrane for the purposes of this definition is considered to be a membrane that someone can touch without the need to cut or pierce another membrane

"money" includes banknotes, bank notes, bank drafts, bankers' checks and any other check, order or request for payment of money.

CHAPTER 154 [15\(I\)/1999](#) [164\(I\)/2003](#)

Application within and outside Territorial Sovereignty

Application of the Penal Code, etc.

5.-(1) The Criminal Code and any other law constituting an offence shall apply to all offences committed-

- (a) within the territory of the Republic, or
- (b) within the Sovereign Base Areas, by a Cypriot against or in relation to a Cypriot, or
- (c) in any foreign country by a citizen of the Republic while he is in the service of the Republic, or
- (d) in any foreign country by a citizen of the Republic, if the offence is punishable in the Republic by imprisonment exceeding two years and the act or omission constituting the offence is also a punishable act under the law of the country where it was committed, or
- (e) in any foreign country by any person if the offence-
 - (i) is treason or an offence against the security of the Republic or the Constitutional Order, or
 - (ii) it is piracy, or
 - (iii) is connected with the currency or paper money of the Republic, or
 - (iv) concerns illegal trade in dangerous drugs, or
 - (v) is one of the offences to which, by virtue of any International Treaty or Convention binding on the Republic, the law of the Republic applies, or
 - (vi) has as one of its constituent elements an act or omission, the object of which is immovable property situated in the Republic, including conspiracy, or attempt or incitement or attempted incitement of another to commit an offence which has as one of its constituent elements an act or omission the object of which is immovable property situated in the Republic, or
 - (vii) caused damage or injury to property or deprived or withheld property located outside the Republic and belonging directly or indirectly to the Republic or to a person who has his permanent residence in the Republic or to a company having its registered office in the Republic or to a trust governed by Cypriot law, or
 - (viii) concerns the unlawful detention of a minor outside the borders of the Republic.

(2) No criminal prosecution shall be conducted in the Republic in relation to an offence committed in a foreign country, if the accused, after being tried in such country for such offence, was convicted or acquitted.

(3) For the purposes of this section-

"Cypriot" means a citizen of the Republic or a person who, under the Citizenship Provisions of the Republic for the time being in force, would be entitled to become a citizen of the Republic and includes any group of persons, whether organised into a legal person or not, whether registered or operating under the laws of the Republic or under the control of citizens of the Republic or persons who would be entitled to become citizens of the Republic.

"foreign country" means any country outside the Republic and includes the Sovereign Base Areas and any ship or aircraft registered in such country or Area;

"Sovereign Base Areas" means the Sovereign Base Area of Akrotiri and the Sovereign Base Area of Dhekelia, as defined in Article 1 of the Treaty relating to the Establishment of the Republic of Cyprus signed at Nicosia on the 16th day of August, 1960

"territory of the Republic" includes its territorial waters, the airspace above the Republic and its territorial waters and any ship or aircraft registered in the Republic wherever located, unless, by virtue of international law, the said ship or aircraft is subject at the relevant time, by reason of its location, to the exclusive jurisdiction of foreign law.

CHAPTER 154 [15\(I\)/1999](#) [130\(I\)/2006](#) [131\(I\)/2013](#) [112\(I\)/2015](#)

Trial of offenses committed in a foreign country

6. (1) An offence committed in a foreign country, in respect of which the Criminal Code or any other law of the Republic applies by virtue of article 5, shall be tried by the competent Court of the Nicosia District.

(2) For the purposes of this section, "foreign country" has the meaning assigned to that term in subsection (3) of section 5.

CHAPTER 154 [83\(I\)/2008](#)

General rules for Criminal Liability

Legal error

7. Ignorance of the law is not a reason for excluding criminal liability for an act or omission which would otherwise constitute a criminal offense, unless the law expressly provides that knowledge of the law by the perpetrator constitutes an element of the criminal offense.

CHAPTER 154

In good faith, claim a right

8. A criminal offense against property is not imputed to the person who committed it if the act or omission constituting it was committed in the exercise of a sincere claim to a right and without intent to defraud.

CHAPTER 154

Intention. Spring

9. Subject to the express provisions of this Law, those referred to negligent acts or omissions are not attributable to the person who committed acts or omissions that were committed independently of his will, or by random events.

Except in cases where the law expressly provides that the intention to produce a certain result constitutes an element of the act, in whole or in part, of a criminal offense, the purpose of producing a certain result for the commission of such an act is not taken into account at all.

Except in cases where otherwise expressly provided, the motive by which the perpetrator was prompted to commit the act or omission or to form the intention by which he was motivated to such an act does not affect criminal liability at all.

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Real fallacy

10. An act which was carried out under the condition of honesty and reasonableness, but no less than a mistaken perception of the facts, is not imputed to the person who committed it to a greater extent than would apply if the facts were as he believed them to be.

The application of this rule may be excluded either expressly or implicitly by the law concerning the matter.

[CHAPTER 154](#)

Presumption of sanity

11. Every person is presumed to be of sound mind and to be of sound mind at a given time, until proven otherwise.

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Insanity

12. The act or omission is not attributable to the person who committed it, if, at the time he committed it, due to any illness affecting his senses, he lacked the ability to understand what he was committing or to know that he should have refrained from committing the act or omission.

No less, however, is the act or omission imputed to the one who committed it, even if his senses were affected by some disease, if this disease did not actually produce one or the other of the above effects in connection with the above act.

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Intoxication

13.-(1) Subject to the provisions of subsections (2) and (3), no person shall, by reason of intoxication, be deemed to have committed an act or omission unintentionally, or shall be exempt from criminal liability for any act or omission.

(2) No person shall be criminally liable for an act or omission if, at the time of the act or omission, he was in such a state of intoxication that he lacked the capacity to know what he was doing or to control his actions, or to know that he should have refrained from doing the act or omission, provided that the thing which led him to the state of intoxication was administered to him in ignorance or against his will.

(3) Where the existence of a specific intention constitutes a constituent element of the criminal offence, intoxication, whether total or partial, and whether voluntary or involuntary, may be taken into account in order to ascertain whether such intention actually existed at the time of the commission of the act.

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Criminal liability of children

14. Anyone under the age of fourteen is not criminally liable for any act or omission.

[CHAPTER 154](#) [15\(I\)/1999](#) [18\(I\)/2006](#)

Criminally irresponsible judicial officers

15. Except in cases where this Code expressly provides to the contrary, judicial officers are not criminally liable for acts or omissions committed during the performance of their judicial duties, even if the act was committed in excess of their judicial authority or even if there was a legal obligation to perform the omitted act.

[CHAPTER 154](#)

Coercion

16. With the exception of premeditated murder and the offenses referred to in articles 36 and 37, an act committed by someone who was coerced to do so by threats which, at the time the act was committed, reasonably aroused the fear that failure to commit the act would result in his immediate death, it being understood that the above shall apply only if the person who committed it did not lead himself, either voluntarily or out of reasonable fear of causing him harm less than immediate death, to the situation in which he was subjected to such coercion.

CHAPTER 154 15(I)/1999

State of emergency..

17. An act or omission, which would otherwise constitute a criminal offense, may not be imputed to the person who committed it, if he can prove that it was done or omitted only to prevent otherwise unavoidable consequences, which, if not prevented, would cause him or persons whom he has a duty to protect, unavoidable and irreparable harm, that the act did not exceed what was reasonably necessary, also that the harm caused by it was not disproportionate to that which was prevented.

CHAPTER 154

Husband coercion

18. A married woman is not exempt from criminal liability for acts or omissions committed by her solely on the ground that they were committed in the presence of her husband.

CHAPTER 154

No one shall be held criminally liable twice for the same criminal offence.

19. No one may be held criminally liable twice, either under the provisions of this Code or under the provisions of any other law, for the same act or omission, except in the case where such act or omission caused the death of another, in which case the perpetrator may be convicted of the criminal offence of which he is guilty by reason of causing such death, regardless of whether he has already been convicted of another criminal offence consisting of the act or omission committed by him.

CHAPTER 154

Participation in Crimes**Authors**

20. When a criminal offence is committed, each of the following shall be deemed to have participated in the commission thereof and shall be deemed to be guilty thereof and may be prosecuted as an offender in accordance with the following:

- (a) the person who actually carries out the act or omission which constitutes the criminal offence
- (b) one who does or omits to do anything with the intention of enabling the commission of a criminal offence by another or of providing assistance in the commission of such an offence by another
- (c) one who provides assistance to another or who incites him in the commission of a criminal offence
- (d) one who advises or promotes another to commit a criminal offence.

In the fourth case, the perpetrator may be prosecuted either as the perpetrator of the criminal offence or for the criminal offence of advising or promoting the commission of such an offence.

A conviction for the offence of advising or abetting the commission of a criminal offence entails the same consequences in every respect as a conviction for committing such an offence.

A person who induces another to commit an act or omission of such a nature that, if it were done by him, a criminal offence would be committed thereby, is guilty of a criminal offence of the same kind and is subject to the same penalty as if he had committed such act or omission himself, and may be prosecuted as if he had committed such act or omission himself.

CHAPTER 154

Criminal offenses committed by accomplices in pursuit of a common purpose

21. If two or more persons form a common intention to jointly pursue an unlawful purpose and, in the course of pursuing that purpose, a criminal offense of such a nature is committed that its commission was likely to have been a consequence of the pursuit of the above purpose, each of them is deemed to have committed the criminal offense.

CHAPTER 154

To advise another to commit a criminal offense

22. If a person commits a criminal offense with the advice of another, it is immaterial whether the criminal offense committed is actually the same or different from that for which he was advised or whether it was committed in the manner indicated or in a different manner, provided that in each of the cases constituting the facts, the criminal offense committed is a probable consequence of carrying out the advice.

In each case, the person providing the advice is considered to have advised the other to commit the criminal offense that was actually committed.

CHAPTER 154

Post-commitment collaboration

23. Whoever, knowing that another is guilty of a criminal offense, provides asylum or assistance to him with the intention of enabling him to escape punishment becomes an accomplice after the commission of the offense.

A wife does not become an accomplice after the commission of a criminal offense committed by her husband if she provides asylum or assistance to him with the aim of enabling her husband to escape punishment, nor does she provide, in the presence and with the authorization of her husband, asylum or assistance to a third party who is guilty of a criminal offense in the commission of which her husband also participated, with the aim of enabling such third party to escape punishment. A husband does not become an accomplice after the commission of a criminal offense committed by his wife if he provides asylum or assistance to her with the aim of enabling her to escape punishment.

CHAPTER 154

Penalty for aiding and abetting a crime after it has been committed

24. An accomplice after the commission of a felony is guilty of a felony and is subject, unless another penalty is provided, to imprisonment for three years.

CHAPTER 154

Penalty for complicity after committing a misdemeanor

25. An accomplice after the commission of a misdemeanor is guilty of a misdemeanor.

CHAPTER 154

Penalties

Types of punishments

26. The Court may impose the following penalties:

- (a) life imprisonment
- (b) imprisonment
- (c) fine
- (d) payment of compensation
- (e) providing a guarantee for the maintenance of order and good conduct or for attendance at a hearing of a court decision
- (f) surveillance
- (g) any other penalty or treatment imposed under another law.

CHAPTER 154 [15\(I\)/1999](#)

Removed

27. Abolished.

CHAPTER 154 [15\(I\)/1999](#)

Removed

28. Abolished.

CHAPTER 154 [15\(I\)/1999](#)

Imprisonment

29. Except in the case of the felony of premeditated murder and the offenses referred to in articles 36 and 37, if any criminal offense is punishable by imprisonment for life or any other term, the trial Court may impose a sentence of imprisonment for a lesser term or, in lieu of such sentence, a fine not exceeding the amount which that Court has the power to impose.

CHAPTER 154 [15\(I\)/1999](#)

Manner of execution of a prison sentence

30. The manner of execution of the prison sentence is regulated by special laws.

[CHAPTER 154](#)

Financial penalties

31. When a law imposing a fine does not contain express provisions concerning such a fine, the following provisions shall apply:

- (a) when the maximum amount of the fine to be imposed is not expressly provided for, the above amount shall be unlimited, but in no case may it be excessive.
- (b) in the case of a criminal offence punishable alternatively by a fine or by imprisonment, the Court has discretionary power to impose any of the above-mentioned penalties.
- (c) the imposition and collection of the fine shall be carried out entirely in accordance with and in compliance with the provisions of the Criminal Procedure Law or any other law amending or replacing this law.

[CHAPTER 154](#)

Guarantee for maintaining order

32. Except in the case of the felony of premeditated murder and the offenses referred to in articles 36 and 37, a person convicted of a criminal offense may be imposed, instead of the sentence to which he is subject or in addition to such sentence, the assumption of a personal obligation, with or without guarantors for the amount that the Court deems appropriate, to maintain order and be of good behavior for the time determined by the Court, while his imprisonment may be ordered, until such obligation is assumed with guarantors, if imposed in this manner by the Court. In any case, the imprisonment for failure to undertake the obligation imposed in this way may not exceed one year, while the total period of such imprisonment together with any imprisonment sentence that may be imposed may not exceed the maximum term of imprisonment without a fine provided for the criminal offense charged to that person.

CHAPTER 154 [15\(I\)/1999](#)

Guarantee to appear for a court hearing

33. Except in the case of the felony of premeditated murder and the offenses referred to in articles 36 and 37, the Court may, instead of sentencing a person convicted of a criminal offense, release him by assuming a personal obligation, with or without guarantors for the amount that the Court deems appropriate, to appear and hear the issuance of the decision at a future session of the Court or when summoned for this purpose.

CHAPTER 154 [15\(I\)/1999](#)

The Court may order supervision in certain cases

34.-(1) Where a person who has been convicted of a criminal offence punishable by imprisonment for two years or more is convicted again of any criminal offence also punishable by the above sentence, the Court may, if it deems it appropriate, when imposing the sentence of imprisonment, additionally order that the person convicted shall be under supervision as stated below for a period not exceeding five years from the date of expiry of such sentence:

It is understood that in the event of annulment of the conviction upon appeal, or otherwise, the order imposing supervision is also annulled at the same time:

It is further understood that the Court may at any time cancel a supervision order, if the conduct shown by the person under supervision may render his further supervision unnecessary.

(2) Unless the Court otherwise directs, a person who is under supervision, who is not under restraint, must appear in person, once a month, to the guardianship officer named in the order, at the time specified by such officer and without delay notify him of any change in his residence.

(3) A person under supervision, who is not under restraint, who refuses or fails to comply with any of the conditions provided for in the immediately preceding paragraph, unless he proves to the satisfaction of the Court that he has done everything possible to comply with the conditions imposed therein, is guilty of a criminal offence and is liable to imprisonment not exceeding six months.

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General penalty for misdemeanors

35. When this Code does not specifically provide for a penalty for any misdemeanor, the misdemeanors are punishable by imprisonment not exceeding two years, or by a fine not exceeding one thousand five hundred pounds, or by both these penalties.

[CHAPTER 154](#)

Prejudice motive

35A. The Court, in the exercise of its powers when assessing and imposing a sentence, may take into account as an aggravating factor the motive of prejudice against a group of persons identified on the basis of race, colour, national or ethnic origin, religious or other beliefs, lineage, sexual orientation or gender identity.

[31\(I\)/2017](#)

PART II CRIMES AGAINST PUBLIC ORDER

Treason and other Offenses against the Supreme Authority

High treason

36. Whoever-

- (a) Actively participates in armed hostilities against the Republic,
- (b) provides assistance to a country which is in a state of war, or is involved in armed hostilities against the Republic,
- (c) provides assistance to armed forces against which forces of the Republic are involved in armed actions,
- (d) overthrows by force the legitimate Government of the Republic,

is guilty of high treason and is subject to the penalty of life imprisonment.

CHAPTER 154 15(I)/1999 [162\(I\)/2000](#)

Incitement to invade

37. Whoever incites a foreigner to invade the Republic with armed force is guilty of high treason and is subject to the penalty of life imprisonment.

CHAPTER 154 [15\(I\)/1999](#)

Silence of ultimate betrayal

38. Whoever-

- (a) becomes an accomplice after committing high treason
- (b) knew that any person intended to commit high treason, did not inform the Minister of the Interior, the District Governor or a law enforcement agency thereof with all reasonable diligence, or did not make any other reasonable effort to prevent the commission of such a criminal offence,

is guilty of a felony, called concealment of high treason, and is subject to the penalty of life imprisonment.

[CHAPTER 154](#)

Conspiracy

39. Whoever conspires with another person to do any act with the intent to commit the offense of high treason is guilty of a felony and is liable to imprisonment for life.

CHAPTER 154 [15\(I\)/1999](#)

Preparation for war or war-like operations

40. Whoever, without lawful authority, conducts, prepares for the conduct of, or assists or recommends the conduct of, or preparation of, war or warlike operations with, for, under or against any party, race or group of persons in the Republic, is guilty of a felony and is liable to imprisonment for life.

[CHAPTER 154](#)

Use of armed force against the Government, etc.

41. Whoever, by the use or display of armed force, prepares or attempts to cause a change in the government of the Republic or the laws or to oppose the execution of the laws or to compel any member of the Council of Ministers, the Executive or Legislative Power, or a person leading military or naval forces or law enforcement agencies, to do or omit to do any act of a public or official nature, shall be liable to imprisonment for life.

CHAPTER 154

Incitement to rebellion

42. Whoever maliciously and intentionally attempts to achieve any of the following purposes, namely-

- (a) the fraudulent removal of a person serving in the army (as defined in subsection (2) of section 44A) or a member of the police force from his official duties and from the loyalty due to him and submission to the laws of the Republic, or
- (b) inciting such person to commit mutiny or to any treasonable or seditious act or act; or
- (c) inciting any such person to form or attempt to form an assembly for sedition,

is guilty of a felony and is subject to the penalty of life imprisonment.

CHAPTER 154

Aiding soldiers or police officers in acts of rebellion

43. Whoever-

- (a) provides assistance, incites or in any way contributes to the commission of mutiny by a non-commissioned officer of the army (as defined in subsection (2) of section 44A) or a private or a member of the police force or
- (b) incites to rebellion or disobedience to a lawful order given by a superior officer or to an act of disobedience, a non-commissioned officer of the army (as defined in subsection (2) of section 44A) or a private or a member of the police force,

is guilty of a misdemeanor.

CHAPTER 154

Inciting soldiers or police officers to desert

44. Whoever by any means, directly or indirectly-

- (a) incites or persuades or attempts to incite or persuade to desert a non-commissioned officer of the army (as defined in subsection (2) of section 44A) or a private or a member of the police force or
- (b) provides assistance or incites or assists in the desertion of a non-commissioned officer of the army (as defined in subsection (2) of section 44A) or a private or a member of the police force or
- (c) provides asylum or assistance in the concealment of a non-commissioned officer (as defined in subsection (2) of section 44A) or a soldier or a member of the police force who has reason to believe that he is a deserter,

is guilty of a misdemeanor and is subject to six months imprisonment.

CHAPTER 154

Disruption of order and discipline in the army

44A.-(1) Whoever maliciously takes any action intended to disrupt order and discipline in the army shall be guilty of a misdemeanor and shall be punished with imprisonment not exceeding two years or with a fine not exceeding one thousand five hundred pounds or with both such penalties.

(2) For the purposes of this article “army” includes the army of the Republic, the National Guard and any other military force established by law.

(3) Any criminal prosecution under this article shall be brought upon approval of the Attorney General of the Republic.

CHAPTER 154

Assistance in the escape of prisoners of war

45. Whoever-

(a) knowingly and intentionally assists a foreign enemy of the Republic, who is held as a prisoner of war in the Republic, whether in confinement in prison or in another place, or who has been released on parole, to escape from prison or from the place of confinement or, if he was released on parole, to escape from the Republic, is guilty of a felony and is liable to imprisonment for life.

(b) negligently and unlawfully allows the escape of a person as in the previous paragraph, is guilty of a misdemeanor.

CHAPTER 154

Removed

46. Repealed.

CHAPTER 154 15(I)/1999

Insulting etc. of the Head of State

46A. [Deleted]

History of Modifications CHAPTER 154 84(I)/2003

Actions against the sovereignty of the Republic, etc.

47.-(1) Whoever performs any act in public, with intent-

(a) To bring about a change in the sovereignty of the Republic, or

(b) to promote hostility between communities, religious groups, on grounds of race, religion, colour or sex, is guilty of an offence and, on conviction, is liable to imprisonment for a term not exceeding five years.

CHAPTER 154 84(I)/2003

Definition of seditious intent and good intent

48. [Deleted]

History of Modifications CHAPTER 154 84(I)/2003

Evidence refuting a prima facie case in a publication with a representative

49. [Deleted]

History of Modifications CHAPTER 154 84(I)/2003

Publishing fake news, etc.

50.-(1) Whoever, in any way, publishes in any form false news or information which may undermine public order or public confidence in the state or its organs or cause fear or anxiety in the public or in any way prejudice public peace and order, is guilty of a misdemeanor and is liable to imprisonment not exceeding two years or to a fine not exceeding one thousand five hundred pounds or to both of these penalties:

It is understood that it constitutes a defense for the accused if he proves to the satisfaction of the Court that the publication was made in good faith and was based on facts that justify such publication.

For the purposes of this subsection, the provisions of paragraphs (a) and (b) of article 201, regarding good faith, shall apply.

(2) No prosecution under this article shall proceed without the written consent of the Attorney General of the Republic.

CHAPTER 154

Publication of news, etc. concerning defense projects, etc.

50A. Whoever, without lawful authority, publishes or communicates to any person not authorized to do so, any plan, form, note, document, thing, information or news relating to any fortifications, means or works of defense, barracks, military depots, or other places occupied or used by or for the needs of the armed forces of the Republic, or relating to their stationing, concentration, movement, withdrawal or action, is guilty of a criminal offense and is liable to imprisonment for six years.

CHAPTER 154

Entry, etc. into a restricted area

50B.-(1) Whoever, without the written permission of the Minister of the Interior, approaches, inspects, photographs, prepares plans, passes through or enters any prohibited area, is guilty of a criminal offence and is liable to imprisonment for six years.

(2) For the purposes of subsection (1) "restricted area" means-

(a) any fortifications, means or works of defence, barracks, military depots or other places occupied or used by or for the needs of the armed forces of the Republic;

(b) any other place which may be declared a prohibited area by decision of the Council of Ministers published in the official gazette of the Republic.

CHAPTER 154

Espionage

50C.-(1) Whoever, for any purpose prejudicial to the security or interests of the Republic, procures, receives, collects, records, publishes, transmits or communicates to any other person any secret official code or secret password or any plan, formula, note, object or other document or information, which is intended or may or is intended to be directly or indirectly useful to any other state, is guilty of a felony and is punishable by imprisonment for 1 year.

(2) In any criminal prosecution under this section it shall be presumed, until the contrary is proved, that the act constituting the offence or omission was done with a purpose prejudicial to the security or interests of the Republic-

(a) if from the facts of the case or the conduct or known character of the accused, as proven, it appears that the purpose was prejudicial to the interests or security of the Republic;

(b) if any secret official code or secret password or any plan, formula, note, object or other document or information was received, drawn up or recorded by a person not authorised thereto not in accordance with the terms and extent of his authorisation, or was published, transmitted or communicated to a person not authorised thereto or not in accordance with the authorised manner.

CHAPTER 154

Insulting the army

50D.-(1) Whoever, maliciously, publicly insults the army, is guilty of a misdemeanor and is punishable by imprisonment not exceeding two years or by a fine not exceeding one thousand five hundred pounds or by both these penalties.

(2) For the purposes of this article, "army" includes the army of the Republic, the National Guard and any other military force established by law.

(3) Any criminal prosecution under this article shall be brought upon approval of the Attorney General of the Republic.

[CHAPTER 154](#)

Encouraging violence and promoting bad moods

51. [Deleted]

History of Modifications [CHAPTER 154](#) [84\(I\)/2003](#)

Provocation or incitement of violence, etc.

51A.-(1) Whoever publicly, in any way and in any form, provokes the inhabitants to acts of violence among themselves or to mutual discord or cultivates the formation of a spirit of non-violence, is guilty of a misdemeanor and is punished with imprisonment for twelve months or with a fine of one thousand pounds or with both these penalties, however, if he is a legal person, with a fine of three thousand pounds.

(2) No prosecution under this article shall proceed without the written consent of the Attorney General of the Republic.

[CHAPTER 154](#)

Unlawful oath to commit criminal offenses punishable by death

52. Whoever-

(a) administers an oath or attends and consents to the administration of an oath or promise having the force of an oath, which is deemed to bind the person swearing to the commission of a criminal offence punishable by death; or

(b) makes such an oath or gives such a promise that he is not compelled to do so,

is guilty of a felony and is subject to a sentence of life imprisonment.

[CHAPTER 154](#)

Other illegal oaths to commit criminal offenses

53. Whoever-

(a) administers an oath, or attends and consents to the administration of an oath or promise having the force of an oath, which purports to bind the person swearing to act in any of the following ways, namely-

(i) to engage in operations of mutiny or insurrection;

(ii) to commit any criminal offence punishable by death;

(iii) to disturb the public peace

(iv) to participate in an association, organization or federation formed for the purpose of carrying out any of the above acts

(v) to obey the orders or commands of a committee or association of persons not legally constituted or of a leader or administrator or of any person not authorized to do so by law;

(vi) not to denounce or testify against any of his associates or associates or any other person

(vii) not to disclose any unlawful association, organization or federation, or any unlawful act done or about to be done, or any unlawful oath or promise, which may have been made or given or undertaken by himself or another person, or the meaning of such oath or promise; or

(b) makes such an oath or makes such a promise that he is not compelled to do so,

is guilty of a felony and is subject to seven years in prison.

CHAPTER 154

Circumstances in which duress is a defense

54. Anyone who swears or makes a promise in accordance with the provisions of articles 52 and 53 may not invoke in his defense the fact that he acted in such a manner under duress, unless, within fourteen days of the oath or promise or if he is prevented due to violence being exercised against him or due to illness, within fourteen days of the removal of such obstacle, he declares by sworn complaint to a law enforcement agency, or if he is in active service in the military forces of the Republic or the police force, declares by sworn complaint as mentioned above or reports to his commander everything he knows in this regard, including some of the persons, either who participated in the induction or administration of the oath or promise, or were present at it, as well as the time and place at which all of the above took place.

CHAPTER 154

Illegal training

55.-(1) Whoever-

(a) without the permission of the Council of Ministers, trains or exercises another in the use of weapons or the tactics of military exercises, movements or maneuvers, or

(b) attends an assembly or gathering, formed without the permission of the Council of Ministers, for the purpose of training or training other persons in the use of weapons or the tactics of military exercises, movements or maneuvers,

is guilty of a felony and is subject to seven years in prison.

(2) Whoever is trained or exercised in the use of weapons or the tactics of military exercises, movements or maneuvers in an assembly or gathering formed without the permission of the Council of Ministers, or attends such an assembly or gathering with the intention of undergoing such training or exercise, is guilty of a felony and is liable to imprisonment for five years.

CHAPTER 154

Offenses against the Regime and the existing Social Order

Participation in an illegal association is illegal.

56.-(1) Whoever participates in an illegal association is guilty of a felony and is liable to imprisonment for three years.

(2) Whoever holds an office or position in an illegal association or exercises the duties required in such an office or position or acts as a representative of an illegal association or as a teacher in any institution or school run by an illegal association or by virtue of an authorization or apparent authorization of an illegal association, is guilty of a felony and is liable to imprisonment for seven years.

(3) Whoever attends a meeting of an illegal association or of its members or of persons who advocate the commission or encourage the commission of any of the specified criminal acts referred to in article 63 or has in his possession or custody a badge, a membership book or any letter or document, ever issued, which appears to imply membership in an illegal association or authorization from an illegal association or a relationship with

an illegal association, shall be presumed to be a member of an illegal association, unless or until the contrary is proven.

CHAPTER 154

Advocacy and encouragement of illegal association

57. Whoever, orally or in writing or in any other way, advocates the commission or encourages the commission of any of the defined as punishable acts referred to in article 63, is guilty of a felony and is subject to imprisonment for five years.

CHAPTER 154

Contribution or invitation to contribute to an illegal association

58. Whoever provides or gives contributions, subscriptions or donations and whoever invites such contributions, in favor of an illegal association or on behalf of such an association, is guilty of a misdemeanor and is subject to imprisonment for one year.

CHAPTER 154

Possession of documents of seditious content and publication, etc. of propaganda material of an illegal association

59. Whoever-

(a) transmits by post or, without lawful authority or justification of which he has the burden of proof, has in his possession a book, magazine, pamphlet, poster, notice, newspaper, letter or other document of seditious content within the meaning of article 48 or

(b) prints, publishes, sells or exposes for sale, transmits by post or, without lawful authority or justification of which he has the burden of proof, has in his possession any book, magazine, pamphlet, poster, notice, newspaper, letter or other document or writing, which advocates the commission of or encourages the commission of any of the defined as punishable acts referred to in article 63, or which was issued or which appears to have been issued by an illegal association or on behalf of or for the benefit of such an association,

is guilty of a felony and is subject to imprisonment for three years, but any book, magazine, pamphlet, poster, notice, newspaper, letter or other document or writing in connection with which his conviction was obtained shall be confiscated.

CHAPTER 154

Power of arrest and seizure

60. A Police Officer or Assistant Police Officer or Deputy Police Officer in charge of a Police Directorate, or, with the written authorization of one of them, any non-commissioned officer or constable may, without a warrant and either alone or with the assistance of others, enter a residence or building or any other place where he has reason to believe that an assembly of an illegal association or its members or persons who advocate the commission or who encourage the commission of any of the defined as criminal acts referred to in article 63 is being held, or where he has reason to believe that any document or thing the possession of which is prohibited by article 59 is being kept, arrest any person found therein and seize all prohibited documents or things discovered upon the request of a Police Officer or Assistant Police Officer or Deputy Police Officer in charge of a Police Directorate. Directorate, any District Court or Judge thereof may, in accordance with the law, with any prior notice it may deem appropriate, order the seizure of any such document or thing.

CHAPTER 154

Power to examine parcels

61.-(1) Any of the following officers, namely-

- (a) subject to the provisions of section 2 of the Postal Services Law, the postmaster, in relation to parcels forwarded by post
- (b) Customs Officer or Customs Assistant
- (c) a police officer with a rank not lower than that of Lieutenant Colonel
- (d) any other officer authorized for this purpose by the Council of Ministers,

may seize, open and examine any parcel or object which he suspects contains a publication or extract from a publication, the transmission by post of which, or printing, publication, sale, exposure for sale or possession of which is a criminal offence under the provisions of article 59, during such examination to confine the perpetrator of any act as mentioned above, or any such parcel or object which is in his possession.

(2) In cases where such a publication or excerpt from a publication may be found in such a parcel or object, the entire contents of the parcel or object may be seized by the officer who conducted the investigation, the person who sends it by post, prints it, publishes it, sells it, exposes it for sale, the person who has it in his possession, may immediately be arrested and prosecuted for committing a criminal offence under article 59.

CHAPTER 154

Burden of proof

62. In a criminal prosecution brought under sections 56, 58 or 59, any book, magazine, pamphlet, poster, notice, newspaper, letter or other document or writing which appears or appears to have been issued by or on behalf of or in the interest of an association alleged to be unlawful, or by any association or organization with which such unlawful association collaborates or is alleged or appears to collaborate or is connected in any way, whenever it has been issued, shall be deemed, if produced by the prosecution, to be prima facie evidence of its contents and of its principles or methods in accordance with the allegation of unlawful association.

CHAPTER 154

Definition of an illegal link

63. In this Law-

"illegal link" means-

(a) any association of persons with or without legal personality, which by its statute or by its propaganda or otherwise advocates the commission of or incites or encourages the commission of any of the following illegal acts:

- (i) the overthrow of the Republic's regime by revolution or acts of sabotage
- (ii) the overthrow of the legitimate government of the Republic, or of any other civilized country or organized Government by force or by acts of violence
- (iii) the destruction or damage of the Republic or property used for transactions or trade with other countries or in the Republic;

(b) any association of persons with or without legal personality or any organization collaborating or claiming or appearing to collaborate or in any way connected with an association of persons, with or without legal personality or with an organization which by its statute or by its propaganda or otherwise advocates for the performance or incites or encourages the performance of any of the acts specified in paragraph (a) of this article.

(c) any branch, center or committee of any of the associations of persons referred to in paragraphs (a) and (b).

CHAPTER 154 113(I)/2015

Participation in a criminal organization

63A. Whoever participates in a criminal organization is guilty of an offence and, on conviction, is liable to imprisonment for three years.

[12\(I\)/2002](#)**Participation and acceptance of committing crimes**

63B.—(1) Whoever, having knowledge of the unlawful purposes or activities of a criminal organization—

(a) Participates by any action in any illegal act of a criminal organization; or

(b) participates by any action in any act of a criminal organization, which he should reasonably know is connected in any way with the commission of any criminal offense,

is guilty of a felony punishable by imprisonment for a term not exceeding ten years or by a fine not exceeding fifty thousand pounds or by both.

(2) The court may try the offences provided for in subsection (1) of this article also in cases where the criminal organization is located or operates in whole or in part outside the Republic.

(3) For the purposes of this Law, the term 'criminal organization' means a structured group of three or more persons which has been established and operates with the aim of committing criminal offences punishable by a maximum sentence of imprisonment of at least three years.

[12\(I\)/2002](#)**Labor unrest. Declaration of emergency**

64. At any time, when the Council of Ministers is of the opinion that serious labour unrest prevails in the Republic which adversely affects or threatens trade or commerce with other countries or within the Republic, it may by proclamation declare the Republic to be in a state of emergency for the purposes of this article; such proclamation may remain in force until revoked.

[CHAPTER 154](#)**Participation in a lockout or strike during the validity of the notice**

65. Whoever, during the period of validity of the notice referred to in section 64, participates in or continues or incites, incites, assists or encourages participation in or continuation of a lockout or strike in connection with employment in transport or in connection with the transport of goods or passengers in commercial transactions or in trade with other countries or within the Republic or in connection with employment in the provision of a public service or in connection with the provision of a public service in the Republic of any Government Department or municipal authority in the Republic, is guilty of a misdemeanor and is liable to imprisonment for one year.

[CHAPTER 154](#)**Criminal offenses against the maintenance and operation of public services, transportation, etc.**

66. Regardless of whether a proclamation is in force or not, whoever by acts of violence directed against the person or property of another or by the use of any form of verbal or written threats or intimidation directed against any person, or whoever without reasonable cause or excuse by boycotting or threatening to boycott a person or property-

(a) obstructs or hinders the maintenance or operation of any public service or Government Department or municipal authority in the Republic;

(b) compels or induces a person employed in or in connection with the maintenance or operation of any public service or Government Department or municipal authority in the Republic to abandon his employment or to withdraw from it;

(c) prevents the offer or acceptance of employment with or in connection with the maintenance or operation of any public service or Government Department or municipal authority in the Republic;

(d) obstructs or hinders the transport of goods or passengers in commercial transactions or trade with other countries or within the Republic;

(e) compels or induces a person employed in or in connection with the carriage of goods or passengers in commercial transactions or trade with other countries or within the Republic to abandon or withdraw from his employment or

(f) prevents the offering or acceptance of employment in or in connection with the transport of goods or passengers in commercial transactions or trade with other countries or within the Republic,

is guilty of a misdemeanor and is subject to one year in prison.

CHAPTER 154

Criminal prosecution by the Attorney General of the Republic

67. Criminal prosecution for a criminal offence under articles 56 to 66 (both inclusive) shall not be instituted except by the Attorney General of the Republic or with his approval.

CHAPTER 154

Criminal Offenses Affecting Relations with Foreign States and External Peace

Defamation of foreign rulers

68. Whoever, without such reason or excuse as would be sufficient in the case of defamation of a private person, publishes anything intended to be read or any sign or visible representation, tending to humiliate, insult or expose to hatred or contempt a foreign ruler, lord, ambassador or other foreign official, intending to disturb the peace and friendship between the Republic and the country to which such ruler, lord, ambassador or official belongs, is guilty of a misdemeanor.

CHAPTER 154

Piracy

69. Whoever commits acts that constitute piracy is guilty of an offence and is liable to imprisonment for life.

For the purposes of this article, "piracy" shall mean the following acts:

(a) Any unlawful act of violence or detention or any act of plunder committed for private purposes by the crew or passengers of a private ship or aircraft and directed against-

(i) in international waters against another ship or in international airspace against another aircraft or against persons or property on board such ship or aircraft;

(ii) against a ship, aircraft, persons or property in a place within or outside the jurisdiction of the Republic.

(b) Any act of voluntary participation in the operation of a ship or aircraft with knowledge of the facts which render such ship or aircraft pirate.

(c) Any act of incitement or intentional facilitation of one of the acts referred to in paragraphs (a) and (b) above.

CHAPTER 154 15(I)/1999

Unlawful assemblies, riots and other Criminal Offences against the Public Peace

Definitions of unlawful assembly and riot

70. It is unlawful for five or more persons assembled with the intention of committing a criminal offence, or who, having assembled with the intention of carrying out a common purpose, behave in such a manner as to arouse in the persons present in the area a reasonable fear that they have assembled in such a manner with

the intention of disturbing the peace or that by such assembly they are unnecessarily and without sufficient cause causing other persons to disturb the peace.

The assembly is illegal, even if it began as legal, if the participants in the assembly behave for a common purpose in the manner mentioned above.

When the unlawful assembly begins to carry out the purpose, whether public or private, for which it was assembled, to disturb the peace and to terrorize the public, the assembly is characterized as a riot, and those who assembled are considered to have assembled riotously.

CHAPTER 154

Penalty for participating in an illegal assembly

71. Anyone who participates in an unlawful assembly is guilty of a misdemeanor and is subject to one year's imprisonment.

CHAPTER 154

Penalty for participating in a riot

72. Anyone who participates in a riot is guilty of a misdemeanor and is subject to imprisonment for three years.

CHAPTER 154

Notice to disperse a riot

73. A provincial governor or, in his absence, any police officer of the rank of Sub-Inspector or above, before whom twelve or more persons are assembled in a riotous manner, or who concludes that a riot is about to occur by twelve or more persons assembled before him, may issue a proclamation or cause a proclamation to be issued, in the name of the Republic in such form as he may deem appropriate, ordering the rioters or those assembled in this manner to disperse peacefully.

CHAPTER 154

Dispersal of rioters after the announcement

74. If after the lapse of a reasonable time, when such a proclamation has been made to disperse or after the forcible suppression of the issuance of such a proclamation, twelve or more persons continue to be tumultuously assembled, the person authorized to make such proclamation or any police officer or any other person who comes to their assistance, may do whatever is necessary to disperse the persons so assembled or to arrest all or some of them, but if resistance is offered, he may use such force as is reasonably necessary to suppress the resistance, without any criminal or civil liability for any death or bodily harm caused by the use of such force.

CHAPTER 154

Riot after the announcement

75. If a notice is issued ordering those participating in a riot or those assembled for the purpose of rioting to disperse, any person who, during or after the lapse of a reasonable time from such notice, participates or continues to participate in the riot or assembly, is guilty of a felony and is liable to imprisonment for five years.

CHAPTER 154

Cancellation or obstruction of a notice

76. Whoever forcibly frustrates or obstructs the issuance of the notice provided for in article 73 is guilty of a felony and is liable to imprisonment for ten years, but whoever, knowing that the notice was thus frustrated, participates or continues to participate in the riot or assembly is liable to imprisonment for five years.

CHAPTER 154**Demolition of buildings, etc. by rioters**

77. Riotous assemblies who unlawfully demolish or destroy, or have begun to demolish or destroy, any building, ship, railway, machinery or structures, are guilty of a felony and each of them is subject to the penalty of imprisonment for life.

CHAPTER 154**Causing damage to buildings, machinery, etc. by rioters**

78. Any person who assembles in a disorderly manner and unlawfully causes damage to any of the things mentioned in article 77 is guilty of a felony and each of them is liable to imprisonment for seven years.

CHAPTER 154**Departure cancellation**

79. Riotous assembly, who unlawfully and by force thwart, obstruct or hinder the loading or unloading, the departure or navigation of any vessel or unlawfully and by force board it with the intention of committing any of the above acts, are guilty of a misdemeanor.

CHAPTER 154**Carrying weapons to incite terror**

80. Whoever publicly and without lawful cause carries an offensive weapon or instrument in such a manner as to incite terror in another, is guilty of a misdemeanor and is subject to imprisonment for two years, and his weapons or instruments shall be confiscated.

CHAPTER 154**Double-edged knives**

81.-(1) Whoever imports, manufactures, sells, offers or exposes for sale a double-edged knife or whoever has it on him or transports it outside his residence or yard, is guilty of a misdemeanor and is liable to imprisonment for two years and, notwithstanding any contrary provision of sections 29, 32 and 33, is liable to a minimum of one year's imprisonment, unless the Court, after taking into account, in determining the sentence, the circumstances of the case, including the ordeal which the convicted person will undergo and similar mitigating circumstances relating personally to the convicted person, deems it appropriate to impose a lesser sentence or to issue any other order.

(2) In those cases where a lesser sentence is imposed or any other order is made under subsection (1), the Court shall state the reasons for imposing such sentence or making such order.

CHAPTER 154**Prohibition of carrying knives outside the home**

82.-(1) Whoever carries or carries a knife that does not end in a pointed end outside his residence or its yard, is guilty of a misdemeanor and is liable to imprisonment for one year.

(2) Whoever carries or carries a knife ending in a sharp point outside his residence or its yard shall be guilty of a misdemeanor and shall be liable to imprisonment for one year and, notwithstanding any contrary provision of sections 29, 32 and 33, to a minimum imprisonment of six months, unless the Court, having regard, in determining the sentence, to the circumstances of the case, including the ordeal which the convicted person will undergo and such mitigating circumstances relating personally to the convicted person, deems it appropriate to impose a lesser sentence or to issue any other order.

(3) In those cases where a lesser sentence is imposed or any other order is made under subsection (2), the Court shall state the reasons for imposing such sentence or making such order.

(4) No person shall be deemed to have committed a criminal offence under this section if he proves to the satisfaction of the Court that he had on him or carried out of his residence or its premises the knife in respect of which the charge was brought, for any lawful purpose for which such knife was necessary.

CHAPTER 154

Banning knives at weddings, etc.

83.-(1) Whoever carries or carries a knife that does not end in a pointed end, at a wedding or festival or in a brothel or licensed liquor store, is guilty of a misdemeanor.

(2) Whoever carries or carries a knife ending in a pointed point at a wedding, or a festival or at a brothel or licensed liquor store, is guilty of a misdemeanor and is liable to imprisonment for two years and, notwithstanding any contrary provision of sections 29, 32 and 33, is liable to a minimum of one year's imprisonment, unless the Court, after taking into account in the determination of the sentence the circumstances of the case, including the ordeal which the convicted person will undergo and similar mitigating circumstances relating personally to the convicted person, deems it appropriate to impose a lesser sentence or to issue any other order.

(3) In those cases where a lesser sentence is imposed or any other order is made under subsection (2), the Court shall state the reasons for imposing such sentence or making such order.

(4) No person shall be deemed to have committed a criminal offence under this section if he proves to the satisfaction of the Court that he had on him or carried such a knife in the exercise of his trade or profession.

CHAPTER 154

Closed small knife

84. It is not prohibited, according to this Code, to carry a closed small knife that has a blade-

- (a) up to four inches in length, if it does not end in a pointed end, or
- (b) up to two and a half inches long, if it ends in a pointed end,

provided that such small knife is not constructed in such a way as to be converted, by means of a spring or otherwise, into a double-edged knife or into a knife which has a fixed blade.

CHAPTER 154

Seizure

85. A double-edged knife or a knife in respect of which a person is convicted of a violation of this Code shall be confiscated.

CHAPTER 154

Definitions

86. In this Code—

"double-edged knife" means any knife or other instrument which has a blade on both sides, whether or not it ends in a pointed end, and includes a sword in any form;

"knife" means a knife, other than a double-edged knife, which has a blade, whether or not it ends in a pointed end:

It is understood that the interpretation of the terms 'double-edged knife' and 'knife' in this article does not include a double-edged knife or a knife which—

- (a) It is intended from its manufacture for decorative purposes,
- (b) is by its nature of a collectible or archaeological nature,

(c) is intended by its construction or by its nature for domestic, professional, educational, sporting use or for hunting or fishing purposes or for other related use, or

(d) forms part of the uniform of members of the armed forces of the Republic or of members of the armed forces of another country, who are accredited or legally present in the Republic.

CHAPTER 154 144(I)/2002

Handcuffs

86A. Whoever imports, manufactures, sells, offers or exposes for sale or has in his possession or transports handcuffs without the permission of the Chief of Police is guilty of a misdemeanor and is punishable by imprisonment for 6 months or by a fine of five hundred pounds or by both:

It is understood that the prohibition on the import, possession or transport of handcuffs does not apply to or affect the security forces of the Republic, the National Guard or the Prisons.

CHAPTER 154 30(I)/2000

Forced entry

87. Whoever, with the intention of obtaining possession thereof, forcibly enters any land or real estate, whether the violence consists in the exercise of actual force upon another or by threats or in the burglary of any dwelling or in the assembly of an unusual number of persons, is guilty of a misdemeanor called forcible entry.

All of the above applies whether or not he still has the right to enter such land, provided that the person entering land or real estate that belongs to him, but is under the custody of a servant or caretaker, does not commit the criminal offense of forcible entry.

CHAPTER 154

Violent detention

88. Whoever is in actual possession of land without any right, continues to possess it against the will of the person entitled according to law to the possession of such land, in such a manner as is likely to cause a disturbance of the peace or a reasonable apprehension that the peace may be disturbed, is guilty of a misdemeanor called forcible retention.

CHAPTER 154

Clash

89. Anyone who participates in a fight in a public place is guilty of a misdemeanor and is subject to one year's imprisonment.

CHAPTER 154

Challenge to a duel

90. Whoever challenges another to a duel or attempts to challenge another to a duel or attempts to provoke another to challenge another to a duel, is guilty of a misdemeanor.

CHAPTER 154

Threat of violence

91. Whoever-

(a) with the intent to intimidate or harass another, threatens to break into or cause damage to a dwelling or

(b) with intent to cause terror to another person in any dwelling, discharges a loaded firearm or commits any other breach of the peace or

(c) with the intention of inciting any person to do an act which he is not legally obliged to do or to omit an act which he is legally entitled to do, threatens another with the possibility of causing harm to his person, reputation or property or to the person or reputation of anyone in whose interest the threats are made,

is guilty of a misdemeanor and is subject to three years' imprisonment.

CHAPTER 154

Threatening

91A. A person who causes another to be terrified or anxious by threatening him with violence or other unlawful act or omission commits an offence and, on conviction, is liable to imprisonment for a term not exceeding three (3) years.

56(I)/2011

Possession of firearms with intent to cause harm

92. Whoever has in his possession or custody a firearm or ammunition, with the intention of endangering life or causing serious damage to property or with the intention of enabling another to endanger life or cause serious damage to property, is guilty of a felony and is liable to imprisonment for five years, regardless of whether or not any such personal or property damage ensues.

In this article the term "firearm" means a firearm from which a small ball, bullet or other projectile or any part thereof can be fired, the term "ammunition" means ammunition for any such firearm and includes grenades, bombs, and other similar projectiles, whether or not they can be used with the firearm, as well as their component parts and components.

CHAPTER 154

Gathering for the purpose of smuggling

93. Three or more persons who assemble for the purpose of unloading from a ship, transporting or concealing goods which are subject to customs duties and to seizure under the customs legislation for the time being in force, are guilty of a misdemeanor, and each of them is liable to a fine not exceeding one thousand pounds or to imprisonment for one year.

CHAPTER 154

Intoxication

94.-(1) Whoever, in a public passage or in a public place, whether a building or not, is in a state of intoxication, behaves in a riotous or disorderly manner, is guilty of a misdemeanor and is liable to imprisonment for three months.

(2) Any person who is in a state of intoxication while in possession of a loaded firearm, knife or other deadly instrument may be arrested without a warrant and is guilty of a misdemeanor and is liable to a fine not exceeding four hundred and fifty pounds or to imprisonment for six months or to both.

CHAPTER 154

Worry

95. Whoever, without reasonable cause, causes noise or disturbance in a public place in such a manner as may cause alarm to the neighbours or cause a disturbance of the peace, is guilty of a misdemeanor and is liable to imprisonment for three months.

CHAPTER 154

Breaking tableware in public centers

95A.-(1) Any person who, in a public recreation and entertainment center, intentionally breaks any tableware of any kind made of glass, porcelain or other fragile material, is guilty of a misdemeanor and is punishable by imprisonment for six months.

(2) The owner or the person under whose direction the center is, who provides the means to commit the offense specified in subsection (1), is guilty of a misdemeanor and is punishable by the same penalty.

CHAPTER 154**Destruction of official notifications**

96. Whoever intentionally and without lawful authority tears, mutilates or destroys any notice, advertisement or document affixed or to be affixed to any building or public place, by virtue of the provisions of law or procedural regulation or by order of a public servant, municipality or other public organization, is guilty of a misdemeanor and is liable to a fine not exceeding seventy-five pounds or to imprisonment for one month.

CHAPTER 154**Muslim holidays**

97.-(1) Whoever organizes or is responsible for organizing a Muslim festival or is the owner of the premises where such a Muslim festival is held and employs, whether for remuneration or not, or knowingly permits a dancer to dance or sing during such festival, is guilty of a misdemeanor and is liable to a fine not exceeding seventy-five pounds or to imprisonment for one month.

(2) In this article-

“dancer” means a female prostitute or a woman who dances or sings for pay at a Muslim festival

“Muslim celebration” means a Muslim celebration organized on the occasion of a wedding or circumcision.

CHAPTER 154**Obstruction of an election by violence or threats**

98. Whoever attempts to prevent, obstruct or disrupt a public election by the use of any kind of violence, assault or threats, or for an act punishable under this Code, is guilty of a misdemeanor.

CHAPTER 154**Public insult**

99. Whoever, in a public place or in a place which is not public in such a manner or under such circumstances as to be likely to be heard by any person in a public place, abuses another in such a manner as to be likely to cause an assault to a person present, is guilty of a misdemeanor and is liable to imprisonment for one month or to a fine not exceeding seventy-five pounds or to both such penalties.

CHAPTER 154**Incitement to violence or hatred based on sexual orientation or gender identity**

99A. (1) A person who intentionally, publicly and in a manner that is threatening or abusive or offensive incites or incites, orally or through the press or by written texts or illustrations or in any other way, violence or hatred directed against a group of persons or a member of a group of persons identified on the basis of their sexual orientation or gender identity, is guilty of an offence and, in the event of conviction, is liable to a term of imprisonment not exceeding five (5) years or to a fine not exceeding ten thousand euros (€10,000) or to both.

(2) Criminal prosecution under this article shall be initiated only upon approval of the Attorney General of the Republic.

[87\(I\)/2015](#) [129\(I\)/2024](#)**Obstruction of a breastfeeding mother**

99B. Whoever publicly and in a manner that is threatening, abusive or insulting utters any word or creates a sound so that it can be heard by any other person or makes a gesture or places any object or distributes written texts or texts with illustrations or behaves indecently or performs any other act with the intention of obstructing a mother who is breastfeeding, is guilty of an offence and, in the event of conviction, is subject to a fine not exceeding three thousand euros (€3,000).

[24\(I\)/2018](#)**PART III CRIMES AGAINST THE EXERCISE OF LEGAL AUTHORITY****Coercion and Abuse of Power****Public servant's order**

100. Whoever-

(a) is a public officer and is charged with the performance of any duty by reason of his office, in such a manner as to suggest a bribe, requests, accepts or takes or agrees or attempts to accept or take property or benefit of any kind for himself or for another, in return for the performance or future act or omission in the performance of the duties of his office or

(b) in such a manner as to imply a bribe, gives, provides or supplies, or promises or offers to give or provide or supply or attempts to supply, to a public official or to another, property, or benefits of any kind in return for such act or omission by such public official,

is guilty of an offense and is subject to imprisonment for up to seven years and a fine of up to one hundred thousand euros or both, and his property, subject to the fine, is subject to confiscation in accordance with the Concealment, Investigation and Confiscation of Proceeds from Certain Criminal Acts Law.

CHAPTER 154 [38\(I\)/1999](#) [95\(I\)/2012](#)**Secondment by a public official**

101. A public official who receives or accepts from another, for the performance of the duties relating to his service, any remuneration beyond his regular salary and emoluments or the promise of such, is guilty of a misdemeanor and is subject to imprisonment for three years and a fine.

[CHAPTER 154](#)**Bribery for showing favor to a public official**

102. A public official who receives property or benefit of any nature under the express or implied condition that he will favor the one who offers or gives the property or any other person in whom the offerer is interested, in a pending transaction or in a transaction which may arise between the offerer or another person in whom he is interested and any public official, is guilty of a misdemeanor and is liable to imprisonment for two years and a fine.

[CHAPTER 154](#)**Officers entrusted with the management of property of a special nature or with special duties**

103. A public officer, who is charged by reason of his office with judicial or administrative duties in relation to property of a special nature or in relation to the carrying on of an industry, trade or undertaking of a special nature, who, having acquired or held, directly or indirectly, a private interest in any such property, industry,

trade or undertaking, carries on such property, industry, trade or undertaking in which he has such interest or in relation to the conduct of any person in relation to the above, is guilty of a misdemeanor and is liable to imprisonment for one year.

CHAPTER 154

False claims by public officials

104. A public officer, whose official duties include the obligation or the ability to provide accounts or statements in relation to any sum of money due or claimed to be due to him or another or in relation to any other matter requiring certification for the purpose of payment or delivery of goods to any person, who issues an account or statement in relation to such matter which he knows to be false in a material respect, is guilty of a misdemeanor and is liable to imprisonment for three years and to a fine.

CHAPTER 154

Abuse of power

105. A public official who, by abuse of power arising from his duties, acts or orders the performance of any arbitrary act that infringes the rights of another, is guilty of a misdemeanor.

If the perpetrator intended to make a profit by such an act, he is guilty of a felony and is subject to imprisonment for seven (7) years.

CHAPTER 154 27(I)/2021

Influencing a competent authority

105A.—(1) Any person who attempts in any way to influence any authority, committee, collegiate body or member thereof or any public officer in the performance of their duties in relation to a procedure for recruitment, appointment, promotion, placement, transfer or exercise of disciplinary power in a public service, in his own favour or in favour of or against any other person, shall be guilty of a criminal offence and shall be liable on conviction to imprisonment for a term not exceeding twelve months or to a fine not exceeding one thousand pounds or to both:

It is understood that the provisions of this subsection do not apply to cases of recommendation by any person who has official authority or a right or obligation arising from any law or regulation relating to recruitment, appointment, promotion, placement, transfer or exercise of disciplinary authority.

(2) Any member of an authority, committee, collective body or any public official who has been approached for the purpose of influencing him, as referred to in the previous paragraph, and has failed to report the person who has approached him to the Police Director of the district where the offence was committed within three days of its commission, is guilty of an offence and, in the event of conviction, is liable to imprisonment not exceeding twelve months or to a fine not exceeding two thousand pounds or to both these penalties.

(3) For the purposes of this article, "state service" means the public service and the public educational service of the Republic, service in the Armed Forces or the Security Forces of the Republic and includes the service of workers and the service of persons recruited on a temporary basis under the Employment of Temporary Employees (Public and Educational Service) Law, the Employment of Temporary Employees in the Service of Legal Entities of Public Law Law and the Procedure for the Recruitment of Temporary Employees in the Public and Educational Service Law and service in legal entities of public law or other organization, with or without legal personality, the administration of which is under the control of the Republic with the appointment of the majority of the members of the Board of Directors by the state.

(4) Criminal prosecution for an offence under this article shall not be brought except by the Attorney General of the Republic or with his approval.

27(I)/2001

Criminal prosecution by the Attorney General of the Republic

106. Criminal prosecution for a criminal offence under any of articles 103, 104 and 105 shall not be brought except by the Attorney General of the Republic or with his approval.

CHAPTER 154**False certificates from public officials**

107. Whoever, having by law the power or obligation to issue a certificate, in relation to any matter, by reason of which the rights of any person may be infringed, issues a certificate which he is aware is false in a material respect, is guilty of a misdemeanor.

CHAPTER 154**Counterfeiting power**

108. Whoever-

(a) impersonates a judicial officer or

(b) impersonates a person who is authorized by law to administer an oath or to receive a solemn declaration or affirmation or to perform any other act of a public nature, which may be performed only by persons authorized by law to do so; or

(c) represents himself to be authorized by law to sign a document certifying the contents of any register or file kept by law or certifying any fact or event and signs such document as if he were authorized to do so, knowing that he is not actually authorized to do so, is guilty of a misdemeanor.

CHAPTER 154**Counterfeiting of uniform rights, etc.**

108A. Whoever publicly and without right wears the uniform or other distinctive sign of a member of the army or the national guard or the police which he is not entitled to wear or use, is guilty of a misdemeanor and is punishable by imprisonment for twelve months or by a fine of one thousand pounds or by both penalties.

CHAPTER 154**Impersonation by a public official**

109. Whoever-

(a) impersonates a public official, in a case in which the latter is required to perform any act or attend any place by reason of his office or

(b) falsely represents himself to be a public officer and undertakes to perform any act or to attend any place with the intention of performing any act by reason of his office, is guilty of a misdemeanor and is liable to imprisonment for three years.

CHAPTER 154**Criminal Offenses During the Administration of Justice****Perjury and perjury incitement**

110.-(1) Whoever knowingly makes a false statement in any judicial proceeding or for the purpose of initiating any judicial proceeding, relating to any matter material to any matter which is either pending or intended to be raised in the said proceeding, shall be guilty of a misdemeanor, which is called perjury.

It doesn't matter whether-

- the deposition was given under oath or any other lawful affirmation, or

- the forms and procedure used in administering the oath or in any other way binding the deponent to tell the truth, if he consented to their use, or

- the false statement was made orally or in writing, or
- the Court was duly constituted or sat in the appropriate place, if it is actually acting as a Court in the proceedings in which such testimony was given, or
- whether the person testifying was a competent witness or not, or whether the testimony was admissible in this proceeding.

(2) Whoever induces another to commit perjury, which the person so induced actually commits, as a consequence of such instigation, is guilty of a misdemeanor, which is called instigation to perjury.

CHAPTER 154

Penalty for perjury

111. Whoever commits the criminal offence of perjury or incitement to perjury shall be liable to imprisonment not exceeding seven years.

CHAPTER 154

Proof of perjury

112. No person shall be convicted of perjury or of incitement to perjury solely on the testimony of a person as to the falsity of any statement alleged to be false.

CHAPTER 154

Contradictory testimonies, and ways of proving the criminal offense

113.-(1) Whoever-

(a) is a witness in a criminal trial other than a summary one, deliberately testifies something tending to prove the guilt or innocence of the accused, which is incompatible or contradicts what he testified, after being examined as a witness for the same before the District Court, or

(b) a person who has accused or complained under oath before a District Court of the commission of a criminal offence, subsequently, during his examination as a witness in the investigation of such accusation or complaint before a District Court, deliberately testifies something tending to prove the guilt or innocence of the accused, which is incompatible with or contradicts what he testified in the sworn accusation or complaint,

is deemed to have testified falsely, within the meaning of article 110.

(2) Whoever, as a witness at a summary trial or at a trial before the Criminal Court, gives evidence tending to prove the guilt or innocence of any person which is inconsistent with or contradicts any evidence previously given by him to a person entitled to it or who has power under the provisions of any law in force to make inquiries in connection with the commission of a criminal offence, shall be guilty of a misdemeanor and shall be liable to imprisonment for three years or to a fine not exceeding one thousand five hundred pounds or to both:

It is understood that in order to prove a charge brought under this article, it is not necessary to prove the falsity of each of the incompatible or contradictory statements, but, when it is proven that both statements were given by the accused, the Court trying him may issue a conviction, if it considers that the statements or each of them were given with the intention of deceiving the Court or the person to whom they were given and of improperly proving the guilt in this way or the innocence of any person for the criminal offence in connection with which the statements were given.

(3) The Criminal Court, which wishes to decide on the referral of a person to trial for false testimony given before it in any proceedings, may, if the Court deems it appropriate, decide that such person be referred to trial and tried at the same sitting of the Court.

CHAPTER 154 163(I)/2011 167(I)/2011

False information to a police officer

114. Whoever, knowing or having reason to believe that a criminal offence has been committed, provides information thereon to a police officer or other person authorized to conduct an investigation into such offence, which he knows or believes to be false, is guilty of a misdemeanor and is liable to a fine not exceeding one thousand pounds or to imprisonment for one year.

[CHAPTER 154](#)

Public nuisance

115. Whoever, knowingly, gives to any police officer or to a person authorized to conduct inquiries, in relation to the commission of a criminal offence in accordance with the provisions of the Criminal Procedure Law or any other law, a false statement in relation to an imaginary criminal offence, is guilty of public mischief, and is liable to a fine not exceeding two thousand euros (€2,000) or to imprisonment for one year.

[CHAPTER 154](#) [77\(I\)/2024](#)

Fabrication of false evidence

116. Whoever, with intent to mislead a Court in any proceeding-

(a) fabricates evidence by means other than perjury or inducement to perjury; or

(b) knowingly uses such false evidence,

is guilty of a misdemeanor and is subject to seven years imprisonment.

[CHAPTER 154](#)

Dose of perjury

117. Whoever swears a false oath or makes a false affirmation or declaration before a person authorized to administer an oath or to receive a declaration under such circumstances that if the false oath were taken or the false declaration were made in a judicial proceeding it would amount to perjury, is guilty of a misdemeanor.

[CHAPTER 154](#)

Inciting witnesses to give false or conceal true testimony

118. Whoever, provides, offers or promises a reward to a witness or a person who is to be called as a witness in a judicial proceeding based on any agreement or understanding that his testimony may thereby be influenced, or who attempts by any means to incite a witness to provide false evidence or to conceal true testimony, is guilty of a misdemeanor and is liable to imprisonment for three years.

[CHAPTER 154](#)

Witness tampering

119. Whoever, by deceit or fraud, or knowingly, gives or exhibits a false statement, representation, evidence or writing, to a witness who has been called or is about to be called in a judicial proceeding with the intention of influencing his testimony, is guilty of a misdemeanor.

[CHAPTER 154](#)

Destruction of evidence

120. Whoever, knowing that a book, document or other thing of any kind may be used or may serve as evidence in a legal proceeding, with the intention of preventing its use as evidence, deliberately destroys it or renders it illegible or incomprehensible or impossible to identify, is guilty of a misdemeanor.

[CHAPTER 154](#)

Conspiracy to pervert the course of justice and influence witnesses

121. It is an offence for anyone to-

- (a) conspires with another to falsely accuse another of a crime or to do anything to obstruct, deter, divert or pervert the course of justice or
- (b) with intent to obstruct the proper course of justice persuades, obstructs or prevents any person who is legally required to appear and give evidence as a witness, or attempts to do so; or
- (c) obstructs or in any way interferes with the execution or knows that he is preventing the execution of a lawful warrant or writ, civil or criminal.

CHAPTER 154**Obstruction of judges, etc. and interference with judicial proceedings**

122. Whoever does any act-

- (a) intended or likely to prevent any person from acting in any judicial capacity or in any manner as an advocate, witness or party to legal proceedings;
- (b) intended or likely to obstruct or in any way influence any judicial proceedings or any police investigation conducted with a view to initiating judicial proceedings or an investigation conducted under the provisions of any law,

is guilty of a misdemeanor and is subject to three years' imprisonment.

CHAPTER 154**Felony compromise**

123. Whoever demands, accepts or takes or agrees or attempts to accept or take property or benefit of any kind for himself or for another, based on any agreement or understanding that he will compromise or conceal a felony, which is not compatible according to law or that he will not bring or that he will discontinue or delay the criminal prosecution of such a felony or will withhold any relevant evidence, is guilty of a misdemeanor.

CHAPTER 154**Settlement of criminal cases**

124. Whoever, after bringing or pretending to bring a criminal action against another person under any criminal law with a view to obtaining from him criminal compensation for a criminal offence committed or alleged to have been committed by the said person, settles the same without the order or consent of the Court before which the action is or is to be brought, is guilty of a misdemeanor.

CHAPTER 154**Stolen goods ads**

125. Whoever-

- (a) offers a public reward for the return of stolen or looted property and in the offer uses words from which it is apparent that no questions will be asked or that the person who brings them will not be arrested or harassed in any other way, or
- (b) publicly offers to return any amount paid for the purchase of the stolen or lost items or any amount granted in the form of a loan for them, to the person who purchased them or who gave the loan or will give any other amount of money, or remuneration for their return or
- (c) prints or publishes such an offer,

is guilty of a misdemeanor.

CHAPTER 154

Accepting remuneration in a manner that suggests favoritism

126. Whoever, in a manner which implies a bribe, receives money or remuneration, either directly or indirectly, under the pretext or that he has assisted another to recover property which was stolen or acquired or taken under circumstances which amount to a felony or misdemeanor, is guilty of a felony, (unless he has exercised due diligence to obtain the criminal prosecution of the person responsible for it) and is liable to imprisonment for five years.

CHAPTER 154

Release, Escape of Prisoners and Obstruction of Judicial Officers**Definitions of lawful detention, prison and police custody**

126A. For the purposes of sections 127, 128, 129 and 129A-

"lawful detention" means deprivation of a person's liberty, pursuant to paragraphs 2 and 3 of Article 11 of the Constitution.

"Prison" and "police detention center" have the meaning assigned to these terms by the Prisons Law.

134(I)/2012

Release of a prisoner

127.(1) A person who uses or threatens to use actual force against any person or property during or immediately before or immediately after the deprivation of liberty of a person, for the purpose of releasing such person from lawful detention or preventing the deprivation of his liberty, is guilty of a felony and is liable to imprisonment for a term not exceeding seven years.

(2) A person who, in any manner and without the use of force during or immediately before or immediately after the deprivation of liberty of a person, provides assistance, with a view to releasing a person who is in lawful custody, is guilty of a felony and is liable to imprisonment for a term not exceeding five years.

CHAPTER 154 134(I)/2012

Escape of a person under lawful detention

128. A person who, whether by the use of force or in any other way, escapes or attempts to escape-

- (a) from prison or police custody or
- (b) while he is in lawful custody and is under the control, supervision and responsibility of the Chief of Police or
- (c) while he is in lawful custody and is under the control and/or supervision and responsibility of the Director of Prisons or
- (d) while he is in lawful custody and under the control of the Court or
- (e) while he is in lawful custody and under the control of the Director of the Department of Aliens and Immigration,

is guilty of a felony and is liable to imprisonment for a term not exceeding five years.

CHAPTER 154 134(I)/2012

Providing assistance for the escape of a person under lawful detention

129. A person who assists a person lawfully detained in escaping from custody or transports or causes to be transported anything within the prison or police custody which may be used to facilitate the escape of the person lawfully detained is guilty of a felony and is liable to imprisonment for a term not exceeding five (5) years.

[CHAPTER 154](#) [134\(I\)/2012](#)

Transfer of a mobile phone or portable means of communication to police detention facilities.

129A. A person who transports or causes to be transported within police custody a mobile phone or any portable means of communication, with the intention that it may come into the possession of a person who is under lawful detention, is guilty of a misdemeanor and is liable to imprisonment not exceeding one (1) year or to a fine not exceeding two thousand euros (€2000.00) or to both of these penalties.

[134\(I\)/2012](#)

Refusal or neglect to provide assistance for the prevention of crime

130. Whoever, when lawfully ordered by a public officer, law enforcement officer or other person to provide assistance for the prevention of crime or for the arrest of any person or for the prevention of the release or escape of any person, refuses or neglects to provide the required assistance to the best of his ability, is guilty of a misdemeanor.

[CHAPTER 154](#)

Violation of seizure

131. Whoever knowingly and with the intent to obstruct or defeat the seizure or warrant takes, removes, retains, conceals or disposes of a thing that has been seized or taken by virtue of a Court authorization, is guilty of a felony and is subject to imprisonment for three years.

[CHAPTER 154](#)

Obstruction of judicial officers

132. Whoever intentionally obstructs or resists a person who has been legally assigned the execution of a decree or order of a Court, is guilty of a misdemeanor and is liable to imprisonment for one year.

[CHAPTER 154](#)

Various Criminal Offenses against Public Authority

Fraud and breach of trust by a public official

133. Any public officer who, in the performance of his official duties, commits fraud or breach of trust affecting the public is guilty of a misdemeanor, regardless of whether such fraud or breach of trust would or would not be punishable if committed against a private person.

[CHAPTER 154](#)

Neglect of official duty

134. A public official who intentionally neglects to perform a duty which he is required by law to perform is guilty of a misdemeanor, provided that the performance of such duty would not involve a greater risk than that which a person of ordinary strength and activity would be expected to face.

[CHAPTER 154](#)

Violation of official secrecy and disclosure of state secrets

135.-(1) A public official who publishes or discloses information or an incident of which he has been informed or a document which he has received by virtue of his office and which he is obliged to keep confidential, except to the person to whom he is obliged to publish or disclose such information, is guilty of a misdemeanor.

(2) A public servant who, without lawful authority, embezzles or copies a document belonging to his employer, is guilty of a misdemeanor and is liable to a fine not exceeding one thousand pounds or to imprisonment for a term not exceeding one year or to both such penalties.

(3) Whoever, not being legally authorized to do so, discloses in any way a state secret, is guilty of a misdemeanor.

For the purposes of this subsection, "state secret" includes any document, information or incident the disclosure of which would harm the security or economy or generally the interests of the Republic or public order or generally the public interest and the knowledge of which, due to its nature, must not extend beyond the limited circle of state bodies, authorities or services.

(4) Criminal prosecution for a criminal offence under the provisions of this article shall not be instituted except by the Attorney General of the Republic or with his approval.

(5) For the purposes of this article, the term "public official" has the meaning assigned in article 4 of this Law to the term "person serving in the public service".

CHAPTER 154**Disobedience to provisions of laws imposing a duty**

136. Whoever wilfully disobeys a law by doing an act prohibited by it or by omitting to do an act required by it, which concerns the public or any part of the public, is guilty of a misdemeanor and, unless the intention of the legislator to impose some other penalty appears from that law, is liable to imprisonment for a term not exceeding two years or to a fine not exceeding one thousand five hundred pounds or to both such penalties.

CHAPTER 154**Disobedience to lawful orders**

137. Whoever disobeys any decree, warrant, or order issued by a Court, officer, or person acting in any official capacity and duly authorized thereto, is guilty of a misdemeanor and is liable to imprisonment for two years, except where some other penalty or procedure is expressly prescribed in connection with such disobedience.

CHAPTER 154**PART IV CRIMINAL OFFENCES THAT OFFEND THE PUBLIC IN GENERAL****Criminal Offenses Related to Religion****Religious insults**

138. Whoever destroys, damages or desecrates a place of worship or an object considered sacred by any class of persons, with the intention of insulting in such a manner the religion of any class of persons or with the knowledge that such acts may be regarded by a certain class of persons as insulting their religion, is guilty of a misdemeanor.

CHAPTER 154**Disruption of religious gatherings**

139. Whoever willfully disrupts a religious assembly lawfully assembled for worship or ceremony is guilty of a misdemeanor.

[CHAPTER 154](#)**Illegal entry into burial grounds**

140. Any person who intends to hurt the feelings or insult the religion of any person, or knows that the feelings or insult the religion of any person may be hurt, unlawfully enters a place of worship or a burial place or a place intended for the performance of funeral rites or for the placement of the remains of the dead, or who shows disrespect to the remains of a deceased person or harasses persons assembled at a funeral ceremony, is guilty of a misdemeanor.

[CHAPTER 154](#)**Offending religious feelings through words or actions**

141. Whoever utters a word or creates a sound so as to be heard by any person or makes a gesture before him or places any object before him, with the deliberate intention of offending the religious feelings of such person, is guilty of a misdemeanor and is liable to imprisonment for one year.

[CHAPTER 154](#)**Articles that insult religion**

142.-(1) Whoever publishes a book, pamphlet, article or letter in a newspaper or magazine, which is perceived by a class of persons as a public insult to their religion, with the intention of degrading that religion or of scandalizing or insulting those who profess that religion, is guilty of a misdemeanor.

(2) Criminal prosecution for a criminal offence under the provisions of this article shall not be brought except by the Attorney General of the Republic or with his approval.

[CHAPTER 154](#)**Destruction****Destruction or damage to buildings, monuments and trees**

143. Whoever demolishes, destroys, demolishes or causes damage to a building or monument intended for public use or for beautification, or cuts down or destroys or causes damage to trees planted in a public place, is guilty of a misdemeanor and is liable to a fine not exceeding one hundred and fifty pounds or to imprisonment for three months.

[CHAPTER 154](#)**Criminal Offenses Against Morals****Rape**

144. Whoever engages in unlawful intercourse by vaginal, anal or oral penetration of the penis into the body of another person, without his consent or with consent given under the condition of force, threat or fear, is guilty of a felony called rape and is subject to the penalty of life imprisonment.

[CHAPTER 154](#) [150\(I\)/2020](#)**Rape punishment**

145. [Deleted]

[History of Modifications](#) [CHAPTER 154](#) [150\(I\)/2020](#)

Attempted rape

146. Whoever attempts rape is guilty of a felony and is subject to ten years' imprisonment.

[CHAPTER 154](#)

Penetrative sexual abuse

146A. Whoever carries out any vaginal, anal or oral penetration of a sexual nature into the body of another person with any part of the body or object, without his consent or with consent given under the state of force, threat or fear is guilty of a felony and is subject to the penalty of life imprisonment.

[150\(I\)/2020](#)

Attempted sexual assault by penetration

146B. Whoever attempts sexual abuse by penetration is guilty of a felony and is subject to the penalty of life imprisonment.

[150\(I\)/2020](#)

Forced to commit rape

146C. Whoever compels another by the use of force, threat or fear to commit rape against a third person is guilty of a felony and is subject to the penalty of life imprisonment.

[150\(I\)/2020](#)

Forced sexual abuse through penetration

146D. Whoever coerces another by the use of force, threat or fear to commit sexual abuse by penetration against a third person is guilty of a felony and is subject to the penalty of life imprisonment.

[150\(I\)/2020](#)

Forced to engage in intercourse or other acts of a sexual nature

146E. Whoever coerces another by the use of force, threat or fear to engage in sexual intercourse or other acts of a sexual nature is guilty of a felony and is subject to a term of imprisonment not exceeding ten (10) years.

[150\(I\)/2020](#)

Incest

147. Whoever has sexual intercourse with a woman and is aware that she is his granddaughter, daughter, sister or mother, is guilty of the criminal offense of incest and is subject to fourteen years' imprisonment, regardless of whether the intercourse took place with or without the consent of the victim.

[CHAPTER 154](#) [64\(I\)/2009](#)

Abduction

148. Whoever, with the intention of marriage or intercourse with this or another, abducts or detains a woman against her will, is guilty of a felony and is subject to imprisonment for seven years.

[CHAPTER 154](#)

Kidnapping of a young woman under the age of sixteen

149. Whoever unlawfully removes a young unmarried woman, under the age of sixteen years, from the supervision or protection of her father or mother or other person having the legal care or custody of such young woman and against their will, is guilty of a misdemeanor.

[CHAPTER 154](#)

Forced marriage

150. Whoever, by the use of coercion, persuades another to marry against his will, is guilty of a misdemeanor.

[CHAPTER 154](#)

Indecent assault on a woman

151. Whoever unlawfully and indecently assaults a woman is guilty of a felony and is liable to imprisonment for a term not exceeding five years.

[CHAPTER 154](#) [64\(I\)/2009](#)

Indecent assault on a man

152. Whoever unlawfully and indecently assaults a man is guilty of a felony and is liable to imprisonment for a term not exceeding five years.

[CHAPTER 154](#) [64\(I\)/2009](#)

Corruption of a young woman under the age of thirteen

153.-(1) Whoever unlawfully has sexual intercourse with a young woman under the age of thirteen years is guilty of a felony and is liable to imprisonment for life.

(2) Whoever attempts to have unlawful intercourse with a young woman under the age of thirteen years is guilty of a felony and is liable to imprisonment for fourteen years.

[CHAPTER 154](#) [145\(I\)/2002](#)

Corruption of a young woman aged thirteen to sixteen

154. Whoever unlawfully has intercourse or attempts unlawful intercourse with a young woman who is thirteen years of age or older and under seventeen years of age, is guilty of a misdemeanor and is liable to imprisonment for a term not exceeding three years:

It is understood that, for the purposes of this article, intercourse or the attempt to commit it, is not considered unlawful, and no offense is committed in violation of the article, in the event that at the time of the commission, a young woman is married to the man who has or attempts to have intercourse with her.

[CHAPTER 154](#) [145\(I\)/2002](#)

Corruption of a woman with intellectual and/or mental disability

155. Whoever, knowing that a woman has a mental and/or physical disability, engages in unlawful intercourse or attempts unlawful intercourse with her under circumstances that do not amount to rape, is guilty of a felony and is subject to a prison sentence not exceeding fourteen years.

[CHAPTER 154](#) [145\(I\)/2002](#) [72\(I\)/2017](#)

Suppression of brothels and termination of lease due to conviction

156.-(1)Any person or any-

- (a) maintains, manages or in any way participates in or assists in the management of a brothel or
- (b) is a tenant, lessee, owner or person in charge of premises, knowingly allows it or part thereof to be used as a brothel or for the systematic practice of prostitution or
- (c) is the lessor or owner or his representative, leases any premises or part thereof with knowledge that it may be used as a brothel or voluntarily participates in its continued use as a brothel,

is guilty of a misdemeanor.

(2) (a) Upon conviction of the tenant, lessee or owner of premises for knowingly permitting the use of the premises or part thereof as a brothel, the owner or lessor shall be entitled to require the person so convicted to assign the lease or other contract by virtue of which he holds the premises referred to above to another person with the approval of the owner or lessor, who shall not be able to refuse to give such approval without a valid reason therefor. In the event that the convicted person fails to proceed within three months to assign the lease or contract in accordance with the above, the owner or lessor shall be entitled to terminate such lease or contract, without prejudice to the rights or remedies acquired by any party to the contract prior to such termination. If the owner or lessor wishes to terminate the lease or other rental agreement in accordance with the above, the Court, which convicted the tenant, lessee or occupier, has the power to issue a summary order for the delivery of possession to the owner or lessor.

(b) if the owner or lessor, upon becoming aware of such a conviction, fails to exercise his rights under the preceding provisions of this subsection, but then during the term of the lease or contract, such an offence is committed again in connection with the premises, the owner or lessor shall be deemed to have been aware that he had assisted or instigated the commission of such a criminal offence, unless he proves that he took every reasonable measure to prevent its recurrence.

(c) if the owner or lessor, after exercising the powers granted to him by this article, terminated the lease or other contract, but then entered into a new contract with the same person or for the benefit of the same person, without taking any reasonable precaution to prevent the repetition of a criminal offence as mentioned above, he shall be deemed to have failed to exercise his rights under the above provisions of this article, any such offence committed during the validity of a subsequent lease or contract shall, for the purposes of this article, be deemed to have been committed during the validity of such previous one.

(3) For the purposes of this section, a premises used by persons for homosexual sexual acts under circumstances as a result of which, if it were used for heterosexual sexual acts, it would be considered a brothel for the said purposes.

CHAPTER 154 145(I)/2002

Pimping

157. Whoever-

- (a) induces a woman under the age of twenty-one to unlawful carnal intercourse with one or more persons, whether in the Republic or elsewhere, or
- (b) promotes a woman to prostitution, whether in the Republic or elsewhere, or
- (c) promotes a woman to leave the Republic, with the intention of becoming a prisoner in a brothel elsewhere, or
- (d) promotes a woman to become, for the purpose of engaging in prostitution, an inmate in a brothel, in the Republic or elsewhere,

is guilty of a misdemeanor and is liable to imprisonment for a term not exceeding five years.

It is understood that no one shall be convicted of a criminal offence under this article on the basis of the testimony of a single witness, unless such testimony is supported in a material respect by other evidence incriminating the accused.

CHAPTER 154

Allowing children or young persons to frequent brothels

158. Whoever permits a child or young person aged four to sixteen years who is under his supervision, care or custody, to reside or frequent a brothel, is guilty of a misdemeanor and is liable to a fine not exceeding four hundred and fifty pounds or to imprisonment not exceeding six months or to both such penalties.

CHAPTER 154

Promoting the corruption of a woman by threats, deceit or administering drugs

159. Whoever or whatever-

- (a) by threats or intimidation of any kind, induces a woman to unlawful carnal intercourse with a man or a man to unlawful carnal intercourse with a man, whether in the Republic or elsewhere, or
- (b) by false representations promotes a woman to unlawful carnal intercourse with a man or a man to unlawful carnal intercourse with a man, whether in the Republic or elsewhere, or
- (c) administers to a woman or causes the woman to take any drug or other thing with the intention of drugging the woman or neutralizing her power of resistance, so as to enable a man, whether specific or not, to have unlawful intercourse with her; or
- (d) administers to a man or causes a man to take any drug or other thing with the intention of drugging the man or neutralizing his power of resistance, so as to enable a man, whether specific or not, to have unlawful intercourse with him,

is guilty of a misdemeanor:

It is understood that no one shall be convicted of a criminal offense under this article on the basis of the testimony of a single witness, unless such testimony is supported in a substantial part by other incriminating evidence against the accused.

CHAPTER 154 145(I)/2002

Landlord etc. who permits the corruption of a young woman under the age of thirteen on his premises

160. The owner or occupier of premises or the person who has, participates in or assists in the management or control of premises, who incites or with his knowledge tolerates a young woman, who is under the age of thirteen years, to resort to such premises or remain therein for the purpose of any man having unlawful intercourse with her, whether such intercourse is intended with a specific man or in general, is guilty of a felony and is liable to imprisonment for five years:

It is understood that it constitutes a sufficient defense to a charge brought under this article if it is proven in Court that the accused had reasonable cause to believe that the victim was sixteen years of age or older.

CHAPTER 154

Landlord etc. who permits the corruption of a young woman under the age of sixteen on his premises

161. The owner or occupier of premises or the person who has, participates in or assists in the management or control of premises, who incites or with his knowledge tolerates a young woman, who is over thirteen and under sixteen years of age, to resort to such premises or to remain therein for the purpose of any man having unlawful intercourse with her, whether such intercourse is intended with a specific man or in general, is guilty of a misdemeanor:

It is understood that it constitutes a sufficient defense to a charge brought under this article if it is proven in Court that the accused had reasonable cause to believe that the victim was sixteen years of age or older.

CHAPTER 154

Illegal detention of a woman

162. Whoever detains a woman against her will-

- (a) on premises with the intention of having unlawful intercourse with her, any man, whether specific or not, or

(b) in a brothel,

is guilty of a misdemeanor and is liable to imprisonment for a term not exceeding five years.

It is guilty of unlawful detention of a woman if anyone, with the intent to coerce or induce a woman who is in any premises for the purpose of unlawful carnal intercourse or in a brothel, to remain in such premises or brothel, withholds clothing or other property belonging to her or threatens to take legal action against her if she departs taking clothing borrowed or given to her by him or on his instructions.

No judicial measure, of a civil or criminal nature, shall be taken against a woman for taking with her or being found in possession of an item of clothing necessary to enable her to leave such premises or brothel.

CHAPTER 154 99(I)/1996

Power of investigation

163. The judge who, upon a sworn complaint made before him by a parent, relative or guardian of a woman or by any other person acting in good faith in the interest of the woman, should consider that there are reasonable suspicions that the said woman is being held by any person unlawfully for immoral purposes in any place within his jurisdiction, may issue a warrant authorizing the person named in the warrant to conduct searches to find her and when she is found, to transport her and keep her in a secure place until it is possible to bring her before a judge, the latter may arrange for the victim to be handed over to her parents or guardians or to receive such other treatment as the circumstances permit or require.

The judge who issues such a warrant may, by the same or another warrant, arrange for the arrest of a person accused of the unlawful detention of a woman and his bringing before a judge, as well as for the taking of judicial measures for his punishment in accordance with the law.

The detention of a woman is deemed to have been unlawfully committed for immoral purposes if it was done for the purpose of having unlawful intercourse with her, by any man, whether specific or not, and-

(a) the victim is under sixteen years of age or

(b) in the case of a young woman who is sixteen years of age or older, and under eighteen years of age, if the victim is detained without her will or without the will of the father or mother or other person who has the legal care or custody of her or

(c) if she is eighteen years of age or older and is thus detained against her will.

The person authorized by a warrant issued under this article, in conducting an investigation to locate a woman who is detained as mentioned above, may enter (if necessary by force) the residence, building or other place mentioned in the warrant and remove the victim from it:

It is always understood that any warrant issued under this article authorizing the conduct of a search to locate a woman in any residence, building or other place is addressed to a law enforcement agency and is executed by such agency.

CHAPTER 154

Exploitation of prostitutes and persistent solicitation for immoral purposes

164.-(1) Any person who-

(a) knowingly lives wholly or partly from the profits of prostitution, practiced between persons of either the same or different sex;

(b) engages in solicitations of either the same or the opposite sex in a public place persistently or harasses, for immoral purposes, any person, whether of the same or the opposite sex,

is guilty of a misdemeanor and is liable to imprisonment for a term not exceeding five years.

(2) The judge who, upon a sworn complaint, finds that there is reason to suspect that a dwelling or part of a dwelling is being used by a woman or man for the practice of prostitution therein and that a person residing or frequenting such dwelling lives wholly or partly from the profits of prostitution by the said woman or man may issue an order authorizing any law enforcement agency to enter and search the dwelling and to arrest the above-mentioned person.

It is understood that, for the purposes of this subsection, a man or woman is considered to be engaging in prostitution within the meaning of this subsection, even when engaging in prostitution with a person of the same sex.

(3) If it is proved that a person was living with a prostitute or that he systematically associates with a prostitute or that he exercised control over the movements or directed or influenced the movements of a prostitute, in such a way as to show that such person, male or female, provides assistance, induces or compels the practice of prostitution by a prostitute with any other person or generally he or she shall be deemed to know that she is living off the profits of prostitution unless the Court is satisfied to the contrary.

It is understood that, for the purposes of this subsection, a prostitute, within the meaning of the subsection, is also considered a person, woman or man, who engages in prostitution with a person of the same sex, and the provision of assistance, incitement, or coercion to engage in prostitution with any other person referred to in the subsection also covers the provision of assistance, incitement, or coercion to engage in prostitution with another person of the same sex.

CHAPTER 154 [99\(I\)/1996](#) [145\(I\)/2002](#)

For profit, providing assistance, etc., in the prostitution of another woman

165. A woman who, for the purpose of profit, exercised control over, directed or influenced the movements of a prostitute, in such a way as to show that she assisted, incited or compelled the other woman to engage in prostitution with any person or in general, is guilty of a misdemeanor.

[CHAPTER 154](#)

Conspiracy to corrupt a woman

166. Whoever conspires with another to induce a woman or man to permit any person to have unlawful intercourse with her or him, by false representations or by other fraudulent means, is guilty of a felony and is liable to imprisonment for three years.

[CHAPTER 154](#) [145\(I\)/2002](#)

Attempted abortion

167. Whoever, with intent to cause a miscarriage in any woman, whether pregnant or not, unlawfully administers to her or causes her to take poison or other harmful thing or uses force of any kind, or any other means, is guilty of a felony and is liable to imprisonment for fourteen years.

[CHAPTER 154](#)

Attempted abortion by a pregnant woman

168. A woman, whether pregnant or not, who, with the intention of causing a miscarriage, unlawfully takes poison or other harmful thing, or uses force of any kind or any other means, or allows any of the above to be administered to her or used on her, is guilty of a felony and is liable to imprisonment for seven years.

[CHAPTER 154](#)

Supply of drugs or instruments for abortion

169. Whoever unlawfully supplies or procures anything to another, knowing that it is intended to be used unlawfully to cause a miscarriage in a woman, whether pregnant or not, is guilty of a felony and is liable to imprisonment for three years.

[CHAPTER 154](#)

Medical termination of pregnancy

169A. (1) Notwithstanding the provisions of articles 167, 168 and 169, no person shall be considered guilty of the offences provided for therein, when the pregnancy is terminated with the consent of the pregnant woman by an obstetrician-gynecologist with the participation of an anaesthetist, all registered in accordance with the provisions of the Medical Registration Law, in an organised nursing unit and provided that one of the following cases applies:

(a) Twelve (12) weeks of pregnancy have not been completed;

(b) the pregnancy is the result of rape, sexual abuse of an adult or minor or sexual abuse of a woman with a mental disability or incest and if nineteen (19) weeks of pregnancy have not been completed and provided that she declares in writing before the doctor that the pregnancy is the result of rape, sexual abuse or incest:

It is understood that, in the event that the pregnant woman is a minor, the above declaration shall also be signed by one of the parents or the person who has custody of the minor:

It is further understood that, in the event that the pregnant woman is a woman with a mental disability, the above declaration shall be signed by only one of the parents or the person who has custody of the woman with a mental disability, instead of the pregnant woman;

(c) following an opinion from a competent physician registered under the provisions of the Physicians Registration Law, according to which, using modern means of prenatal diagnosis, there are indications of fetal abnormality that lead to the birth of a newborn with pathological problems;

(d) following the opinion of a competent physician registered in accordance with the provisions of the Medical Registration Law that there is an unavoidable risk to the life of the pregnant woman or a risk of serious harm to her physical or mental health:

It is understood that, if in the above cases the pregnant woman is a minor or a woman with a mental disability, the consent of one of the parents or the person who has custody of the minor or woman with a mental disability is also required.

(2) For the purposes of this article, the term "minor" has the meaning assigned to the term "child", in accordance with the provisions of article 1 of the United Nations Convention on the Rights of the Child, which was ratified by the Republic of Cyprus by the Convention on the Rights of the Child (Ratification) Law.

CHAPTER 154 23(I)/2018

Advertising of artificial termination of pregnancy means

169B. A person who publicly or by circulating documents, images or representations announces or advertises, even covertly, medicines or other objects or methods as suitable for causing the artificial termination of pregnancy or in the same way offers his own or another's services for the performance or assistance of the artificial termination of pregnancy is guilty of an offence and, in the event of conviction, is subject to a sentence of imprisonment for a term not exceeding two years:

It is understood that information or health education regarding the artificial termination of pregnancy carried out by a family planning center or a maternity and child center, as well as information provided to doctors or persons who legally distribute means of artificial termination of pregnancy and the relevant publications in special medical or pharmaceutical journals do not constitute an offense committed in violation of this article.

23(I)/2018

Knowing the woman's age is irrelevant

170. Unless otherwise expressly provided, in the case of criminal offences committed in relation to a woman or girl under the age specified, it is immaterial whether the accused did not know that the woman or girl was under that age or believed that she was not under that age.

CHAPTER 154

Intercourse between men

171.—(1) The commission, or attempt to commit, of sexual intercourse between men constitutes a misdemeanor, provided that one of the persons is under the age of seventeen years.

(2) Whoever commits an offence in contravention of subsection (1) of this section shall be liable to a term of imprisonment not exceeding three years.

CHAPTER 154 40(I)/1998 [77\(I\)/2000](#) [145\(I\)/2002](#)

Forced intercourse

172. Whoever forcibly has sexual intercourse with another is guilty of a felony and is subject to imprisonment for fourteen years.

CHAPTER 154 40(I)/1998 [77\(I\)/2000](#)

Attempts

173.—Whoever attempts to commit the offence specified in section 172 is guilty of a felony and is liable to imprisonment for seven years.

CHAPTER 154 40(I)/1998 [77\(I\)/2000](#) [145\(I\)/2002](#)

Intercourse with a young man under the age of thirteen

174.—(1) Whoever, by force or otherwise, has sexual intercourse with a young man under the age of thirteen years, is guilty of a felony and is liable to imprisonment for life.

(2) Whoever attempts to commit an offence in contravention of subsection (1) of this section shall be guilty of a felony and shall be liable to imprisonment for fourteen years.

(3) Whoever, knowing that another man is a person with a mental and/or physical disability, engages or attempts to engage in unlawful intercourse with him under circumstances that do not constitute an offence in violation of section 172, is guilty of a felony and is liable to imprisonment for a term not exceeding fourteen years.

CHAPTER 154 40(I)/1998 [77\(I\)/2000](#) [145\(I\)/2002](#) [72\(I\)/2017](#)

Indecent etc. behavior with the intention of committing sexual intercourse

174A. [Deleted]

History of Modifications [CHAPTER 154](#) [145\(I\)/2002](#)

Animal crossing

175. Whoever has intercourse with an animal is guilty of a felony and is subject to imprisonment for three years.

[CHAPTER 154](#)

Indecent act

176. Whoever commits a public indecent act is guilty of a misdemeanor and is subject to imprisonment for two years.

[CHAPTER 154](#) [145\(I\)/2002](#)

Immoral views

177.-(1) Whoever, in a public place, exhibits any immoral spectacle or performance, is guilty of a criminal offence and is liable to a fine not exceeding one thousand five hundred pounds or to imprisonment not exceeding two years or to both such penalties.

(2) No person shall be convicted of a criminal offence committed in violation of subsection (1) if he proves that the spectacle or performance for which he is charged was made or performed in the public interest.

CHAPTER 154

Criminal Offenses Related to Marriage and Family Obligations

Fraudulent pretense of marriage

178. Whoever intentionally and fraudulently causes a woman who is not legally married to him to believe that she is legally married to him and under the condition of such belief to cohabit or have intercourse with him, is guilty of a felony and is liable to imprisonment for ten years.

CHAPTER 154

Bigamy

179. A spouse who, while the other spouse is alive, contracts a marriage in the Republic or in any other country, which is invalid on the ground that it was contracted while the other spouse was alive, is guilty of a felony and is liable to imprisonment for five years:

It is understood that a sufficient defence to a charge brought under this article is the proof of-

- (a) that the previous marriage was declared invalid by a competent Court or competent ecclesiastical authority or
- (b) the continuous absence of the previous spouse at the time of the subsequent marriage, for a period of seven immediately preceding years, without knowledge or information that the previous spouse was alive during the above-mentioned period, or
- (c) the law governing his personal institution allows polygamy.

CHAPTER 154 169(I)/2000

Fraudulent wedding ceremony

180. Whoever dishonestly or with fraudulent intent submits himself to a marriage ceremony, while knowing that such ceremony does not make him legally married, is guilty of a felony and is liable to imprisonment for five years.

CHAPTER 154

Child report

181. Whoever unlawfully abandons or exposes a child under the age of two years, so that his life is endangered or his health is damaged or is likely to be permanently damaged, is guilty of a felony and is subject to imprisonment for five years.

CHAPTER 154

Neglect of parental maintenance obligation

182. A person over the age of seventeen years and of sufficient means who willfully neglects or refuses to provide adequate food, clothing, medical care or shelter to any of his parents who are unable to care for themselves due to mental or physical infirmity or advanced age is guilty of a misdemeanor.

(2) In the event of a conviction of a person under this section, the Court may issue an order providing that any property registered in the name of the convicted person or held by him, which may derive from a donation made by his parent, shall be re-transferred or re-delivered to the parent, the order issued in this manner constituting sufficient authorization for the Department of Lands and Surveys of the Ministry of the Interior to proceed with any necessary amendment to the relevant registration, provided that the rights of third parties will not be adversely affected.

CHAPTER 154

Power of the Court to issue maintenance orders

183.-(1) The Court before which a person is convicted of a criminal offence under section 182 may, in lieu of any other sentence, make an order (hereinafter referred to in this section as a "maintenance order") imposing an obligation on the convicted person to maintain his parent. The maintenance order may include a provision that the convicted person shall pay to the parent, or to an officer of the Court or to another person for the use of the parent, such weekly sum, not exceeding three pounds, as the Court may consider reasonable, having regard to the means of the convicted person.

(2) The Court may at any time amend, vary, suspend or cancel the maintenance order, upon the application of any interested party, to proceed each time to the reduction or increase of the amount to be paid each week, but so that in any case, it does not exceed three pounds.

(3) If any person, without good cause, fails to comply with a maintenance order for weekly payments, the Court may order the recovery of the arrears in accordance with and subject to the provisions of the Criminal Procedure Law or any law amending or replacing it, including the power to imprison the offender, instead of issuing a warrant of execution, provided that no order may be issued for the recovery of arrears which should have been paid more than six months before the issuance of the order.

(4) Unless the Court otherwise directs, the warrant of execution or imprisonment issued under subsection (3) of this section shall in no way affect the validity and effect of the maintenance order.

CHAPTER 154

Neglect of the obligation to support servants or apprentices

184. Whoever is obliged by law to provide the necessary food, clothing or shelter to an apprentice or servant, wilfully and without lawful excuse refuses or neglects to provide these or unlawfully and maliciously causes or assists in causing bodily harm to his apprentice or servant, so that his life is endangered or his health is damaged or is likely to be permanently damaged, is guilty of a misdemeanor.

CHAPTER 154

Child theft

185. Whoever, with intent to deprive the parent, guardian or other person having the legal care or custody of a child under the age of fourteen years, of the possession of such child-

(a) by force or deceit removes or entices the child to follow him or detains him or

(b) while knowing the above, accepts or provides asylum to a child,

is guilty of a felony and is subject to seven years in prison.

It shall be a defense to a charge for any criminal offense defined in this article to prove that the accused person claimed in good faith a right to possession of the child or, in the case of a child born out of wedlock, that he is the mother or that he claimed paternity of the child.

CHAPTER 154

Gangs

Common nuisance

186. Whoever performs an act not authorized by law or fails to perform a duty imposed by law and as a consequence thereof causes any common harm or danger or nuisance or obstructs or causes nuisance to the public in the exercise of common rights, commits a misdemeanor, which is called a common nuisance and is subject to imprisonment for one year.

It is immaterial that the act or omission in question facilitates a greater part of the public than the one inconvenienced by it, but the fact that it facilitates the lawful exercise of the rights of a part of the public may indicate that such act or omission is not a nuisance to any part of the public.

CHAPTER 154

Disturbing the peace in a public place

186A. A person who behaves in a public place in a manner that causes a disturbance of the peace is guilty of a misdemeanor and is liable to imprisonment for one month or to a fine not exceeding seventy-five pounds or to both penalties.

CHAPTER 154

Use of sound-amplifying devices in or near public spaces

187.-(1) No person shall use or operate or cause or permit the use by another or the operation of a loudspeaker, megaphone, sound amplifier or other device which automatically, mechanically or electrically amplifies or transmits amplified sound-

(a) in a public place or

(b) in any other place in such a manner or under such circumstances that the amplified sound in such a manner causes a nuisance in any public or other place,

except under a permit issued by the District Governor or by a person authorized by the District Governor for this purpose, and in accordance with any conditions attached to such permit:

It is understood that no permit is required for the use or operation of-

(a) a loudspeaker, megaphone or sound amplifier placed within a church or mosque exclusively for the purpose of broadcasting a religious service or ceremony, performed in accordance with the established religious forms of such church or mosque, provided that the amplified sound in this manner cannot be heard in any other public place;

(b) an instrument used or operated exclusively for the projection of a motion picture film in any place or premises licensed for that purpose, provided that the amplified sound in this manner cannot be heard in any other public place:

It is further understood that this subsection does not apply in the case of sound emission from recreation centers that fall under the provisions of the Recreation Centers (Sound Emission Permits) Law of 2007.

(2) Whoever, in contravention of subsection (1) or of any condition referred to in a licence issued thereunder, commits an offence and is liable to a fine not exceeding five thousand pounds or to imprisonment for six months or to both, and the Court trying such a criminal offence may order the seizure of the instrument which was involved in the criminal offence committed or the deprivation of the licence provided for in subsection (1) for a period not exceeding one month:

It is understood that, in the event of a previous conviction of a recreation center owner for the same offense, the Court may order the deprivation of the said license for a period not exceeding three months.

(3) The provisions of this article do not replace the provisions of any other law or administrative act concerning the use or operation of the bodies referred to therein, but are applied in addition to them, but in such a way that no one is punished twice on the basis of the same facts.

(4) Where there is reasonable cause to believe that the criminal offence provided for in subsection (1) of this section is being committed in any public place, any police officer may-

(a) to enter the public space and request from the owner or person in charge of such space immediate compliance with the provisions of subsection (1) of this article and

(b) in the event of non-compliance by the owner or person in charge of the public space in accordance with paragraph (a) of this subsection, to enter and serve on the owner or person in charge of such space a written notice in accordance with the form specified in Annex A of this Law and

(c) in case of non-compliance with the written warning provided for in paragraph (b) of this subsection, to enter and search such premises, without a search warrant and notwithstanding the provisions of any other law.

(5) Any instrument, from those referred to in subsection (1) of this article for which there is reasonable cause to believe that it will provide evidence relating to the commission of the criminal offence provided for in subsection (1) of this article, may be seized and brought before the Court and treated in the same manner as it would be if it were a thing seized during an investigation pursuant to a warrant.

(6) For any subsequent offence committed under subsection (1) within twenty-four hours from the date of service of a written notice under paragraph (b) of subsection (4), the provisions of paragraph (c) of subsection (4) shall apply, without the need for the service of a second notice.

CHAPTER 154 3(I)/1996 45(I)/1998 126(I)/2007 43(I)/2016

Lazy people who live messy lives

188. The following persons, namely-

(a) the common prostitute behaving disorderly or indecently in a public place

(b) a vagrant or a person who settles in a public place to beg or to collect alms or a person who causes or incites or encourages a child or children to act in this way

(c) a man who seeks to solicit clients or who harasses for immoral purposes in a public place

(d) without lawful excuse, commits an indecent act in a public place,

are considered to be lazy and lead a disorderly life, are liable to imprisonment for one month or to a fine not exceeding seventy-five pounds or to both these penalties.

CHAPTER 154

Customer fields and targeted purchases

188A.-(1) A person who, in any public place, including public means of transport, by any means, method or means, including the offer of a consideration in kind, incites and harasses another person or group of persons to accept or reject a travel or transport service, a catering or entertainment service or tourist accommodation, products of a commercial establishment or other services of a commercial nature, is guilty of a criminal offence and, in the event of conviction, is liable to a term of imprisonment not exceeding six (6) months or to a fine not exceeding two thousand euros (€2,000) or to both of these penalties:

It is understood that the offering of goods for sale by licensed street vendors does not constitute an offense under the provisions of this article.

(2) A person on behalf of or for the benefit of whom another person in any public place, including public means of transport, by any means, method or means, including the offer of consideration in kind, induces and harasses another person or group of persons to accept or reject a travel or transport service, a catering or entertainment service or tourist accommodation, products of a commercial establishment or other services of a commercial nature, is guilty of a criminal offence and, in the event of conviction, is liable to a term of imprisonment not exceeding six (6) months or to a fine not exceeding two thousand euros (€2,000) or to both of these penalties.

(3) In the event of a subsequent conviction of the same person for an offence under the provisions of subsections (1) and (2), within a period of two (2) years from the previous conviction, the offence shall be punishable by imprisonment not exceeding three (3) years or by a fine not exceeding three thousand euros (€3,000) or by both.

(4) In addition to any penalty imposed under the provisions of subsections (1), (2) and (3), the Court may, upon conviction of any person for an offence under the provisions of subsections (1) and (2), order the suspension of the operation of the business for the benefit of which the offence was committed, for a period not exceeding six (6) months.

(5) For the purposes of this article, the term "enterprise" means a travel or transport service, a catering or entertainment service, a tourist accommodation, a commercial store or other services of a commercial nature.

[CHAPTER 154](#) [127\(I\)/2007](#) [125\(I\)/2013](#) [31\(I\)/2016](#)

Tramps and wanderers

189. The following persons, namely-

- (a) a person convicted for a second time of an offence under article 188
- (b) the wanderer and by displaying his wounds or disfigurement who tries to take or collect alms
- (c) the wanderer collects or receives alms, or attempts by false or fraudulent representations to induce the payment of any nature or kind of charitable contributions
- (d) any suspicious person or one who has a reputation as a thief who has no apparent means of support and is unable to give sufficient explanations for himself
- (e) a person who is found loitering in, or near, premises or on a street or thoroughfare or in any area adjacent thereto or in a public place, at a time and under such circumstances as to lead to the conclusion that his presence there is due to an unlawful or disruptive purpose,

are considered vagrants and vagrants, and are guilty of a misdemeanor and are subject to a first conviction to imprisonment for three months, and to one year's imprisonment for each subsequent conviction.

[CHAPTER 154](#)

Negligence for the spread of life-threatening diseases

190. Whoever unlawfully or negligently performs an act which is likely, and which he knows or has reason to believe is likely, to spread infection with any disease dangerous to life, is guilty of a misdemeanor.

[CHAPTER 154](#)

Water pollution

191. Whoever intentionally alters or pollutes the water of a public spring or water reservoir, so that it becomes less suitable for its ordinary use, is guilty of a misdemeanor.

[CHAPTER 154](#)

Air pollution

192. Whoever intentionally pollutes the atmosphere in any place so that it becomes harmful to the health of persons residing or carrying out work in the neighboring area or who use a public passageway, is guilty of a misdemeanor.

[CHAPTER 154](#)

Dirty professions

193. Whoever, in the exercise of a trade or otherwise, causes loud noises or annoying or unhealthy odors in such places and under such circumstances as to cause annoyance to a significant number of persons in the exercise of their common rights, commits the criminal offense of common nuisance and is punished accordingly.

[CHAPTER 154](#)

Defamation

Definition of spirit level

194. [Deleted]

History of Modifications [CHAPTER 154](#) [84\(I\)/2003](#)**Definition of defamatory publication**

195. [Deleted]

History of Modifications [CHAPTER 154](#) [84\(I\)/2003](#)**Publication or threat of publication of libel or proposal to refrain from publishing libel with the purpose of extorting money**

196. [Deleted]

History of Modifications [CHAPTER 154](#) [84\(I\)/2003](#)**Definition of publication**

197. [Deleted]

History of Modifications [CHAPTER 154](#) [84\(I\)/2003](#)**Definition of illegal publication**

198. [Deleted]

History of Modifications [CHAPTER 154](#) [84\(I\)/2003](#)**Cases in which the publication of a defamatory article is absolutely privileged**

199. [Deleted]

History of Modifications [CHAPTER 154](#) [84\(I\)/2003](#)**Cases in which the publication of a defamatory article is subject to privilege**

200. [Deleted]

History of Modifications [CHAPTER 154](#) [84\(I\)/2003](#)**Explanation regarding good faith**

201. [Deleted]

History of Modifications [CHAPTER 154](#) [84\(I\)/2003](#)**Presumption of good faith**

202. [Deleted]

History of Modifications [CHAPTER 154](#) [84\(I\)/2003](#)

Insulting the Memory of a Deceased

Insulting the memory of a deceased person

202A.-(1) Whoever insults the memory of a deceased person with malicious or cruel insult is guilty of a misdemeanor and is punishable by imprisonment for one year.

(2) No criminal prosecution shall proceed under this article except upon a complaint made by a relative of the deceased.

For the purposes of this article, "relative" includes the surviving spouse and direct or collateral relatives up to and including the third degree.

[CHAPTER 154](#)

PART V CRIMINAL OFFENCES AGAINST THE PERSON

Premeditated murder and Manslaughter

Premeditated murder

203.-(1) Any person who intentionally causes the death of another person by an unlawful act or omission is guilty of the crime of intentional murder.

(2) Every person found guilty of premeditated murder shall be liable to imprisonment for life.

[CHAPTER 154](#)

Preliminary study

204. Premeditation is the intention to cause the death of any person which is proven directly or inferentially, regardless of whether such person is the one killed or not, which exists both before the commission of the act or omission that will cause the death and at the time of such commission.

[CHAPTER 154](#)

Homicide

205.-(1) Every person who causes the death of another person by unlawful act or omission is guilty of the crime of homicide.

(2) An unlawful omission is one that constitutes culpable negligence in failing to perform a duty even though there is no intent to cause death.

(3) Any person who commits the crime of homicide shall be liable to imprisonment for life.

[CHAPTER 154](#)

Removed

206. (Repealed).

[CHAPTER 154](#)

Removed

207. (Repealed).

CHAPTER 154

To kill because of provocation

208. When a person who unlawfully kills another under circumstances which, in the absence of the provisions of this article, would constitute premeditated murder, performs the act which causes death in a fit of mental passion resulting from sudden provocation, that is, from an unjust act, insolence or irritation of such a nature as to deprive a prudent person of the capacity for self-control and before time has been allowed for the appeasement of the mental passion of such person, he is guilty only of manslaughter.

CHAPTER 154

Infanticide

209.-(1) When a woman causes the death of a child under the age of twelve months, by an intentional act or omission, but at the time of the act or omission her mental balance is disturbed due to her incomplete recovery from the effects of the childbirth of the child or due to the effects of breastfeeding following the aforementioned childbirth, she is guilty of the crime of infanticide and may for such criminal offense be treated and punished as if she were guilty of homicide, regardless of whether the circumstances were such that in the absence of this article the criminal offense would fall under premeditated murder.

(2) If, in the trial of a woman for the premeditated murder of a child under the age of twelve months, the Court should find that she, by a deliberate act or omission, caused the death of a child under the age of twelve months, but at the time of the act or omission her mental balance was disturbed by reason of her not having fully recovered from the effects of the childbirth of the child or by reason of the effects of breastfeeding following the above childbirth, it may, notwithstanding that the circumstances were such that, in the absence of the provisions of this article, it would have been possible to find her guilty of premeditated murder, find her guilty of infanticide.

CHAPTER 154

Causing death due to a reckless, reckless or dangerous act

210. Whoever, by reason of a reckless, reckless or dangerous act or conduct, not attributable to culpable negligence, unintentionally causes the death of another person, is guilty of an offence and, upon conviction, is liable to imprisonment for a term not exceeding four years or to a fine not exceeding two thousand five hundred pounds.

CHAPTER 154 181(I)/2000

Definition of causing death

211. A person is deemed to have caused the death of another, even if his act is not the direct or sole cause from which the death arose in any of the following cases:

(a) if he causes bodily harm to another which results in surgical or other medical treatment which results in death. In such a case it is immaterial whether the treatment was proper or improper, if it was applied in good faith and with ordinary scientific knowledge and skill, but no less so, but the person who caused the bodily harm is not considered to have caused death if the treatment which was the immediate cause of death was not applied in good faith or was applied in good faith but without ordinary scientific knowledge or skill.

(b) if he causes bodily harm to another, which would not have resulted in death if the person injured had submitted himself to appropriate surgical or other medical treatment or had taken appropriate precautions in his way of life;

(c) if by the use or threat of violence he compels another to perform an act which results in his own death, provided that the act was a way which, under the circumstances, could be considered by the person present as natural, to avoid such violence or threats

(d) if by act or omission he hastened the death of a person suffering from a disease or injury which, regardless of such act or omission, would have resulted in death

(e) if such act or omission would not have resulted in death, unless it was accompanied by an act or omission of the person killed or other persons.

[CHAPTER 154](#)

When is a person considered a person at birth?

212. A person who can be killed is considered to be one who emerges alive from the mother's body completely, regardless of whether it breathed or not and regardless of whether it has independent blood circulation or not and regardless of whether the umbilical cord has been cut or not.

[CHAPTER 154](#)

Limitation on the time of death

213. No one is deemed to have killed another person if the death of such person did not occur within one year and one day from the cause of death.

The above period also includes the day on which the last unlawful act that contributed to the cause of death was committed. In the event that the cause of death is an omission in the observance or performance of a duty, the day on which such omission ceased is also included in this period.

In the event that the cause of death is partly an unlawful act and partly an omission in the performance or execution of duty, the day on which the last unlawful act was committed or the day on which the omission ceased, whichever is the later, is counted in this period.

[CHAPTER 154](#)

Criminal Offenses Related to Premeditated Murder and Suicide

Attempted murder

214. Whoever-

(a) unlawfully attempts to cause the death of another or

(b) with intent to cause the death of another unlawfully, performs any act or omits to perform any act which he is duty-bound to perform, which act or omission is of such a nature as to be likely to endanger human life,

is guilty of a felony and is subject to the penalty of life imprisonment.

[CHAPTER 154](#)

Removed

215. (Repealed).

[CHAPTER 154](#)

Written threats of murder

216. Whoever, while knowing its contents, directly or indirectly contributes to the receipt of any writing by which any person is threatened with death, is guilty of a felony and is liable to imprisonment for seven years.

[CHAPTER 154](#)

Conspiracy to murder

217. Whoever conspires with another to murder another person, whether that person is in the Republic or elsewhere, is guilty of a felony, and is liable to imprisonment for fourteen years.

[CHAPTER 154](#)

Complicity in the suicide of another person

218. He who intentionally persuades another to commit suicide, whether it has been committed or attempted, as well as he who assists during it, is guilty of a felony and is subject to imprisonment for ten years.

[CHAPTER 154](#)

Removed

219. (Repealed).

[CHAPTER 154](#)

Concealment of childbirth

220. Whoever, when a child has been born, attempts to conceal the birth, by any secret disposition of the child's body, regardless of whether the child died before, during or after its birth, is guilty of a misdemeanor.

[CHAPTER 154](#)

Duties related to the Maintenance of Life and Health

Responsibility of a person who has the care of another

221. He who has the care of another who is unable due to age, illness or mental incapacity, detention or any other cause to be detached from such care and to provide himself with the necessities of life, has a duty to provide the person under his care with the necessities of life, regardless of whether the care was undertaken by virtue of a contract or imposed by law or arises due to any act of his, whether lawful or unlawful, he may be considered liable for any consequence to the life or health of the person under his care, which is due to any failure to perform the above duty.

[CHAPTER 154](#)

Duty of head of family

222. Anyone who, as head of a family, has the care of a child under the age of fourteen who belongs to his household, has a duty to provide him with the necessities of life and is considered to have caused any consequence for the life or health of the child which is due to any omission to perform the above duty, regardless of whether the child is helpless or not.

[CHAPTER 154](#)

Duties of a gentleman

223. Whoever, in the capacity of a master, has undertaken, by virtue of a contract, to provide any servant or apprentice under the age of sixteen with the necessary food, clothing or shelter, has a duty to provide them with all these and is deemed to have caused any consequence to the life or health of the servant or apprentice which is due to any omission to perform the above duty.

[CHAPTER 154](#)

Duties of persons carrying out dangerous acts

224. Whoever, except in case of necessity, undertakes to perform surgical or other treatment on another or to perform any lawful act which may be dangerous to the life or health of any person, has a duty to possess reasonable skill and to exercise reasonable care in the performance of such act and is deemed to have caused any consequence to the life or health of any person which is due to any omission in the observance or performance of the above duty.

CHAPTER 154

Duties of persons responsible for dangerous things

225. Whoever has under his charge or control anything animate or inanimate, and whether in motion or at rest, of such a nature that, by lack of care or precaution in its use or handling, the life, safety or health of any person may be endangered, has a duty to exercise reasonable care to prevent such danger and to take reasonable precautions therefor and is deemed to have caused any consequence to the life or health of any person which is due to any failure to perform such duty.

CHAPTER 154

Criminal Offenses that endanger Life or Health

Wandering in a state of incapacity to resist with the intent to commit a felony or misdemeanor

226. Whoever, using anything intended for drowning, suffocation or strangulation and with the purpose of committing or facilitating the commission of a felony or misdemeanor, or facilitating the escape of the perpetrator after committing or attempting to commit a felony or misdemeanor, renders or attempts to render another incapable of resistance, is guilty of a felony and is subject to the penalty of life imprisonment.

CHAPTER 154

Wandering while intoxicated with the intent to commit a felony or misdemeanor

227. Whoever, with the intention of committing or facilitating the commission of a felony or misdemeanor or of facilitating the escape of the perpetrator after the commission or attempt to commit a felony or misdemeanor, administers or attempts to administer to any person a drug or thing capable of intoxicating or neutralizing his power of resistance, is guilty of a felony and is subject to the penalty of life imprisonment.

CHAPTER 154

Acts intended to cause grievous bodily harm or to prevent arrest

228. Whoever, with intent to mutilate, disfigure, cause disability or grievous bodily harm to another or with intent to resist or prevent the lawful arrest or detention of any person-

- (a) by any means unlawfully injures or causes grievous bodily harm to another or
- (b) unlawfully attempts to harm in any other way, with any kind of projectile or with a knife or with any other dangerous or offensive weapon or
- (c) unlawfully causes the explosion of explosives or
- (d) sends or delivers explosives or other dangerous or harmful things to another or
- (e) assists in the receipt or receipt of such material or thing by any person
- (f) places caustic liquid or destructive or explosive material in any place or
- (g) unlawfully pours or throws any such liquid or substance against or on another, or in any other way places any such liquid or substance on the body of any person,

is guilty of a felony and is subject to the penalty of life imprisonment.

CHAPTER 154

Preventing escape from a shipwreck

229. Whoever unlawfully-

- (a) obstructs or hinders a person who is on board a vessel or escaping from it, because he is in danger or because he has been shipwrecked, in his attempt to save his life or
- (b) obstructs a person in his or her attempt to save the life of any person who is in circumstances as mentioned above,

is guilty of a felony and is subject to the penalty of life imprisonment.

[CHAPTER 154](#)

Intentionally endangering the safety of persons travelling by rail

230. Whoever, with intent to cause harm or endanger the safety of a person travelling by rail, whether specifically so or not-

- (a) places anything on the railway or
- (b) interferes with the railway or with any thing on or near the railway in such a manner as to affect or endanger the free and safe use of the railway or the safety of any such person; or
- (c) throws or throws anything at or into any person or thing on the railway or causes anything to come into contact with them or
- (d) displays a light or signal or in any way interferes with the use of any such light or signal on or near a railway; or
- (e) by failing to perform an act which he has a duty to perform, contributes to endangering the safety of such person,

is guilty of a felony and is subject to the penalty of life imprisonment.

[CHAPTER 154](#)

Serious bodily harm

231. Whoever unlawfully causes grievous bodily harm to another is guilty of a felony and is liable to imprisonment for seven years or to a fine or to both.

[CHAPTER 154](#)

Attempted bodily harm with explosives

232. Whoever unlawfully and with the intent to cause bodily harm to another places an explosive substance in any place is guilty of a felony and is liable to imprisonment for fourteen years or to a fine or to both of these penalties.

[CHAPTER 154](#)

Malicious administration of poison with intent to cause bodily harm

233. Whoever unlawfully and with the intent to cause bodily harm to another or to harass him, causes a poison or harmful thing to be administered to another, or to be taken by another, and in this way endangers his life or causes him serious bodily harm, is guilty of a felony and is liable to imprisonment for fourteen years.

[CHAPTER 154](#)

Female genital mutilation

233A.-(1) Subject to the provisions of subsection (2), it shall be an offence for any person-

(a) The cutting off, or in any way mutilating, all or part of the labia majora or labia minora of a woman's vulva or clitoris; or

(b) aiding, abetting, advising or inducing a third party to perform any of these acts on a woman's body.

(2) The acts specified in subsection (1) do not constitute an offence if they are performed by a doctor and their performance is necessary, either for the physical health of the woman on whom they are performed, or if they are performed on a woman who is at any stage of childbirth, or thereafter, and are related to childbirth:

It is understood that the above procedures are performed only after obtaining the opinion of two other doctors.

(3) Consent on the part of the woman on whom the acts specified in subsection (1) are performed shall not constitute a defense, nor a mitigating factor in the assessment of the sentence.

(4) Notwithstanding the provisions of section 5 of the Law, the Courts of the Republic have jurisdiction to try an offence, in violation of the provisions of this section, committed by a citizen or non-citizen of the Republic and committed within or outside the Republic.

(5) Offences committed in violation of the provisions of this article are punishable by imprisonment for up to five years.

(6) For the purposes of this section, "physician" means a physician registered under the Medical Practitioners Registration Law.

48(I)/2003

Pseudo-conversion therapies

233B.-(1) Subject to the provisions of subsection (2), a person who-

(a) applies a practice or technique or provides a service with the purpose of changing, suppressing or eliminating the sexual orientation, gender identity or gender expression of another person, is guilty of an offence and, in the event of conviction, is subject to a prison sentence not exceeding two (2) years or a fine not exceeding five thousand euros (€5,000) or both:

It is understood that, in a case where the practice or technique is applied or the service is provided to a minor or to a person who is in a vulnerable position either due to illness, disability or mental condition, or due to the existence of a relationship of dependence or influence with the person who applies the said practice or technique or who provides the said service, the Court may impose a prison sentence not exceeding three (3) years or a fine not exceeding ten thousand euros (€10,000) or both of these penalties;

(b) exercises legal guardianship and refers the ward to a practice, technique or service, with the aim of changing, suppressing or eliminating his/her sexual orientation, gender identity or gender expression, is guilty of an offence and, in the event of conviction, is liable to a term of imprisonment not exceeding three (3) years or to a fine not exceeding ten thousand euros (€10,000) or to both; or

(c) announces or advertises, even covertly, in any way, a practice, technique or service, which aims to change, suppress or eliminate sexual orientation, gender identity or gender expression, is guilty of an offence and, in the event of conviction, is subject to a prison sentence not exceeding two (2) years or a fine not exceeding five thousand euros (€5,000) or both.

(2)(a) Notwithstanding the provisions of subsection (1)-

(i) the provision of counseling, psychological or medical services relating to the exploration and/or free development of a person's sexual orientation, gender identity or gender expression; or

(ii) the provision of scientifically established clinical procedures by specialized health professionals, provided that these are applied to address conditions related to the sexual health of a person, as defined in the International Statistical Classification of Diseases and Related Health Problems of the World Health Organization; they do not constitute an offense, provided that the aforementioned actions do not seek to change, suppress or eliminate the sexual orientation, gender identity or gender expression of the person in question.

(b) For the purposes of this subsection, the term "specialized health professional" includes-

(i) a doctor registered in the Medical Register, in accordance with the provisions of the Medical Registration Law; and

(ii) registered psychologist, as this term is provided for in the provisions of article 2 of the Psychologists Registration Law.

(3) The provisions of this article shall apply without prejudice to the right to freedom of thought, conscience and religion, as provided for in the provisions of Article 18 of the Constitution and in Article 9 of the European Convention on Human Rights, as ratified by the European Convention for the Protection of Human Rights (Ratification) Law.

39(I)/2023

Injury and similar acts

234. Whoever-

(a) unlawfully injures another or

(b) unlawfully and with the intent to cause bodily harm to another or to harass him, causes a poison or other harmful thing to be administered to another or taken from another,

is guilty of a felony and is subject to three years' imprisonment.

CHAPTER 154

Failure to provide necessities of life

235. Whoever, who has a duty to provide the necessities of life to another, without lawful excuse, fails to do so, but in this way the life of the other person is or is likely to be endangered or his health is or is likely to be permanently damaged, is guilty of a felony and is liable to imprisonment for three years.

CHAPTER 154

Leaving the scene of an accident without providing assistance

235A.-(1) Whoever, after being involved in an accident which causes the death of another person, leaves the scene of the accident without rendering assistance, is guilty of an offence and, on conviction, is liable to a term of imprisonment not exceeding five (5) years and/or to a fine not exceeding fifteen thousand euros (€15,000).

(2) Whoever, after being involved in an accident which causes bodily harm to another person, leaves the scene of the accident without rendering assistance, is guilty of an offence and, if convicted, is liable to a term of imprisonment not exceeding two (2) years and/or a fine not exceeding ten thousand euros (€10,000).

(3) Anyone who, after being involved in an accident causing damage to property, leaves the scene of the accident without rendering assistance, is guilty of an offence and, if convicted, is liable to a term of imprisonment not exceeding one month and/or a fine not exceeding three thousand euros (€3,000).

(4) A person who is convicted under the provisions of subsections (1) or (2) shall be deprived of the right to hold a driving licence for a period not exceeding two (2) years from the date of his conviction, as the Court deems appropriate.

(5) A person who is convicted under the provisions of subsection (3) shall be deprived of the right to hold a driving licence for a period not exceeding two (2) months from the date of his conviction, as the Court deems appropriate.

CHAPTER 154 134(I)/2020

Criminal Recklessness and Negligence

Reckless and careless acts

236. Whoever, in such a reckless, rash or negligent manner as to endanger human life or be likely to cause bodily harm to another-

- (a) drives a vehicle or rides a horse on any public road or
- (b) controls or participates in the control or operation of a vessel or
- (c) [Deleted]
- (d) fails to take precautions against possible danger from any animal in his possession or
- (e) provides medical or surgical treatment to a person for whom he has taken charge of the hospital or
- (f) manufactures, supplies, sells or administers or grants a drug or poisonous or dangerous substance or
- (g) commits any act in relation to any machinery which is under his sole or partial responsibility or fails to take the necessary precautions against any possible danger arising from such machinery or
- (h) commits an act in relation to explosives in his possession or fails to take the necessary precautions against any possible danger arising from explosives in his possession,

is guilty of a misdemeanor:

Provided that, where the charge under subparagraph (d) of this article refers to a dog, it shall be presumed that the accused had knowledge of the possibility of causing bodily harm by the said dog, regardless of the nature or previous conduct or habits of that dog.

CHAPTER 154 [45\(I\)/1998](#) [21\(I\)/2025](#)

Other negligent acts causing bodily harm

237. Whoever unlawfully performs any act or omits to perform any act which he is duty-bound to perform which is not an act or omission defined in the preceding article, by which act or omission bodily harm is caused to another, is guilty of a felony and is liable to imprisonment for six months or to a fine not exceeding four hundred and fifty pounds or to both such penalties.

[CHAPTER 154](#)

Endangering the safety of people travelling by rail

238. Anyone who, by an unlawful act or omission, not specified in article 230, causes the safety of a person traveling by rail to be endangered, is guilty of a misdemeanor.

[CHAPTER 154](#)

Display of a deceptive light, mark or buoy

239. Whoever displays a deceptive light, mark or buoy, with the intention of such display or of misleading a seafarer, or knows that such display is likely to mislead a seafarer, shall be liable to imprisonment for seven years or to a fine or to both.

[CHAPTER 154](#)

Transport of a person by water in an unsafe or overloaded vessel

240. Whoever, knowingly or negligently, transports or assists in the transport of a person for hire or reward by means of a waterway, in an unsafe vessel, either due to the condition in which it is located or due to overloading, is guilty of a felony and is liable to imprisonment not exceeding twelve years or to a fine not exceeding one hundred thousand euros or to both of these penalties.

[CHAPTER 154](#) [45\(I\)/2021](#)

Danger or obstruction to a public crossing or shipping lane

241. Whoever, by doing any act or failing to exercise reasonable care in relation to property in his possession or responsibility, causes danger, obstruction or harm to a person on a public crossing or public shipping lane, shall be liable to a fine not exceeding two hundred and fifty pounds.

CHAPTER 154

Attacks

Joint attack

242. Whoever unlawfully attacks another shall be guilty of a misdemeanor, but if the attack was not committed under circumstances for which a more severe penalty is provided for under this Code, he shall be liable to imprisonment for a term not exceeding one year or to a fine not exceeding one thousand pounds or to both such penalties.

CHAPTER 154

Attacks causing actual bodily harm

243. Whoever commits an assault causing actual bodily harm is guilty of a misdemeanor and is liable to imprisonment for three years.

CHAPTER 154

Assaults punishable by two years in prison

244. Whoever-

- (a) assaults another with intent to commit a felony or to resist or evade the lawful arrest or detention of himself or another for a criminal offense, or
- (b) attacks or resists or intentionally obstructs a law enforcement officer in the normal performance of his duty or another person providing assistance to such a law enforcement officer or
- (c) attacks another in the pursuit of unlawful co-operation or conspiracy for the raising of wages or in connection with any profession, business or industry or in connection with any person interested in or employed therein; or
- (d) attacks, resists or obstructs a person in the lawful execution of a warrant or lawful seizure, for the purpose of rescuing property lawfully seized pursuant to such warrant or such seizure, or
- (e) attacks another person because of an act committed by the person attacked, in the lawful execution of his duty,

is guilty of a misdemeanor and is subject to two years' imprisonment.

CHAPTER 154

Criminal Offenses against Personal Liberty

Definition of face kidnapping by the Republic

245. Whoever transports any person outside the borders of the Republic, without his consent or that of another who is legally authorized to consent on his behalf, is deemed to have taken that person from the Republic.

CHAPTER 154

Definition of abduction by a person exercising joint custody

245A. Whoever, while exercising joint guardianship of a minor with another person or persons, transfers the minor outside the borders of the Republic, without the consent of the other legal guardian or guardians, is deemed to have taken the minor from his legal guardian.

[70\(I\)/2008](#)

Definition of abduction from legal guardianship

246. Whoever removes or leads away a minor under the age of sixteen years or a person of unsound mind from the custody of his legal guardian, without the consent of such guardian, is deemed to have snatched the minor or such person from his legal guardian.

[CHAPTER 154](#) [190\(I\)/2021](#)

Definition of kidnapping..

247. Whoever by force or threat of force compels or by any fraudulent means induces another to leave a place is deemed to kidnap the person in question.

[CHAPTER 154](#) [190\(I\)/2021](#)

Kidnapping penalty

248. Whoever snatches a person from the Republic or from legal guardianship is guilty of a felony and is subject to seven years' imprisonment and a fine.

[CHAPTER 154](#)

Illegal detention of a minor outside the borders of the Republic

248A.(1) Whoever, while exercising joint guardianship of a minor with another person or persons, transfers the minor outside the borders of the Republic, with the consent of the other or other legal guardians for a specific period and, upon the expiration of such period, continues to detain the minor outside the borders of the Republic, without the consent of the other or other legal guardians, shall be deemed to unlawfully detain the minor outside the borders of the Republic.

(2) Whoever unlawfully detains a minor outside the borders of the Republic is guilty of a felony and, on conviction, is liable to a term of imprisonment not exceeding seven (7) years.

[112\(I\)/2015](#)

Kidnapping or kidnapping or deprivation of liberty of a person with the intent to kill him/her premeditatedly

249. Whoever seizes or kidnaps or unlawfully deprives any person of his liberty with the intention that such person be killed with intent or that he be treated in such a way as to put him in danger of being killed with intent, is guilty of a felony and is liable to imprisonment for fourteen (14) years.

[CHAPTER 154](#) [190\(I\)/2021](#)

Kidnapping or kidnapping or deprivation of liberty of a person for the purpose of secret and unjust restriction

250. Whoever seizes or kidnaps or unlawfully deprives another of his liberty, with the intention of causing his secret and unjust confinement, is guilty of a felony and is liable to imprisonment for seven years.

[CHAPTER 154](#) [190\(I\)/2021](#)

Kidnapping or kidnapping or deprivation of liberty with the intent to subject a person to serious harm, etc.

251. Whoever abducts or kidnaps or unlawfully deprives any person of his liberty with the intent that he be subjected to, or be subjected to, such treatment as to place him in danger of being subjected to, serious harm, or sexual abuse by any person, or who knows that it is likely that such person will be subjected to such submission or treatment, is guilty of a felony and is liable to imprisonment for fourteen (14) years and a fine.

[CHAPTER 154](#) [190\(I\)/2021](#)

Kidnapping or kidnapping or deprivation of liberty of any person with the purpose of compelling him or another person to perform an act or omission not to perform an act

251A. Whoever seizes or kidnaps or unlawfully deprives any person of his liberty with the purpose of compelling him or another person to do an act or to omit to do an act, is guilty of a felony and, on conviction, is liable to imprisonment for a term not exceeding fourteen (14) years and to a fine.

[190\(I\)/2021](#)

Unjust concealment or confinement of a kidnapped or abducted person

252. [Deleted]

History of Modifications [CHAPTER 154](#) [190\(I\)/2021](#)

Kidnapping or abduction of a child under fourteen years of age with the intent to steal from him/her

253. [Deleted]

History of Modifications [CHAPTER 154](#) [190\(I\)/2021](#)

Illegal forced labor

254. Whoever unlawfully forces another to work against his will is guilty of a misdemeanor and is subject to imprisonment for one year.

[CHAPTER 154](#)

PART VI CRIMINAL OFFENCES AGAINST PROPERTY

Theft

Definition

255.-(1) Whoever steals, without the consent of the owner, done fraudulently and without a claim of right in good faith, acquires possession of and obtains anything that may become the object of theft with the intention, at the time of acquisition, of permanently depriving the owner of it:

It is understood that a person may be guilty of theft of any such thing, regardless of whether he legally possesses it, whether he is its custodian or co-owner, if he fraudulently appropriates it for use by himself or by any person other than the owner.

(2) (a) The term "obtains possession" includes obtaining possession of—

(i) by trick

(ii) by intimidation

(iii) as a result of the owner's mistake, which is known to the acquirer that possession of the acquired property was acquired in such a manner

(iv) by discovery, if at the time of discovery the finder believes that the owner can be discovered by reasonable means

(b) the term "removes" includes any movement of any thing from the space it occupies, but in the case of an attached thing, only if it has been completely detached.

(c) the term "owner" includes the owner of a part or the person who has possession or control or special ownership of a thing which may become the object of theft.

(3) Any thing of value belonging to any person may be the subject of theft, but only in the case of a thing attached to immovable property after its separation from such property.

CHAPTER 154

Special cases..

256.-(1) It shall not be considered as theft by an agent or representative the pledging or granting of a right of attachment of goods or title to goods entrusted to him for the purpose of sale or otherwise, for an amount of money not exceeding that owed to him by the principal at the time of the pledging or granting of the right of attachment, together with the amount of a bill of exchange or promissory note, which he accepted or issued on behalf of or on behalf of the principal.

(2) When a servant, in contravention of his master's orders, removes from his possession food for the feeding of an animal belonging to the master or which is in his master's possession, such removal is not considered theft.

CHAPTER 154

Funds, etc. held under mandate

257. When any person, either alone or jointly with another, takes any sum of money or security or power of attorney for the sale, mortgage, pledge or other disposition of any property, whether or not the subject of theft, with the order in each case that such sum of money or part thereof or any other sum received in exchange for it or part thereof or the proceeds, or part of the proceeds of such security, or such mortgage or pledge or other disposition, shall be applied to the purpose or paid to a person as specified in the order, the aforesaid sum of money and proceeds shall be deemed to belong to the person for whom such sum of money, security or power of attorney was taken until such order is executed.

CHAPTER 154

Funds, etc. received from sales representatives

258. When any person, either alone or jointly with another, takes from another any property on terms which authorize him to sell or otherwise dispose of it and orders him to pay the proceeds of the property, in whole or in part, or to give an account for it, or to deliver what he has received in exchange for the property to the person from whom it was taken or to some other person, such proceeds of the property and anything so received in exchange for it shall be deemed to belong to the person from whom the property was so taken, until disposed of in accordance with the terms on which the property was taken, unless they agree that the proceeds may be entered in a debit-credit account between him and the person to whom he is obliged to pay it or give an account for it, and that the debtor-creditor relationship shall subsist only between those concerned therein.

CHAPTER 154

Amount of money received on behalf of another

259. When a person, either alone or jointly with another, receives a sum of money on behalf of a third party, such sum is deemed to belong to the third party on whose behalf it was received, unless it was received on the condition that it may be recorded in a debit or credit account and that the debtor-creditor relationship shall exist only between the parties with respect to the above amount.

CHAPTER 154**Theft by persons with an interest in the stolen property**

260. When a person acquires possession of a thing or appropriates a thing that may be stolen, under circumstances which would otherwise amount to theft, it is immaterial whether he acquires special ownership or interest in the thing or is the owner of the thing acquired or appropriated, provided that a third person acquires special ownership or interest in it, or is a tenant of the thing, or is one of its co-owners, or is a director or officer of an organization or company or organization which has ownership of the thing acquired or appropriated.

CHAPTER 154**Theft between spouses**

261. Whoever, of the spouses who are living together, causes either of them to use any thing which he knows belongs to the other in such a way which would constitute theft if they were not married, is deemed to have stolen the thing and may be charged with theft.

CHAPTER 154**General theft penalty**

262. Whoever steals anything that can be stolen is guilty of the crime of theft and is liable to imprisonment for three years, unless due to the circumstances of the theft or the nature of the thing stolen, some other penalty is provided.

CHAPTER 154**Theft of a will**

263. If what was stolen is a last will and testament, regardless of whether the testator is alive or dead, the offender is subject to seven years' imprisonment.

CHAPTER 154**Theft of material sent by post, etc.**

264. If what was stolen is material sent by post or any mobile phone, money or securities contained in such material, the offender is subject to seven years' imprisonment.

CHAPTER 154**Theft of animals, products, etc.**

265.-(1) If what was stolen is one of the following, namely a horse, mare, donkey, mule, camel, bull, cow, ox, ram, lamb, castrated lamb, goat or pig, or a young of such an animal, or agricultural crop or fruit, the offender shall be liable to imprisonment for five years.

(2) The provisions of section 8 shall not apply to a criminal prosecution under this section for theft of agricultural produce or fruits or produce of land or trees registered in the name of another person, unless the accused proves to the satisfaction of the Court that-

(a) purchased or acquired by distribution, exchange, death or marriage that land or tree from the registered owner or his heirs or

(b) such crop, or the fruits or products of land or trees so registered, have been lawfully acquired by it.

CHAPTER 154

Theft by the person who suffered theft of goods in transit, etc.

266. If theft is committed in any of the following circumstances, namely-

- (a) if the thing is stolen by another person
- (b) if the thing is stolen from a dwelling and its value exceeds five pounds or the offender at or immediately before or after the time of the theft uses force or threatens to use force on any person present in the dwelling
- (c) if the thing is stolen from any kind of vessel or vehicle or space or storage place, used for the transport or storage of goods in transit
- (d) if what was stolen is an attachment or part of a railway
- (e) if the thing is stolen from a vessel in distress which has been wrecked or diverted
- (f) if the thing is stolen from a public office where it is deposited or kept
- (g) if the offender, with the intention of committing the criminal offense, opens with a key or other instrument, a locked room, box or other container,

the offender is subject to five years' imprisonment.

[CHAPTER 154](#)

Theft by public officials

267. If the person guilty of theft is a public official, what was stolen is state property or something that came into the possession of the person guilty of theft by virtue of the position he holds, he is subject to fourteen years' imprisonment.

[CHAPTER 154](#) [43\(I\)/2000](#) [84\(I\)/2012](#)

Theft by secretaries and servants

268. If the person guilty of theft is a secretary or servant, and what was stolen is the property of his employer or something that came into the possession of the person guilty on behalf of his employer, he is subject to imprisonment for fourteen years.

[CHAPTER 154](#) [43\(I\)/2000](#) [84\(I\)/2012](#)

Theft by company directors or officers

269. If the person guilty of theft is a director or officer of an organization or company, and what was stolen is property of the organization or company, he is subject to fourteen years' imprisonment.

[CHAPTER 154](#) [43\(I\)/2000](#) [84\(I\)/2012](#)

Theft by agents etc.

270. If what was stolen is one of the following things, namely-

- (a) property received from the offender with power of attorney to dispose of it
- (b) property entrusted to the offender, either alone or with another, for the safekeeping by him, or the use, payment, or delivery of it or any part thereof or of any product resulting from the disposal, for any purpose or to any person
- (c) property taken by the offender, either alone or together with another on behalf of or on behalf of a third party

(d) the proceeds, in whole or in part, of a security received from the offender with an order that the proceeds thereof be used for any purpose or paid to any person as specified in the order

(e) the proceeds, in whole or in part, arising from the disposal of property, which was received by the offender under a power of attorney for such disposal, provided that the power of attorney was given to the offender with an order for the above amount to be used for any purpose or to be paid to any person as specified in the order,

the offender is subject to fourteen years' imprisonment.

CHAPTER 154 [43\(I\)/2000](#) [84\(I\)/2012](#)

Theft by tenant

271. If what was stolen is an attachment to a real estate or movable property rented to the offender for use together with the rented residence or room, its value exceeds five pounds, the offender is subject to imprisonment for three years.

[CHAPTER 154](#)

Theft after a previous conviction

272.-(1) If the offender, before committing the theft, was convicted of theft punishable in accordance with article 262, he is subject to imprisonment for five years.

(2) If the offender, before committing theft under section 265, was convicted of theft punishable under this section, he shall be liable to imprisonment for seven years.

[CHAPTER 154](#)

Criminal Offenses Related to Theft

Hiding registries or files

273. Whoever, with intent to defraud, conceals or removes from the place of deposit thereof, any register or record the keeping of which is authorized or required by law for the purpose of certifying or registering title to any property or for the registration of births, baptisms, marriages, deaths or burials, or a copy of any part of such register or record which is required by law to be sent to a public office, is guilty of a felony and is liable to imprisonment for seven years.

[CHAPTER 154](#)

Hiding a will

274. Whoever, with intent to defraud, conceals a last will and testament, regardless of whether the testator is alive or deceased, is guilty of a felony and is liable to imprisonment for seven years.

[CHAPTER 154](#)

Hide documents

275. Whoever, with intent to defraud, conceals the whole or part of a document which is evidence of title or other right to land, is guilty of a felony and is liable to imprisonment for three years.

[CHAPTER 154](#)

Animal killing with intent to steal

276. Whoever kills an animal which may be the object of theft, with the intention of stealing the skin or the carcass of an animal or part thereof, is guilty of a felony and is subject to the same punishment as if he had

stolen such an animal.

CHAPTER 154

Separation of a thing with the intent to steal

277. Whoever makes a thing movable with the intention of stealing it is guilty of a felony and is subject to the same punishment as if he had stolen the thing after its conversion into a movable thing.

CHAPTER 154

Fraudulent actions in minerals in mines

278. Whoever obtains possession of, conceals or in any other way disposes of any ore, metal or mineral within or around the mine, with the intention of defrauding any person, is guilty of a felony and is liable to imprisonment for five years.

CHAPTER 154

Fraudulent appropriation of energy or running water

279.-(1) Whoever fraudulently removes or diverts for his own use or for the use of another, mechanical, lighting or electrical energy, produced by a machine, device or material belonging to another, is guilty of a felony and is liable to imprisonment for five years.

(2) Whoever fraudulently removes or diverts for his own use or for the use of another running water belonging to another, is guilty of a felony and is liable to imprisonment for five years.

CHAPTER 154

Illegal Entry is a Punishable Offense

Entering another's property with the intent to commit a criminal offense, etc.

280. Whoever enters property in the possession of another, with the intention of committing a criminal offence punishable under this Code or by any other law in force in the Republic or with the intention of intimidating, insulting or harassing the owner of such property or whoever, after lawfully entering such property, remains therein unlawfully, with the intention of intimidating, insulting or harassing the owner of such property or with the intention of committing a criminal offence punishable under this Code or by any other law in force in the Republic, is guilty of a misdemeanor and is liable to imprisonment for two years.

CHAPTER 154

Illegal possession, cultivation, possession or use

281.-(1) Whoever possesses, cultivates, cultivates or uses in any way-

(a) land registered in the name of another

(b) land, in respect of which a contract of sale was filed with the Land Registry Office, pursuant to the provisions of the Sale of Real Estate (Special Execution) Law, by the purchaser thereof,

without the consent of the registered owner or his heirs or the purchaser from his heirs, as the case may be, is guilty of an offence and is liable to imprisonment for a term not exceeding five (5) years or to a fine not exceeding ten thousand euros (€10,000) or to both.

(2) The provisions of section 8 shall not apply to a criminal prosecution brought under this section unless the accused proves to the satisfaction of the Court that he purchased or acquired by distribution, exchange, cause of death or by reason of marriage such land from the registered owner or from his heirs.

CHAPTER 154 31(I)/2005 18(I)/2025

Robbery and Extortion

Definition of robbery

282. Whoever steals anything and at or immediately before or immediately after the time of the theft, uses or threatens to use actual force against any person or property, for the purpose of obtaining or retaining what was stolen or for the purpose of preventing or neutralizing resistance offered against the theft or retention thereof, is guilty of the felony of robbery.

CHAPTER 154

Robbery penalty

283. Whoever commits the criminal offence of robbery shall be liable to imprisonment for fourteen years. If the offender is armed with a dangerous or offensive weapon or instrument or is accompanied by one or more persons or if at or immediately before or immediately after the time of the robbery, injures, beats, strikes or uses any other form of physical violence against another, he shall be liable to imprisonment for life.

CHAPTER 154

Attempted robbery

284. Whoever attacks another with intent to steal and at or immediately before or immediately after the time of the attack, uses or threatens to use actual force against any person or property, with the intent to obtain the thing intended for theft, or with the intent to prevent or neutralize resistance offered against such theft, is guilty of a felony and is liable to imprisonment for seven years.

If the perpetrator is armed with a dangerous or offensive weapon or instrument or is accompanied by one or more persons or if during or immediately before or immediately after the time of the attack, he injures, beats, strikes or uses any other form of physical violence against another, he is subject to the penalty of life imprisonment.

CHAPTER 154

Assault with intent to steal

285. Whoever attacks another with intent to steal is guilty of a felony and is liable to imprisonment for three years.

CHAPTER 154

Armed entry into another person's property with the intent to steal

286. Whoever enters the property of another with intent to steal, armed with a dangerous or offensive weapon or instrument or accompanied by one or more persons, under circumstances justifying reasonable apprehension that he will use force against any person in furtherance of such purpose or with the intent to escape or facilitate his escape, is guilty of a felony and is liable to imprisonment for five years.

CHAPTER 154

Demanding property with written threats

287. Whoever, with the intention of extracting or obtaining anything from another, and while knowing the contents of the writing, causes another to take from him a writing by which anything is demanded from anyone without reasonable or probable cause and by which harm or any kind of damage is threatened against another, either by the perpetrator or by a third party, in case of non-compliance with such demand, is guilty of a felony and is liable to imprisonment for fourteen years.

CHAPTER 154

Attempted blackmail with threats

288. Whoever, with intent to extract or obtain anything from another-

- (a) accuses or threatens to accuse another of having committed a felony or misdemeanor or of having made a suggestion to another or threatened another to incite him to commit or permit the commission of a felony or misdemeanor, or
- (b) threatens that any person will be accused by another of a felony or misdemeanor or of any such act; or
- (c) while knowing the content thereof, causes it to be taken from another writing which contains an accusation or threat as mentioned above,

is guilty of a felony and if the charge or threat of charge concerns-

- (i) a criminal offence for which the death penalty or life imprisonment may be imposed, or
- (ii) any of the criminal offences set out in sections 144 to 177 (both inclusive) or an attempt to commit such an offence or
- (iii) assault with intent to commit unnatural intercourse with another or unlawful and indecent assault on a man or
- (iv) a suggestion or threat made to another to incite him to commit or permit the commission of any of the criminal offences mentioned above,

the offender is subject to fourteen years' imprisonment.

In any other case, the offender is subject to three years' imprisonment.

It is immaterial whether the accused or threatened person is accused of having committed or not the criminal offense or act for which he is accused or threatened to be accused.

CHAPTER 154**To bring about the execution of documents by threats, etc.**

289. Whoever, with intent to defraud and by the use of unlawful force against or by the restraint of another person or by the threat of such force or restraint or by the formulation or threat of formulation of an accusation against another for the commission of a felony or misdemeanor or by the suggestion to another or by the threat of another to incite him to commit or permit the commission of a criminal offence, compels or incites another-

- (a) to execute, issue, accept, endorse, alter or destroy all or part of any security or
- (b) to write, imprint, or affix a name or seal on paper or parchment, with the intention that it may thereafter become or be converted into a security or be subject to the use or treatment of a security,

is guilty of a felony and is liable to fourteen years' imprisonment.

CHAPTER 154**Demanding property with threats for the purpose of theft**

290. Whoever, with the intent to steal a valuable thing, demands it from another, by threats or force, is guilty of a felony and is subject to imprisonment for five years.

CHAPTER 154**Blackmail**

290A.—(1) A person who, with the intention of obtaining for himself or another an unlawful pecuniary benefit, compels someone, by force or threat, to do an act, omission or toleration by which damage is caused to the

property of the person compelled or another person, is guilty of a felony and is liable to imprisonment for a term not exceeding fourteen (14) years.

(2) Whoever attempts to commit the offence in violation of subsection (1) of this section is guilty of a felony and is liable to imprisonment for a term not exceeding five (5) years.

56(I)/2011

Nighttime Burglary, Burglary and similar Criminal Offences

Definitions

291. Whoever breaks into any part of a building, external or internal, or opens by unlocking, pulling, pushing, lifting or by any other means, a door, window, shutter, basement door or other thing intended for closing or covering an opening in a building or an opening which allows passage from one part of the building to another, is deemed to be breaking into the building.

A person is considered to enter a building immediately when any part of his body or any part of an instrument used by him is inside the building.

A person who gains entry into a building by using threat for this purpose or by trickery or by collusion with another person in the building, or a person who enters through a chimney or other opening in the building which remains permanently open for some necessary purpose, but is not intended to be used normally as a means of entry, is considered to have broken into and entered the building.

CHAPTER 154

Burglary and break-in during the night

292. Whoever-

(a) breaks into and enters a building, tent or vessel used as a human dwelling or a building used as a place of worship, with the intent to commit a felony therein, or

(b) if he enters a building, tent or vessel used as a human dwelling or a building used as a place of worship, with the intention of committing a felony therein or if he has committed a felony in any of the above, he breaks into it and exits it,

is guilty of the felony of burglary and is subject to seven years' imprisonment.

If the criminal offense is committed during the night, it is called a burglary during the night, and the perpetrator is subject to ten years' imprisonment.

CHAPTER 154

Entry into a residence with the intent to commit a felony

293. Whoever enters, or is in, a building, tent or vessel used as a dwelling for people or in a building used as a place of worship, with the intent to commit a felony therein, is guilty of a felony and is liable to imprisonment for five years.

If the criminal offense is committed during the night, the perpetrator is subject to seven years' imprisonment.

CHAPTER 154

Burglary of a building and commission of a felony

294. Whoever-

(a) breaks into and enters a school building, shop, warehouse, office or accounting office or a building adjoining a dwelling and occupied together with it but not forming part of it and commits a felony therein or

(b) if he committed a felony in any of the above-mentioned cases, he breaks into it and leaves it, is guilty of a felony and is subject to seven years in prison.

CHAPTER 154

Burglary of a building with the intent to commit a felony

295. Whoever breaks into and enters a school building, shop, warehouse, office or accounting office or a building adjoining a dwelling and occupied together with it, but not forming part of it, with the intention of committing a felony therein, is guilty of a felony and is liable to imprisonment for five years.

CHAPTER 154

Person seized armed, etc., with intent to commit a felony

296. Whoever may find himself under any of the following circumstances, namely-

- (a) armed with a dangerous or offensive weapon or instrument with the intent to break into or enter a dwelling and commit a felony therein;
- (b) armed as mentioned above during the night, with the intention of breaking into or entering any building and committing a felony therein
- (c) has in his possession a burglary instrument during the night, without a lawful excuse for it, of which he bears the burden of proof.
- (d) has such an instrument in his possession during the day with the intent to commit a felony
- (e) has his face covered with a mask or tanned or is in any other way disguised, with the intention of committing a felony
- (f) in any building during the night with the intention of committing a felony therein or
- (g) in any building during the day with the intention of committing a felony therein, after taking precautions to conceal his presence,

is guilty of a felony and is subject to-

- (i) in the event of a conviction under paragraph (a), (b), (c), (e) or (f) to imprisonment for five years
- (ii) in the event of conviction under paragraph (d) or (g), to imprisonment for three years.

If the perpetrator was previously convicted of a felony involving property, he is subject to seven years' imprisonment.

CHAPTER 154

False Representations

Definition of false representations

297. A false representation is any representation of an event, past or present, made by words, by document or by conduct, which is false in reality and which the person making the representation knows to be false or does not believe to be true.

CHAPTER 154

Securing goods by false representation

298. (1) Whoever, by any false representation and with intent to defraud, obtains from another anything which may be the object of theft, or is the object of theft, or incites another to deliver to any person such thing, is guilty of a felony and is liable to imprisonment for five years.

(2) Whoever attempts to commit the offence set out in subsection (1) of this section is guilty of a felony and is liable to imprisonment for five years.

CHAPTER 154 18(I)/2006 130(I)/2006

Securing execution of a security with false representations

299. Whoever, by any false representation and with intent to defraud, induces another to execute, issue, accept, endorse, alter or destroy the whole or part of a security or to write, imprint or affix a name or seal on paper or parchment, with the intention that the same may thereafter become or be converted into a security or be subject to the use or treatment of a security, is guilty of a felony and is liable to imprisonment for five years.

CHAPTER 154 18(I)/2006

Fraud

300. Whoever by fraudulent trick or device obtains from another anything which may be the object of theft, or induces another to deliver to any person money or goods or a sum of money greater than that which would be paid or a quantity of goods greater than that which would be delivered if such trick or device were not used, is guilty of a felony and is liable to imprisonment for five years.

CHAPTER 154 18(I)/2006

Pyramid promotion scheme

300A.(1) A person who-

- (a) Organizes, directs, operates or promotes a pyramid scheme, or
- (b) induces or attempts to induce another person to participate in a pyramid scheme, or
- (c) despite knowing that a specific scheme constitutes a pyramid scheme, participates in it,

is guilty of a criminal offence and, in the event of conviction, is liable to a term of imprisonment not exceeding five (5) years or to a fine not exceeding two hundred thousand euros (€200,000) or to both.

(2) For the purposes of establishing the offence provided for in subsection (1), no account shall be taken of whether-

- (a) The amount of money or monetary value of the item provided for in the pyramid scheme was given or is expected to be given within or outside the Republic, or
- (b) the consideration would be given or was given within or outside the Republic, or
- (c) any arrangement or agreement to participate in a pyramid scheme has been made verbally or in writing.

(3) In a case where the pyramid scheme provides for the supply of a product, in criminal proceedings conducted in relation to an offence committed, in accordance with the provisions of this article, in order to determine whether the opportunity for receiving consideration derives primarily from the introduction of new persons into the scheme, the following factors may be taken into account:

- (a) The emphasis placed when promoting the pyramid scheme on the acquisition of the product, compared to the emphasis placed on the consideration derived from introducing new persons to the scheme;
- (b) whether the amount of money or monetary value paid or to be paid for the product is reasonable in relation to the value of the same or similar product available elsewhere:

It is understood that, in order to determine whether the amount of money or monetary value paid or to be paid for the product is reasonable in relation to the value of the same or similar product available elsewhere, the quality of the relevant products and any services associated with them may be taken into account, among other things.

(4) In the event that during criminal proceedings, the truth of factual allegations made by the accused is called into question and he does not prove, on the balance of probabilities, that his allegations are true, the Court

may consider them to be untrue.

(5) An agreement between a person promoting a pyramid scheme and another person is void and without any legal consequence to the extent that it requires or provides for the payment of money or any monetary value.

(6) For the purposes of this section –

"pyramid promotion scheme" means a scheme under which a person pays a sum of money or a monetarily valued item for the opportunity to receive consideration that primarily derives from the introduction of new persons into the scheme, rather than from the provision or consumption of a product, regardless of the existence or absence of a provision in the scheme that provides for the supply of a product or the receipt or non-return of consideration from the above person.

91(I)/2015

Securing credit, etc. by false representations

301. Whoever–

(a) when contracting a debt or assuming an obligation, secures credit by any false representation or other fraudulent means or

(b) with the intention of defrauding his creditors or any of them, donates, delivers or transfers or encumbers his property or causes any of these to be done or

(c) with the intention of defrauding his creditors, conceals or removes any part of his property, after the issuance or within two months preceding the issuance against him of an unsatisfied judgment or order for the payment of money,

is guilty of a misdemeanor and is subject to three years' imprisonment.

CHAPTER 154 18(I)/2006

Conspiracy to defraud

302. Whoever conspires with another, such as by fraud or other fraudulent means, to influence the market price of any thing sold publicly, or to defraud the public or any person, specific or not, or to extort any property from another person, is guilty of a felony and is liable to imprisonment for five years.

CHAPTER 154 18(I)/2006

Fraud in the sale or mortgage of property

303. (1) Whoever, being a seller of property or a mortgagee, or being an attorney, or an agent thereof, with intent to induce the purchaser or mortgagee to accept the title which has been offered to him or which has been presented to him and with intent to defraud–

(a) conceals from the purchaser or from the mortgagee any material document relating to the title or any encumbrance, or

(b) misrepresents the genealogical origin on which the title depends or may depend, or

(c) makes a false statement regarding the security offered or conceals a material fact which is relevant to the security,

is guilty of a felony and is subject to four years in prison.

(2) A person is presumed to conceal a material document for the purposes of paragraph (a) of subsection (1) or to conceal a material fact within the meaning of paragraph (c) of subsection (1) if he fails to report the existence of a material document for the title or ownership status or a material fact which is relevant to the title or ownership status, respectively.

(3) Whoever attempts to commit the offence set out in subsection (1) of this section is guilty of a felony and is liable to imprisonment for five years.

CHAPTER 154 18(I)/2006 130(I)/2006**Fraudulent transactions in real estate owned by another**

303 A.-(1) A person who, with intent to defraud, deals in immovable property belonging to another is guilty of a felony and is liable to imprisonment for seven years.

(2) For the purposes of this section, a person deals in immovable property where -

- (a) sells to another, or rents to another, or mortgages to another or encumbers in any way, or makes available for use to another immovable property, or
- (b) advertises or otherwise promotes the sale or rental or mortgage or encumbrance in any manner to another or the use by another of immovable property, or
- (c) enters into an agreement for the sale to another, or the rental to another, or the mortgage to another, or the encumbrance in any way for the benefit of another, or the use by another of immovable property, or
- (d) accepts the real estate which is the subject of the transaction as defined in this subsection.

(3) For the purposes of this section, a person acts with intent to defraud if he does any of the acts specified in subsection (2) while knowing or, in the circumstances, ought reasonably to have known, that he does not have the consent of the registered owner of the immovable property, or of any other person who has the lawful authority to give such consent.

(4) The attempt to commit the offense defined in subsection (1) of this article constitutes a felony and is punishable by a term of imprisonment of five years.

(5) This article in no way affects the right of the owner of a share or other legal interest in immovable property to deal in relation to it as permitted by law.

(6) The provisions of article 8 shall not apply to criminal prosecution brought under this article.

130(I)/2006

Practicing magic or divination for reward or profit

304. Whoever, for gain or reward, represents himself as practicing or using any kind of magic, sorcery, charm or exorcism, or undertakes to tell fortunes, or represents himself as being able by his skill or knowledge of any occult science to reveal the place or manner of finding a thing which is supposed to have been stolen or lost, is guilty of a misdemeanor and is liable to imprisonment for one year.

CHAPTER 154

Obtaining registration, etc. by false representation

305. Whoever knowingly obtains or attempts to obtain for himself or another, a registration, license or certificate under any law or regulation, by any false representation, is guilty of a misdemeanor and is liable to imprisonment for three years.

CHAPTER 154 18(I)/2006

Unpaid checks**Issuance of checks without a countersignature**

305A.-(1) A person who issues a cheque which, on or after the date on which it has become payable, is presented to the credit institution on which it was issued, is not paid, due to lack of available funds of the issuer or due to the fact that the issuer's account was closed at the time of presentation of the cheque, and remains unpaid for a period of fifteen (15) days from its presentation, is guilty of a criminal offence and, in case of conviction, is liable to a term of imprisonment not exceeding three (3) years or to a fine not exceeding ten thousand euros (€10,000.00) or to both.

(2) Notwithstanding the provisions of subsection (1), a person who, without reasonable cause, causes by any act the non-payment of a cheque issued by him, at any time before or on the date on which the cheque has become payable, is guilty of a criminal offence and, in the event of conviction, is liable to a term of imprisonment not exceeding three (3) years or to a fine not exceeding ten thousand euros (€10,000.00) or to both:

It is understood that, for the purposes of this subsection, the defense of reasonable cause may be invoked by the defendant if, upon or before the presentation of the check for the purposes of its payment, the defendant as the issuer stated in writing to the credit institution on which the check was issued, the reason or reasons for which an order for non-payment was given.

(3) In the event of the return of an unpaid check, the credit institution on which it was issued must, under its own signature, stamp or note on it the actual reason for its non-payment, namely whether the non-payment is due to a lack of available funds, account closure or non-payment order, as well as the date of its presentation for payment, and the stamp, as well as the reason for return noted by the said credit institution on the check, shall be admissible as evidence before a court:

It is understood that the seal and/or the note of the credit institution on which the check was issued pursuant to this subsection, as well as the entry of the date of appearance of the check for payment, constitute rebuttable evidence of the truth of their content:

It is further understood that compliance by a credit institution with its obligation under this subsection does not constitute nor may it be interpreted as constituting a violation, on its part, of the secrecy or confidentiality of the information it holds regarding its customers' accounts.

(4)(a) In the event of a cheque presented by electronic means, the credit institution on which it was issued must provide information by electronic means to the credit institution that has presented the cheque on the actual reason for the non-payment of the cheque, i.e. whether the non-payment is due to a lack of available funds, account closure or non-payment order, as well as on the date the cheque was presented for payment.

(b) Upon receipt of the information sent pursuant to paragraph (a), the credit institution that has presented the check must sign and stamp or note, on the original of the check, the actual reason for non-payment of the check, as contained in the above information, as well as the date of presentation of the check for payment.

(c) The stamp and the reason for return noted by the credit institution that has presented the check on the check shall be admissible as evidence before a court:

It is understood that the stamp or the note of the credit institution that has presented the check, regarding the actual reason for non-payment and the date of presentation of the check for payment, constitute rebuttable evidence of the truth of their content:

It is further understood that compliance by a credit institution with its obligation under this subsection does not constitute, nor may it be interpreted as constituting, a violation on its part of the secrecy or confidentiality of the information it holds regarding its customers' accounts.

(5) Violation of the obligations imposed under subsections (3) and (4) by any officer or employee of the credit institution, who authorized or, with his knowledge, permitted or conspired in the violation, unless the violation was committed due to a bona fide mistake, constitutes a criminal offense punishable by a prison sentence not exceeding three (3) months or a fine not exceeding two thousand euros (€2,000.00) or both.

(6) This article does not apply to cases of the issuance of a check, when it is issued for the payment of a debt related to a transaction or act, which is contrary to good morals or to any law.

(7) For the purposes of this section, "credit institution" means-

(a) bank, within the meaning assigned to this term by the Banking Law, or

(b) a cooperative credit institution, within the meaning assigned to this term by the Cooperative Societies Law, or

(c) any other financial institution or organization established under any law and issuing checkbooks to its customers.

(8) For the purposes of this article, the presentation of a cheque includes both the physical presentation of a cheque and the presentation of a cheque by electronic means, in accordance with procedures approved by the Central Bank of Cyprus under the powers granted to it by article 74A of the Bills of Exchange Law.

Stealers

Accepting theft, etc.

306. Whoever accepts or retains property, knowing that it was stolen or obtained in any way under circumstances constituting a felony or misdemeanor, is guilty of a criminal offense of the same degree (felony or misdemeanor) and is subject to-

- (a) in the case of a felony, to imprisonment for five years
- (b) in the case of a misdemeanor, to imprisonment for two years.

CHAPTER 154

Removed

307. (Repealed).

CHAPTER 154

Acceptance of theft after change of ownership

308. If a third person acquires legal title to a thing acquired by any act constituting a felony or misdemeanor or by an act committed outside the Republic, which is a criminal offence under the laws of the place where it was committed but would constitute a criminal offence if committed in the Republic, any subsequent acceptance thereof does not constitute a criminal offence, even if the recipient knows that the thing was previously acquired in such a manner.

CHAPTER 154

Illegal possession of property

309. Whoever is in possession of a mobile phone, money, securities or any other property, for which there are reasonable suspicions that it is stolen, is guilty of a misdemeanor and is liable to imprisonment for six months, unless he proves to the satisfaction of the Court that he lawfully acquired possession of them.

CHAPTER 154

Fraud of Trustees and other Persons in a Position of Trust, and False Accounts

Fraudulent disposal of trust property by trustees

310. Whoever, being a trustee of any property, destroys the property with intent to defraud or for the same purpose disposes of it for a use not authorized by the trust, is guilty of a felony and is liable to imprisonment for seven years.

For the purposes of this article the term "trustees" includes exclusively the following, namely-

- (a) trustees of trusts with express trusts, established by contract, will or instrument for a public, private or charitable purpose;
- (b) trustees appointed by or under law for any such purpose
- (c) a person to whom the duties of any such trust are transferred, as referred to above
- (d) executors and administrators.

CHAPTER 154

Fraudulent appropriation or keeping of false accounts or falsification of books or accounts by directors, officers of organizations or companies

311. Whoever-

(a) while being a director or officer of an organization or company, receives or holds as such property of the organization or company in any other way or for payment of a legitimate debt or claim and with intent to defraud, fails to fully and accurately record the fact in the books and accounts of the organization or company, or to cause or order such record to be made; or

(b) while being a director, officer or member of an organization or company, with intent to defraud, commits any of the following acts, namely-

(i) destroys, alters, mutilates or falsifies any book, document, security or account belonging to the organization or company or any entry in any such book, document or account or relating to any such act or

(ii) makes a false entry in any such book, document or account or is related to any such entry; or

(iii) omits to enter any material fact in any such book, document or account, or is related to any such omission,

is guilty of a felony and is subject to seven years in prison.

CHAPTER 154

False reports from company officials

312. Whoever, being a founder, director, officer or auditor of an organization or company which has been or is to be incorporated, issues, circulates or publishes or agrees to the issue, circulation or publication of a written statement or account which, he knows to be false in a material respect, for the following purpose, namely-

(a) to defraud or defraud any member, shareholder or creditor, whether specific or not, of the organization or company or

(b) to induce any person, whether specific or not, to become a member of the organization or company or to entrust or advance any property to the organization or company or to provide any security for their benefit,

is guilty of a felony and is subject to seven years in prison.

CHAPTER 154

Fake accounts for the purpose of fraud

313. Whoever, while being a secretary or servant or employed or acting in the capacity of secretary or servant, commits any of the following acts with intent to defraud, namely-

(a) destroys, alters, mutilates or falsifies any book, document, security or account belonging to or in the possession of his employer or any entry in any such book, document or account or relating to any such act or

(b) makes a false entry in any book, document or account or is related to any such entry or

(c) fails to enter any material fact in any such book, document or account or is related to any such failure,

is guilty of a felony and is subject to seven years in prison.

CHAPTER 154

Fake accounts from public officials

314. Whoever, while being an officer charged with the receipt, custody or management of any part of the public revenues or property, knowingly makes a false statement or account of money or property received by him or entrusted to him or of any balance of money or property in his possession or control, is guilty of a misdemeanor and is liable to imprisonment for three years.

CHAPTER 154

Usury and Profiteering**Usury**

314A.(1) A person who, when granting any loan, when granting or extending the payment deadline, when renewing or prepaying a loan, receives, collects, charges, agrees or takes for himself or for a third party any financial benefit or property benefits that exceed the reference interest rate, commits an offence and, on conviction, is liable to a term of imprisonment not exceeding five (5) years or to a fine not exceeding thirty thousand euros (€30,000) or to both such penalties.

(2) For the purposes of this article, "reference interest rate" means the average annual interest rates, including commissions, charges or any expenses charged by credit institutions for consumer loans, increased by half, with a minimum increase of five percentage points and a maximum increase of up to ten percentage points. The reference interest rate is calculated quarterly by the Central Bank of Cyprus, which publishes it in the Official Gazette of the Republic.

[72\(I\)/2011](#)**Exception for credit institutions and special loan cases**

314B.(1) The provisions of section 314A shall not apply:

(a) to credit institutions,

(b) in the case of a loan where the lender and the debtor are legal entities which, for the purposes of applying article 33 of the Income Tax Law, are considered related persons,

(c) in the case of a loan to a legal entity where the capital from which the loan is provided comes directly or indirectly from abroad, provided that the amount of the loan exceeds €1,000,000 and the minimum disbursement is €500,000,

(d) in the case of a loan to a legal entity disbursed abroad, provided that the amount of the loan exceeds €1,000,000 and the minimum disbursement is €500,000.

(2) For the purposes of this article, the term "credit institution" has the meaning assigned to this term by the Banking Law.

[72\(I\)/2011](#) [163\(I\)/2011](#)**Profiteering**

314C.(1) A person who, while knowing the need, mental weakness or mental anguish of another, exploits this situation by receiving, collecting, charging, agreeing to or taking for himself or for a third party pecuniary benefits that exceed the value of his own provision, so that, depending on the specific circumstances, they are manifestly disproportionate to it, commits an offence and, in the event of conviction, is liable to a term of imprisonment not exceeding five (5) years or to a fine not exceeding thirty thousand euros (€30,000) or to both.

(2) For the purposes of this section-

(a) "need" means the difficult and pressing situation of a person where, in order to avoid significant harm to his life, health or reputation, he must obtain money;

(b) "mental weakness" means the reduced mental development of a person, which does not allow him to understand the unfavorable terms of the transaction; and

(c) "mental agitation" is the emotional disturbance that prevents full awareness of the adverse terms of the transaction.

[72\(I\)/2011](#)

PART VII MALICIOUS DAMAGE TO PROPERTY

Criminal Offenses Causing Damage to Property

Arson

315. Whoever intentionally and unlawfully sets fire-

- (a) to any motor vehicle, building or structure, whether completed or not, or
- (b) on any vessel, whether completed or not, or
- (c) in a forest which is owned by private individuals or the government or is under the protection, control or management of the government; or
- (d) in a mine or mining site, in mining installations or equipment,

is guilty of a felony and is liable to imprisonment for fourteen years in the case of the felony provided for in paragraphs (a), (b) and (d) and to imprisonment for twenty years in the case of the felony provided for in paragraph (c).

[CHAPTER 154](#) [85\(I\)/2002](#) [108\(I\)/2018](#)

Arson attempt

316. Whoever-

- (a) unlawfully attempts to set fire to any of the things mentioned in section 315 or
- (b) intentionally and unlawfully sets fire to a thing which is placed in such a way as to make it possible for the fire to spread from it to any of the things referred to in article 315,

is guilty of a felony and is liable to imprisonment for seven years, except in the case referred to in paragraph (c) of article 315 for which he is liable to imprisonment for fourteen years.

[CHAPTER 154](#) [85\(I\)/2002](#) [108\(I\)/2018](#)

To set fire to crops and plantations

317. Whoever intentionally and unlawfully sets fire-

- (a) in a plantation of cereals, grains or cultivated plant products, whether or not cut, or
- (b) in a hay or grass plantation under cultivation, whether or not naturally planted, cut or not, or
- (c) on uncut trees, saplings or shrubs, under cultivation, whether or not planted naturally
- (d) in a pile of cereals, grains, hay, straw or cultivated plant products or mineral or vegetable fuel,

is guilty of a felony and is liable to fourteen years' imprisonment.

[CHAPTER 154](#) [85\(I\)/2002](#) [108\(I\)/2018](#)

Attempt to set fire to crops, etc.

318. Whoever-

- (a) unlawfully attempts to set fire to any of the things mentioned in section 317 or
- (b) intentionally and unlawfully sets fire to a thing which is placed in such a way as to make it possible for the fire to spread from it to any of the things referred to in article 317,

is guilty of a felony and is subject to six years in prison.

CHAPTER 154 85(I)/2002 108(I)/2018

To set fire to goods in buildings

319. Whoever intentionally and unlawfully sets fire to any matter or thing located within or beneath or supported by any building, regardless of whether a fire is caused in that building or not, is guilty of a felony and is liable to imprisonment for seven years.

CHAPTER 154 85(I)/2002

Attempt to set fire to goods in buildings

320. Whoever unlawfully attempts to set fire to any material or thing referred to in article 319 is guilty of a felony and is subject to imprisonment for three years.

CHAPTER 154 85(I)/2002

Shipwreck challenge

321. Whoever-

- (a) wilfully and unlawfully causes the wreck or destroys a vessel, whether completed or not, or
- (b) intentionally or unlawfully performs an act which tends to the immediate loss or destruction of a vessel in danger or
- (c) with intent to lead a vessel into danger, interferes with any light, beacon, buoy, mark or signal used for navigational purposes or exhibits a deceptive light or signal,

is guilty of a felony and is liable to fourteen years' imprisonment.

CHAPTER 154 85(I)/2002

Attempted shipwreck

322. Whoever unlawfully attempts to cause the wreck of a vessel or to destroy it, whether completed or not, or unlawfully attempts to carry out an act tending to the immediate loss or destruction of a vessel in danger, is guilty of a felony and is liable to imprisonment for seven years.

CHAPTER 154 85(I)/2002

Harm to animals

323. Whoever intentionally and unlawfully kills, maims or injures an animal that may be the object of theft is guilty of a criminal offense.

In the case of a horse, mare, donkey, mule, camel, bull, cow, ox, goat, pig, ram, lamb, castrated ram or the young of any such animal, the offender is guilty of a felony and is liable to imprisonment for five years.

In any other case, the perpetrator is guilty of a misdemeanor and is subject to one year's imprisonment.

CHAPTER 154 85(I)/2002

Penalty for malicious damage in general and in special cases

324.-(1) Whoever intentionally and unlawfully destroys or causes damage to property is guilty of a criminal offence, which unless otherwise provided is a misdemeanor, and if no other penalty is provided, he is liable to imprisonment for two years or to a fine not exceeding one thousand five hundred pounds or to both of these penalties:

It is understood that the provisions of article 8 of this Law shall apply to criminal prosecution brought under this article, provided that the accused proves in such a manner as to satisfy the Court that the alleged exercise of a genuine claim of a right was reasonable under the circumstances.

(2) In the case of a threshing floor, agricultural machinery, well or water-drilling or of the dam, bank, wall or gate for filling a mill tank or a lake or of a plantation of cultivated vegetable products, whether planted, cut or not, or trees, saplings or shrubs under cultivation or a bridge, viaduct, aqueduct or water tank, the offender is guilty of a felony and is liable to imprisonment for three years.

(3) In the case of a dwelling or a vessel, if the damage is caused by the explosion of an explosive substance, and if-

(a) any person is in the residence or on the vessel, or

(b) the destruction or damage actually endangers the life of any person,

The perpetrator is guilty of a felony and is subject to the penalty of life imprisonment.

(4) In the case of a will, whether the testator is living or dead, or of a register or record the keeping of which is authorized or required by law for the purpose of ascertaining or recording title to any property or for the registration of births, baptisms, marriages, deaths or burials, or of a copy of any part of such register or record which is required by law to be sent to a public officer, the offender is guilty of a felony and liable to imprisonment for fourteen years.

(5) In the case of a vessel in distress or which has been wrecked or sunk or anything belonging to such a vessel, the offender is guilty of a felony and is liable to imprisonment for seven years.

(6) In respect of any part of a railway or work relating to a railway, the offender is guilty of a felony and is liable to imprisonment for fourteen years.

(7) In the case of a document filed or kept in a public office or a document evidencing title or other right in land, the offender is guilty of a felony and is liable to imprisonment for seven years.

[CHAPTER 154](#) [85\(I\)/2002](#) [130\(I\)/2006](#)

Attempted destruction of property with explosives

325. Whoever unlawfully and with intent to destroy or cause damage to property, places explosive material in any place, is guilty of a felony and is liable to imprisonment for fourteen years.

[CHAPTER 154](#)

Spread of infectious animal disease

326. Whoever intentionally and unlawfully causes or is involved in causing or attempts to cause the spread of an infectious disease in an animal or between animals which may be the subject of theft, is guilty of a felony and is liable to imprisonment for seven years.

[CHAPTER 154](#)

Moving landmarks for the purpose of fraud

327. Whoever intentionally and unlawfully and with intent to defraud, moves or deforms any object or mark lawfully erected or constructed to indicate the boundaries of any land, is guilty of a felony and is liable to imprisonment for three years.

[CHAPTER 154](#)

Deliberate damage, etc., to landmarks and landmarks

328. Whoever-

(a) wilfully removes, defaces or damages a surveying point or landmark constructed or erected by or under the order of a Government Department or in the course of or for the purposes of a Government

survey or

(b) is under an obligation to repair a landmark constructed or erected as referred to above, fails or refuses to repair it or

(c) wilfully removes, deforms or damages a sign erected by a person intending to apply for any lease, permit or right under any law relating to mines or minerals,

is guilty of a misdemeanor and is subject to imprisonment for three months and may not be ordered by the Court to pay the costs of repairing or replacing the surveyor's mark or landmark and any surveying necessitated by the act or omission of the offender.

CHAPTER 154

Penalties for damage, etc. in railway works

329. Whoever-

(a) wilfully causes damage or injury to or obstructs any work, passage, road, building, turnstile or other gate, toll barrier, fence, weighing machine, machine, supply vehicle, carriage, wagon, freight car, material or installations acquired for or belonging to railway works or

(b) uproots, moves, deforms or destroys or in any way interferes with a pole, stake, flag, stake, line, mark or anything embedded in or placed in the ground, tree, stone or building or any other material belonging to railway works or

(c) causes any nuisance or unlawfully enters land, buildings or premises acquired for or belonging to railway works or

(d) wilfully disturbs, obstructs or hinders the railway manager or his assistants or workmen in the execution of work carried out or to be carried out in connection with the construction or maintenance of any such railway, is guilty of a misdemeanor and is liable to imprisonment for three months.

CHAPTER 154

Arson threats, etc.

330. Whoever, while knowing its contents, sends, delivers, puts into circulation or directly or indirectly causes to be received any letter or writing which threatens to burn or destroy a dwelling, granary or other buildings or a stack or pile of grain, hay, straw or other agricultural produce, whether in or under the building or not, or a ship or vessel or which threatens to kill, maim or injure any animals, is guilty of a felony and is liable to imprisonment for three years.

CHAPTER 154 85(I)/2002

PART VIII COUNTERFEIT, COINAGE, COUNTERFEIT, SIMILAR CRIMINAL OFFENCES AND IDENTITY FORGERY

Definitions

Definition of forgery

331. Forgery is the preparation of a false document with the intent to defraud.

CHAPTER 154

Document

332. The term document in this Part does not include a trade mark or any other mark used in connection with merchandise, even if written or printed.

CHAPTER 154

Preparation of a forged document

333. Whoever draws up a false document-

- (a) draws up a document that appears to be something other than what it actually is;
- (b) alters a document without authority in such a way that if the alteration had been authorized, it would alter the effects of the document;
- (c) in drawing up the document, inserts something into it without authority which, if inserted under authority, would alter the effects of the document;
- (d) signs a document-
 - (i) in the name of another without his authorization, regardless of whether that name is the same as the one he signs or not;
 - (ii) with the name of a fictitious person who is purported to exist, regardless of whether or not the fictitious person is purported to have the same name as the one signing; or
 - (iii) with a name appearing to belong to a person other than the one signing and intended to be taken to be the name of that person
 - (iv) with the name of a person, impersonated by the person signing the document, provided that the effects of the document depend on the identification of the person signing the document with the person he claims to be.

CHAPTER 154

Intent to defraud

334. Intent to defraud is presumed if it appears that at the time when the forged document was drawn up there was a specific person, identified or not, who could be defrauded by the document, and this presumption is not rebutted by proof that the perpetrator took or intended to take measures to prevent the defrauding of such person in practice, or by the fact that the perpetrator had or believed that he had a right to the thing to be acquired by the forged document.

CHAPTER 154

Penalty for Forgery**General penalty for forgery**

335. Whoever forges a document is guilty of a criminal offence which, unless otherwise provided, is a felony, and is liable to imprisonment for three years, unless due to the circumstances of the forgery or the nature of the forged document, some other penalty is provided.

CHAPTER 154

Life imprisonment

336. Whoever forges a will, land title document, court record, power of attorney document, bank note, bill of exchange, promissory note or other negotiable document, insurance policy, banker's check or other authorization for the payment of money by a person carrying on business as a banker, including a credit card, shall be liable to imprisonment for fourteen years.

CHAPTER 154 124(I)/2004

Ten years imprisonment

337. Whoever forges a judicial or official document is subject to ten years' imprisonment.

CHAPTER 154

Seven years in prison

338. Whoever-

- (a) forges a stamp, seal or movable used for revenue purposes by any Government or
- (b) without lawful excuse (of which he has the burden of proof) manufactures or knows that he has in his possession a dye or instrument which may be used for the impression of such a stamp or
- (c) fraudulently cuts, tears in any way or detaches from any thing a stamp used for revenue purposes by the Government of the Republic with a view to other use of it or part thereof or
- (d) fraudulently mutilates such a stamp as mentioned immediately above, with the intention of using it for another purpose, or
- (e) fraudulently places or places on any thing or on such a stamp as is mentioned immediately above, a stamp or part thereof, which has been fraudulently or not cut, torn or otherwise detached from any other thing or other stamp or
- (f) fraudulently obliterates or otherwise, whether actually or apparently, removes from a stamped thing a name, amount, date or any other item or thing written thereon, with a view to otherwise using the stamp on such thing; or
- (g) knowingly and without lawful excuse (of which he has the burden of proof) has in his possession a stamp or part thereof which has been fraudulently cut off, torn or otherwise detached from any thing or a stamp which has been fraudulently mutilated or a stamped thing from which any name, amount, date or other element or thing has been fraudulently removed or in any other way, actually or apparently, removed,

is subject to seven years' imprisonment.

CHAPTER 154

To circulate false documents

339. Whoever knows and fraudulently puts into circulation a forged document is guilty of a criminal offense of the same kind and is subject to the same punishment as if he had forged the thing in question.

CHAPTER 154

To put into circulation cancelled or in any other way invalidated documents

340. Whoever knowingly puts into circulation, instead of a document which exists and is valid, any document the revocation, cancellation or suspension of which has been ordered by lawful authority or whose validity has ceased due to the lapse of time, or due to death or some other event, is guilty of a criminal offence of the same kind and is subject to the same penalty as if he had forged the document.

CHAPTER 154

To cause the execution of a document with false representations

341. Whoever, by false and fraudulent representations as to the character, content or validity of a document, induces another to sign or execute the document, is guilty of a criminal offense of the same kind and is subject to the same punishment as if he had forged the document.

CHAPTER 154

Elimination of double-lining of bank checks

342. Whoever, with intent to defraud-

(a) obliterates, alters or adds to the wording of a bank check or

(b) is aware that he is putting into circulation a double-lined bank cheque whose double-lined line has been removed, added to or altered,

is guilty of a felony and is subject to seven years in prison.

CHAPTER 154

Drafting documents without authority

343. Whoever, with intent to defraud-

(a) without lawful authority or justification, draws up, signs or executes on behalf of, in the name of, or on behalf of another, whether by authority or otherwise, any document or writing or

(b) knowingly puts into circulation any document or writing which was prepared, signed or executed by another in the above manner,

is guilty of a felony and is subject to seven years in prison.

CHAPTER 154

Claiming property based on forged last will documents

344. Whoever secures the delivery or payment for himself or another of property or money under a will or an instrument of appointment of an administrator, which was granted on the basis of a forged instrument of last will, knowing that such instrument is forged or under or under a will or an instrument of appointment of an administrator which was obtained on the basis of false evidence, knowing that the grant was so obtained, is guilty of a criminal offence of the same kind and is liable to the same punishment as if he had forged the instrument or thing under which he secured the delivery or payment.

CHAPTER 154

Buying counterfeit banknotes

345. Whoever, without lawful authority or justification of which he has the burden of proof, purchases or receives from another or has in his possession a counterfeit banknote, whether completed or not, knowing that it is counterfeit, is guilty of a felony and is liable to imprisonment for seven years.

CHAPTER 154

Forgery of payment orders for money due to public authority

346. Whoever, being a public officer, knowingly and with intent to defraud, issues or delivers to another a payment order for money to be paid to the public authority for an amount greater or less than that to which the person on whose behalf the order is issued is entitled, is guilty of a felony and is liable to imprisonment for seven years.

CHAPTER 154

Falsification of a register or file

347. Whoever, having the actual custody of a register or file, kept by virtue of lawful authority, knows that he is authorizing an entry which, with respect to any material fact, he knows to be false, is guilty of a felony and is liable to imprisonment for seven years.

CHAPTER 154

Criminal Offenses Related to Currency

Definition

348. In articles 348 to 356 (both inclusive)-

the term "circulating" in relation to currency means that which is legally used as money in the Republic or

The term "counterfeit" means currency that is not genuine but is similar or is obviously intended to resemble or is believed to be genuine currency and includes genuine currency that has been manufactured or altered to be believed to be genuine of a higher value.

CHAPTER 154

Counterfeiting currency

349. Whoever manufactures or commences to manufacture counterfeit currency is guilty of a felony.

If the criminal offense was committed in relation to currency in circulation, he is subject to the penalty of life imprisonment.

If the criminal offense is committed in relation to the currency of a foreign Sovereign or State, he is subject to seven years' imprisonment.

CHAPTER 154

Preparations for coinage

350. Whoever-

(a) gilds or silver-plates a piece of metal of any size or shape suitable for coinage, with the intention of minting counterfeit gold or silver coin, or

(b) gives a piece of metal any suitable size or shape so that counterfeit coin can be easily cut from it, with the intention of making such coin from it, or

(c) without lawful authority or justification (of which the burden of proof lies)-

(i) buys, sells, receives, pays for or disposes of counterfeit currency at a price lower than that indicated by it or which is obviously intended to be indicated or offers to commit any of the above acts or

(ii) brings or receives into the Republic counterfeit currency, knowing that it is counterfeit or

(iii) manufactures or repairs or commences or prepares to manufacture or repair, or has in his possession or disposes of, a stamp or mould which is adapted to make a replica of both or either or part of either side of the coin, knowing that the stamp or mould is such or so adapted; or

(iv) manufactures or repairs or commences or prepares to manufacture or repair or has in his possession or disposes of any tool, instrument or machine, which is adapted and intended to be used for marking the outer circumference of a coin with marks or shapes which obviously resemble the outer circumference of any coin, knowing that it is adapted and intended in that manner

(v) manufactures or repairs or commences or prepares to manufacture or repair or has in his possession or disposes of a coin-making press or tool, instrument or machine adapted for cutting round pieces from strips of gold, silver or other metal, knowing that such press, tool or machine has been used or is intended to be used for the manufacture of counterfeit coins,

is guilty of a felony.

If the criminal offense is committed in relation to currency in circulation, the offender is subject to the penalty of life imprisonment.

If the criminal offense is committed in relation to the currency of a foreign Sovereign or State, he is subject to seven years' imprisonment.

CHAPTER 154**Crop**

351. Whoever handles gold or silver coin in circulation in such a way as to reduce its weight, with the intention that after such handling it may be considered to be the gold or silver in circulation, is guilty of a felony and is liable to imprisonment for seven years.

CHAPTER 154**Possession of clippings**

352. Whoever unlawfully possesses or disposes of shavings or scraps of gold or silver, or gold or silver in the form of bars, powder, dissolution or in any other form, which have resulted from the handling of gold or silver in circulation in such a way as to reduce its weight, knowing that they have resulted in such a manner, is guilty of a felony and is liable to imprisonment for a term not exceeding seven years.

CHAPTER 154**To put counterfeit coins into circulation**

353. Whoever puts into circulation counterfeit currency, knowing that it is counterfeit, is guilty of a misdemeanor.

If the criminal offense is committed in relation to currency in circulation, he is subject to two years' imprisonment.

If the criminal offense is committed in relation to the currency of a foreign Sovereign or State, he is subject to imprisonment for one year.

CHAPTER 154**To repeatedly put counterfeit coins into circulation**

354. Whoever-

- (a) puts into circulation counterfeit currency in circulation knowing that it is counterfeit, at the time of committing such act, has in his possession any other counterfeit currency in circulation or
- (b) puts into circulation counterfeit currency in circulation knowing that it is counterfeit and either on the same day or on any of the immediately following ten days, puts into circulation any other counterfeit currency in circulation knowing that it is counterfeit or
- (c) has in his possession three or more pieces of counterfeit currency in circulation, knowing that they are counterfeit and with the intention of putting any of them into circulation,

is guilty of a felony and is subject to three years' imprisonment.

CHAPTER 154**To put into circulation foreign currency or metal as circulating currency**

355. Whoever, with intent to defraud, puts into circulation as currency in circulation-

- (a) currency which is not in circulation or
- (b) metal or piece of metal, whether or not in the form of coin, having a value lower than the circulating coin for which it is put into circulation,

is guilty of a misdemeanor and is subject to one year in prison.

CHAPTER 154

Export of counterfeit coins

356. Whoever, without lawful authority or justification, of which he has the burden of proof, exports from the Republic or places on a vessel or in any vehicle for the purpose of exporting it from the Republic, any counterfeit currency, knowing that it is counterfeit, is guilty of a felony and is liable to imprisonment for life.

CHAPTER 154**Counterfeit Stamps****Possession of paint used for the manufacture of stamps**

357. Whoever, without lawful authority or justification, of which he has the burden of proof-

(a) manufactures, or repairs or commences or prepares for the manufacture or repair or use or knows that he has in his possession or disposes of, a paint, plate or instrument, suitable for producing an impression resembling that produced by a paint, plate or instrument, used for the manufacture of a stamp, seal or mobile used for the purposes of public revenue or of the Department of Posts or Telegraphs in the Republic or in a foreign country or suitable for producing in or on paper words, numbers or figures, letters, marks or lines resembling those used in or on paper specially supplied for any such purpose by the competent authority or

(b) knows that he has in his possession or disposes of paper or other material which has on it the impressions of such paint, plate, or instrument or paper which has on or within it such words, numbers or figures, letters, marks or lines as mentioned above,

is guilty of a felony and is subject to seven years in prison.

CHAPTER 154**Paper and dyes for making stamps**

358. Whoever, without lawful authority or justification of which he has the burden of proof-

(a) manufactures or commences or prepares the manufacture of or uses for postal purposes or has in his possession or disposes of an imitation or representation on paper or other material of any stamp used as a manifest of any amount of postal duty of the Republic or of any foreign country or

(b) manufactures or repairs or commences or prepares the manufacture or repair or uses or has in his possession or disposes of, paint, plate, instrument or material for the manufacture of such imitation or representation,

is guilty of a misdemeanor and is liable to imprisonment for one year or a fine of one thousand pounds. The stamps, stamps and any other such thing as mentioned above, which may be found in his possession, shall be confiscated.

For the purposes of this article, any amount officially stated as the declared amount on postal items of any country shall be deemed to be officially used for postal purposes in that country until the contrary is proven.

CHAPTER 154**Possession of a plate or instrument used for making seals**

359. Whoever, without lawful authority or justification, of which he has the burden of proof-

(a) manufactures or repairs or commences or prepares the manufacture or repair or knows that he has in his possession or disposes of a plate or instrument, suitable for producing an impression resembling that produced by the plate or instrument used for the manufacture of a seal, sealer or movable, used for the purposes of public service or by the respective village headman, municipal authority, certifying officer or by any person duly appointed in accordance with the law to use a seal, or suitable for producing in or on paper words, numbers or figures, letters, marks or lines, similar to those used in or on paper specially provided for any such purpose by the competent authority or

(b) knows that he has in his possession or disposes of paper or other material which has on it the impression of such a plate or instrument or paper which has on or in it such words, numbers or figures, letters, marks or lines as mentioned above,

is guilty of a misdemeanor and is liable to imprisonment for one year or a fine of one thousand pounds.

CHAPTER 154

Fake identity

Fake identity in general

360. Whoever, with intent to defraud any person, falsely represents himself to be another person, living or dead, is guilty of a misdemeanor.

If the representation consists of the fact that the perpetrator is a person entitled by will or by law to specific property and he commits the criminal offense to secure such property or possession thereof, he is subject to seven years' imprisonment.

CHAPTER 154

False identification of documents, obligations, etc.

361. Whoever, without lawful authority or justification (of which he has the burden of proof), proceeds to acknowledge any kind of obligation, or to acknowledge any document, in the name of another person, before any Court or person legally authorized to accept such acknowledgement, is guilty of a misdemeanor.

CHAPTER 154

Impersonation of a person named on a certificate

362. Whoever puts into circulation a document issued to another person, by virtue of lawful authority, and which certifies that such person possesses the recognized qualifications according to law for any purpose or that he holds any office or that he is entitled to practice any profession, profession or business or that he has any right or privilege or that he enjoys any rank or position and falsely represents himself to be the person named in the document, is guilty of a criminal offense of the same kind and is subject to the same punishment as if he had forged the document.

CHAPTER 154

To lend, etc. a certificate for impersonation

363. Whoever, being a person to whom a document has been issued by lawful authority certifying that he possesses the recognized qualifications according to law for any purpose or that he holds any office or that he is entitled to practice any profession, trade or business or that he has any right or privilege or that he enjoys any rank or position, sells, gives or lends the document to another person, with the intention that the other person may represent himself to be the person named in the document, is guilty of a misdemeanor.

CHAPTER 154

Impersonation of a person named in a character certificate

364. Whoever, with the purpose of securing employment, puts into circulation a document which has the character of a certificate, if given to another, is guilty of a misdemeanor and is subject to imprisonment for one year.

CHAPTER 154

To lend, etc. a character certificate for impersonation

365. Whoever, while being a person to whom a document as referred to in article 364 has been issued, gives, sells or lends it to another person, with the intention that the other person may put such document into circulation for the purpose of securing employment, is guilty of a misdemeanor.

CHAPTER 154

PART IX ATTEMPTS AND CONSPIRACIES TO COMMIT CRIMES

Attempts

Definition of attempt

366. Whoever intends to commit a criminal offense, begins to put his intention into effect by means that are appropriate for its realization and manifests such intention by some overt act, but does not realize his intention to such an extent as to commit the criminal offense, is considered to be attempting to commit it.

It is immaterial, except as regards the penalty, whether the offender did anything which was necessary on his part to complete the commission of the criminal offence or whether the full realization of his intention was prevented by circumstances beyond his control or whether he voluntarily withdrew from further pursuit of his intention.

It is irrelevant that, due to circumstances unknown to the perpetrator, the commission of the criminal offense was objectively impossible.

CHAPTER 154

Attempt to commit criminal offenses

367. Whoever attempts to commit a felony or misdemeanor is guilty of a misdemeanor unless otherwise provided.

CHAPTER 154

Punishment for attempting to commit certain felonies

368. Whoever attempts to commit a felony punishable by death or imprisonment for ten years or more, with or without any other penalty, is guilty of a felony and, if no other penalty is provided, is liable to imprisonment for seven years.

CHAPTER 154

Failure to prevent a felony

369. Whoever, knowing that another is planning to commit or is committing a felony, fails to use any reasonable means to prevent the commission or completion thereof, is guilty of a misdemeanor.

CHAPTER 154

Incitement to commit a criminal offense

370. Whoever incites or attempts to incite another to commit a criminal offence, whether or not the other consents to the commission thereof, is guilty of-

(a) a felony, if the criminal offence in question is a felony, and if no other penalty is provided, shall be liable to imprisonment for seven years or, in the case of a felony punishable by a maximum penalty of less than seven years' imprisonment, to such lesser penalty;

(b) a misdemeanor, if the criminal offence in question is a misdemeanor and if no other penalty is provided, he is liable to imprisonment for two years or, in the case of a misdemeanor which carries a

maximum penalty of less than two years' imprisonment, to such lesser penalty.

CHAPTER 154

Conspiracies

Conspiracy to commit a felony

371. Whoever conspires with another to commit a felony or to do any act in any part of the world which if committed in the Republic would be a felony and which is a criminal offence according to the laws in force in the place where it is intended to be committed, is guilty of a felony and, if no other penalty is provided, is liable to imprisonment for seven years or, in the case of a felony which carries a maximum penalty of less than seven years' imprisonment, to such lesser penalty.

CHAPTER 154

Conspiracy to commit a misdemeanor

372. Whoever conspires with another to commit a misdemeanor or to do an act in any part of the world, which if done in the Republic would be a misdemeanor and which is a criminal offense according to the laws in force in the place where it is intended to be done, is guilty of a misdemeanor.

CHAPTER 154

Other conspiracies

373. Whoever conspires with another to achieve any of the following purposes, namely-

- (a) to obstruct or frustrate the execution or enforcement of any law or decree of the Council of Ministers or
- (b) to cause injury to the person or reputation of another, or to diminish the value of another's property, or
- (c) to prevent or hinder the free and lawful disposal of property by its owner at its fair value;
- (d) to harm another in his profession or occupation or
- (e) to prevent or hinder the free and lawful exercise by another of his trade, profession or occupation, by an act or acts which, if committed by an individual person, would constitute a criminal offence on his part, or
- (f) to achieve a legitimate purpose by unlawful means,

is guilty of a misdemeanor.

CHAPTER 154

PART X MINOR CRIMINAL OFFENCES

Various criminal offenses

374. Whoever intentionally-

- (a) obstructs the free passage of a public passage or public space by placing any materials or other things therein;
- (b) places or abandons on a public road or in a public place rubbish or waste which causes or is intended to cause an odor;
- (c) fails to place a lantern or light during the night on a pile of earth, stones or other materials or in a ditch or culvert or other excavation during the carrying out of legally carried out repair works on a public road or in a public place

(d) throws waste or other things on a public road or in a public place in such a way as to cause harm or annoyance to any passerby

(e) if ordered in writing by the District Officer to repair or demolish a building or structure of any kind which is in a dilapidated or dangerous condition, neglects or fails to do so.

(f) neglects or fails to clean or repair a furnace or chimney of a workshop or factory where fire is used.

(g) sets off fireworks on a public thoroughfare or in a public place in a manner intended to cause harm or annoyance to any person.

(h) fires a firearm within the limits of a city, village or other inhabited area.

(i) refuses to accept at face value any metallic coin or banknote circulating in the Republic,

is guilty of a misdemeanor and is liable to a fine not exceeding twenty-five pounds.

CHAPTER 154

Note

3 of Law 37(I)/99. The provisions of this Law shall apply to any pending proceedings before any court at any stage.

Note

3 of Law 126(I)/2007 Entry into force of Law 126(I)/2007

(1) Subject to the provisions of subsection (2), the force of this Law [S.S.: namely L.126(I)/2007] shall commence upon its publication in the Official Gazette of the Republic.

(2) The provisions of paragraph (b) of article 2 shall enter into force on the date determined by the Council of Ministers by notification in the Official Gazette of the Republic.

Note

2 of Law 64(I)/2009 Editor's Note

After the word seven years was changed to fourteen, the case of this word was changed to fourteen due to a syntactic error.

Note

3 of Law 131(I)/2013 Entry into Force

This Law [S.S.: namely L. 131(I)/2013] does not apply to offenses in relation to which criminal prosecution was registered prior to its entry into force.

Note

2 of Law 43(I)/2016 Amendment of article 187 of the basic law

Notwithstanding the provisions of subsection (2) of section 3 of the Criminal Code (Amendment) Law of 2007 [S.S.: namely L. 126(I)/2007], section 187 of the principal law, as amended by paragraph (b) of section 2 of the Criminal Code (Amendment) Law of 2007 [S.S.: namely L. 126(I)/2007], shall come into force on 1^{January} 2017.

Note

3 of Law 134(I)/2020 Entry into force of this Law [S.S.: namely Law 134(I)/2020]

3. The provisions of this Law [S.S.: namely L. 134(I)/2020] shall enter into force on 1^{October} 2020.