



SÃO TOMÉ AND PRÍNCIPE

Penal Code

Approved by Law 6/2012

INDEX

5	National Assembly
7	Preamble
	BOOK I
	GENERAL PART
10	Title I
	From criminal law
10	Single Chapter
	General principles
11	Title II
	From the fact
11	Chapter I
	Assumptions of punishment
13	Chapter II
	Forms of crime
15	Chapter III
	Causes that exclude illegality and guilt
16	Title III
	Of the consequences legal aspects of crime
16	Chapter I
	Preliminary provisions
16	Chapter II
	Feathers
16	Section I
	Prison and fine sentences
18	Section II
	Suspension of the execution of pity
20	Section III
	Admonishment and provision of work
21	Section IV
	Parole
22	Chapter III
	Additional penalties and effects of feathers
23	Chapter IV
	Choice and measure of penalty

23	Section I
	General rules
25	Section II
	Recidivism
25	Section III
	Punishment of concurrence of crimes and continued crime
26	Section IV
	Discount on prison and fines prior to conviction
26	Capítulo V
	Security measures
26	Section I
	Internment of unaccountable people
28	Section II
	Prohibition of professions and activities
29	Section III
	Suspension and review of security measures
29	Section IV
	The hospitalization of attributable sufferers of psychic anomalies
30	Chapter VI
	The loss of things or rights related to the crime
31	Title IV
	Complaint and accusation particular
32	Title V
	From the extinction of responsibility criminal
32	Chapter I
	Prescription of criminal proceedings
33	Chapter II
	Prescription of penalties
34	Chapter III
	Other causes of extinction

35	Title VI
	The compensation for losses and damages due to crime
35	Single Chapter
35	Title VII
	Supplementary provisions tares
35	Single Chapter
	BOOK II
	SPECIAL PART
38	Title I
	Of crimes against people
38	Chapter I
	Two crimes against life
39	Chapter II
	Two crimes against life intra-uterine
40	Chapter III
	Two crimes against physical integrity
43	Chapter IV
	Two crimes against freedom of people
46	Capítulo V
	Two crimes against freedom and self-determination sexual tion
46	Section I
	Crimes against freedom sexual
47	Section II
	Crimes against self-determination sexual nation
49	Section III
	Common provisions
50	Chapter VI
	Two crimes against honor

52 Chapter VII
Two crimes against the reserve
of private life

54 Title II
Two crimes against peace
and humanity

54 Chapter I
Two crimes against peace

54 Chapter II
Two crimes against
humanity

56 Title III
Of crimes against
heritage

56 Chapter I
Property crimes

60 Chapter II
Of crimes against
heritage in general

63 Chapter III
Of crimes against rights
assets

65 Title IV
Two crimes against
life in society

65 Chapter I
From crimes against the family, religious
feelings and the respect due to the dead

65 Section I
Of crimes against the family

66 Section II
Of crimes against
religious feelings and
respect due to the dead

67 Chapter II
Two crimes against
economy

68 Chapter III
Violation of the duty of social
solidarity

69 Chapter IV
Of crimes against health
public

74 Capítulo V
Forgery of documents,
currency, weights and measures

74 Section I
Document Forgery

76 Section II
Forgery of Currency, Credit Title or
sealed value

77 Section III
Forgery of Dies, Weights and
Similar Objects

79 Chapter VI
Dangerous crimes
common

79 Section I
Fires, explosions, radiation
and other crimes of common
danger

84 Section II
Two crimes against
communications security

86 Section III
Of the crimes of disturbing the social
order

86 Section IV
Crimes against public
peace

89 Section V
Of crimes against signs of
identification

89 Title V
Of crimes against
State

89 Chapter I
Two crimes against
state security

89 Section I
Of crimes against sovereignty
national

92 Section II
Two crimes against
military capability and defense

93 Section III
Two crimes against States
Foreigners or Organizations
International

94 Section IV
Two crimes against
realization of the State of
Right

96 Section V
Of Electoral Crimes

98 Section VI
Common provisions

98 Chapter II
Two crimes against
Public Authority

98 Section I
Of Resistance and Disobedience
to the public authority

99 Section II
The tirade, evasion of prisoners
and non-compliance
with obligations imposed
by criminal sentence

100 Section III
Violation of public measures

101 Chapter III
Two crimes against
realization of justice

104 Chapter IV
Two crimes committed
exercise of public
functions

104 Section I
Of Corruption

105 Section II
From Embezzlement

106 Section III
Abuse of authority

107 Section IV
Breach of secrecy

107 Section V
Abandonment of duties

107 Section VI
General provisions

national assembly

Lei n.º 6/2012

The National Assembly decrees, in accordance with paragraph b) of article 97 of the Constitution, the following:
the:

ARTICLE 1 [Approval of the Penal Code]

The Penal Code, which forms an integral part of this Law, is approved.

ARTICLE 2 [Remissions]

1- To issues relating to the mistreatment or overload of minors and subordinates and domestic violence, the provisions of Laws nos. subsidiarily the provisions of article 152 of the Penal Code.

2- To issues relating to money laundering and economic crimes, the provisions of Law no. 9/2010, published in the Official Gazette number 83 of September 27, 2010, apply and, alternatively, the provisions of article 272 of the Penal Code.

ARTICLE 3 [Revocations]

Except as provided in the previous article, legal provisions that contradict the criminal norms provided for in this Code are revoked.

ARTICLE 4 [Entry into force]

This Diploma comes into force 3 months after its publication.

National Assembly, in São Tomé, on April 27, 2012.

The President of the National Assembly, *Evaristo do Espírito Santo Carvalho*.

Promulgated on July 5, 2012.

Publish yourself.

The President of the Republic, *Manuel do Espírito Santo Pinto da Costa*.

penal code preamble

Thirty-seven years after São Tomé and Príncipe ascended to the community of nations as an independent nation, it is now publishing its first Penal Code text that replaces the previous Penal Code, approved by Royal Decree of 16 September of 1886, which was in force throughout the Portuguese Empire. Practically the only truly new legislative compilation adopted by the new emerging State was the Constitution of the Republic, approved on December 1, 1975, as a Fundamental Law, with almost the entire collection of laws that were part of the colonial codes remaining in force, with the exception its non-application of provisions that contradict the spirit of the constitutional text. The avoengo Code remained in force with all the changes that were introduced until the date of Independence.

The slight changes introduced were made by separate laws, without fundamental revisions, either in the systemic structure or in the philosophy, which inspired the Code, as were:

- ü Decree-Law No. 32/75, of December 30th, ratified by Resolution No. 1/76, of August 28th, which created the Special Court for Counter-Revolutionary Acts, whose decisions did not admit appeal and which had the power to judge crimes against the internal and external security of the State, namely: harassment, sedition, insults against authorities or public forces in the exercise of their functions, bodily harm against authorities and agents of authority in the exercise of their functions, resistance, disobedience, rumors and crimes of economic sabotage;
- ü Decree-Law no. 5/76, of February 19, which commemorated February 3, 1953, ordered the pardon of prison sentences, fines and court taxes for defendants who had left to serve 6 months or less of imprisonment, without however extinguishing, under the terms of paragraph 1 of article 125 of the Penal Code, civil liability arising from the acts committed;
- ü Decree-Law no. 41/79, of 17 July, which integrated into national legislation the crime of mercenarism, punished in its article 5, with the death penalty, which in practice was never applied until it was extinguished by the Political Constitution, after the 1990 revision;
- ü Law No. 23/82, of 19/6, which greatly aggravated the penalties applicable to crimes against property, especially against the State's economy, given the nature of the political philosophy underlying the new country; Law No. 5/2002, which regulated the application of Security Measures;
- ü Law No. 7/2003, which established the Coercion Regime applicable to criminals and Law No. 8/2003, which once again changed the criminal framework established for crimes against property, alleviating them.

The old Code which, as mentioned, continued to be in force in São Tomé and Príncipe also remained in force in Portugal until September 1982, when the New Penal Code was adopted, approved by Decree-Law No. 400/ 82, of September 29th.

Since São Tomé criminal law is inspired by Portuguese criminal law and the São Tomé people have their own specificity and identity, the changes introduced in this last penal system and the approval of another code would necessarily have to be reflected in the order. legal-criminal nature of São Tomé, imposing the need to draft its own Penal Code, based on the defense of values different from those of the previous one, with a philosophy that was intrinsic to it and guided by innovative principles inherent to modern societies and that responded to the current demands placed on the country. In this sense, this Code creates, with the emergence of a new typology of crimes, penalties that are based on cross-border crime, resulting from greater mobility of citizens as a result of the high degree of development of means of transport and communications that facilitate the movement of people and goods much more and allow for a faster exchange of information.

It was in this spirit that the legislator decided to draw up this Code, where, in addition to adopting a different systemic arrangement from the previous one and purging the diploma of institutes riddled with obsolescence that had been transformed into letters several decades ago,

dead, such as those in exile (articles 62, 77 and 98); exile (article 129), piracy (169), and the punishment of women's adultery (401), innovative principles were established to combat human trafficking, violence against women, human trafficking for organ ablation and its trade, organized crime, among others.

On the other hand, this Code is based on assumptions inherent to the rule of law, in which the right to punish must always have as a corollary the social duty to reinsert, adhering to the principle of guilt, in the social reintegration of offenders, accountability of legal entities, in the fight against computer crime and crime related to new technologies, the punishment of sexual crimes with the protection of minors.

What was also innovative was the fact that this Code integrated principles contained in the Conventions of Regional and International Organizations to which São Tomé and Príncipe is a party.

Of these conventions, the following stand out: ü

Convention Against Transnational Organized Crime, of 15 November 2003;

ü Additional Protocol to the Convention Against Transnational Organized Crime, relating to the Prevention, Suppression and Punishment of Trafficking in Persons, Especially Women and Children, of 15 November 2000;

ü Additional Protocol to the Convention Against Transnational Organized Crime, Against Illicit Trafficking of Migrants by Land, Sea and Air, of November 15, 2000; ü Additional Protocol to the Convention Against Transnational Crime, Against the Illicit Manufacturing and Trafficking of Firearms, their Parts, Components and Ammunition, of May 31, 2000;

ü Convention Against Corruption, of October 31, 2003; Convention on the Suppression of Crimes Against Persons Enjoying International Protection, including Diplomatic Agents, of December 14, 1973;

ü International Convention Against Taking Hostages, of December 17, 1979; Convention International Council for the Suppression of Terrorist Bomb Attacks, December 15, 1997;

ü International Convention for the Elimination of the Financing of Terrorism, of December 9, 1999; Convention Relating to Offenses and Certain Other Acts Committed on Board Aircraft, of 14 September 1963; ü Convention for the Suppression of Illegal

Capture of Aircraft, of December 16, 1970;

Convention on the Physical Protection of Nuclear Materials of 26 October 1979; ü Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation, of 23 September 1971;

ü 1988 Protocol for the Suppression of Unlawful Acts of Violence at Airports in the Service of International Civil Aviation, complementary to the Convention for the Suppression of Unlawful Acts Against Civil Aviation Safety, February 24, 1988;

ü Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, of March 10, 1988; ü Additional

Protocol for the Suppression of Illegal Acts Against the Security of Fixed Platforms located on the Continental Shelf, dated March 10, 1988 and Convention Relating to the Marking of Plastic Explosives for detection purposes, dated March 1, 1991.

The Code, being a human work, does not claim to be finished perfection when it is known that men are imperfect beings. Its main objective is to place in the hands of legal practitioners a working instrument in which the rights and guarantees of citizens are not put into question, simply because their conduct at a given moment conflicts with the right to punish, which monopoly belongs to the State.

With the approval of this Code and the Criminal Procedure Code, the São Tomé State aims to provide its penal system with more modern and faster instruments and provide citizens with higher quality criminal legal services, which will imply the need for continuous training of magistrates, lawyers, court officials and others who use these legal documents as working instruments in their daily lives.

In these terms, the National Assembly decrees, in accordance with paragraph b) of article 97. of the Constitution, the following:



BOOK I

General part

Title I *Criminal Law*

Single chapter General principles

ARTICLE 1 [Principle of legality]

1. Only the act described and declared punishable by law prior to the time of its commission can be criminally punished.
2. The security measure can only be applied to dangerous states as long as the respective assumptions are established in law prior to its completion.
3. Analogy is not permitted to classify the fact as a crime, define a state of danger, or determine the corresponding penalty or security measure.

ARTICLE 2 [Application over time]

1. Penalties and security measures are determined by the law in force at the time the act was committed or the conditions on which they depend were met.
2. The act punishable according to the law in force at the time of its commission ceases to be so if a new law eliminates it from the number of infractions, in this case and if there has been a final and unappealable conviction, execution and its criminal effects cease.
3. When the law is valid for a certain period of time, the criminal act committed during that period continues to be punished.
4. When the criminal provisions in force at the time of the commission of the punishable act are different from those established in subsequent laws, the regime that is concretely more favorable to the offender is always applied. execution and its criminal effects as soon as the part of the sentence that has been served reaches the maximum limit of the sentence provided for in subsequent law.

ARTICLE 3. [Moment of the act]

The act is considered committed at the time the agent acted or, in the case of omission, should have acted, regardless of the moment the typical result occurred.

ARTICLE 4. [Application in space: general principle]

Unless otherwise agreed to by international treaty or convention, the criminal law of the Democratic Republic of São Tomé and Príncipe applies:

- a) Acts committed in the territory of the Democratic Republic of São Tomé and Príncipe, regardless of the nationality of the agent;
- b) Acts carried out on board Sao Tome ships or aircraft.

ARTICLE 5. [Facts committed outside the national territory]

1. The criminal law of the Democratic Republic of São Tomé and Príncipe is still applicable, unless otherwise treated or agreed

upon: a) To acts committed outside the national territory when they constitute the crimes provided for in articles 240, 292, 304. ° to 315th, 359th, 360th, 367th to 385th and 389th to 414th; b)

Acts committed outside the national territory, as long as the agent is found within the Democratic Republic of São Tomé and Príncipe and cannot be extradited, when they constitute the crimes provided for in articles 159 to 164, 172, 175th, 176th, 179th, 180th, 207th to 211th, 213th, 214th and 216th; c) Acts committed outside the

national territory by São Toméans or by foreigners against São Toméans, whenever: I) The agents are found in the Democratic

Republic of São Tomé and Príncipe;

II) They are also punishable by the legislation of the place where they were committed, except when punitive power is not exercised in that place;

- III) Constitute a crime that allows extradition and this cannot be granted;
- d) Facts committed outside the national territory against São Toméans, by São Toméans who habitually live in the Democratic Republic of São Tomé and Príncipe at the time of their commission and are found there.
- e) Facts committed by or against a legal entity that has its registered office in the territory of São Tomé and Príncipe.
2. The São Tomé criminal law is also applicable to any facts committed outside the national territory that the São Tomé State has been obliged to judge by treaty or inter-national convention

ARTICLE 6 [Restrictions on the application of São Tomé law]

1. The application of São Tomé criminal law to acts committed outside the national territory only takes place when the offender has not been tried in the country where the act was committed or has failed to comply with the sentence in full or in part.
2. Although São Tomé law is applicable, under the terms of the previous paragraph, the act is judged according to the law of the country in which it was committed whenever this is concretely more favorable to the agent. The applicable penalty is converted into the one that corresponds in the São Tomé system, or, if there is no direct correspondence, into the one that São Tomé law provides for the fact.
3. The regime in the previous paragraph does not apply to the crimes provided for in subparagraph a) of paragraph 1 of article 5.

ARTICLE 7. [Place of commission of the act]

1. The act is considered to be committed both in the place where, totally or partially, and under any form of co-participation, the agent acted or, in the case of omission, should have acted, and in the place where the typical result or result is not included in the type of crime that occurred.
2. In the attempt, the act is also considered to have been committed in the place where the result would be produced if there were consummation.

ARTICLE 8 [Subsidiary application of the Penal Code]

The provisions of this diploma are applicable to acts punishable by military and merchant marine criminal legislation and by others of a special nature, unless otherwise provided.

ARTICLE 9 [Special provisions for young people]

For those over 16 and under 21, rules set out in special legislation apply.

Title II *De facto*

Chapter I Assumptions of punishment

ARTICLE 10 [Commission by action and by omission]

1. When a legal type of crime comprises a certain result, the fact covers not only the appropriate action to produce it, but also the omission of the appropriate action to avoid it, unless otherwise is the intention of the law.
2. The commission of a result by omission is only punishable when the omitted party has a legal duty that personally obliges him to avoid that result.
3. In the case of the previous number, the penalty may be particularly reduced.

ARTICLE 11 [Criminal liability of legal entities]

1. Unless otherwise specified, only natural persons are subject to criminal liability.

2. Legal or similar persons may only be held criminally liable in the cases specifically provided for in this code or in special legislation.
3. The criminal liability of legal or similar persons only occurs when, in the commission of illicit acts, their bodies or representatives act in their name and in the collective interest.
4. The criminal liability of a legal or similar person is excluded when the agent has acted against express orders or instructions from those entitled to do so.
5. The criminal liability of legal or similar persons does not exclude the individual liability of the respective agents.
6. Penalties of fine and dissolution are applicable to legal persons or similar entities.
7. The penalty of dissolution is only decreed when it is demonstrated that the legal person or similar entity was created with the exclusive or predominant intention of, through it, committing the crimes for which they are responsible or when the repeated practice of such crimes shows that the legal person or similar entity is being used, exclusively or predominantly, for this purpose, either by its agents or representatives, or by those who exercise the respective administration, management or direction.

ARTICLE 12. [Acting on behalf of others]

1. Anyone who acts voluntarily as the holder of the bodies of a legal person, society or mere de facto association, or in legal or voluntary representation of another, is punishable, even when the respective type of crime requires:
 - a) Certain personal elements and these only occur in the person of the person represented; or
 - b) That the agent performs the act in his own interest and the representative acts in the interest of the represented person.
2. The ineffectiveness of the act that serves as the basis for the representation does not prevent the application of the provisions of the previous paragraph.

ARTICLE 13 [Intention and negligence]

Only acts committed with intent or, in cases specifically provided for by law, with negligence, are punishable.

ARTICLE 14 [Intent]

1. Anyone who represents a fact that qualifies as a type of crime acts with intent and acts with the intention of carrying it out.
2. Anyone who represents the carrying out of an act that qualifies as a type of crime as a necessary consequence of their conduct also acts with intent.
3. When the accomplishment of an act that fulfills a type of crime is represented as a possible consequence of the conduct, there is intent if the agent acts in accordance with that accomplishment.

ARTICLE 15 [Negligence]

Anyone who acts negligently, by not exercising the care to which, according to the circumstances, they are obliged and of which they are capable:

- a) Represents as possible the accomplishment of an act corresponding to a type of crime, but acts without conforming to this accomplishment; or
- b) It does not even represent the possibility of the fact happening.

ARTICLE 16 [Error regarding the circumstances of the fact]

1. An error regarding factual or legal elements of a type of crime, or regarding prohibitions whose knowledge is reasonably essential for the agent to be aware of the illegality of the act, excludes intent.

2. The provisions in the previous paragraph cover the error about a state of affairs that, if it existed, would exclude the illegality of the act or the guilt of the agent.
3. The punishability of negligence is subject to general terms.

ARTICLE 17. [Error on illegality]

1. Anyone who acts without awareness of the illegality of the act acts without guilt, if the error is not blameworthy.
2. If the error is reprehensible, the agent is punished with the penalty applicable to the respective intentional crime, which can be specially mitigated.

ARTICLE 18 [Aggravation of the penalty due to the result]

When the penalty applicable to a fact is aggravated depending on the production of a result, the aggravation is always conditioned by the possibility of attributing that result to the agent, at least as a result of negligence.

ARTICLE 19 [Imputability due to age]

Minors under 16 years of age are not criminally liable.

ARTICLE 20. [Imputability due to mental anomaly]

1. Anyone who, due to a mental anomaly, is incapable, at the time of committing the act, to assess the illegality of the act or to determine himself in accordance with that assessment, is not responsible.
2. Anyone who, due to a serious, non-accidental mental anomaly and the effects of which they cannot control, without therefore being able to be blamed, has, at the time of the commission of the act, the capacity to assess the illegality of this act, may be declared unaccountable. or to determine oneself in accordance with this significantly diminished assessment.
3. The proven inability of the agent to be influenced by the penalties may constitute an indication of the situation foreseen in the previous paragraph.
4. Imputability is not excluded when the psychic anomaly was caused by the agent himself with the intention of committing the act.

13

Chapter II Forms of crime

ARTICLE 21 [Preparatory acts]

1. Preparatory acts are external acts leading to facilitating or preparing the execution of the crime, which do not yet constitute the beginning of execution.
2. Preparatory acts are not punishable, unless otherwise provided.

ARTICLE 22 [Attempt]

1. There is an attempt when the agent carries out acts of execution of a crime he decided to commit, without it being consummated.
2. The following are implementing acts:
 - a) Those that fulfill a constitutive element of a type of crime;
 - b) Those who are suitable for producing the typical result;
 - c) Those that, according to common experience and except in unforeseeable circumstances, are of the nature to expect acts of the types indicated in the previous paragraphs to follow them.

ARTICLE 23. [Punishment of the attempt]

1. Unless otherwise stated, the attempt is only punishable if the respective completed crime corresponds to a sentence of more than 3 years in prison.
2. The attempt is punishable by the penalty applicable to the completed crime, especially attenuated one.
3. The attempt is not punishable when the means used by the agent are manifestly unsuitable or the object essential to the consummation of the crime does not exist.

book

ARTICLE 24 [Withdrawal]

1. The attempt ceases to be punishable when the agent voluntarily gives up continuing to execute the crime, or prevents the consummation, or, despite the consummation, prevents the verification of the result not included in the type of crime.
2. When the consummation or verification of the result is prevented by a fact independent of the conduct of the person withdrawing, the attempt is not punishable if he makes a serious effort to avoid one or the other.

ARTICLE 25. [Withdrawal in case of reimbursement]

If several agents participate in the act, the attempt of one who voluntarily prevents the consummation or verification of the result is not punishable, nor is it punishable for one who makes a serious effort to prevent another, even if the other participants continue to carry out the crime. or consume it.

ARTICLE 26. [Authorship]

The following are considered authors:

- a) Whoever executes the act, by themselves or through someone else, or takes a direct part in that execution;
- b) Whoever, by tacit or express agreement with another or others, takes a direct part in the execution or acts jointly in concerted efforts to commit the same crime;
- c) Whoever, as long as there is execution or beginning of execution, directly and intentionally determines another to commit the crime.

ARTICLE 27 [Complicity]

1. Anyone who, intentionally and in any way, provides material or moral assistance to the commission of an intentional act by another person is punishable as an accomplice.
2. The penalty set for the perpetrator, especially attenuated, is applicable to the accomplice.

ARTICLE 28 [Illegality in reimbursement]

1. If the illegality or degree of illegality of the act depends on certain qualities or special relationships of the agent, it is enough, to make the respective penalty applicable to all participants, that these qualities or relationships occur in any of them, unless another is the intention of the incriminating norm.
2. Whenever, as a result of the rule in the previous paragraph, some of the participants result in the application of a more serious penalty, this may, considering the circumstances of the case, be replaced by the one that would have taken place if such a rule had not intervened. .

ARTICLE 29. [Guilt in the reimbursement]

Each participant is punished according to his or her guilt, regardless of the punishment or degree of guilt of the other participants.

ARTICLE 30 [Contest of crimes and continued crime]

1. The number of crimes is determined by the number of types of crime actually committed, or by the number of times the same type of crime is fulfilled by the agent's conduct.
2. Except in the case of crimes that protect eminently personal legal assets, the repeated commission of the same type of crime or several types of crime that fundamentally protect the same legal asset, carried out in an essentially homogeneous and in the context of requesting the same external situation that considerably reduces the agent's guilt.

Chapter III Causes that exclude illegality and guilt

ARTICLE 31 [Exclusion of illegality]

1. The act is not criminally punishable when its illegality is excluded by the legal system considered in its entirety.

2. In particular, the following actions are not illegal:

- a) In self-defense;
- b) In the exercise of a right;
- c) In the fulfillment of a duty imposed by law or by legitimate order of the authority;
- d) With the consent of the holder of the injured legal interest.

ARTICLE 32 [Self-defense]

Self-defense constitutes the act carried out, as a necessary means, to repel current and unlawful aggression against any legally protected interests of the agent or third party.

ARTICLE 33. [Excess of self-defense]

1. If there is excess in the means used in self-defense, the act is unlawful, but the penalty can be especially mitigated.
2. If the excess results from unobjectionable disturbance, fear or fright, the agent is not punished.

ARTICLE 34 [Right of necessity]

It is not illegal to act as an appropriate means to ward off a current danger that threatens the legally protected interests of the agent or third party, when the following requirements are met:

- a) The dangerous situation has not been voluntarily created by the agent, except in the case of protecting the interest of a third party;
- b) There is a significant superiority of the interest to be safeguarded in relation to the interest sacrificed;
- c) It is reasonable to require the injured party to sacrifice his interest in consideration of the nature or value of the threatened interest.

ARTICLE 35 [State of excusing necessity]

1. Anyone who commits an illicit act appropriate to ward off a current danger, and not removable in any other way, that threatens the life, physical integrity, honor or freedom of the agent or a third party, when it is not reasonable to demand, acts without guilt. depending on the circumstances of the case, different behavior.
2. If the danger threatens legal interests other than those referred to in the previous paragraph and the remaining conditions mentioned therein are met, the penalty may be specially mitigated or, exceptionally, the offender may be exempted from the penalty.

ARTICLE 36 [Conflicts of duties]

1. It is not illegal for anyone, in the event of a conflict in the fulfillment of legal duties or legitimate orders from authority, to satisfy the duty or order of equal or greater value than the duty or order they sacrifice.
2. The duty of hierarchical obedience ceases when it leads to the commission of a crime.

ARTICLE 37. [Excusing undue obedience]

An employee who carries out an order without knowing that it leads to the commission of a crime acts without guilt, this being not evident in the context of the circumstances represented by him.

ARTICLE 38. [Consent]

1. In addition to the cases specifically provided for by law, consent excludes the illegality of the act when it refers to freely available legal interests and the fact does not offend the good costumes.
2. Consent may be expressed by any means that reflects a serious, freely informed will of the holder of the legally protected interest and may be freely revoked until the act is carried out.
3. Consent is only effective if given by someone over 16 years of age and has the necessary discernment to evaluate its meaning and scope at the time of giving it.
4. If the consent is not known to the agent, the agent is punishable by the penalty applicable to the attempt.

ARTICLE 39 [Presumptive consent]

1. Effective consent is equated with presumed consent.
2. There is presumed consent when the situation in which the agent acts reasonably allows the assumption that the holder of the legally protected interest would have effectively consented to the act, if he had known the circumstances in which it was carried out.

Title III *Legal consequences of the crime*

Chapter I Preliminary provisions

ARTICLE 40. [Absolute limits of penalties and security measures]

1. Under no circumstances is there the death penalty.
2. Under no circumstances are there any sentences involving deprivation of liberty or security measures in perpetuity, of unlimited or indefinite duration.
3. Penalties are not susceptible to transmission.

ARTICLE 41 [Purposes of penalties and security measures]

1. The application of penalties and security measures aims to protect legal assets and the reintegration of the agent into society.
2. Under no circumstances may the penalty imposed exceed the measure of guilt.
3. The security measure can only be applied if it is proportional to the seriousness of the fact and the dangerousness of the offender and lasts as long as this occurs, and cannot last longer than the maximum limit of the penalty corresponding to the crime referred to.

Chapter II Penalties

Section I Prison and fine sentences

ARTICLE 42. [Duration of prison sentence]

1. The prison sentence lasts for a minimum of 1 month and a maximum of 20 years.
2. Exceptions are made to cases of imprisonment for free days, and from paragraph 1 of article 210, paragraph 2 of article 211, articles 359 and 367.
3. The maximum prison sentence is 25 years in cases provided for by law.
4. Under no circumstances may the maximum limit referred to in the previous paragraph be exceeded.

ARTICLE 43 [Counting of prison sentence terms]

The terms of prison sentences are calculated according to the criteria established in criminal procedural law and, failing that, those of civil law.

ARTICLE 44 [Execution of prison sentence]

1. The execution of a prison sentence serves the defense of society and the prevention of future crimes and must be aimed at the social reintegration of the prisoner, preparing him to lead his life in a socially responsible way, without committing crimes.
2. The execution of prison sentences is regulated by special legislation, which sets out the duties and rights of prisoners.

ARTICLE 45 [Replacement of imprisonment with fine]

1. The prison sentence imposed for a period not exceeding one year is replaced by a fine or other applicable non-deprivation of liberty sentence, except if the execution of imprisonment is required by the need to prevent the commission of new crimes.
2. If the fine is not paid, the convicted person serves the prison sentence imposed in the sentence.
3. The provisions of paragraph 5 of article 49 are correspondingly applicable.
4. The regime in articles 46 and 47 applies to the fine that replaces imprisonment.

ARTICLE 46 [Prison for free days]

1. The prison sentence applied in a measure not exceeding 3 months that should not be replaced by a fine or other non-custodial sentence, may be served on free days whenever, considering the personality of the agent, his conduct before and after the punishable act and its living conditions, the court concludes that this form of compliance is adequate to the demands and purposes of the punishment.
2. The sentence of imprisonment for free days consists of deprivation of liberty for periods corresponding to the weekend, not exceeding 15 periods. Each period has a minimum duration of 36 hours and a maximum of 48, equivalent to 4 days of continuous imprisonment.
3. Public holidays that precede or immediately follow a weekend may be used to execute this sentence, without prejudice to the maximum duration established for each period.

ARTICLE 47 [Semi-detention regime]

1. The prison sentence applied in a measure not exceeding 1 year that must not be replaced by a fine, nor served by days off, may be executed in a semi-detention regime, if the convicted person gives his consent.
2. The semi-detention regime consists of a deprivation of liberty that allows the convict to continue his normal professional activity, his professional training or his studies, by means of an exit strictly limited to the fulfillment of his obligations.

ARTICLE 48 [Fine penalty]

1. The fine penalty is, as a rule, set in days, with a minimum of 10 and a maximum of 300.
2. Each day of fine corresponds, as a rule, to an amount between 10,000 and 100,000 doublings that the court will set depending on the economic and financial situation of the convicted person and his personal expenses.
3. When the court imposes a fine, it is always fixed in the sentence as an alternative to imprisonment for the corresponding time reduced by two thirds.
4. The regime provided for in the previous paragraph is applied to cases in which there has been a prison sentence and a fine.
5. Whenever the economic and financial situation of the convicted person justifies it, the court may authorize payment of the fine within a period that does not exceed 1 year, or allow payment in installments, the last of which cannot exceed 2 years following the date of conviction. Within the aforementioned limits and when supervening reasons justify it, the deadlines and payment plans initially established may be changed.
6. Failure to pay one of the installments will result in all of them becoming due.
7. The regime provided for in numbers 5 and 6 applies with the necessary adaptations to legal or similar persons, with the assets of the co-author responsible for payment of the fine.

and, if it does not have legal personality, the common assets and, in the absence or insufficiency, jointly, the personal assets of each member.

8. A fine applied to legal or similar persons that is not paid voluntarily or coercively cannot be converted into subsidiary imprisonment.

ARTICLE 49. [Non-payment of fine and its replacement with work]

1. If the fine is not paid, the condemned person's assets will be executed.

2. If, however, the fine is not paid voluntarily or coercively, but the convicted person is able to work and gives his consent, it is totally or partially replaced by the corresponding number of days of work in State or other works or workshops legal persons governed by public law.

3. When the fine is not paid or replaced by days of work, in accordance with the previous paragraphs, the prison sentence applied as an alternative to the sentence is served.

4. The convicted person may, at any time, totally or partially avoid the execution of the subsidiary prison, paying, in whole or in part, the fine to which he was sentenced.

5. If, however, the convicted person proves that the reason for non-payment of the fine is not attributable to him, the alternatively fixed imprisonment may be reduced to up to 6 days or the sentence may be waived or even suspended for a period of up to 2 years with or without conditions. If the conditions are not met, subsidiary arrest is carried out; if they are, the penalty is declared extinct.

6. If the agent has intentionally placed himself in a position of not paying, in whole or in part, the fine or of not being able to replace it with working days, he is punished with the penalty provided for the crime of qualified disobedience.

Section II Suspension of the execution of the sentence

ARTICLE 50 [Assumptions and duration]

1. The court may suspend the execution of a prison sentence imposed for a period not exceeding 3 years, with or without a fine, as well as a fine imposed on a convicted person who is unable to pay it.

2. Suspension is decreed if the court, taking into account the personality of the agent, the conditions of his life, his conduct before and after the punishable act, and the circumstances thereof, concludes that the simple censure of the act and the threat of the penalty is sufficient to keep the offender away from crime and satisfy the needs of disapproval and crime prevention.

3. The court, if it deems it convenient and appropriate to the purposes of the punishment, makes the suspension of the execution of the prison sentence subject, in accordance with the following articles, to the fulfillment of duties or observance of rules of conduct, or determines that the suspension is accompanied by probation.

4. The probation regime is based on a social reintegration plan, carried out with supervision and support, during the period of suspension, from social reintegration services.

5. The probation regime is ordered whenever the convicted person has not reached 21 years of age at the time of the crime.

6. The social reintegration plan referred to in paragraph 4 is based on the following principles:

- a) Contain the objectives of resocialization to be achieved by the convicted person, the activities that he or she must carry out, the respective basis and the support and surveillance measures to be adopted by social reintegration services;
- b) Make the convicted person known, obtaining, whenever possible, their prior agreement; c) Receive visits from the social reintegration technician;
- d) Inform this technician about changes of residence and employment, as well as any travel longer than 8 days and expected return date; and e) Obtain prior authorization from the magistrate responsible for execution to travel abroad.

7. The sentencing decision always specifies the grounds for its suspension.

8. The suspension period is set at between 1 and 5 years, counting from the day on which the decision becomes final.

ARTICLE 51. [Duties or rules of conduct that may condition it]

1. Suspension of the execution of the sentence may be subject to compliance with certain duties or rules of conduct imposed on the convicted person intended to repair the harm caused by the crime or to facilitate their social readaptation, namely the obligation to:

- a) Pay within a certain period of time the compensation due to the injured party or guarantee its payment by means of a suitable guarantee;
- b) Give the injured party adequate moral satisfaction;
- c) Deliver a certain amount to the State without reaching the maximum limit established for the amount of the fine;
- d) Not exercising certain professions or frequenting certain environments or places;
- e) Not residing in certain places or regions or not accompanying, hosting or receiving certain people;
- f) Do not attend certain associations or participate in certain meetings;
- g) Not have in their possession objects capable of facilitating the commission of crimes;
- h) Periodically appear before the court or other entities or be accompanied by a social reintegration technician.

2. The court may order the social reintegration services to support and supervise the convict in complying with the imposed duties or rules.

3. The court may also, having obtained the prior consent of the convicted person, determine that he or she is subject to medical treatment or cure.

4. The court may not demand any vexatious action from the convicted person, nor impose on him any duty contrary to good customs or likely to offend his personal dignity.

5. The imposed duties may be modified until the end of the suspension period whenever relevant circumstances occur or of which the court only became aware later.

ARTICLE 52. [Failure to comply with duties or rules of conduct]

If, during the period of suspension, the convicted person fails to comply, through guilt, with any of the duties or rules of conduct imposed in the sentence, or is punished for another crime, the court may, depending on the case:

- a) Give him a solemn warning;
- b) Demand guarantees of compliance with imposed duties or impose new duties or rules of conduct;
- c) Extend the period of suspension up to half of the period initially set, but not for less than one year, nor for more than the maximum limit set out in paragraph 5 of article 50;
- d) Revoke the suspension of the sentence.

ARTICLE 53 [Revocation]

1. The suspension is always revoked if, during the respective period, the convicted person grossly and repeatedly violates the imposed duties or rules of conduct or commits an intentional crime for which he will be punished with a prison sentence.

2. The revocation determines the fulfillment of the sentence whose execution was suspended, without the convicted person being able to demand the restitution of the payments made during the suspension.

ARTICLE 54 [Extinction of sentence]

- 1. If the suspension is not revoked, the sentence is declared extinct by the court.
- 2. If, at the end of the period of suspension, there is a pending case for a crime that could lead to its revocation or incident due to lack of compliance with duties or rules of

conduct, the penalty is only declared extinct when the process or incident ends and there is no room for revocation or extension of the period of suspension.

Section III Admonition and provision of work

ARTICLE 55 [Admonition]

1. If the offender is found guilty of committing a crime which, specifically, corresponds to a prison sentence, with or without a fine, not exceeding 3 months, or only a fine up to the same limit, the court may limit itself rather than an admonition.
2. A warning only takes place when it facilitates the offender's recovery, the damage has been repaired and there is no need to use other criminal measures provided for by law.
3. The admonition consists of a solemn and appropriate oral censure given in a hearing by the court to the agent found guilty.

ARTICLE 56. [Provision of work in favor of the community]

1. If the offender is found guilty of committing a crime that specifically involves a prison sentence, with or without a fine, not exceeding 1 year, or only a fine up to the same limit, the court may substitute for providing work in favor of the community, if it is concluded that in this way the purposes of the punishment are adequately and sufficiently achieved.
2. The provision of work in favor of the community consists of the provision of free services during the period not included in normal working hours, to the State, to other legal persons governed by public law.
3. Work is set at between 9 and 180 hours and working periods cannot exceed, per day, what is permitted under the applicable overtime regime.
4. The provision of work in favor of the community can only be carried out with the convict's acceptance.
5. The provision of work in favor of the community is controlled by social service bodies.

ARTICLE 57 [Provisional suspension, revocation, extinction and replacement]

1. The provision of work in favor of the community may be provisionally suspended for serious reasons of a medical, family, professional, social or other nature, however, the execution time of the sentence may not exceed 1 year.
2. The court revokes the sentence of providing work for the community and orders the prison sentence determined in the sentence to be served if the offender, after conviction:
 - a) Intentionally putting oneself in a position to be unable to work;
 - b) If he refuses, without just cause, to perform work, or grossly violates the duties arising from the sentence to which he was sentenced; or
 - c) Committing a crime for which he will be convicted, and revealing that the purposes of the sentence of providing work in favor of the community could not be achieved through it.
3. If, in the cases referred to in paragraph 2, the convicted person has to serve a prison sentence, but has already performed work in favor of the community, the court will make, in the prison time to be served, the discount that it considers equitable.
4. If the provision of work in favor of the community is considered satisfactory, the court may declare the sentence of no less than 50 hours extinct, once two thirds of the sentence has been served.
5. If the agent is unable to perform the work to which he was sentenced for reasons that are not attributable to him, the court, depending on what is most appropriate for achieving the purposes of the punishment:
 - a) Replaces the prison sentence established in the sentence with a fine of up to 120 days, applying correspondingly the provisions of paragraph 3 of article 49; or
 - b) Suspends the execution of the prison sentence determined in the sentence, for a period of 1 to 3 years, making it subject, in accordance with articles 51, to the fulfillment of appropriate duties or rules of conduct.

6. If the agent, after conviction and acceptance of the sentence, intentionally places himself in conditions of being unable to work or refuses, without just cause, to perform work, he is punished with the penalty provided for the crime of qualified disobedience .

Section IV Parole

ARTICLE 58 [Assumptions and duration]

1. Those sentenced to prison sentences may be released on parole by the court when they have served half of their sentence (1/2), if they have good prison behavior and show the ability to readapt to social life and a serious desire to do so and to their liberation does not prove to be incompatible with the defense of order and social peace.
2. The court places the person sentenced to prison on parole when two thirds (2/3) of the sentence has been served, if the person has good prison behavior and shows the ability to readapt to life in society.
3. Notwithstanding the provisions of the previous paragraphs, the court always places the convict on parole as soon as he has served five-sixths (5/6) of the sentence.
4. In either form, probation has a duration equal to the remaining prison sentence, but never longer than 4 years.
5. The application of parole always depends on the consent of the convicted person, who, for this purpose, must be heard by the court.

ARTICLE 59 [Probation in case of successive execution of several sentences]

1. If several prison sentences are to be executed, their execution must be carried out by physically adding up all the sentences, and then operating the mechanisms provided for in the previous article.
2. Under no circumstances may the limits established in article 42 be exceeded.
3. If the execution of the sentence results from the revocation of probation, it must be served after the remaining sentences have been completed.
4. If the sum of the sentences successively exceeds six years in prison, the court places the convict on probation, if he has not previously taken advantage of it, as soon as five-sixths of the sum of the sentences have been served.

ARTICLE 60 [Regime]

The provisions of articles 51 and 52 apply to conditional release, with the necessary adaptations.

ARTICLE 61 [Revocation]

1. The revocation of probation is mandatory when the offender is punished for an intentional crime with a prison sentence of more than 1 year.
2. The revocation determines, in all cases, the execution of the prison sentence not yet served; The court may, however, if it deems it justified, reduce the prison time to be served by up to half, and the offender will not, under any circumstances, have the right to the restitution of payments made while on probation, which may again be granted to him. , granted, in general terms.

ARTICLE 62 [Extinction of sentence]

The sentence is considered fully served and extinguished, if the conditional release is not revoked, as soon as the period of its duration expires and regardless of order.

Chapter III Additional penalties and effects of penalties

ARTICLE 63 [General principle]

1. No penalty involves, as a necessary effect, the loss of civil, professional or political rights.
2. The law may correspond to a certain category of crimes with a prohibition on the exercise of certain rights or professions.

ARTICLE 64 [Penalty of dismissal]

1. An official who has committed the crime with flagrant and serious abuse of the role he performs or with manifest and serious violation of the duties inherent to him may be dismissed from public service upon conviction.
2. A public servant may also be dismissed when the crime, although committed outside the exercise of public function, reveals that the agent is incapable or unworthy of carrying out the position or involves the loss of the general trust necessary to carry out the function.
3. The provisions of the previous paragraphs can only apply in relation to crimes punishable by a prison sentence of more than 2 years.
4. When dismissal is ordered, the court must communicate the conviction to the authority on which the employee depends.

ARTICLE 65 [Temporary suspension of function]

1. An employee definitively sentenced to a prison sentence, who is not dismissed, will be suspended from office for the duration of the respective sentence.
2. The suspension provided for in the previous paragraph includes the effects that, in accordance with the respective legislation, accompany the disciplinary sanction of suspension from the exercise of duties.

ARTICLE 66 [Effects of dismissal and suspension]

1. Unless otherwise specified, the penalty of dismissal determines the loss of all rights and benefits attributed to public servants and the same effect produces suspension for the period of its duration.
2. The penalty of dismissal does not involve the loss of the right to retirement or retirement, nor does it make it impossible for the employee, after serving the penalty, to be appointed to public positions or different positions or positions that can be held without the holder's have the particular conditions of dignity and trust that the position from which you were fired requires.

ARTICLE 67 [Prohibition of exercising other professions or rights]

The provisions of articles 64, 65 and 66 are applicable to the prohibition of professions or activities whose exercise depends on a public title or authorization or approval from the public authority; In these cases, the court may order, instead of dismissal, a ban on exercising the profession or activity.

ARTICLE 68 [Rehabilitation]

Anyone who is sentenced to dismissal or banned from exercising a certain profession or any rights may be judicially rehabilitated if, at least for a period of 2 years after serving the main sentence, they have behaved in a way that is reasonable to assume who has become capable, worthy and deserving of the trust that the position from which he was dismissed requires or to exercise the profession or the rights of which he was deprived.

ARTICLE 69 [Prohibition of driving motorized vehicles]

1. Whoever is punished for a crime committed while driving with serious

violation of road traffic rules or for a crime committed using a vehicle and the execution of which was facilitated in a relevant way.

2. The prohibition takes effect as soon as the decision becomes final and may cover the driving of motor vehicles of any category or a specific category.

3. The prohibition of driving is communicated to the competent services and implies, for the convicted person who holds a driving license, the obligation to deliver it to the court secretariat or to any police station that sends it there. In the case of a license issued in a foreign country, with international value, the delivery is replaced by an annotation, on that license, of the prohibition enacted.

4. The time in which the agent is deprived of liberty due to a measure of procedural coercion, penalty or security measure does not count towards the period of the prohibition.

5. The provisions of paragraph 1 shall cease when, for the same reason, the revocation or interdiction of the granting of a license takes place.

ARTICLE 70 [Expulsion of foreign citizens]

1. Foreign citizens convicted of committing a crime that carries a prison sentence of more than 3 years may be expelled from the national territory for a period of between 2 and 10 years, if they have resided there for less than 15 years.

2. The application of the provisions of the previous paragraph depends on whether, in the specific case, reasons of internal security, public health or impediment to the continuation of criminal activity require the adoption of the expulsion measure.

3. The expulsion sentence is carried out regardless of total or partial compliance with the main sentence and is suspended if the main sentence is also served.

Chapter IV Choice and measure of punishment

Section I General rules

ARTICLE 71 [Criteria for choosing the penalty]

If, alternatively, a custodial sentence and a non-custodial sentence are applicable to the crime, the court gives preference to the latter whenever it adequately and sufficiently achieves the purposes of the punishment.

ARTICLE 72. [Determination of the measure of the penalty]

1. The determination of the measure of the penalty, within the limits defined by law, is made depending on the guilt and prevention requirements:

a) The aggravating circumstances that modify recidivism and criminal habituality, respectively provided for in articles 76 and 78, apply to the abstract penalty corresponding to the completed crime;

b) Once the provisions of the previous paragraph have been complied with or from the abstract penalty corresponding to the completed crime if there are no modifying aggravating circumstances, situations of special mitigation of the penalty will be considered if, in the case, they exist.

2. When determining the concrete measure, the court takes into account all circumstances that, not being part of the type of crime, nor having been valued to determine the abstract penalty, testify in favor of the agent or against him, considering, in particular: a) The degree the illegality of the act, the manner in which it was carried out and the severity of its consequences, as well as the degree of violation of the duties imposed on the agent;

b) The intensity of the intent or negligence;

c) The feelings expressed in the preparation of the crime and the purposes or reasons that determined it;

d) The agent's personal conditions and economic situation;

- e) Conduct prior to the fact, when this misconduct must be censured through the application of the pity;
 - f) The seriousness of the lack of preparation to maintain lawful conduct, manifested in the fact, when this lack must be censured through the application of the penalty.
3. The grounds for the sentence must be expressly mentioned in the sentence.

ARTICLE 73. [Special mitigation of the penalty]

1. The court especially mitigates the penalty beyond the cases expressly provided for by law, when there are circumstances prior to or after the crime, or contemporaneous with it, which significantly reduce the illegality of the act or the guilt of the offender.
2. For this purpose, the following circumstances will be considered, among others:
 - a) The agent has acted under the influence of a serious threat or under the ascendant of the person on whom he or she depends or to whom he or she owes obedience;
 - b) The agent's conduct was determined by an honorable reason, by a strong request or temptation from the victim himself or by unfair provocation or undeserved offense;
 - c) There have been acts demonstrating the agent's sincere repentance, namely, reparation, to the extent possible, of the damage caused;
 - d) A lot of time has passed since the crime was committed, with the agent maintaining good conduct;
 - e) The agent has diminished imputability.
3. Circumstances that, by themselves or in conjunction with other circumstances, give rise simultaneously to a mitigation specifically provided for by law and to that provided for in this article may only be taken into account once.

ARTICLE 74 [Special mitigation terms]

1. Once the specific penalty applicable according to the rules of paragraph 1 of article 72 has been found, with special mitigation of the penalty taking place, the following is observed:
 - a) The maximum prison sentence is reduced to one third (1/3);
 - b) The minimum limit of the prison sentence is reduced to a quarter (1/4) if it is equal to or greater than 3 years and to the legal minimum if it is less;
 - c) The maximum limit of the fine penalty is reduced to one third (1/3) and the minimum limit is reduced to the legal minimum;
 - d) If the maximum prison sentence does not exceed 3 years, it may be replaced by a fine, within the general limits.
2. The special mitigation of the sentence does not exclude the application of the principles that regulate the fine, nor the possibility of suspending the execution of the sentence.

ARTICLE 75. [Exemption from sentence]

1. When the act constitutes a crime punishable by a prison sentence of no more than 6 months, with or without a fine up to the same limit, the court may declare the defendant guilty, but not impose any penalty if:
 - a) The illegality of the act and the agent's guilt are minimal;
 - b) The damage has been repaired; and
 - c) Dismissal of the sentence if there are no reasons for prevention.
2. If the judge has reason to believe that compensation for the damage is about to occur, he may postpone the sentence to review the case within a maximum period of 1 year, on a day that he will soon schedule.
3. When another norm allows, on an optional basis, the exemption from the penalty, this will only take place if the requirements contained in the paragraphs of paragraph 1 are met.

Section II Recidivism

ARTICLE 76 [Assumptions]

1. Anyone who, alone or under any form of co-operation, commits an intentional crime that must be punished with effective imprisonment for more than 1 year, after having been convicted by a final and unappealable sentence of effective imprisonment, is punished as a repeat offender. of more than 1 year, fully or partially served, for another intentional crime, if the circumstances of the case show that the previous conviction or convictions did not serve as a sufficient warning.
2. The previous crime for which the agent was convicted does not count for the purposes of recidivism if more than 4 years have elapsed between its commission and the next crime, within this period the time during which the agent served a prison sentence or custodial security measure.
3. Convictions handed down by foreign courts only count for the purposes of recidivism when the act also constitutes an intentional crime under São Tomé law.
4. The prescription of the sentence, amnesty, pardon and pardon do not prevent the verification of recidivism.

ARTICLE 77 [Effects]

In the event of a repeat offense, the minimum sentence applicable to the crime is increased by one third and the maximum limit remains unchanged. The aggravation, however, does not exceed the measure of the most serious penalty applied in previous convictions and the applicable penalty cannot go beyond the maximum foreseen in the legal type of crime.

ARTICLE 78 [Criminal habituality. Notion and effects]

1. Anyone who commits a crime to which an effective prison sentence of more than 1 year must be applied is declared to have a special tendency towards criminal behavior, if, cumulatively, the following conditions occur:

- a) Having previously committed three or more intentional crimes for which an effective prison sentence of more than 1 year was imposed;
 - b) Less than three years have passed between each of the crimes and the next;
 - c) The joint assessment of the facts and the personality of the agent reveals a strong or dangerous tendency towards crime and this persists at the time of the trial.
2. In the case of criminal habituality, the minimum and maximum limits of the penalties provided for the crime are increased by one third (1/3), but without exceeding the limit established in article 42.
 3. The provisions regarding criminal habituality, when applicable, prevail over the rules specific to the punishment of recidivism.

Section III Punishment of concurrent crimes and continued crimes

ARTICLE 79 [Competition punishment rules]

1. When someone has committed several crimes before the conviction for any of them becomes final, they are sentenced to a single sentence. In determining the specific sentence, the facts and the personality of the agent are considered together.
2. The maximum limit for the applicable penalty is the sum of the penalties actually applied to the various crimes, without exceeding the limits set out in articles 42 and 48, and as a minimum limit, the highest of the penalties actually applied.
3. The fine and the prison sentence for alternative conviction under the terms of paragraphs 3 and 4 of article 48, are always combined with each other and with the prison sentence.
4. Additional penalties and security measures can always be applied to the offender, even if provided for only one of the crimes committed by only one of the applicable laws.

ARTICLE 80. [Supervening knowledge of the competition]

1 If, after a final conviction, but before the respective sentence is served, prescribed or extinguished, it is shown that the agent committed, prior to that conviction, another crime or other crimes, the rules of the previous article apply, the sentence that has already been served is deducted from the fulfillment of the single sentence applied to the set of crimes.

2. The additional penalties and security measures applied by the previous sentence remain, except when they prove to be unnecessary in view of the new decision; if they are applicable only to the crime that remains to be assessed, they are only decreed if they are still necessary in light of the previous decision.

ARTICLE 81 [Punishment of continued crime]

The continued crime is punishable by the penalty applicable to the most serious conduct that forms part of the continued criminal action.

Section IV Discount on imprisonment and fines prior to conviction**ARTICLE 82 [Preventive detention]**

1. Detention and preventive detention, suffered by the defendant in the process in which he is convicted, are deducted in full from serving the prison sentence, even if they were applied in a process different from that in which he is convicted, when the act for which he was convicted was committed prior to the final decision of the process within which the measures were applied.

2. If a fine is imposed, detention and preventive detention are discounted at the rate of one day of deprivation of liberty for at least one day of fine, unless the fine is of a specific amount, in which case the discount that appears equitable will be made.

ARTICLE 83 [Previous penalty]

1. When the penalty imposed by a final and unappealable decision is subsequently replaced by another, the previous penalty is deducted from this, to the extent that it has already been served.

2. If the previous and subsequent penalties are of a different nature, the discount that appears equitable is made to the new penalty.

ARTICLE 84 [Penalty suffered in a foreign country]

Under the terms of the previous articles, any procedural measure, imprisonment or fine that the agent has suffered, for the same or the same facts, abroad is discounted.

Chapter V Security measures**Section I Internment of unaccountable persons****ARTICLE 85 [Assumptions and limits]**

1. When a fact described in a legal type of crime is committed by an individual who is not attributable under the terms of article 20, the court will order him to be admitted to a cure, treatment or security establishment, whenever, due to the psychic anomaly and the nature and seriousness of the act committed, there is a deep fear that he will commit other typical serious acts.

all.

2. When the act committed by the unaccountable person consists of homicide or serious bodily harm, or other acts of violence punishable by a sentence of more than 3 years, and there are reasons to fear the commission of other acts of the same nature and severity, internment lasts

minimum of 3 years, unless release proves compatible with the defense of the legal order and social peace.

ARTICLE 86. [Termination of hospitalization]

1. Without prejudice to the provisions of paragraph 2 of the previous article, internment ends when the court verifies that the state of criminal danger that gave rise to it has ceased.
2. Internment cannot exceed the maximum sentence corresponding to the type of crime committed by the person not charged.
3. If the act committed by the unaccountable person corresponds to a crime punishable by a sentence of more than 8 years and the danger of new acts of the same type is so serious as to make release inadvisable, the confinement may be extended for successive periods of 2 years until the situation foreseen in paragraph 1 is verified.

ARTICLE 87. [Review of the inmate's situation]

1. If the existence of a justifying reason for the termination of hospitalization is invoked, the court examines the matter at all times.
2. The assessment is mandatory, regardless of the allegation, 2 years after the start of hospitalization or the decision that maintained it.
3. In any case, the minimum period of hospitalization set out in paragraph 2 of article 85 is subject to consideration.

ARTICLE 88 [Release on trial basis]

1. After the minimum period of confinement has elapsed, the unaccountable offender may be released on a trial basis, for a minimum period of 2 years, provided that there are serious reasons to assume that the interned person no longer presents the danger of committing new acts illicit.
2. The decision granting release imposes on the released person the duties considered necessary to prevent their danger and, in particular, to undergo appropriate treatments and healing regimes and undergo examinations and observation in the places indicated.
3. Internees released on trial basis are placed under the supervision of specialized social workers or a person chosen by the court.
4. If the test confirms the cessation of criminal danger, the court converts the prisoner's release into final status; otherwise, their internment is ordered or the measure applied, in accordance with the law and in view of the agent's conduct or personality, is most appropriate.
5. If during the trial period, and in light of the released person's conduct, it is found that the freedom regime is not appropriate, the court must order the delinquent's internment or apply another measure, in accordance with the last part of the previous paragraph.

ARTICLE 89 [Experimental freedom]

The definitive freedom of a person interned in establishments intended for non-imputable individuals, when release as a trial has not taken place, is always preceded by a period of experimental freedom of no less than 2 years and no more than 5.

2. The provisions of paragraphs 2, 3, 4 and 5 of the previous article apply to the experimental freedom provided for in the previous paragraph.

ARTICLE 90 [Reexamination of the internment measure whose implementation begins 2 years after its application]

1. The execution of the internment security measure cannot begin, after 2 years or more after the decision that decreed it, without assessing the subsistence of the assumptions that supported its application.
2. The court may confirm, suspend or revoke the ordered measure.

ARTICLE 91 [Expulsion of non-imputable foreigners]

Without prejudice to the provisions of an international treaty or convention, the measure of internment of unaccountable foreigners may be replaced by expulsion from the national territory.

Section II Prohibition of professions and activities**ARTICLE 92. [Assumptions and periods of prohibition]**

1. Anyone who is convicted of a crime committed in serious violation of the duties inherent to the profession, trade or industry he carries out, or is acquitted solely due to lack of accountability, may be banned from carrying out the respective activity for a period of 1 to 5 years when, in view of the act carried out and the personality of the agent, there is a well-founded fear that he or she will commit other crimes that endanger, directly or indirectly, certain people or the community.
2. The period of interdiction starts from the date of final judgment of the respective decision, but is suspended during the execution, by the agent, of any criminal sanction depriving liberty.

ARTICLE 93 [Effects]

1. During the period of interdiction, the offender cannot exercise his profession, trade or industry, either directly or through an intermediary.
2. Violation of the prohibition contained in the previous paragraph is punishable by the penalty provided for the crime of qualified disobedience.

ARTICLE 94 [Withdrawal of license and prohibition of granting license to drive a motor vehicle or weapon]

1. In the event of conviction for a crime committed while driving a motor vehicle or related thereto, or for a gross violation of the duties incumbent upon a driver, or of acquittal solely due to lack of imputability, the court orders the withdrawal of the driver's license. driving when, in view of the act committed and the personality of the agent:
 - a) There is a well-founded fear that he may commit other acts of the same type; or
 - b) Must be considered unfit to drive a motor vehicle.
2. The practice of, among others, acts that include the crimes of:
 - a) Omission of assistance under the terms of article 276, if it is foreseeable that it could result in serious harm to the life, body or health of any person;
 - b) Dangerous driving of a road vehicle, in accordance with article 348;
 - c) Driving a vehicle while intoxicated, in accordance with article 349; or
 - d) Typical illicit act committed in a state of intoxication, under the terms of article 353, if the act committed is one of those referred to in the previous paragraphs.
3. When ordering the withdrawal of the driving license, the court determines that the agent cannot be granted a new license to drive motor vehicles, of any category or of a specific category. The provisions of paragraphs 2, 3 and 4 of article 69 are correspondingly applicable.
4. If the agent in relation to whom the assumptions of paragraphs 1 and 2 are met does not hold a driving license, the court is limited to decreeing the prohibition of granting a license, under the terms of the previous paragraph, with the sentence being communicated to the competent entity.
5. If a prohibition on granting a license has already been issued against the agent within the 5 years prior to the commission of the act, the minimum period of prohibition is 2 years. The granting of a new license is subject to a new examination.
6. The provisions of paragraph 2 of the previous article are correspondingly applicable.
7. Likewise, in the case of conviction for an intentional crime committed using a weapon, the court may order the revocation of the license to use and carry a weapon, taking into account the circumstances and gravity of the conduct, for a period of 2 to 8 years .

8. When the revocation of the driving license is ordered, obtaining the new license depends on a special examination.

ARTICLE 95 [Extinction of measures]

If after the deadlines set out in articles 92 and 94 have elapsed, it is found, at the request of the interdict, that the prerequisites for their application no longer exist, the court declares them extinct.

Section III Suspension and review of security measures

ARTICLE 96 [Suspension of hospitalization]

1. The internment of unaccountable dangerous individuals may be conditionally suspended for a period of 2 to 5 years, provided that the court concludes that the suspension is not opposed to the need to prevent dangerousness.
2. The provisions of paragraphs 2, 3 and 4 of article 88 are applicable to this case.
3. The suspension of the execution of internment cannot be ordered if the offender is simultaneously sentenced to a custodial sentence and the conditions for suspending the execution of this sentence are not met.

ARTICLE 97 [Suspension of the ban on the profession]

1. If there has been no conviction due to lack of imputability or the execution of the sentence has been suspended, the prohibition from profession may also be suspended for a period of 2 to 5 years, but never less than the period of suspension of the execution of the sentence.
2. The suspension of the ban may be accompanied by the imposition of any duties that the court deems necessary.
3. If the suspension of the execution of the sentence is revoked, the suspension of the interdiction will expire.

ARTICLE 98 [Revocation of suspension]

1. Suspension of internment or prohibition from profession is revoked if the agent's conduct during the fixed period or subsequent knowledge of other circumstances advise revocation.
2. If there is no room for revocation, the measure will be considered extinct after the suspension period has expired.

ARTICLE 99

Review of security measures]

1. The execution of a security measure cannot begin 3 years after the decision that enacted it, without the situation that gave rise to it being assessed again by the court, unless the delinquent was subject to it during that time. the other deprivation of liberty measure.
2. The court may confirm, conditionally suspend, convert or revoke the measure of security.

Section IV Hospitalization of attributable sufferers of psychic anomalies

ARTICLE 100 [Internment of imputable persons in an establishment intended for non-imputable persons]

1. When the offender is not declared unaccountable, but it is shown that, due to the psychological anomaly from which he suffers, the regime of common establishments is harmful to him, or that he seriously disturbs that regime, the court may order his confinement in an establishment -cement intended for non-imputable individuals, for a period corresponding to the duration of the sentence.

2. The internment provided for in the previous paragraph does not affect the possibility of parole, nor does it prevent the delinquent from being readmitted to common establishments for the period of deprivation of liberty that remains to be served, as soon as the reason for the internment ceases. in a special establishment.

ARTICLE 101 [Psychological anomaly subsequent to the commission of the crime]

1. If the mental anomaly, with the effects provided for in articles 85 or 100, occurs to the offender after committing the crime, the court orders his hospitalization in establishments intended for non-imputable individuals for the time corresponding to the duration of the sentence.
2. The aforementioned confinement is deducted from the sentence, but, regardless of its duration, the court may grant conditional release to the offender.

ARTICLE 102 [Non-dangerous posterior mental anomaly]

1. If the psychic anomaly that occurs to the agent after committing the crime does not make him criminally dangerous, in accordance with article 85, the execution of the sentence is suspended until the state of psychic anomaly that gave rise to the suspension ceases .
2. The decision ordering suspension may subject the offender to compliance with the duties and surveillance provided for in paragraphs 2 and 3 of article 88.
3. If the reason for the suspension ceases, the court may, instead of ordering the execution of the sentence that is to be served, immediately grant conditional release or order the suspension of the execution of the sentence.

ARTICLE 103 [Simulation of psychic anomaly]

Changes to the normal regime for the execution of the sentence, based on the provisions of articles 100 and 101, expire as soon as it is shown that the agent's mental anomaly was simulated.

Chapter VI Loss of things or rights related to the crime

ARTICLE 104 [Loss of objects and products]

1. Objects that have served or were intended to serve in the commission of a crime, or that were produced by it, are declared lost to the State when, due to their nature or the circumstances of the case, they endanger the safety of people, the morality or public order, or pose a serious risk of being used to commit new crimes.
2. The loss of objects takes place, even though no specific person can be criminally persecuted or convicted.
3. Objects declared lost in favor of the State for which the law does not set a special destination and have economic value, are sold, as soon as the final decision is passed, in an annual auction to be organized by the presiding judge of the court, with the Proceeds from the sale revert to the prison services' own fund.
4. If the law does not set a special destination for objects lost under the terms of the previous paragraphs, the judge may order that they be totally or partially destroyed or put out of business or hand them over to an appropriate public institution.

ARTICLE 105 [Third party objects]

1. If the objects referred to in the previous article do not belong, on the date of the crime, to any of the agents of the criminal act or their beneficiaries or no longer belong to them at the time the loss was decreed, the respective holder is assigned a compensation equal to the value of the lost objects, for which the criminal agents are jointly and severally liable for payment. If they are unable to pay, responsibility for compensation is returned to the State.

2. There is no need for compensation when the holders of the objects have reprehensibly contributed to their use or production or have taken advantage of the fact or even after committing the fact, in a reprehensible way they have acquired them, with the acquirers knowing their origin .

ARTICLE 106 [Loss of things or rights related to the crime]

1. All rewards given or promised to criminal agents, for themselves or for others, are lost in favor of the State. In the case of any advantage that is not susceptible to direct transfer, the State has the right to demand the corresponding amount from those who received it or were obliged to pay it.

2. Instruments, objects or proceeds of crime not covered by the provisions of article 104, and objects, rights or advantages which, through the crime , have been directly acquired for themselves or for others by agents and represent a patrimonial advantage of any kind.

3. If the rights, reward, things or advantages referred to in the previous paragraphs are not in the hands of the agents, the loss is replaced by payment to the state of the respective value, without prejudice to the rights of the offended party or third parties.

4. In the event that someone is criminally liable for acting on behalf of another under the terms of article 12 and the reward for the crime and the benefits arising from it benefit the person in whose name the act was committed, the provisions of in previous numbers for crime agents.

ARTICLE 107 [Payment deferred or in installments]

The regime provided for the penalty of fine in paragraphs 5 and 6 of article 48 extends to the property obligations referred to in the previous articles.

31

Title IV *Complaint and private accusation*

ARTICLE 108 [Holders of the right to complain]

1. When the criminal procedure depends on a complaint, the offended person has the legitimacy to present it, unless otherwise provided, and is considered as such the holder of the interests that the law specifically wanted to protect with the incrimination.

2. The right to file a complaint belongs, unless one of them has participated in the crime, to the surviving spouse who has not been legally separated from persons and property; to descendants and adopted and ascendants and adopted; and, in his absence, to his brothers and their descendants.

3. When the offended party is under 16 years of age or does not have the discernment to understand the meaning of exercising the right to complain, this belongs to their legal representative and, failing that, to the people indicated successively in paragraph 2.

4. If, however, the offended party is over 16 years old, he or she also has the right to file a complaint.

4. Any of the people referred to in paragraphs 2 and 3 of this article may file a complaint regardless of the agreement of the others.

ARTICLE 109 [Extinction of the right to complain]

1. The right to complain expires within 6 months, counting from the date on which the holder became aware of the fact and its perpetrators, or from the death of the offended party, or from the date on which he or she became incapacitated.

2. The right to complain provided for in paragraph 2 of art. 108th, is extinguished within 6 months from the date on which the offended party turns 18 years old.

3. Failure to timely exercise the right to file a complaint against one of the participants in the crime benefits the others, in cases where they cannot be prosecuted without a complaint.

4. As there are several holders of the right to complain, the deadline counts independently for each of them.

ARTICLE 110. [Extension of the effects of the complaint]

Filing a complaint against one of the participants in the crime extends the criminal procedure to the rest.

ARTICLE 111 [Resignation and withdrawal of the complaint]

1. The right to complain cannot be exercised if the holder has expressly renounced it or has committed acts from which waiver is necessarily deduced.
2. The complainant may withdraw the complaint as long as there is no opposition from the defendant, until the publication of the first instance sentence. Withdrawal prevents the complaint from being renewed.
3. The withdrawal and renunciation of the complaint regarding one of the participants in the crime benefits the others, in cases where they cannot also be persecuted without a complaint.
4. When the right to complain has been exercised by several people, both renunciation and withdrawal require the agreement of all of them.

ARTICLE 112 [Participation of public authority]

Unless the law provides otherwise, if the criminal proceeding depends on the participation of a public authority, the participation presented by that authority cannot be waived or withdrawn.

ARTICLE 113 [Private accusation]

The provisions of the articles above are applicable, with the necessary adaptations, to cases in which the criminal procedure depends on a private accusation.

Title V *Extinction of criminal liability*

Chapter I Prescription of criminal proceedings

ARTICLE 114 [Limitation period]

1. The criminal proceedings shall be terminated, due to the statute of limitations, as soon as the following deadlines have elapsed since the commission of the crime:
 - a) 15 years, in the case of crimes that carry a prison sentence with a maximum limit equal to or greater than 10 years;
 - b) 10 years, in the case of crimes that carry a prison sentence with a maximum limit equal to or greater than 5 years, but not exceeding 10 years;
 - c) 5 years, in the case of crimes that carry a prison sentence with a maximum limit equal to or greater than 1 year, but not exceeding 5 years;
 - d) 2 years, in the remaining cases.
2. The crimes provided for in the articles are imprescriptible:
 - a) Art. 175 – Sexual abuse of children;
 - b) Art. 178 – Homosexual acts with teenagers;
 - c) Art. 181 – Pimping and trafficking of minors; d) Art. 210 – Genocide;
 - e) Art. 211 - War crimes against civilians, wounded, sick and prisoners of war;
 - f) Art. 212 – Subtraction of the guarantees of the São Tomé rule of law;
 - g) Art. 215 - Torture and other cruel, degrading or inhuman treatment; h) Art. 216 – Torture and other cruel, degrading or serious inhuman treatment.
2. To determine the maximum penalty applicable to each crime referred to in the previous number, aggravating or mitigating factors that, within the same type of crime, modify the limits of the penalty do not count.

3. When the law establishes for any crime, alternatively or jointly, a prison sentence or a fine, only the first is considered for the purposes of this article.

ARTICLE 115 [Start of term]

1. The statute of limitations for criminal proceedings runs from the day the act is consummated.
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2. However, the limitation period only runs:
 - a) In permanent crimes, from the day the consummation ceases;
 - b) In continuing crimes and habitual crimes, from the day of the last criminal act
ours;
 - c) In unconsummated crimes, from the day of the last act of execution.
3. In the case of complicity, for the purposes of this article, the fact of the author is always taken into account.
4. When the production of a certain result is not part of the type of crime, the limitation period only runs from the day on which the result occurs.

ARTICLE 116 [Suspension of prescription]

1. The statute of limitations for criminal proceedings is suspended beyond the cases specifically provided for by law, during the time in which:
 - a) The criminal procedure cannot legally begin or cannot continue due to the lack of legal authorization or a prior sentence to be handed down by a non-criminal court, or due to the return of a prejudicial matter to the non-criminal court;
 - b) Criminal proceedings are pending, as of notification of the order of indictment or equivalent, except in the case of absentee proceedings;
 - c) The offender is serving a prison sentence or security measure abroad;
 - d) The sentence cannot be notified to the defendant tried in his absence.
2. In the case provided for in paragraph b) of the previous paragraph, the suspension cannot exceed 2 years, when there is no appeal, or 3 years, if there is one.
3. The prescription will run again from the day the reason for the suspension ends.

ARTICLE 117 [Interruption of prescription]

1. The statute of limitations for criminal proceedings is interrupted:
 - a) With the constitution of a defendant;
 - b) With imprisonment;
 - c) With notification of the pronouncement order or equivalent;
 - d) With notification of the order designating a date for the hearing in the absence of the accused.
2. After each interruption, a new statute of limitations begins to run.
3. The prescription of criminal proceedings always takes place when, since its beginning and except for the period of suspension, the normal limitation period plus half has elapsed.
When, by virtue of a special provision, the prescription period is less than 2 years, the maximum limit of the prescription corresponds to twice that period.

Chapter II Prescription of penalties

ARTICLE 118 [Limitation periods]

1. Penalties expire within the following periods:
 - a) 15 years, if more than 10 years in prison;
 - b) 10 years, if equal to or greater than 5 years in prison;
 - c) 5 years, if equal to or greater than 2 years in prison;
 - d) 4 years, in the remaining cases.
2. When several types of penalties are applied to a crime, the prescription of any of them is not complete without the others also having prescribed.

3. The limitation period begins to run on the day on which the decision imposing the penalty becomes final.
4. Security measures expire within a period of 10 or 5 years, depending on whether they are custodial or non-custodial security measures.

ARTICLE 119 [Effect of prescription of the main sentence]

The prescription of the main penalty involves the prescription of the additional penalty that has not yet been executed, as well as the effects of the penalty that have not yet occurred.

ARTICLE 120 [Suspension of prescription]

1. The prescription of the sentence is suspended, in addition to the cases specifically provided for by law, for the time when:
 - a) By force of law, execution cannot begin or continue to take place;
 - b) The convicted person is serving another sentence or security measure that deprives liberty or is serving a suspended sentence;
 - c) The delay in paying the fine continues.
2. The prescription will run again from the day the reason for the suspension ends.

ARTICLE 121 [Interruption of prescription]

1. The prescription of the sentence is interrupted:
 - a) With its execution;
 - b) With the practice, by the competent authority, of acts intended to have it executed, if the execution becomes impossible because the condemned person is in a place from which he cannot be extradited or where he cannot be reached.
2. After each interruption, a new limitation period begins to run.
3. The prescription of the sentence and security measure always takes place when, since the beginning of that sentence and with the exception of the period of suspension, the normal period of prescription plus half has elapsed.

Chapter III Other causes of extinction

ARTICLE 122. [Death of the agent]

The death of the agent extinguishes both the criminal proceeding and the penalty or security measure.
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ARTICLE 123 [Amnesty]

1. Amnesty extinguishes the criminal proceedings and, if there has already been a conviction, it ceases the execution of both the main sentence and the accessory sentences.
2. In the case of a combination of crimes, the amnesty is applicable to each of the crimes for which it was granted.
3. Amnesty may be subject to the fulfillment of certain duties and does not affect compensation for losses and damages that may be due.
4. Unless otherwise specified, amnesty does not benefit repeat offenders or those convicted of criminal habituality.

ARTICLE 124 [Pardon]

1. The pardon extinguishes the sentence, in whole or in part, or replaces it with a more favorable one.
2. In the case of concurrent crimes, in which the sentences have been combined, the pardon applies to the single sentence.
3. The provisions of paragraphs 3 and 4 of the previous article apply to the pardon.

ARTICLE 125 [Corporate persons]

In the event of the dissolution of legal persons or similar entities, the respective assets are liable for the fines and compensation imposed on them.

Title VI *Compensation for losses and damages due to crime*

Single Chapter

ARTICLE 126 [Civil liability arising from crime]

Compensation for losses and damages resulting from a crime is regulated by civil law.

ARTICLE 127 [Compensation of injured parties]

1. Special legislation establishes the conditions under which the State can guarantee the compensation due to the injured party as a result of a crime whenever it cannot be satisfied by the perpetrator.
2. The court may award to the injured party, at his request up to the limit of the alleged damage, the objects declared lost or the proceeds from their sale, or the price or value corresponding to benefits arising from the crime, paid to the State or transferred to its favor pursuant to articles 104 to 106.
3. If the damage caused by the crime is so serious that the injured party is deprived of means of subsistence, and if it is expected that the offender will not repair it, the court shall grant the injured party, at his request, in full or in part, part and up to the limit of the damage, the amount of the fine.
4. The State is subrogated to the injured party's right to compensation up to the amount it has satisfied.

Title VII *Supplementary provisions*

Single Chapter

ARTICLE 128 [Registration in the criminal record]

The inclusion of penalties and security measures in the criminal record, as well as rehabilitation, are regulated by special legislation.



BOOK II
special part

Title I *Crimes against persons*

Chapter I *Two crimes against life*

ARTICLE 129 [Homicide]

Anyone who kills another is punished with imprisonment for 8 to 16 years.

ARTICLE 130 [Qualified homicide]

1. If the death is caused in circumstances that reveal the agent's particular reprehensibility or perversity, the penalty is imprisonment for 14 to 20 years.

2. The fact that the agent:

- a) Be a descendant or ascendant, natural or adopted, of the victim;
- b) Using torture or acts of cruelty to increase the suffering of the victim;
- c) Be determined by greed, the pleasure of killing, for excitement or satisfaction of the sexual urge or for any base or futile reason;
- d) Be determined by racial, religious or political hatred, or generated by the color, ethnic or national origin, sex or sexual orientation of the victim;
- e) With a view to preparing, facilitating, executing or covering up another crime, facilitating escape or ensuring impunity for the perpetrator of a crime;
- f) Using poison, any other insidious means or when the means used result in the commission of a crime of common danger;
- g) Act with premeditation, meaning coldness of mind, reflection on the means used or persisting in the intention to kill for more than 24 hours;
- h) Having committed the act against a member of a sovereign body, the Council of State, a magistrate, a member of a regional or local body or an agent of the security forces and services, a public, civil or military official, an agent of the force, public or citizen in charge of a public service, in the exercise of their functions or because of them;
- i) Have committed the act to avoid detention, capture or execution of deprivation of liberty, including the case in which the agent is taken into custody, for acts or steps provided for in criminal procedural law, or even, when in escape, to acquire means of subsistence;
- j) Being an employee and carrying out the act with serious abuse of authority;
- k) Carrying out the act together with at least two other people or using particularly dangerous means or that results in the commission of a crime of common danger.

ARTICLE 131 [Privileged homicide]

Anyone who is led to kill another person who is overcome by understandable violent emotion or compassion, despair or another reason of relevant social or moral value, which significantly reduces their guilt, is punished with a prison sentence of 1 to 5 years.

ARTICLE 132 [Homicide at the request of the victim]

1. Whoever kills another person of greater age determined by the insistent, conscious, free and express request that he or she made to him is punished with a prison sentence of up to 3 years.

2. The attempt is punishable.

ARTICLE 133 [Incitement or assistance to suicide]

1. Whoever incites another to commit suicide, or provides assistance to that end, is punished with imprisonment for up to 3 years, if the suicide is actually attempted or completed.

2. If the person being incited or being helped is under 16 years of age, cannot be charged, or has a significantly reduced capacity, for any reason, the penalty is imprisonment for 2 to 8 years.

ARTICLE 134 [Homicide due to negligence]

1. Anyone who, through negligence, causes the death of another is punished with imprisonment for up to 2 years.
2. When the negligence is gross, the penalty is imprisonment for up to 4 years.

ARTICLE 135 [Privileged infanticide]

A mother who kills her child during or shortly after birth, while still under its disturbing influence or to hide dishonor, is punished with imprisonment for 1 to 5 years.

ARTICLE 136. [Exhibition or abandonment]

1. Anyone who puts another person's life in danger:
 - a) Exposing her in a place that subjects her to a situation from which she alone cannot defend herself; or,
 - b) Abandoning it without defense, whenever the agent had the duty to guard, educate, monitor or assist it, or if it was intentionally incapacitated by him, is punished with a prison sentence of 1 to 5 years.
2. If the act is committed by an ascendant or descendant, the offender is punished with a prison sentence of 2 to 5 years.
3. If the crime results in death, which could be foreseen by the agent as a necessary consequence of the conduct, the prison term is 2 to 8 years.
4. If the danger to life referred to in paragraph 1 is linked to the age, illness or frailty of the victim, the penalty is 2 to 5 years.
5. If, in the case of the previous paragraphs, the exposure or abandonment was carried out by the mother to hide her dishonor and death did not occur, the sentence cannot exceed 2 years; If, however, death results, which could be foreseen as a necessary consequence of the conduct, the penalty is imprisonment for up to 4 years.

Chapter II Two crimes against intra-uterine life**ARTICLE 137. [Abortion]**

1. Whoever, by any means and without the consent of the pregnant woman, causes her to have an abortion is punished with imprisonment for 2 to 8 years.
2. Whoever, by any means and with the consent of the pregnant woman, causes her to have an abortion, outside of the cases provided for in the following article, is punished with imprisonment for up to 3 years.
3. The same penalty applies to a pregnant woman who, outside of the cases provided for in the following article, gives consent to an abortion caused by a third party, or who, due to her own or someone else's actions, causes herself to have an abortion.
4. If the abortion provided for in paragraphs 2 and 3 is carried out to avoid social disapproval of the woman, or for a reason that significantly reduces the perpetrator's guilt, the applicable penalty cannot exceed 1 year.

ARTICLE 138 [Aggravated abortion]

1. When an abortion carried out in accordance with the previous paragraphs or the means used, results in death or serious injury to the body or physical or mental health of the pregnant woman, which the person who caused the abortion could have foreseen as a necessary consequence of the abortion. his conduct, the maximum penalty applicable to him is increased by one third.
2. The aggravation provided for in the previous paragraph is applicable to the agent who habitually engages in the illicit practice of abortion or performs it with the intention of making a profit.

ARTICLE 139 [Exclusion of the illegality of abortion]

1. An abortion carried out by a doctor, or under his direction in an officially recognized health establishment and with the consent of the pregnant woman, is not punishable when she decides of her own free will to have an abortion and it is carried out within the first twelve months. weeks of pregnancy, nor those who assist in its implementation.

2. Outside of the cases provided for in the previous paragraph, abortion is only permitted in the following situations:

- a) It constitutes the only means of removing the danger of death or serious and irreversible injury to the body or physical or mental health of the pregnant woman;
- b) It is indicated to avoid danger of death or serious and lasting injury to the body or physical or mental health of the pregnant woman;
- c) There are safe reasons to predict that the unborn child will suffer, incurably, from a serious illness or malformation, and this is carried out in the first 16 weeks of pregnancy;
- d) There is serious evidence that the pregnancy resulted from rape of the woman.

3. Verification of the circumstances that exclude the illegality of the abortion must be certified in a medical certificate, written and signed before the intervention by a doctor other than the one by whom, or under whose direction, the abortion is performed.

4. Verification of the circumstance referred to in subparagraph d) of paragraph 2 also depends on the existence of criminal involvement in the violation.

ARTICLE 140 [Consent]

1. The pregnant woman's consent to the abortion must be given, unequivocally, in a document signed by her or signed at her request, in accordance with the law, at least 3 days in advance of the date of the intervention.

2. When the abortion is carried out urgently, namely in the cases provided for in subparagraphs a) and b) of paragraph 1 of the previous article, compliance with the deadline provided for in the previous paragraph is waived, and the consent of the pregnant woman if she is not in a position to provide it and it can be reasonably assumed that under normal conditions she would do so, and, in any case, mention of such circumstances must be included in the medical certificate.

3. If the pregnant woman is under 16 years of age, or is not attributable, consent, as the case may be, must be given respectively and successively by the capable non-separated husband or by the one who lives with her in a de facto union, by the legal representative, by a capable ascendant or descendant and, failing that, by any relatives in the collateral line.

4. In the absence of the people referred to in the previous paragraph and when carrying out the abortion is urgent, the doctor must make a conscious decision in light of the situation, using, whenever possible, the opinion of another person or others doctors, and, in any case, mention of such circumstances must be included in the medical certificate.

Chapter III Crimes against physical integrity

ARTICLE 141 [Simple bodily harm]

- 1. Anyone who causes harm to the body or health of another is punished with imprisonment for up to 2 years or a fine for up to 200 days.
- 2. Criminal proceedings only take place upon complaint.

ARTICLE 142 [Serious bodily harm]

Anyone who offends the body or health of others, in such a way as to:

- a) Deprive him of an important organ or limb, or seriously and permanently disfigure him;
- b) Take away or seriously offend him of his ability to work, his intellectual abilities, his ability to procreate or the possibility of using his body, senses or language;
- c) Causing danger to life, a particularly painful or permanent illness, or other serious and incurable illness or mental anomaly or abortion is punishable by imprisonment, from 2 to 6 years.

ARTICLE 143. [Bodily offenses with intent to endanger]

1. Whoever, through an offense to the body or health of another, creates for the offended party a danger to life or the danger of verifying the effects provided for in the previous article is punished with imprisonment for up to 3 years.
2. The same penalty is applicable to anyone who commits an offense against the body or health of another, using particularly dangerous or insidious means, together with 3 or more people, or when the means used results in the commission of a dangerous crime common.
3. The penalty is from 1 to 5 years when the offender commits an offense against the body or health of any of the people indicated in paragraph h) of paragraph 2 of article 130 and in the circumstances referred to in paragraph i) of the same provision.

ARTICLE 144 [Aggravation due to the result]

1. Whoever, by virtue of bodily injury or harm to the health of another, causes the death of the offended party is punished with imprisonment from 1 to 5 years, in the case of article 141, and with imprisonment from 2 to 8 years, in the case of articles 142nd and 143rd.
2. If the agent, wanting only to produce the offenses provided for in article 141 or create the situation provided for in article 143, causes the offenses provided for in article 142, he is punished with imprisonment for up to 3 years or 1 to 5 years, depending on the case of article 141 or article 143.

ARTICLE 145 [Privileged and reciprocal bodily harm]

1. Anyone who causes harm to the body or health of another is punished when the circumstances set out in article 131 occur:
 - a) With imprisonment of up to 6 months or a fine of up to 60 days, or even exempt from the penalty, in the case of article 141;
 - b) With imprisonment for up to 1 year, in the cases of articles 142, 143 and no. 2 of article 144;
 - c) With imprisonment for up to 2 years, in the case of paragraph 1 of article 144.
1. The prison sentence may also be reduced to 6 months or a fine of up to 60 days or the agent may even be exempt from the penalty when, in the case of article 141, there are reciprocal injuries, without proving which of the contenders attacked first or when the agent has only exerted retort on the aggressor.

ARTICLE 146 [Bodily offenses due to negligence]

1. Anyone who negligently causes harm to the body or health of others is punished with imprisonment for up to 6 months or a fine for up to 60 days.
2. In the case provided for in the previous paragraph, the court may exempt from penalty whenever the guilt appears to be significantly diminished and when:
 - a) The agent is a doctor in the exercise of his profession and the medical act does not result in illness or incapacity for work due to more than 8 days; or
 - b) The offense does not result in illness or inability to work for more than 3 days.
3. If the act results in a serious bodily harm, under the terms of article 142, or the creation of a danger to life, under the terms of article 143, the penalty is imprisonment for up to 1 year or a fine for up to 100 days .
4. Criminal proceedings depend on a complaint.

ARTICLE 147. [Poisoning]

1. Anyone who administers poisonous substances or other substances of a similar nature with the intention of harming the physical or mental health of the offended party is punished with imprisonment for 2 to 6 years.
2. If the agent, simply wanting to create the situation provided for in paragraph 1, causes the offenses provided for in article 142, he or she will be punished with imprisonment from 3 to 9 years.
3. If the agent, simply wanting to create the situation referred to in paragraph 1, causes the death of the offended party, he or she will be punished with imprisonment for 6 to 12 years.

ARTICLE 148 [Consent]

1. Legal assets violated by injuries to the body or health are considered freely available by their holder when the fact does not offend good customs.
2. To decide on an injury to the body or health contrary to good customs, one takes into account, in particular, the motives and purposes of the agent or the offended party, as well as the means used and the foreseeable extent of the offense.

ARTICLE 149 [Medical-surgical intervention and treatment]

1. Interventions and other treatments that, according to the state of knowledge and experience in medicine, are indicated and are carried out, in accordance with the *leges artis*, by a doctor or other legally authorized person, with the intention of Preventing, diagnosing, alleviating or alleviating a disease, suffering, bodily injury or fatigue or a mental disorder are not considered bodily harm.
2. If the violation of the *leges artis* results in danger to the body, health or life of the patient, the offender is punished with imprisonment for up to 2 years or a fine for up to 200 days, if a more serious penalty is not applicable due to legal provisions.
3. Criminal proceedings depend on a complaint.

ARTICLE 150 [Participation in a brawl]

1. Anyone who intervenes or takes part in a fight between two or more people, resulting in death or serious bodily harm, is punished with imprisonment for up to 3 years or a fine for up to 300 days.
2. The provisions of this article are not applicable when participation in a fight was limited to reacting against the attack, defending others, separating the contenders or was determined by any other non-objectionable reason.

ARTICLE 151. [Firearm shooting, use of thrown weapons and threats]

1. The shooting of a firearm, the use of a throwing weapon against a person, as long as any of these acts are not classified as attempted murder, nor do they result in injury or contusion, as well as the threat, with any of the said weapons, in a disposition to offend, or made by a gathering of three or more individuals, in a disposition to cause immediate harm, is considered a corporal offense and are punished:
 - a) Shooting a firearm or using any thrown weapon, with imprisonment for up to 1 year;
 - b) Threatening with a firearm or any thrown weapon, in a willingness to offend, with imprisonment for up to 6 months;
 - c) The threat made by three or more individuals willing to cause immediate harm, with imprisonment for up to 2 years.
2. Criminal proceedings for simple threats with any weapon or means of aggression that are not firearms, prohibited weapons or other seriously dangerous means depend on the offended party's complaint. If the threat is a bodily harm whose criminal procedure depends on a complaint from the offended party, the criminal procedure also depends on a complaint.

ARTICLE 152. [Ill-treatment or overload of minors and subordinates and domestic violence]

1. The father, mother or guardian of a minor under 16 years of age or anyone who has them in their care or custody or who is responsible for their direction or education is punished with imprisonment for up to 4 years when, due to wickedness or selfishness:
 - a) Inflicts physical abuse on him, treats him cruelly or does not provide him with the care or health assistance that the duties arising from his duties impose on him, or;
 - b) Employing him in dangerous, prohibited or inhumane activities, or overloading, physically or intellectually, with excessive or inappropriate work in such a way as to harm his health, or his intellectual development, or to expose him to serious danger.

2. Likewise, anyone who has as their subordinate, through employment relationships, a pregnant woman, a person with poor health, particularly a defenseless person or a minor, is punished if the remaining assumptions of paragraph 1 are met.
3. Likewise, anyone who inflicts on their spouse or with whom they live in a de facto union or conditions similar to those of spouses, the treatment described in paragraph a) of paragraph 1 of this article, is also punished.
4. If the facts set out in the previous paragraphs result in:
 - c) Serious offense to physical integrity, the offender is punished with a prison sentence of 1 to 5 years;
 - d) Death, the agent is punished with a prison sentence of 2 to 8 years.
5. In cases of ill-treatment provided for in paragraph 3 of this article, the defendant may be subject to the additional penalty of prohibition of contact with the victim, including removal from the victim's residence, for a period of 3 years.
6. In the cases provided for in paragraphs 1 and 3, criminal proceedings depend on a complaint.

Chapter IV Crimes against human freedom

ARTICLE 153 [Threats]

1. Anyone who threatens another person with the commission of a crime, causing them fear, fear and uneasiness, or in a way that undermines their freedom of determination, is punished with imprisonment for up to 1 year or a fine of up to 100 days.
2. In the case of a threat to commit a crime that carries a prison sentence of more than 3 years, the prison sentence may be up to 2 years or a fine of up to 200 days.
3. Criminal proceedings depend on a complaint.

ARTICLE 154 [Coercion]

1. Whoever, by means of violence, threat of violence, threat of a criminal complaint or the revelation of a fact that undermines honor and respect, or threat of committing a crime, constrains another to an action or omission or to endure a activity is punishable by imprisonment for up to 2 years or a fine of up to 200 days.
2. The attempt is punishable.
3. Coercion is only punishable when the use of the means to achieve the intended end is reprehensible and does not aim to prevent suicide or the practice of a typical illicit act.
4. The punishment for this crime does not consume that which fits the means used to execute it.
5. If the incident takes place between spouses, ascendants and descendants or adopters and adoptees, or between people who live in a situation similar to that of the spouses, the criminal procedure depends on a complaint.

ARTICLE 155 [Serious coercion]

1. When coercion is carried out:
 - a) Through the threat of a crime that carries a sentence of more than 3 years in prison;
 - b) By an official, with serious abuse of his authority;
 - c) Through a threat that results, as an appropriate consequence, in suicide or attempted suicide of the person threatened or the person on whom the harm must befall;
 - d) For the people referred to in paragraph h) of paragraph 2 of article 130, the penalty is imprisonment for up to 3 years.
2. In the case of subparagraphs b) of the previous paragraph, if the coercion aims to obtain money, services or anything else that is owed, imprisonment can be up to 5 years.

ARTICLE 156 [Arbitrary medical-surgical intervention and treatment]

1. The people indicated in article 149 who, in view of the purposes also indicated therein, carry out interventions or treatment without the patient's consent are punished with imprisonment of up to 3 years or a fine of up to 300 days.

2. The agent is not punished when consent:

- a) It can only be obtained with a postponement that involves a danger to life or a serious danger to the body or health;
 - b) It was given for a different intervention or treatment, but what was carried out is imposed by the state of medical knowledge or experience, as a means to avoid a danger to the body or health and there are no circumstances that allow concluding with security that consent would be withheld.
3. The agent is not equally punished when the intervention or treatment is imposed for the fulfillment of a legal obligation.
4. If, through negligence, the agent falsely represents the assumptions of consent, the agent is punished with imprisonment for up to 6 months or a fine for up to 60 days.
5. Criminal proceedings depend on a complaint.

ARTICLE 157 [Consent requirements]

For the purposes of the previous article, consent is only effective when the patient has been duly informed about the nature, scope, scope and possible consequences of the intervention or treatment, unless this implies the clarification of circumstances that, to be known to the patient, would endanger his life or be likely to cause serious harm to his physical or mental health.

ARTICLE 158 [Kidnapping]

1. Whoever detains, arrests, holds or detains another person, or in any way deprives them of their freedom, is punished with imprisonment for up to 4 years.
2. However, imprisonment is for 2 to 10 years if the deprivation of liberty:
- a) Last for more than 2 days;
 - b) It is preceded or accompanied by physical aggression, torture, cruel and inhumane treatment or the use of other violent means;
 - c) It is carried out under the false pretext that the victim suffered from a mental anomaly;
 - d) It is carried out through simulation of public authority, or by an official with serious abuse of authority; e) It results in suicide, deprivation of reason or permanent inability to work of the victim;
- f) Occurs after the offended party has been fraudulently lured to a location and is unable to seek help from public authorities or third parties to escape detention;
- g) It is practiced by two or more people.
3. For the purposes of paragraph b) of the previous paragraph, deprivation of liberty through the use of other violent means is considered to be that which is preceded or accompanied by threats with a weapon, the use of narcotics or other substances capable of nullifying or diminishing the resistance of the victim or the threat of inflicting harm that constitutes a crime against the victim or the person in their family.
4. When the deprivation of liberty results in the death of the victim, the offender is punished with imprisonment from 3 to 15 years.

ARTICLE 159 [Slavery]

1. Whoever reduces another person to the status or condition of a slave is punished with imprisonment from 8 to 15 years.
2. Anyone who alienates, transfers or acquires a human person or takes possession of them with the intention of maintaining them in the situation provided for in the previous paragraph is subject to the same penalty.

ARTICLE 160 [Human trafficking for labor exploitation]

1. Anyone who offers, delivers, entices, accepts, transports, accommodates or welcomes people for the purpose of labor exploitation:

- a) Through violence, kidnapping or serious threat;
- b) Through ruse or fraudulent maneuver;
- c) With abuse of authority resulting from a relationship of hierarchical, economic, work or family dependence;
- d) Taking advantage of the victim's mental incapacity or situation of special vulnerability, or by obtaining the consent of the person who has control over the victim, is punished with a prison sentence of 2 to 8 years.

2. Anyone who, by any means, entices, transports, accommodates or receives a minor, or delivers, offers or accepts them, for the purposes of exploiting work, incurs the same penalty.

3. In the case provided for in the previous paragraph, if the agent uses any of the means provided for in the paragraphs of paragraph 1, or acts professionally or with profit-making intent, or if the victim is under 16 years of age, he is punished with a prison sentence of 3 to 10 years.

4. If the acts referred to above are committed by the representatives or bodies of a legal or similar person, in their name and in the collective interest, they are criminally responsible, being punishable by a fine set between 10 million and 500 million folds, and its dissolution may also be decreed.

ARTICLE 161 [Personal marketing]

1. Whoever alienates, transfers or acquires a person, by any means and in any capacity, namely for the purposes of sexual exploitation or organ harvesting, is punished with a prison sentence of 5 to 15 years.

2. Anyone who alienates, gives in to or acquires a person dominated by compassion, despair or a reason of relevant social or moral value, which significantly reduces their guilt, is punished with a prison sentence of 1 to 5 years.

3. Whoever obtains or gives consent to the adoption of a minor through payment or compensation of any kind, or whoever, as an intermediary, induces the provision of the necessary consent to the adoption of a minor in serious violation of the applicable legal norms, is punished with a prison sentence of 1 to 5 years.

4. If the acts referred to in 1, 2 and 3 above are committed by the representatives or bodies of a legal or similar person, in their name and in the collective interest, they are criminally responsible, being punishable by a fine to be set between 10 million and 500 million, and its dissolution may also be decreed.

ARTICLE 162 [Abduction]

1. Whoever, through violence, threat or cunning, kidnaps another person with the intention of subjecting the victim to extortion; committing a crime against the victim's sexual freedom and self-determination; obtain ransom or reward, or, constrain the public authority or a third party to an action or omission, or to support an activity, is punished with a prison sentence of 2 to 8 years.

2. If the kidnapping is accompanied by any of the circumstances set out in number 2 of article 158, the penalty is imprisonment for 3 to 10 years.

3. If the circumstances set out in the previous paragraph result in the death of the victim, the penalty is 3 to 15 years in prison.

ARTICLE 163 [Hostage taking]

1. Whoever, with the intention of achieving political, ideological, philosophical or confessional purposes, kidnaps or abducts another person, threatening to kill him, inflict serious physical harm on him or keep him detained, thus aiming to embarrass a State, an international organization, a legal person, a group of people or a natural person for an action or omission, or for supporting an activity, is punished with a prison sentence of 2 to 10

years.

2. The provisions of paragraphs 2 and 3 of article 162 are correspondingly applicable.
3. Whoever takes advantage of the taking of hostages committed by others, with the intention and for the purposes of embarrassment referred to in paragraph 1, is punished with the penalties provided for in the previous paragraphs.

ARTICLE 164 [Abduction of a minor]

1. Anyone who kidnaps or deprives a minor under the age of 16 with the intention of exploiting him or obtaining a reward for his surrender or with libidinous intentions or using him in prostitution is punished with imprisonment for 5 to 10 years.
2. If the crime is accompanied by any of the circumstances set out in paragraph 2 of article 162, the penalty is imprisonment for 8 to 15 years.
3. If the ill-treatment referred to in the previous paragraph results in death, the penalty is imprisonment for 10 to 20 years.

ARTICLE 165 [Withdrawal or release]

In the cases of articles 162 to 164, if the offender voluntarily renounces his claim and releases the victim, or makes a serious effort to achieve this, the penalty may be specially reduced or, in exceptional cases, he may be exempt from the penalty. .

Chapter V Crimes against sexual freedom and self-determination

Section I Crimes against sexual freedom

ARTICLE 166 [Sexual coercion and harassment]

1. Whoever, by means of violence, seriously threatens, or after, for this purpose, having rendered the person unconscious or made it impossible to resist, compels another person to suffer or perform, with themselves or with another, a sexual act of relevant, is punished with a prison sentence of 1 to 8 years.
2. Whoever, abusing authority resulting from a relationship of hierarchical, economic or work dependency, compels another person, by means of an order or threat not included in the previous paragraph, to suffer or perform a significant sexual act, with yourself or with another, is punished with a prison sentence of up to 3 years.

ARTICLE 167 [Violation]

1. Whoever, by means of violence, seriously threatens, or after, for this purpose, having rendered him unconscious or made it impossible to resist, compels another person to suffer or to practice, with himself or with another, copulation, coitus anal or oral coitus, is punished with a prison sentence of 3 to 10 years.
2. Whoever, abusing authority resulting from a relationship of hierarchical, economic or work dependence, compels another person, by means of an order or threat not included in the previous paragraph, to suffer or practice copulation, anal coitus or Oral intercourse, with oneself or with another, is punishable by up to 4 years in prison.

ARTICLE 168 [Sexual abuse of a person incapable of resistance]

1. Anyone who performs a significant sexual act with a person who is unconscious or unable, for any other reason, to resist, taking advantage of their condition or incapacity, is punished with a prison sentence of 1 to 5 years.
2. Whoever, under the terms set out in the previous paragraph, commits copulation, anal intercourse or oral coitus with another person, is punished with a prison sentence of 2 to 5 years.

ARTICLE 169 [Sexual abuse of a hospitalized person]

1. Whoever, taking advantage of the functions or position that, in any capacity, he exercises or holds in:

- a) Establishment where criminal reactions depriving liberty are carried out;
- b) Hospital, hospice, asylum, convalescent or health clinic, or other establishment intended for assistance or treatment;
- or c) Education or correction establishment;

Performing a significant sexual act with a person who is hospitalized there and who is in any way entrusted to you or is in your care is punishable by a prison sentence of 1 to 8 years.

2. Whoever, under the terms set out in the previous paragraph, engages in copulation, anal intercourse or oral coitus with another person is punished with a prison sentence of 2 to 8 years.

ARTICLE 170 [Sexual act of relief and copulation through fraud]

1. Anyone who, fraudulently taking advantage of a mistake regarding their personal identity, performs a significant sexual act with another person is punished with a prison sentence of up to 1 year.

2. Whoever, under the terms set out in the previous paragraph, engages in copulation, anal intercourse or oral coitus with another person is punished with a prison sentence of up to 2 years.

ARTICLE 171 [Non-consensual artificial procreation]

1. Anyone who performs an act of artificial procreation on a woman, without her consent, is punished with a prison sentence of 2 to 8 years.

2. If the acts referred to are carried out by hospital or similar establishments, public or private, they are criminally responsible and are punishable by a fine of between 10 million and 500 million doublings, and their closure may also be ordered, if a recurrence occurs.

ARTICLE 172. [Human trafficking for the practice of prostitution]

Whoever, through violence, serious threat, ruse or fraudulent maneuver, leads another person to commit prostitution or major sexual acts in a foreign country, is punished with a prison sentence of 2 to 8 years.

ARTICLE 173 [Pimping]

1. Whoever, professionally or with the intention of profit, promotes, favors or facilitates the exercise by another person of prostitution or the practice of important sexual acts is punished with a prison sentence of 1 to 5 years.

2. If the offender uses violence, serious threats, ruses or fraudulent maneuvers, or takes advantage of the victim's mental incapacity, situations of abandonment or extreme economic need, he or she will be punished with a prison sentence of 2 to 8 years.

ARTICLE 174 [Exhibitionist acts]

Anyone who bothers another person, carrying out acts of an exhibitionist nature in front of them, is punished with a prison sentence of up to 1 year or a fine of up to 200 days.

Section II Crimes against sexual self-determination

ARTICLE 175 [Sexual abuse of children]

1. Anyone who performs a major sexual act with or on a minor under the age of 14, or causes them to perform it with themselves or another person, is punished with a prison sentence of 2 to 8 years.

2. If the offender has copulation, anal intercourse or oral intercourse with a minor under 14 years of age, he or she will be punished with a prison sentence of 3 to 10 years.

3. Who:

- a) Carrying out an exhibitionist act in front of children under 14 years of age; or

b) Acting on a minor under the age of 14, through obscene talk or pornographic writing, spectacle or object or using a minor under the age of 14 in a pornographic photograph, film or recording; or

c) Display or transfer in any capacity or by any means the materials provided for in the previous paragraph; is punished with a prison sentence of up to 4 years.

1. Anyone who carries out the acts described in the previous paragraph with the intention of making a profit is punished with a prison sentence of 1 to 5 years.

ARTICLE 176 [Sexual abuse of adolescents and dependents]

1. Anyone who practices or leads to practice the acts described in paragraphs 1 or 2 of article 175, relating to mind:

a) A minor between 14 and 16 years of age who has been entrusted with education or assistance; or

b) A minor between 16 and 18 years of age who has been entrusted with education or assistance, with abuse of the role he or she holds or the position he or she holds, is punished with a prison sentence of 1 to 8 years.

2. Whoever carries out an act described in the subparagraphs of paragraph 3 of article 175, in relation to a minor included in the previous paragraph of this article and under the conditions described therein, is punished with a prison sentence of up to 4 years.

3. Anyone who carries out or causes the acts described in the previous paragraph to be carried out with the intention of making a profit is punished with a prison sentence of up to 5 years.

ARTICLE 177. [Sexual acts with teenagers]

Anyone who, being an adult, has copulation, anal intercourse or oral intercourse with a minor between 14 and 16 years old, taking advantage of their inexperience, is punished with a prison sentence of up to 3 years or a fine of up to 300 days.

ARTICLE 178 [Homosexual acts with teenagers]

Anyone who, being an adult, carries out significant homosexual acts with a minor between 14 and 16 years old, or causes them to be carried out by the latter with others, is punished with a prison sentence of up to 2 years or a fine of up to 200 days.

ARTICLE 179 [Prostitution of minors]

1. Anyone who, being an adult, performs a major sexual act with a minor between 14 and 18 years of age, offering remuneration or other consideration, is punished with a prison sentence of up to 2 years or a fine of up to 200 days.

2. Anyone who, being an adult, has copulation, anal intercourse or oral intercourse with a minor between 14 and 18 years old, offering remuneration or other consideration, is punished with a prison sentence of up to 3 years or a fine of up to 300 days.

3. The attempt is punishable.

ARTICLE 180 [Pornography of minors]

1. Who:

a) Produce, distribute, import, export, disseminate, exhibit or transfer, in any capacity or by any means, photography, film or recording of a pornographic nature representing a minor under 14 years of age, regardless of its medium;

b) Hold materials referred to in the previous paragraph for the purpose of distributing, importing, exporting, disseminating, displaying or transferring them;

is punished with a prison sentence of up to 5 years.

2. Anyone who carries out the acts described in the previous paragraph in relation to a minor between 14 and 18 years of age is punished with a prison sentence of up to 3 years.

3. Anyone who carries out the acts described in paragraph 1 using simulated or manipulated pornographic material of non-existing minors under 18 years of age is punished with a prison sentence of up to 2 years.

4. Anyone who carries out the acts described in paragraph 1 using pornographic material with a realistic representation of children under 18 years of age is punished with a prison sentence of 2 to 8 years.
5. Whoever carries out the acts described in paragraph 2 with profit-making intent is punished with a prison sentence of 1 to 5 years.
6. Whoever acquires or possesses the materials referred to in paragraph a) of paragraph 1 and paragraph 2 is punished with a prison sentence of up to 1 year or a fine of up to 100 days.
7. Attempt is punishable.

ARTICLE 181 [Pimping and trafficking of minors]

1. Anyone who encourages, favors or facilitates the practice of prostitution by minors under 18 years of age or the practice of significant sexual acts by them is punished with a prison sentence of 1 to 5 years.
2. Anyone who entices, transports, accommodates or welcomes a minor under the age of 18, or provides conditions for the latter to practice prostitution or major sexual acts in a foreign country, is punished with imprisonment from 2 to 8 years .
3. If the perpetrator uses violence, serious threats, ruses, fraudulent maneuvers, abuse of authority resulting from a relationship of hierarchical, economic or work dependency, acts professionally or with profit-making intent, or takes advantage of the victim's mental incapacity, or any other situation that constitutes special vulnerability, or even if the person is under 16 years of age, is punished with a prison sentence of 3 to 10 years.

Section III Common provisions

ARTICLE 182 [Aggravation and liability of legal or similar persons]

1. The penalties provided for in articles 166 to 168 and 170 to 181 are increased by one third (1/3), at their minimum and maximum limits, if the victim:
 - a) Is ascendant, descendant, adoptive, adopted, relative or similar up to the second degree of the agent, or is under his guardianship or guardianship; or
 - b) Is in a relationship of hierarchical, economic or work dependence on the agent, and the crime is committed taking advantage of this relationship.
2. The penalties provided for in articles 166 to 170 and 175 to 178 are increased by one third (1/3), at their minimum and maximum limits, if the offender is a carrier of a sexually transmitted disease. sible, namely venereal or syphilitic disease.
3. The penalties provided for in articles 166 to 171 and 175 to 178 are increased by half (1/2), in their minimum and maximum limits, if the behaviors described there result in pregnancy, offense serious physical integrity, transmission of acquired immunodeficiency syndrome viruses or forms of hepatitis that pose a danger to the life of the victim, suicide or death of the victim.
4. The penalties provided for in articles 166, 167 and 171 are increased by one third (1/3), in their minimum and maximum limits, if the victim is under 14 years of age.
5. The aggravation provided for in paragraph b) of paragraph 1 is not applicable in the cases of paragraph 2 of article 166 and paragraph 2 of article 167.
6. If more than one of the circumstances referred to in the previous paragraphs occur in the same behavior, only the one with the strongest aggravating effect will be considered for the purpose of determining the abstract penalty, with the other or others being valued to the extent of the concrete penalty.
7. If the acts referred to in articles 175, 176, 179, 180 and 181 are carried out by the representatives or bodies of a legal or similar person, in their name and in the collective interest, they are the same criminally responsible, being punishable by a fine set between 10 million and 500 million doublings, and their dissolution may also be decreed.

ARTICLE 183 [Complaint]

1. Criminal proceedings for the crimes provided for in articles 166 to 168, 170, 171 and 174 to 178 depend on a complaint, except when any of them result in suicide or death of the victim.

2. In the cases provided for in the previous paragraph, when the crime is committed against a minor under 14 years of age, the Public Prosecutor's Office may initiate the procedure if the victim's interest so requires.

3. In crimes against the freedom and sexual self-determination of minors not aggravated by the result, the Public Prosecutor's Office, taking into account the interest of the victim, may determine the provisional suspension of the process, with the agreement of the investigating judge and of the defendant, provided that a similar measure has not previously been applied for a crime of the same nature.

ARTICLE 184 [Inhibition of parental authority and prohibition of exercising functions]

Whoever is convicted of a crime provided for in articles 166 to 181 may, taking into account the concrete gravity of the fact and its connection with the function performed by the agent, be prohibited from exercising parental authority, guardianship or guardianship or prevented from exercising a profession or functions that, in any capacity, include activities that involve having minors under their responsibility or supervision, for a period of 2 to 15 years.

Chapter VI Two crimes against honor

ARTICLE 185 [Defamation]

1. Whoever, addressing a third party, imputes a fact to another person, even in the form of suspicion, or reproduces such an imputation or judgment, is punished with imprisonment for up to 6 months or a fine for up to 90 days.

2. The agent is not punished:

a) When the imputation is made to achieve a legitimate public interest or for any other just cause;

b) Prove the truth of the same imputation or have serious grounds to, in good faith, consider it to be true.

3. Good faith is excluded when the agent has not fulfilled the duty to provide information that the circumstances of the case imposed regarding the truth of the imputation.

4. When the accusation is a fact that constitutes a crime, the evidence is also admissible, but limited to that resulting from a conviction by a final and unappealable sentence.

ARTICLE 186 [Injuries]

1. Anyone who insults another by attributing facts to them, even in the form of suspicion, or by saying words that offend their honor or consideration, is punished with imprisonment for up to 3 months or a fine of up to 60 days.

2. In the case of imputation of facts, the rules in paragraphs 2, 3 and 4 of the previous article apply.

ARTICLE 187. [Equalization to defamation or insult]

Verbal defamation or insults are equivalent to those made in writing, gestures, images or any other means of expression.

ARTICLE 188 [Advertising and slander]

1. The penalties for defamation or insults are increased by one third (1/3) in their minimum and maximum limits:

a) If such crimes are committed by means that facilitate the disclosure of the offense; b) If, when proof of the facts is admissible, it is found that the agent knew the imputation was false.

c) If the crime is committed through the media, imprisonment can be up to 2 years or a fine of up to 200 days.

ARTICLE 189 [Aggravation]

The penalties provided for in the previous articles are increased by half, in their minimum and maximum limits, if the victim is one of the people referred to in paragraph h) of paragraph 2 of article 130, in the exercise of their functions or for cause of them or if the agent is an employee and commits the act with serious abuse of authority.

ARTICLE 190 [Offense to the memory of a deceased person]

1. Anyone who offends the memory of a deceased person, defaming them, is punished with imprisonment for up to 6 months or a fine for up to 90 days.
2. No penalty, however, is imposed if more than 50 years pass after the death of the defamed person.
3. The ascendants, descendants and the spouse not legally separated are entitled to exercise the right to file a complaint for this crime.

ARTICLE 191 [Mistaken imputations]

When the imputation of a fact or the formulation of a judgment, referred to in the previous articles, are made in an imprecise or equivocal manner, whoever believes that they are offended by them or whoever represents the holder of the right to complain may request to its author for clarifications in court. If the person questioned refuses to give them or, according to the judge's criteria, does not give them satisfactorily, he or she will be liable for insult or defamation, depending on the case.

ARTICLE 192 [Explanations]

Anyone who, before sentencing, gives satisfactory explanations of the defamation or insult of which they are accused is exempt from punishment, if the offended party, whoever represents them or integrates their will as holder of the right to complain, accepts them as sufficient.

ARTICLE 193 [Retorsion]

1. When defamation or injury is caused by illicit or reprehensible conduct on the part of the offended party, the offender may be exempt from punishment.
2. If the offended party immediately responds with an insult or defamation to another simple insult or defamation or one of them alone, depending on the circumstances, the offender may be exempt from penalty.

ARTICLE 194. [Injuries through bodily harm]

Whoever commits a bodily offense against another which, due to its nature, environment or other circumstances, reveals an intention to cause injury, is punished with the crime of injury, unless the crime of bodily injury specifically corresponds to a more serious penalty, which, in this case, it applies.

ARTICLE 195 [Criminal procedure]

The criminal procedure for the crimes provided for in this chapter depends on a private accusation, except in the cases of article 189, in which a complaint is sufficient.

ARTICLE 196 [Publication of the sentence]

1. When defamation or insult has been committed publicly in an assembly, meeting or in any means that facilitates its dissemination, the court orders public knowledge of the sentence.
2. The public knowledge referred to in the previous paragraph depends on the request of the offended party or whoever represents them or integrates their wishes in the exercise of the right to complain, and the sentence must determine the format and deadline for its compliance.
3. If the offense was made in a periodical publication, public knowledge of the conviction must be made by inserting the sentence, without any comments, in the corresponding place of the same publication and in the same characters as those in which the offense was published.

If the offense was caused by radio or television broadcasting, the court must set the terms of public knowledge of the sentence, without any comments, so that it comes as close as possible to the conditions under which that offense was publicized.

4. Public knowledge is made, whenever possible, at the agent's expense.

5. Anyone who disobeys the court's order designed, under the terms of paragraphs 2 and 3 of this article, to make the conviction publicly known, incurs the penalty provided for for the crime of qualified disobedience.

Chapter VII Two crimes against the reservation of private life

ARTICLE 197. [Introduction into someone else's home]

1. Anyone who enters another person's home, against the express or presumed will of the person responsible, or remains there after being ordered to leave, is punished with imprisonment for up to 1 year or a fine of up to 100 days.

2. If the crime is committed at night or in a deserted place, or with the use of violence, with the use of weapons or through break-in, stagger, false keys or by two or more people, or simulating public authority, the penalty is imprisonment for 1 to 5 years, unless the means employed corresponds to a more serious penalty, which is then applied cumulatively with that of paragraphs 1 or 2, as the case may be.

ARTICLE 198. [Introduction in a place closed to the public]

1. Whoever, against the express or presumed will of those entitled, enters or remains in courtyards, gardens or fenced spaces attached to housing, boats or other means of transport, a fenced place intended for a public service or company, a public service transport or exercise of professions or activities, or in any other place reserved or not freely accessible to the public, is punishable by imprisonment for up to 3 months or a fine of up to 60 days.

2. Criminal proceedings depend on a complaint, except in cases where the circumstances of paragraph 2 of the previous article are present and whenever the affected assets belong to a public service or company.

ARTICLE 199 [Disclosure of facts relating to the intimacy of private life]

1. Whoever, by any means and with the intention of debauchery, discloses facts or circumstances relevant to people's private lives, particularly relating to the intimacy of family or sexual life or serious illness, is punished with imprisonment for up to 1 year.

2. Criminal proceedings depend on a complaint.

ARTICLE 200 [Illicit recordings and photographs]

1. Who, without just cause and without the consent of the rightful person:

a) Record words spoken by others and not intended for the public, even if they are addressed to them;

b) Use or allow others to use the recordings referred to in the previous paragraph;

c) Photographing, filming or recording aspects of someone else's private life, even if they have legitimately participated in them;

d) Using or allowing the use of photographs, films or records improperly obtained, as referred to in the previous paragraph, is punishable by imprisonment for up to 1 year or a fine of up to 200 days.

2. Criminal proceedings depend on a complaint.

ARTICLE 201 [Intrusion into private life]

1. Who, with the purpose of delving into the intimacy of another's private life:

a) Intercept, listen to, record, use, transmit or disclose, without the consent of those participating in it, any private conversation or communication;

- b) Capture, record or disclose the image of people without their consent;
 - c) Covertly observing people who are in a private place is punishable by imprisonment for up to 2 years or a fine of up to 200 days.
2. Criminal proceedings depend on a complaint.

ARTICLE 202 [Devassa via computer]

1. Anyone who:
- a) Create or maintain an automated file of personal data, in violation of the law;
 - b) Provide false information in the request for authorization to create or maintain an automated file of personal data or make changes not permitted by the creation instrument;
- c) Modify, delete or inappropriately add personal information to an authorized personal data file;
- d) Divert non-public personal information from its legally permitted purpose;
- e) Anyone who processes or orders the processing of personal data relating to political, religious, philosophical beliefs, as well as others relating to privacy, in violation of the law, is punished with up to 3 years in prison.

ARTICLE 203 [Violation of correspondence and telecommunications secrecy]

1. Whoever, without the consent of those entitled, opens a package, letter or any other writing that is closed and is not addressed to him, or becomes aware, through technical processes, of its contents, or prevents in any way, which is received by the recipient, is punishable by imprisonment for up to 1 year or a fine of up to 100 days.
2. Anyone who, without the authorization of the person responsible, interferes with or becomes aware of the content of telephone, telegraphic communication or any other type of communication, particularly via the internet, incurs the same penalty.
3. In the case of disclosure to third parties of the content of illicitly obtained letters, telephone calls or telegrams, the agent is punished with imprisonment for up to 2 years or a fine of up to 200 days.
4. Criminal proceedings depend on a complaint.

ARTICLE 204 [Aggravation]

Penalties are doubled in their minimum and maximum limits when any of the crimes provided for in articles 199 to 203 are committed to obtain a reward or enrichment for oneself or a third party, or to cause harm to someone else.

ARTICLE 205 [Violation of professional secrecy]

Whoever, without just cause and without the consent of those entitled, reveals or takes advantage of a secret of which he or she is aware due to his or her status, trade, employment, profession or art, and if such disclosure or use may cause harm to the State or third parties are punished with imprisonment of up to 2 years or a fine of up to 200 days.

ARTICLE 206 [Exclusion of illegality]

The fact provided for in the previous article is not punishable if it is revealed in compliance with a significantly higher legal duty or targets a conflicting interest and the information duties that, depending on the circumstances, are imposed on the agent, if he can consider an appropriate means to achieve that end.

Title II *Crimes against peace and humanity*

Chapter I Two crimes against peace

ARTICLE 207 [Incitement to war]

Anyone who publicly and repeatedly incites hatred against a people, with the intention of starting a war, is punished with a prison sentence of up to 4 years.

ARTICLE 208 [Enlistment of armed forces]

Anyone who attempts to recruit members of the São Toméan armed forces for a war against a foreign State or territory, thereby endangering peaceful coexistence between peoples, is punished with imprisonment for 2 to 6 years.

ARTICLE 209 [Recruitment of mercenaries]

Whoever recruits or intends to recruit mercenaries, considered as such by international law:

- a) For military service of a foreign State;
- b) For any national or foreign armed organization that intends, through violent means, to overthrow the legitimate Government of another State or to attack the independence, territorial integrity or normal functioning of the institutions of the same State;

is punished with imprisonment from 1 to 8 years.

Chapter II Crimes against humanity

ARTICLE 210 [Genocide]

1. Whoever, with the intention of destroying, in whole or in part, a national, ethnic, racial, religious or social community or group, commits any of the following acts:

- a) Homicide of members of the community or group;
- b) Serious harm to the physical or mental integrity of members of the community or group;
- c) Subjection of the community or group to inhumane conditions of existence or treatment, which could lead to the destruction of the community or group;
- d) Violent transfer of children to another community or another group or impediment of procreation or births in the group;

is punishable by 10 to 25 years in prison.

2. Anyone who, in a public meeting, in writing intended for dissemination or through any means of social communication, is punished with imprisonment from 1 to 5 years:

- a) Defame or insult a person or group of people or expose them to public contempt because of their race, color or ethnic origin;
- b) Causing acts of violence against a person or groups of people of another race, color or ethnic origin.

ARTICLE 211 [War crimes against civilians, wounded, sick and prisoners of war]

1. Whoever, in violation of the norms and principles of general or common international law, in time of war, armed conflict or during occupation, commits violence against the civilian population, the wounded, the sick or prisoners of war some of the following:

- a) Homicide;
- b) Torture;
- c) Inhumane treatment, including subjection to medical or scientific experiments;
- d) Serious offenses against physical or mental integrity;
- e) Deportation;
- f) Constraint to serve in enemy armed forces;

- g) Unjustified and prolonged serious restrictions on freedom;
- h) Unjustified theft or destruction of valuable assets; is punishable by 10 to 20 years in prison.

2. The penalty is increased by a quarter (1/4) in its minimum and maximum limits when the acts referred to in the previous paragraph are carried out on members of the Red Cross or other humanitarian institutions.

ARTICLE 212 [Subtraction of the guarantees of the rule of law in São Tomé]

1. Whoever, acting with violence, threats or any cunning means, causes another to go outside the scope of protection of the São Tomé criminal law and exposes themselves to being persecuted for political reasons with risk to life, freedom or personal integrity, through violence and measures contrary to the fundamental principles of the Sao Tome rule of law, is punished with imprisonment from 3 to 10 years.

2. Anyone who, by the same means, prevents someone from leaving that dangerous situation or forces them to remain in that situation is subject to the same penalty.

ARTICLE 213 [Destruction of cultural and historical monuments]

Whoever, violating the norms of principles of general or common international law, in time of war, armed conflict, or during occupation without military necessity, destroys or damages cultural and historical monuments or establishments related to science, the arts, culture, religion or humanitarian purposes, is punished with imprisonment from 3 to 10 years.

ARTICLE 214 [Racial or religious discrimination]

1. Who:

- a) Found or establish an organization or carry out organized propaganda activities that incite racial or religious discrimination, hatred or violence, or that encourage it; or
- b) Participate in the organization or activities referred to in the previous paragraph or provide assistance to them, including their financing;

is punished with a prison sentence of 1 to 8 years.

2. Whoever, in a public meeting, in writing intended for dissemination or through any means of social communication:

- a) Causing acts of violence against a person or group of people because of their race, color, ethnic or national origin or religion; or
- b) Defame or insult a person or group of people because of their race, color, ethnic or national origin or religion, namely through the denial of war crimes or crimes against peace and humanity;

with the intention of inciting racial or religious discrimination or encouraging it, is punished with a prison sentence of 1 to 5 years.

ARTICLE 215 [Torture and other cruel, degrading or inhuman treatment]

1. Whoever, having as its function the prevention, pursuit, investigation or knowledge of criminal, misdemeanor, administrative or disciplinary infractions, the execution of sanctions of the same nature or the protection, custody or surveillance of a detained or imprisoned person, torture or treat in a cruel, degrading or inhumane manner to:

- a) Obtain from her or another person a confession, statement, statement or information;
- b) To be punished for an act committed or allegedly committed by her or another person; or
- c) To intimidate or to intimidate another person;

is punished with a prison sentence of 1 to 5 years, if a more serious penalty is not applicable to him due to another legal provision.

2. Anyone who, on their own initiative or by order of a superior, usurps the function referred to in the previous paragraph to carry out any of the acts described therein, incurs the same penalty.

3. Torture, cruel, degrading or inhuman treatment is considered to be any act that consists of inflicting acute physical or psychological suffering, severe physical or psychological fatigue or the use of chemicals, drugs or other means, natural or artificial, with intention to disturb the victim's capacity for determination or free expression of will.

4. The provisions of the previous paragraph do not cover the suffering inherent to the execution of the sanctions provided for in paragraph 1 or caused by it, nor legal measures depriving or restricting freedom.

ARTICLE 216 [Torture and other severe cruel, degrading or inhuman treatment]

1. Who, under the terms and conditions referred to in the previous article:

a) Causing serious harm to physical integrity;

b) Use particularly serious means or methods of torture, namely beatings, electroshocks, mock executions or hallucinatory substances; or

c) Habitually carry out acts referred to in the previous article;

is punished with a prison sentence of 3 to 12 years.

2. If the facts described in this article or the previous article result in suicide or death of the victim, the offender is punished with a prison sentence of 8 to 16 years.

ARTICLE 217 [Omission of reporting]

The hierarchical superior who, having knowledge of the practice, as a subordinate, in fact described in articles 215 or 216, does not report it within a maximum period of 3 days after becoming aware, is punished with a prison sentence of up to 4 years.

ARTICLE 218 [Disabilities]

Whoever is convicted of a crime provided for in articles 210 to 217 may, taking into account the concrete gravity of the fact and its projection on the agent's civic reputation, be incapacitated from electing the President, members of a national or regional legislative assembly or of local authority, to be elected as such or to be a juror, for a period of 2 to 10 years.

Title III *Crimes against property*

Chapter I Crimes against property

ARTICLE 219 [Legal definitions]

1. For the purposes of this chapter, the following are considered:

a) Burglary: the breaking, fracture or destruction, in whole or in part, of a device intended to close or prevent entry, externally or internally, of a house or enclosed space dependent on it ;

b) Escalation: entry into a house or a closed space dependent on it, through a place not normally intended for entry, namely through roofs, terrace or balcony doors, windows, walls, underground openings or through any device intended to close or prevent entry or passage; c) Fake keys:

i. Those imitated, counterfeited or altered;

ii. The true ones when, fortuitously or surreptitiously, they are beyond the power of whoever has the right to use them; and

iii. Lockpicks or any instruments that can be used to open locks or other security devices.

d) Landmark: any construction, planting, veil, siding or other sign intended to establish the limits between different properties, placed by court decision or agreement of whoever is legitimately authorized to do so.

ARTICLE 220 [Simple theft]

1. Whoever, with the illegitimate intention of appropriating for himself or for another, steals someone else's movable property, is punished with imprisonment for up to 3 years or a fine for up to 300 days.
2. If the value of the thing does not exceed two thirds (2/3) of the salary corresponding to index one hundred (100) of the public service, the agent is punished with imprisonment for up to 40 days or a fine for up to 30 days, and the agent may also be exempt from punishment by the court.
3. The attempt is punishable.
4. Criminal proceedings depend on a complaint.

ARTICLE 221 [Qualified theft]

1. Anyone who steals movable property is punishable by up to 5 years in prison:
 - a) That has high scientific, artistic or historical value, or is important for national technological or economic development;
 - b) It is a motor vehicle or motorbike, transported in a vehicle or by a public transport passenger, or is located at the pier or embarkation or disembarkation station;
 - c) The injured party is in a difficult economic situation;
 - d) The agent takes advantage of the night to more easily enter a home, commercial or industrial establishment with the intention of stealing;
 - e) The agent uses false keys, escalates or breaks into;
 - f) The agent makes committing crimes against property a way of life;
 - g) The crime is committed by three or more people, including the agent.
2. If any of the circumstances described in the previous paragraph occur and the stolen item has a value greater than twenty times the salary corresponding to the Civil Service index hundred, the agent is punished with imprisonment from 1 to 6 years.
3. If, if any of the circumstances described in paragraph 1 are verified and the value of the stolen item has a value greater than forty times the salary corresponding to the Civil Service index hundred, the agent is punished with imprisonment from 1 to 8 years.
4. If any of the circumstances described in paragraph 1 occur and the value of the stolen item has a value greater than eighty times the salary corresponding to the Civil Service index one hundred, the agent is punished with imprisonment for 2 to 10 years.
5. If more than one of the circumstances described in paragraph 1 occurs, only one of them is relevant as a modifying circumstance, with the others being considered in the concrete determination of the penalty, if they do not constitute an independent crime.
6. If the value of the stolen item is less than half (1/2) of the salary corresponding to the Civil Service index hundred, the circumstances set out in paragraph 1 act as mere aggravating circumstances of a general nature.

ARTICLE 222 [Theft of use of a vehicle]

1. Anyone who uses a car or other motorized vehicle, aircraft, boat, canoe or bicycle without authorization from those entitled to it is punished with imprisonment for up to 2 years or a fine of up to 200 days.
2. The attempt is punishable.
3. Criminal proceedings depend on a complaint.

ARTICLE 223 [Theft of things belonging to the public or cooperative sector]

If the thing taken belongs to the public or cooperative sector, the minimum and maximum limits and penalties provided for in the previous articles are increased by up to one third (1/3).

ARTICLE 224 [Abuse of trust]

1. Whoever, illegitimately, appropriates movable property that was handed over to him under a non-translative title of ownership, is punished with imprisonment for up to 3 years or a fine of up to 300 days.
2. The attempt is punishable.
3. Criminal proceedings depend on a complaint.

ARTICLE 225 [Aggravated abuse of trust]

1. If the thing referred to in the previous article is worth more than twenty times the salary corresponding to the Civil Service index one hundred, the agent is punished with imprisonment for up to 5 years.
2. If the item has a value greater than forty times the salary corresponding to the Civil Service index one hundred, the agent is punished with imprisonment from 1 to 8 years.
3. The penalties provided for in article 224 and in the previous paragraphs are increased by one third (1/3), in their minimum and maximum limits, if the agent has received the thing in a deposit imposed by law, as a result of official, employment or profession, or in the capacity of guardian, curator or judicial depositary.

ARTICLE 226 [Restitution or repair]

1. When the object of the theft or illicit appropriation is returned or full compensation for the damage caused takes place, without illegitimate damage to a third party, before criminal proceedings are initiated, the limits of the penalty are reduced by half.
2. In the case of things with a value not exceeding two thirds (2/3) of the salary corresponding to the Civil Service index hundred, the prison sentence is up to 6 months, and the court may even exempt the agent from pity.
3. Restitution or partial reparation is taken into account in the respective proportion.

ARTICLE 227. [Family theft]

1. The crimes of theft or abuse of trust committed by one spouse to the detriment of the other are not punishable, unless:
 - a) The spouses have been legally separated from persons and property or de facto separated for more than 2 years;
 - b) An action to declare the marriage null or annulment, separation of persons and property or divorce is pending.
2. The crimes referred to in the previous paragraph are not equally punishable when committed by the ascendant to the detriment of the descendant or when committed by the latter to the detriment of the ascendant.
3. The crimes provided for in paragraphs 1 and 2 of this article are, however, punishable when the damage caused is greater than forty times the salary corresponding to the Civil Service index hundred, with the criminal procedure being dependent on complaint.
4. If the theft or abuse of trust is committed against a brother, brother-in-law or father-in-law, stepfather, stepmother, stepson, tutor or master, the criminal procedure depends on a complaint.
5. In the case of the previous number, when the agent lives in common housing with the offended party and the damage is not, considering the circumstances of the case, particularly high, the court may freely mitigate the sentence or exempt the agent from punishment.
6. If the offended party is a minor, the right to complain belongs to whoever legally represents him/her, unless this person is the perpetrator of the infraction, in which case this right belongs to any family member.

ARTICLE 228 [Illegal appropriation in case of accession or found thing]

1. Anyone who illegitimately appropriates someone else's property that came into their possession or detention as a result of natural force, error, unforeseeable circumstances or in any way independent of their will, is punished with imprisonment for up to 1 year or a fine for up to 100 days.
2. The same penalty is applied to anyone who illegitimately appropriates other people's objects that they have found.
3. The regime of article 226 is applicable, but, in the case of a thing with a value not exceeding two thirds (2/3) of the salary corresponding to the Civil Service index hundred, the penalty is not greater than 3 months.
4. Criminal proceedings depend on a complaint.

ARTICLE 229 [Theft]

1. Whoever, with the illegitimate intention of appropriating for himself or for another person, takes away, or forces the transfer of another's movable property to him, using violence against a person or threatening him with an imminent danger to his physical integrity or to the life, or making it impossible to resist in any way, is punished with imprisonment from 1 to 10 years.
2. If the value of the appropriated thing exceeds forty times the salary corresponding to the Civil Service index one hundred or if any of the circumstances in paragraph 1 of article 220 occur, the agent is punished with imprisonment from 2 to 10 years .
3. If the agent's conduct results in danger to the victim's life or causes serious harm to his physical integrity, he will be punished with a prison sentence of 2 to 12 years.
4. If the act results in the death of a person, the offender is punished with a prison sentence of 3 to 15 years.

ARTICLE 230 [Violence after appropriation]

Whoever is caught in the act of theft and acts in the manner described in the previous article to preserve or prevent the restitution of the stolen items is punished with the penalties corresponding to the crime of theft.

ARTICLE 231 [Simple damage]

1. Whoever, in whole or in part, destroys, damages or renders someone else's property unusable is punished with imprisonment for up to 3 years or a fine for up to 300 days.
2. The attempt is punishable.
3. Criminal proceedings depend on a complaint.

ARTICLE 232. [Qualified damage]

1. If the thing is damaged:
 - a) It is intended for public use and utility;
 - b) It has a value greater than forty times the salary corresponding to the Civil Service index one hundred;
 - c) Has an important scientific, artistic or historical value or is of great importance for technological or scientific development;
 - d) It is a means of communication or transport of great social importance; the agent is punished with imprisonment from 1 to 8 years.
2. With:
 - a) The agent acts violently against a person or threat, with imminent danger to life or physical integrity or making it impossible to resist;
 - b) The damaged item has a value greater than eighty times the salary corresponding to the Civil Service index;

the agent is punished with a prison sentence of 2 to 10 years.

3. If the act results in the death of another person, the penalty will be from 3 to 15 years.

ARTICLE 233 [Usurpation of immovable property]

1. Whoever, through violence or serious threat to a person, invades or occupies another's property, or by the same means, intends to continue there after being ordered to remove, with the intention of exercising the right of ownership, possession, use or easement not protected by law, sentence, contract or administrative act, is punished with imprisonment for up to 3 years or a fine of up to 300 days.
2. If the means used constitute a crime punishable by a higher penalty than that referred to in the previous paragraph, that is the applicable penalty.
3. The attempt is punishable.
4. Criminal proceedings depend on a complaint.

ARTICLE 234 [Change of milestones]

1. Whoever, with the intention of appropriating, in whole or in part, another person's immovable property, for himself or for another person, rips out, removes or alters a landmark or any other sign intended to establish property limits, is punished with imprisonment up to 1 year or with a fine of up to 100 days.

2. Criminal proceedings depend on a complaint.

3. Landmarks are considered to be any constructions, plantings, fences, sidings or other signs intended to establish the limits between different properties placed by court decision or with the agreement of those who are legitimately authorized to do so.

3. The provisions of articles 226.^o and 227.^o.

ARTICLE 235 [Loss without intention of appropriation]

1. The penalty in the previous article is also applicable if the agent, by rendering someone else's property unusable or by stealing it without the intention of appropriating, wishes to cause particularly serious damage.

2. If the loss is of a value not exceeding two thirds (2/3) of the salary corresponding to the Civil Service index hundred, the penalty does not exceed 6 months in prison or 60 days of fine, and the agent may also be exempt of pity.

3. Criminal proceedings depend on a complaint.

Chapter II Crimes against property in general**ARTICLE 236 [Simple scam]**

1. Whoever, with the intention of obtaining illegitimate enrichment for himself or a third party, through an error or mistake regarding facts, which he cunningly caused, determines another to carry out acts that cause him, or cause another person, harm property, is punishable by imprisonment for up to 3 years or a fine of up to 300 days.

2. The attempt is punishable.

3. The provisions of articles 226 and 227 apply to this crime.

4. Criminal proceedings depend on a complaint.

ARTICLE 237. [Qualified fraud]

1. If the damage caused is worth more than twenty times the salary corresponding to the Civil Service index one hundred, the agent is punished with a prison sentence of 1 to 6 years.

2. If the damage caused is worth more than forty times the salary corresponding to the Civil Service index one hundred, the agent is punished with a prison sentence of 1 to 8 years.

3. With:

a) The loss caused is worth more than eighty times the salary corresponding to the Civil Service index one hundred;

b) The agent makes a living from committing fraud;

c) The injured person is in a difficult economic situation;

the agent is punished with a prison sentence of 2 to 10 years.

4. The provisions of article 226 are correspondingly applicable.

ARTICLE 238 [Insurance scam]

1. Anyone who receives or receives total or partial insurance value from a third party:

a) Causing a result or significantly aggravating the result caused by an accident whose risk was covered; or

b) Causing injury to health or

physical integrity to oneself or to a third party or worsening the consequences of injury to health or physical integrity caused by an accident for which the risk is covered;

It is punishable by imprisonment for up to 3 years or a fine of up to 300 days.

2. If the injured person ends up in a difficult economic situation, imprisonment is from 2 to 6 years.
3. The provisions of article 226 apply to this crime.

ARTICLE 239 [Scam to obtain drinks, food, accommodation or access to premises and means of transport]

1. Who, with the intention of not paying:

- a) If food or drinks are served in an establishment that supplies commerce or industry;
- b) Use rooms or services in a hotel, inn, inn or other similar establishment;
- c) Use means of transport or enter any public space knowing that this involves paying a price; and effectively refuse to settle the debt incurred;

It is punishable by imprisonment of up to 6 months or a fine of up to 60 days.

2. The provisions of article 226 apply.
3. Criminal proceedings depend on a complaint.

ARTICLE 240 [Computer and communications fraud]

1. Whoever, with the intention of obtaining illegitimate enrichment for himself or a third party, causes another person financial loss, interfering with the result of data processing or through incorrect structuring of a computer program, incorrect or incomplete use of data, use of data without authorization or intervention in any other unauthorized way in the processing, is punished with a prison sentence of up to 3 years or a fine of up to 300 days.

2. The same penalty is applicable to anyone who, with the intention of obtaining an illegitimate benefit for themselves or a third party, causes property damage to another person, using programs, electronic devices or other means that, separately or together, are intended to reduce, alter or prevent, totally or partially, the normal operation or exploitation of telecommunications services.

3. The attempt is punishable.
4. Criminal proceedings depend on a complaint.
5. If the loss is:

a) Exceeding 40 times the index hundred of the Civil Service salary, the agent is punished with a prison sentence of up to 5 years or a fine of up to 300 days; b) Exceeding 80 times the index one hundred of the Civil Service salary, the agent is punished with a prison sentence of 1 to 8 years.

6. The provisions of article 226 are correspondingly applicable.

ARTICLE 241 [Scam relating to work or employment]

1. Whoever, with the intention of obtaining illegitimate enrichment for himself or a third party, causes financial loss to another person, through enticement or promise of work or employment abroad, is punished with a prison sentence of up to 5 years or a fine of up to 300 days.
2. Anyone who, with the intention of obtaining illegitimate enrichment for themselves or a third party, causes property damage to a person residing abroad, through enticement or promise of work or employment in São Tomé and Príncipe, is punished with the same penalty.
3. The provisions of articles 226 and paragraph 3 of article 237 are correspondingly applicable.

ARTICLE 242. [Abuse of guarantee or credit card]

1. Whoever, abusing the possibility conferred by possession of a credit card, leads the issuer to make a payment, and causes harm to the latter or a third party, is punished with a prison sentence of up to 3 years or a fine of up to 300 days.
2. The attempt is punishable.
3. Criminal proceedings depend on a complaint.

4. The provisions of article 226 are correspondingly applicable.

5. If the loss is:

a) Exceeding 40 times the index hundred of the Civil Service salary, the agent is punished with a prison sentence of up to 5 years or a fine of up to 300 days; b) Exceeding 80 times the index one hundred of the Civil Service salary, the agent is punished with a prison sentence of 1 to 8 years.

ARTICLE 243 [Extortion]

1. Whoever, with the intention of obtaining illegitimate enrichment for himself or a third party, constrains another person, through violence or threat of serious harm, into a patrimonial disposition that causes harm to him or her or to others, is punished with a prison sentence of 1 to 5 years.

2. If the circumstances set out in paragraphs 2, 3 and 4 of article 221 occur, the agent's conduct is punished with the penalties referred to therein.

3. If violence is used, the victim is unable to resist or the threat involves a danger to life or serious harm to health or physical integrity, the offender is punished with a prison sentence of 2 to 12 years.

4. If the victim of extortion or the person who will suffer the threatened harm commits suicide or attempts to commit suicide, this circumstance being foreseeable by the perpetrator, the applicable penalty is imprisonment from 3 to 12 years.

5. If the acts provided for in paragraph 1 are committed by 3 or more people, including the offender, who act as an organized group, the criminal penalty increases by half.

6. Whoever obtains, as a guarantee of debt and abusing the situation of someone else's need, a document that could give rise to criminal proceedings is punished with 2 years' imprisonment or a fine of up to 200 days.

ARTICLE 244 [Infidelity]

1. Whoever, having been entrusted, by law or legal act, with the responsibility of disposing of other people's property interests or of administering or supervising them, intentionally and in serious breach of the duties assumed, causes such interests significant property damage, is punishable by imprisonment for up to 1 year or a fine of up to 100 days.

2. The provisions of articles 226 and 227 apply.

3. The attempt is punishable.

4. Criminal proceedings depend on a complaint.

ARTICLE 245 [Usury]

1. Anyone who, with the intention of achieving a financial benefit for themselves or others in the granting, granting, renewal, discount or extension of the term and payment of a credit, exploits the situation of need, mental anomaly, ineptitude, lightness, inexperience or relationship of dependence of the debtor, causing him to oblige or promise, in any form, in favor of himself or third parties, a pecuniary advantage, which is, according to the circumstances of the case, manifestly disproportionate to the consideration, is punishable by imprisonment for up to 2 years or a fine of up to 200 days.

2. Whoever, due to the circumstances indicated in the previous number, in order to grant or grant, renew, discount or extend the payment period of a credit, causes someone, in any form, to oblige or promise to pay, to him or her third parties, interest or any other advantages greater than the limit established by law, is punishable by imprisonment for up to 1 year or a fine of up to 100 days.

3. Anyone who acquires, for any reason, credit of the nature indicated in the previous paragraphs, with the intention of using, in their own favor or that of third parties, the aforementioned usurious financial advantages, is subject to the same penalty.

4. The penalty can be up to 3 years in prison or a fine of up to 300 days, when the offender:
 - a) If he habitually indulges in usury;
 - b) Dissimulate illegitimate property advantages by demanding letters or simulating contracts;
 - c) Consciously causing, through usury, the ruin of the victim's property.
5. The conduct in the previous paragraphs is not punishable if the agent, before criminal proceedings are initiated against him:
 - a) Waive the delivery of the intended advantage or financial benefit;
 - b) Renounce or hand over what he received in excess of what, without the usurious excess, he should have received, plus the legal rate from the day he received the usurious patrimonial advantages;
 - c) Modify the deal, in agreement with the other party, in harmony with the rules of good faith.

Chapter III Crimes against property rights

ARTICLE 246 [Credit frustration]

1. A debtor subject to an already initiated execution who destroys, damages or causes part of his assets to disappear, in order to intentionally frustrate, in whole or in part, the satisfaction of someone else's credit, is punished if his insolvency becomes declared, with imprisonment for up to 1 year.
2. The third party who commits the act with the knowledge or in favor of the debtor, if the latter is declared insolvent, is punished with imprisonment for up to 6 months or a fine for up to 90 days.

ARTICLE 247 [Intentional bankruptcy]

1. A merchant debtor who, with the intention of harming his creditors:
 - a) Destroys, damages, renders useless or causes part of his assets to disappear;
 - b) Fictitiously diminishing its assets, disguising objects, invoking supposed debts, recognizing fictitious credits, inciting third parties to present them or simulating, in any other way, an asset situation inferior to reality, particularly through inaccurate accounting or false balance sheet;
 - c) To delay bankruptcy, buy goods on credit, with the aim of selling them or using them in payment at a price significantly lower than the current price;
 If declared bankrupt, he is punished with imprisonment from 1 to 5 years.
2. The same penalty is applied to the agreement that does not justify the regular application given to the values of the asset existing at the date of the agreement.
3. Any third party who, with the debtor's knowledge or for his benefit, carries out the acts referred to in paragraph 1 of this article, if the state of bankruptcy is declared, is punished with imprisonment for up to 2 years.
4. If the debtor is a legal person, company or mere de facto association, anyone who has actually exercised the respective management or effective direction and has committed any of the acts provided for in paragraph 1 is punished under the terms of this regulation. .

ARTICLE 248 [Bankruptcy due to negligence]

1. A merchant debtor who, through serious carelessness or imprudence, lavishness or manifestly exaggerated expenses, ruinous speculations, or serious negligence in the exercise of his profession, creates a state of bankruptcy, if this is actually declared, is punished with imprisonment up to 1 year or a fine of up to 200 days.
2. The facts indicated in the previous paragraph are equivalent to the case of a debtor who is declared bankrupt, when he has failed to comply with the provisions that the law establishes for the regularity of bookkeeping and commercial transactions, unless the lack of of commerce and the bankrupt's rudimentary educational qualifications exempt him from non-compliance with these provisions.
3. Criminal proceedings depend on a complaint, which must be filed within 3 months of the declaration of bankruptcy.

4. The right to complain cannot be exercised by a creditor who has induced the bankrupt to incur debts recklessly, to incur exaggerated expenses, to engage in ruinous speculation or to have exploited him usefully.

ARTICLE 249 [Favoring of creditors]

The debtor who, knowing his insolvency situation and with the intention of favoring certain creditors to the detriment of others, resolves debts that are not yet due or resolves them in a manner other than payment in cash or usual amounts, or gives guarantees for his debts, to which he was not obliged, is punished with imprisonment for up to 2 years or up to 1 year, depending on whether he is declared bankrupt or insolvent.

ARTICLE 250 [Aggravation]

The penalties provided for in articles 246, 247, 248, 249 are increased by one third, in their minimum and maximum limits, if, as a result of the commission of any of the acts described therein, labor claims result in frustration, in the context of executive proceedings or special insolvency or bankruptcy proceedings.

ARTICLE 251 [Disruption of auctions]

Whoever, with the intention of preventing or harming the results of a judicial auction or any other public auction authorized or imposed by law, as well as a competition governed by public law, achieves through gifts, promises, violence or serious threats, that Anyone who does not bid or compete, or who in any way impairs the freedom of their respective acts, is punished with imprisonment of up to 2 years or a fine of up to 200 days, without prejudice to the most serious penalty for violence or threats applicable.

ARTICLE 252 [Reception]

1. Whoever, with the intention of obtaining, for himself or for a third party, a financial advantage, conceals something that was obtained by another, through a criminally illicit act against the property, to be received as a pledge, to be acquired by any title, to be held, conserving, transmitting or contributing to transmitting it, or in any way ensuring its possession for oneself or third parties, is punishable by imprisonment for up to 5 years or a fine of up to 300 days.

2. If the offender makes a living out of reception or habitually practices it, the penalty is imprisonment for 1 to 6 years.

3. Whoever, without previously ensuring its legitimate origin, acquires or receives, in any capacity, something that, due to its quality or the condition of the person offering it or the amount of the proposed price, reasonably suspects that it comes from an activity criminal offense, is punishable by imprisonment for up to 1 year or a fine of up to 100 days.

ARTICLE 253 [Material assistance to criminals]

1. Whoever assists another to take advantage of the benefit of something obtained through a crime against property, is punished with imprisonment for up to 2 years or a fine for up to 200 days.

2. The provisions of articles 226 to 227 apply.

3. The values or products directly obtained from them are equated to the things referred to in article 252.

ARTICLE 254 [Illegitimate appropriation of public or cooperative sector assets]

1. Whoever, by virtue of the position he or she holds, has the administration, management, or simple capacity to dispose of public or cooperative sector assets, and illegitimately appropriates them or intentionally allows another person to illegitimately appropriate them, is punished with the penalty that corresponds to the respective crime, increased by half in its minimum and maximum limits.

2. The attempt is punishable.

ARTICLE 255 [Harmful administration in an economic unit in the public or cooperative sector]

1. Anyone who, intentionally violating control standards or economic rules of rational management, causes significant material damage to an economic unit in the public or cooperative sector, is punished with a prison sentence of up to 5 years.

2. Punishment does not take place if the damage occurs against the agent's expectations.

3. If the property damage is worth more than eighty times the salary corresponding to the Civil Service index one hundred, the prison sentence is 2 to 6 years.

4. If the property damage is worth less than half (1/2) of the salary corresponding to the Civil Service index hundred, the penalty is imprisonment for up to 6 months or a fine for up to 90 days, although the judge may, depending on the circumstances of the case, exempt him from the penalty.

Title IV *Crimes against life in society*

Chapter I Of crimes against the family, feelings religious acts and the respect due to the dead

Section I Crimes against the family

ARTICLE 256 [Bigamy]

1. Whoever, being bound by a marriage with civil value or effectiveness, enters into another marriage is punished with imprisonment for up to 2 years or a fine for up to 200 days.

2. Whoever contracts a marriage with a person related to another, through a marriage with civil value or effectiveness, is punished with imprisonment for up to 1 year or a fine for up to 100 days.

ARTICLE 257 [Simulation of competence to celebrate marriage]

Anyone who, falsely attributing competence to do so, allows a marriage to be celebrated before them, is punished with imprisonment for up to 2 years or a fine for up to 200 days.

ARTICLE 258 [Falsification or suppression of civil status]

Whoever makes a non-existent birth appear in the civil registry or whoever, in such a way as to jeopardize the official verification of true marital status or family legal status, usurps, alters or conceals his or her marital status, or the family legal status of another person, is punishable by imprisonment for up to 2 years or a fine of up to 200 days.

ARTICLE 259 [Abduction of minors]

1. Whoever takes a minor or by fraud, violence or threat of serious harm, determines him to flee or refuses to hand over the minor to the person who exercises parental authority or guardianship over him, or to whom he is legitimately entrusted, is punished with imprisonment of up to 3 years or a fine of up to 300 days.

2. Criminal proceedings depend on a complaint.

ARTICLE 260 [Omission of material assistance to the family]

1. Anyone who, being legally obliged to provide maintenance and in a position to do so, fails to comply with this obligation in such a way that, independently of assistance from third parties, jeopardizes the satisfaction of the fundamental needs of those who are entitled to them, is punished with imprisonment of up to 2 years or a fine of up to 200 days.

2. Anyone who, with the intention of not providing maintenance, makes it impossible to do so and violates the obligation to which they are subject, creates the danger foreseen in the previous paragraph.

3. In the case of maintenance for minor children or a woman who is pregnant, if the pregnancy is known to her husband, the penalty is imprisonment for up to 3 years or a fine for up to 300 days.
4. Criminal proceedings depend on a complaint.

ARTICLE 261 [Omission of material assistance outside of marriage]

1. Whoever fails to provide the woman he has impregnated outside of marriage with the assistance that, depending on the circumstances, may be required of her and she needs, due to the pregnancy or childbirth, exposing her or her child, in a situation of necessity, is punished with imprisonment of up to 3 years or a fine of up to 300 days.
2. Anyone who fails to provide maintenance to those who voluntarily obligated themselves, in relation to their minor child or the woman they have become pregnant, incurs the same penalty.
3. Criminal proceedings depend on a complaint.

ARTICLE 262 [Abandonment of spouse or child in moral danger]

1. Whoever grossly violates the duty to help or help the other spouse, or the duties inherent to parental authority resulting from law or judicial decision in relation to a minor, as long as this results in the danger of falling into a situation of physical, intellectual or moral abandonment, is punishable by imprisonment for up to 2 years or a fine of up to 200 days.
2. Criminal proceedings depend on a complaint when the offended party is the spouse.

ARTICLE 263 [Non-execution of sentence]

The penalty applied in the cases of articles 260 to 262 ceases to be enforced, if the obligations referred to therein are fulfilled.

Section II Crimes against religious feelings and respect due to the dead

ARTICLE 264 [Outrage for reasons of religious belief or function]

1. Anyone who publicly mocks or offends others in a way that disturbs public peace, due to their beliefs or religious functions, is punished with imprisonment for up to 1 year or a fine of up to 100 days.
2. Anyone who publicly desecrates a place or object of worship or religious veneration is subject to the same penalty.
3. The attempt is punishable.

ARTICLE 265 [Religious coercion]

1. Whoever, through violence or threat of serious harm, determines another person to participate or not to participate in a religious cult, is punished with imprisonment for up to 6 months or a fine for up to 60 days.
2. If the victim is the spouse, relative, relative or student of the agent, the criminal procedure depends on the complaint.
3. The attempt is punishable.

ARTICLE 266 [Impediment or disturbance of worship]

1. Whoever, through violence or threat of serious harm, prevents or disrupts the legitimate exercise of worship of any religion is punished with imprisonment for up to 1 year or a fine for up to 100 days.
2. The attempt is punishable.

ARTICLE 267 [Outrage of religious worship]

1. Anyone who publicly mocks or vilifies an act of religious worship is punished with imprisonment up to

1 year or fine of up to 100 days.

2. The attempt is punishable.

ARTICLE 268 [Insult or offense against a minister of any religion]

1. Insult or offense against a minister of any religion in the exercise or during the legitimate exercise of his ministry is punished with the penalty provided for the injury or offense, increased by one third in its minimum and maximum limits.

2. Criminal proceedings depend on a complaint.

ARTICLE 269 [Impediment or disturbance of a funeral ceremony]

1. Whoever, with violence or threat of serious harm, prevents or disrupts, directly or indirectly, the holding of a procession or funeral ceremony, is punished with imprisonment of up to 1 year or a fine of up to 100 days.

2. The attempt is punishable.

ARTICLE 270 [Destruction, subtraction, concealment or desecration of a corpse]

1. Whoever, without the authorization of those entitled to the law and outside the cases permitted by law, steals, destroys or hides corpses or parts thereof, or the ashes of a deceased person, is punished with imprisonment for up to 1 year or a fine for up to 100 days.

2. Anyone who desecrates corpses, parts of corpses or ashes of deceased people, carrying out acts that offend the respect due to the dead, incurs the same penalty.

3. The attempt is punishable.

ARTICLE 271 [Desecration of funeral places]

1. Whoever desecrates the place where deceased people rest, or the monument erected there to their memory, destroying it, damaging it, violating it or carrying out any act that seriously offends the respect due to them, is punished with imprisonment up to 1 year or a fine of up to 100 days.

2. The attempt is punishable.

Chapter II Crimes against the economy

ARTICLE 272 [Money laundering]

1. Whoever, knowing that the goods or products come from the commission, in any form, of crimes of drug trafficking, terrorism, trafficking in weapons or nuclear products, human trafficking, pornography involving minors, corruption or extortion of funds, tax fraud or fraud in obtaining or embezzling a subsidy, within the scope of economic-financial offenses and other offenses provided for in the law on money laundering, of an international or transnational dimension, trafficking in protected species and trafficking in human organs or tissues or other crimes whose maximum sentence is greater than 10 years in prison, and: a) Converting, transferring, assisting or facilitating any operation of conversion or transfer of advantages obtained by oneself or by a third party, directly or indirectly, with the aim of hiding or disguising their illicit origin, or preventing the agent or participant in these offenses from being exempt from the legal consequences of their acts; or,

b) Hide or disguise the true nature, origin, location, disposition, movement or ownership of goods, products or rights relating thereto.

is punished with a prison sentence of 3 to 12 years in prison.

2. If the acts referred to above are committed by the representatives or bodies of a legal or similar person, in their name and in the collective interest, they are criminally responsible, being punishable by a fine to be set between 50 million and 500 million folds, and its dissolution may also be decreed.

ARTICLE 273 [Tax fraud and abuse of tax trust]

1. Whoever, in order not to pay or allow a third party to not pay, in whole or in part, any tax, fee or other pecuniary fiscal obligation owed to the State:

- a) Failure to declare the facts subject to taxation or those necessary for its settlement;
- b) Incorrectly declare the facts on which the taxation is based; or
- c) Preventing by any means or withholding the necessary elements for the correct supervision of the activity or facts subject to taxation, is punished with a prison sentence of 1 to 6 years.

2. Anyone who totally or partially appropriates a monetary benefit deducted, charged or received under the terms of the law and which they were legally obliged to deliver to the State, and fails to do so within 90 days, is punished with a prison sentence of 1 to 6 years.

3. If the amount owed and not paid, under the terms of the previous paragraphs, exceeds 100 million doublings, the agent is punished with a prison sentence of 2 to 8 years.

4. If the acts referred to in numbers 1 and 2 are committed by representatives or bodies of legal or similar persons, in their name and in the collective interest, they are criminally responsible, being punishable by a fine to be set between half and the total. -ity of the tax owed.

5. If the agent or legal or similar person pays the amount owed plus the respective legal interest by the end of the trial in the first instance, the Court may specifically mitigate the penalty or, in less serious cases, exempt the agent from

pity.

ARTICLE 274 [Smuggling or embezzlement and illicit import and export of goods or merchandise]

1. Whoever imports or exports prohibited goods or merchandise or, in other cases, exempts himself, totally or partially, from customs duties due for the entry or exit of the goods or merchandise, is punished with a prison sentence of 1 to 5 years.

2. If the value of the goods or merchandise exceeds 100 million doublings, the penalty is imprisonment for 2 to 8 years.

3. Whoever exports or imports, without a license, goods or merchandise whose export or import, by legal determination, is dependent on a license from any entity or without passing through customs, is punished with imprisonment of up to 3 years or a fine of up to 300 days.

4. If the acts referred to in paragraph 2 are carried out negligently, the penalty is imprisonment for up to 1 year or a fine for up to 100 days.

ARTICLE 275 [Illegal gambling]

1. Whoever, without legal authorization, founds, opens, finances, puts into operation, operates or by any other means controls or owns an establishment, casino or organization intended for the profitable exploitation of the activity of games of chance, betting, lottery, roulette, lotto or bingo, is punished with a prison sentence of 1 to 5 years.

2. If the acts referred to in paragraph 1 are committed by representatives or bodies of legal or similar persons, in their name and in the collective interest, they are criminally responsible, being punishable by a fine to be set between 10 million and 100 million folds.

**Chapter III Violation of the duty of solidarity
social****ARTICLE 276 [Omission of aid]**

1. Whoever, in case of serious need, namely caused by a disaster, accident, public calamity or situation of common danger, which endangers the life, health, physical integrity or freedom of others, fails to provide assistance that proves necessary when removing

ment of danger, whether by personal action or by providing assistance, is punishable by imprisonment for up to 1 year or a fine of up to 100 days.

2. If the situation referred to in the previous paragraph was created by the person who failed to provide help or due assistance, the penalty may be up to 2 years in prison or a fine of up to 200 days.
3. Failure to provide assistance is not punishable when there is a serious risk to the person's life or physical integrity or when, for another relevant reason, the assistance is not required.

ARTICLE 277. [Discrimination of disabled or sick people]

1. Anyone who publicly discriminates against a disabled person, a person with an infectious disease or a sick person, due to and because of their disability or illness, is punished with a prison sentence of up to 2 years or a fine of up to 200 days.
2. Anyone who, for the same reasons, does not grant employment to a physically disabled person incurs the same penalty, as long as their disability is not incompatible with the job in question.
3. Criminal proceedings depend on a complaint.

Chapter IV Crimes against public health

ARTICLE 278 [Tables]

The plants, substances and preparations subject to the regime provided for in this chapter are included in six tables annexed to this Code, which may be updated by special diploma.

ARTICLE 279 [Trafficking in narcotic drugs and other illegal activities]

1. Whoever, without being authorized to do so, cultivates, produces, manufactures, extracts, prepares, offers, offers for sale, sells, distributes, buys, assigns or in any way receives, provides to others, transports, importing, exporting, transiting or illegally possessing, outside of the cases provided for in article 283, plants, substances or preparations included in tables I to III is punishable by a prison sentence of 2 to 12 years.
2. Whoever, acting contrary to the authorization granted to manipulate the plants, substances or preparations referred to in the previous paragraph, illegally transfers them, introduces them or arranges for someone else to introduce them into commerce is punished with a prison sentence of 4 to 15 years.
3. Anyone who cultivates plants, produces or manufactures substances or preparations other than those stated in the authorization title granted is subject to the penalty provided for in the previous paragraph.
4. In the case of substances or preparations included in table IV, the penalty is imprisonment for 1 to 5 years.

ARTICLE 280 [Precursors]

1. Anyone who, without being authorized, manufactures, imports, exports, transports or distributes equipment, materials or substances listed in tables V and VI, knowing that they are or will be used in the illicit cultivation, production or manufacture of narcotic drugs or psychotropic substances. case, is punished with a prison sentence of 2 to 10 years.
2. Whoever, without being authorized, holds, in any capacity, equipment, materials or substances listed in tables V and VI, knowing that they are or will be used in the illicit cultivation, production or manufacture of narcotic drugs or psychotropic substances, is punished with a prison sentence of 1 to 5 years.
3. When the agent holds authorization to manipulate plants, substances or preparations and carries out the aforementioned acts, he is punished:
 - a) In the case of paragraph 1, with a prison sentence of 3 to 12 years;
 - b) In the case of no. 2, with a prison sentence of 2 to 8 years.

ARTICLE 281 [Minor drug trafficking]

If, in the cases of articles 279 and 280, the illegality of the act appears considerably reduced, taking into account, in particular, the means used, the modality or the circumstances

of the action, the quality or quantity of the plants, substances or preparations, the penalty is:

- a) Imprisonment of 1 to 5 years, in the case of plants, substances or preparations included in tables I to III, V and VI;
- b) Imprisonment of up to 2 years or a fine of up to 200 days, in the case of substances or preparations included in table IV.

ARTICLE 282 [Trafficker – consumer]

1. When, by committing any of the acts referred to in article 279, the agent has the exclusive purpose of obtaining plants, substances or preparations for personal use, the penalty is imprisonment of up to 3 years or a fine of up to 300 days, if in the case of plants, substances or preparations included in tables I to III, or imprisonment for up to 1 year or a fine of up to 100 days, in the case of substances or preparations included in table IV.
2. The attempt is punishable.
3. The provisions of paragraph 1 do not apply when the agent holds plants, substances or preparations in quantities that exceed those necessary for average individual consumption during a period of 5 days.

ARTICLE 283 [Consumption]

1. Anyone who consumes or, for their consumption, cultivates, acquires or possesses plants, substances or preparations included in tables I to IV is punished with a prison sentence of up to 3 months or a fine of up to 60 days.
2. If the quantity of plants, substances or preparations cultivated, held or acquired by the agent exceeds that necessary for average individual consumption during the 3-day period, the penalty is imprisonment for up to 1 year or a fine of up to 100 days.
3. In the case of paragraph 1, if the agent is an occasional consumer, he may be exempt from the penalty.

ARTICLE 284 [Abuse of the exercise of profession]

1. The penalties provided for in paragraphs 2 and 4 of article 279 and article 280 are applied to doctors who issue prescriptions, administer or deliver substances or preparations indicated there for non-therapeutic purposes.
2. The same penalties are applied to the pharmacist or whoever replaces him in his absence or disability who sells or delivers those substances or preparations for non-therapeutic purposes.
3. The delivery of substances or preparations to a clearly mentally ill person or a minor, in violation of legally established norms, is punishable by a prison sentence of up to 1 year or a fine of up to 100 days.
4. The attempt is punishable.

ARTICLE 285 [Criminal associations]

1. Whoever promotes, founds or finances a group, organization or association of two or more people who, acting in concert, aims to commit any of the crimes provided for in articles 279 and 280 is punished with a prison sentence of 10 to 20 years.
2. Anyone who collaborates, directly or indirectly, joins or supports the group, organization or association referred to in the previous paragraph is punished with a prison sentence of 5 to 15 years.
3. Anyone who heads or directs a group, organization or association referred to in paragraph 1 will face a penalty of 12 to 20 years in prison.
4. If the group, organization or association has as its purpose or activity the conversion, transfer, concealment or reception of goods or proceeds of crimes provided for in articles 279 and 280, the offender is punished:
 - a) In the cases of paragraphs 1 and 3, with a prison sentence of 2 to 10 years;
 - b) In the case of no. 2, with a prison sentence of 1 to 8 years.

ARTICLE 286 [Incitement to use narcotics or psychotropic substances]

1. Whoever induces, incites or instigates another person, in public or private, or in any way facilitates the illicit use of plants, substances or preparations included in tables I

III is punished with a prison sentence of up to 3 years or a fine of up to 300 days.

2. In the case of substances or preparations included in table IV, the penalty is imprisonment for up to 1 year or a fine for up to 100 days.

3. The minimum and maximum limits of penalties are increased by one third (1/3) if:

- a) The acts were committed to the detriment of a minor, mentally disabled person or person who was in the care of the perpetrator for treatment, education, instruction, surveillance or custody;
- b) Any of the circumstances set out in paragraphs d), e) or h) of article 289 has occurred.

ARTICLE 287 [Trafficking and consumption in public or meeting places]

1. Whoever, being the owner, manager, director or, in any capacity, operates a hotel, restaurant, cafe, tavern, club, house or meeting, show or entertainment venue, consents to that place being used for trafficking or illicit use of plants, substances or preparations included in tables I to IV is punishable by a prison sentence of 1 to 6 years.

2. Whoever, having at his disposal a building, fenced area or vehicle, consents to it being habitually used for trafficking or illicit use of plants, substances or preparations included in tables I to IV is punished with a prison sentence of 1 to 5 years.

3. Without prejudice to the provisions of the previous paragraphs, whoever, after the notification referred to in the following paragraph, does not take appropriate measures to prevent the places mentioned therein from being used for the trafficking or illicit use of plants, substances or preparations included in tables I to IV are punishable by imprisonment for up to 5 years.

4. The provisions of the previous paragraph are only applicable after two seizures of plants, substances or preparations included in tables I to IV, carried out by a judicial authority or criminal police body, duly notified to the agent referred to in paragraphs 1 and 2, and not averaging a period of more than 1 year between them, even without identification of the holders.

5. Once the conditions referred to in paragraphs 3 and 4 have been verified, the competent authority for the investigation informs the facts of the facts to the administrative authority that granted authorization to open the establishment, which decides on the closure.

ARTICLE 288 [Abandonment of syringes]

Whoever, in a public place or open to the public, in a private place but in common use, abandons a syringe or other instrument used in the illicit consumption of narcotics or psychotropic substances, thus creating a danger to the life or physical integrity of another person, is punished with a prison sentence of up to 1 year or a fine of up to 100 days, if a more serious penalty is not applicable due to another legal provision.

ARTICLE 289 [Aggravation]

The penalties provided for in articles 279, 280 and 281 are increased by a quarter (1/4) in their minimum and maximum limits if:

- a) The substances or preparations were delivered to or were intended for minors or mentally impaired people;
- b) The substances or preparations were distributed to more than ten people;
- c) The agent obtained or sought to obtain remuneration compensation exceeding 100 million doublings;
- d) The agent is an official responsible for preventing or repressing these infractions;
- e) The agent is a doctor, pharmacist or any other health technician, employee of prison services or social reintegration services, postal, telegraph, telephone or telecommunications worker, teacher, educator or worker at an educational establishment or of a worker in services or social action institutions and the act is carried out in the exercise of their profession;

- f) The agent participates in other organized criminal activities on an international scale;
- g) The agent participates in other illegal activities facilitated by the commission of the offense;
- h) The offense was committed in drug treatment facilities, social reintegration facilities, social action services or institutions, in a prison establishment, military unit, educational establishment, or in other places where pupils or students engage in educational, sporting or social activities, or in their immediate vicinity;
- i) The agent uses the collaboration, in any form, of minors or mentally disabled people;
- j) The agent acts as a member of a gang intended to repeatedly commit the crimes provided for in articles 279 and 280, with the collaboration of at least two other members of the gang;
- l) The substances or preparations have been corrupted, altered or adulterated, by manipulation or mixing, increasing the danger to the life or physical integrity of others.

ARTICLE 290. [Mitigation or exemption from sentence]

If, in the cases provided for in articles 279, 280, 281 and 285, the agent voluntarily abandons his activity, removes or considerably reduces the danger caused by the conduct, prevents or makes efforts seriously to prevent the result that the law wants to avoid from occurring, or to concretely assist the authorities in collecting decisive evidence for the identification or capture of other responsible parties, particularly in the case of groups, organizations or associations, The sentence may be specially reduced or the sentence may be dispensed with.

ARTICLE 291 [Spontaneous treatment]

1. Anyone who illicitly uses, for individual consumption, plants, substances or preparations included in tables I to IV and requests assistance from State or private health services is guaranteed anonymity.

2. In the case of a minor, interdicted or disabled person, the assistance requested by their legal representatives is provided under the same conditions.

3. Doctors, technicians and other establishment staff who assist the patient are subject to the duty of professional secrecy, and are not obliged to testify in court or provide information to police entities about the nature and evolution of the therapeutic process.

4. Subject to the provisions of the previous paragraph, any doctor may report to the State health services cases of abuse of plants, narcotic or psychotropic substances that he finds in the exercise of his professional activity, when he believes that treatment measures or assistance in the interest of the patient, their family members or the community, for which they do not have the resources.

ARTICLE 292 [Conversion, transfer or concealment of goods or products]

1. Whoever, knowing that the goods or products come from the commission, in any form of participation, of an offense provided for in articles 279, 280, 281 and 282:

a) Convert, transfer, assist or facilitate any conversion or transfer operation of these goods or products, in whole or in part, directly or indirectly, with the aim of hiding or disguising their illicit origin or assisting a person involved in the practice of any of these infractions to avoid the legal consequences of their acts is punishable by a prison sentence of 3 to 12 years;~

b) Hiding or disguising the true nature, origin, location, disposition, movement, ownership of these goods or products or rights relating to them is punishable by a prison sentence of 2 to 10 years;

c) Acquire or receive them in any capacity, use, hold or preserve them; is punished with a prison sentence of 1 to 5 years.

2. The punishment for the crimes provided for in the previous paragraph does not exceed that applicable to the corresponding infractions of articles 279, 280, 281 and 282.

ARTICLE 293. [Expulsion of foreigners and closure of establishment]

1. Without prejudice to the provisions of the general part of this Code, in the case of conviction for a crime provided for in this statute, if the defendant is a foreigner, the court may order his expulsion from the country for a period not exceeding 10 years.
2. In the sentence for committing a crime provided for in article 287, and regardless of the prohibition of profession or activity, the closure of the establishment or public place where the facts occurred may be ordered, for a period of 1 to 5 years.
3. If there has been a previous judicially or administratively ordered closure, the elapsed period will be taken into account in the sentence.
4. If the accused is acquitted, the administratively ordered closure shall immediately cease.
mind.

ARTICLE 294. [Loss of objects and things or objects related to the fact]

1. Objects that have served or were intended to serve for the commission of an offense provided for in this chapter or that have been produced by it are declared lost in favor of the State, when, due to their nature or the circumstances of the case, they may be considered lost. endanger the safety of people or public order, or pose a serious risk of being used to commit new typical illicit acts.
2. The plants, substances and preparations included in tables I to IV are always declared lost in favor of the State and are destroyed in the presence of the judge.
3. The provisions of the previous paragraphs apply even if no specific person can be punished for the fact.
4. Any reward given or promised to those responsible for an offense provided for in this chapter, whether for themselves or for others, is forfeited to the State.
5. The objects, rights and advantages that, through the infraction, were directly acquired by the agents, for themselves or for others, are also lost in favor of the State, without prejudice to the rights of third parties in good faith.
6. The provisions of the previous paragraphs apply to rights, objects or advantages obtained through a transaction or exchange with rights, objects or advantages directly obtained through the infraction.
7. If the reward, rights, objects or advantages referred to in the previous paragraphs cannot be appropriated in kind, the loss is replaced by payment to the State of the respective value.
8. This article includes, in particular, movables, properties, aircraft, boats, vehicles, bank deposits or valuables or any other valuable assets.
9. Seized motor vehicles revert to State property or will be sold, as indicated by the Ministry of Finance, which must, for this purpose, be notified by the court, with a copy of the respective vehicle examination report and within the deadline 15 days after the decision becomes final.
10. Substances or objects with criminal, scientific or educational interest may be handed over to the Criminal Investigation Police as long as this is requested by its Director during the process.
11. In the absence of an international convention, the goods or products seized at the request of authorities of a foreign State or the funds arising from their sale are divided between the requesting State and the requested State, in the proportion of half.

ARTICLE 295 [Processed, converted or mixed goods and profits or other benefits]

1. If the rewards, objects, rights or advantages referred to in the previous article have been transformed or converted into other goods, these are lost in favor of the State in replacement of those.

2. If the rewards, objects, rights or advantages referred to in the previous article have been mixed with lawfully acquired goods, these are lost in favor of the State up to the estimated value of those that were mixed.

3. The provisions of article 294 and the present are also applicable to interest, profits and other benefits obtained with the goods referred to therein.

Chapter V Forgery of documents, currency, weights and measures

Section I Document Forgery

ARTICLE 296 [Forgery of documents]

1. Whoever, with the intention of causing harm to another person or to the State, or of obtaining an illegitimate benefit for himself or a third party:

- a) Manufacture a false document, falsify or alter documents or abuse another person's signature to prepare a false document;
- b) Falsely state a legally relevant fact in the document;
- c) Use a document referred to in the previous paragraphs, which is falsified or manufactured by third parties;
- d) Interspersing a document in a protocol, register or official book without complying with legal formalities;

is punishable by imprisonment for up to 2 years or a fine of up to 200 days.

2. If the facts referred to in subparagraphs a) to c) of the previous paragraph concern an authentic document or document with equal force, a sealed will, a bill of exchange, a commercial document transferable by endorsement or any other title of credit not included in the article 311th, the penalty is imprisonment from 1 to 5 years.

3. If the acts referred to in the previous paragraphs are committed by an official, in the abusive exercise of their duties, the penalty is 1 to 6 years.

4. In cases of minor gravity, the court may sentence the agent, in any of the previous paragraphs, to a fine.

5. Attempt is punishable.

ARTICLE 297 [Concept of document]

1. A document is understood to be a declaration in writing, intelligible to the general public or a certain circle of people, which, allowing its issuer to be recognized, is capable of proving a legally relevant fact, whether such a destination is given to it at the time of its issuance or later.

2. The declaration embodied in writing is equivalent to that recorded on disk, recorded tape or any other technical means.

3. A sign materially made, given or placed on a thing to prove a legally relevant fact and which allows most people or a certain circle of people to recognize their destiny and the evidence that results from it is equally comparable to a document.

ARTICLE 298 [Manufacture or falsification of technical notation and its definition]

1. Whoever, with the intention of causing harm to another person or to the State, or obtaining an illegitimate benefit for himself or a third party:

- a) Manufacture false technical notation;
- b) Falsify or alter technical notations;
- c) Falsely making a legally relevant fact appear in the technical notation;
- d) Make use of the notations referred to in the previous paragraphs, falsified by third parties;

is punishable by imprisonment for up to 3 years or a fine of up to 300 days.

2. Forgery of technical notations is equivalent to disruptive action on technical or automatic devices through which the results of the notation are influenced.
3. The attempt is punishable.
4. Technical notations are understood as the notation of a value, a weight or measure, a state or the course of an event made through a technical device that acts, totally or partially, automatically, which allows recognition to the generality of people or to a certain circle of people its results and which is intended to prove a fact that is legally relevant to this, whether this destination is given at the time of its realization, or later.

ARTICLE 299 [Destruction, damage or removal of documents and technical notations]

1. Whoever, with the intention of causing harm to others or the State, destroys, damages, renders unusable, causes to disappear, conceals or steals documents, comparable objects or technical notations that he cannot, or cannot exclusively, have or that a third party, by virtue of certain legal provisions, can demand delivery or presentation is punishable by imprisonment for up to 3 years or a fine of up to 300 days.
2. When those offended are private individuals, the criminal procedure depends on a complaint.

ARTICLE 300 [Aggravation due to the status of employee or agent]

If the crime referred to in the previous article is committed by an employee to whom the objects referred to therein were entrusted or are accessible due to their duties, the penalty is imprisonment for up to 5 years.

ARTICLE 301 [Forgery committed by an employee]

1. The official who, in the exercise of his powers, includes in the document or comparable object, to which the law attributes public faith, some fact that is not true or omits a fact that this document or object is intended to certify or authenticate, or interspersing an act or document in an official protocol, register or book, without complying with legal formalities, with the intention of causing harm to another person or the State, or of obtaining an illegitimate benefit for oneself or a third party, is punishable by imprisonment for 1 to 5 years.
2. Whoever, by misleading an official, causes him to include in a document or comparable object, to which the law attributes public faith, some fact that is not true or to omit a legally relevant fact, is punished with imprisonment for up to 3 years .
3. Anyone who uses documents or similar objects, referred to in the previous paragraphs, with the intention of causing harm to others or the State is punished with imprisonment for up to 3 years.

ARTICLE 302 [False certificates]

1. The doctor, dentist, nurse, midwife, director or employee of a laboratory or research institution that serves medical purposes, or person in charge of carrying out autopsies, who issues a certificate or certificate that he knows does not correspond to the truth, regarding the condition of the body or physical or mental health, the birth or death of a person, intended to act before a public authority or to harm the interests of others, is punishable by imprisonment for up to 2 years or a fine of up to 200 days.
2. The veterinarian who issues a certificate under the terms and for the purposes described in the previous paragraph in relation to animals is punished with the same penalties.
3. Anyone who issues the attestations or certificates referred to in the previous paragraphs, falsely accusing themselves of the qualities or functions referred to therein, incurs the same penalty.
4. Anyone who uses the aforementioned false certificates or attestations, with the aim of deceiving a public authority or causing harm to the interests of third parties, will be punished with imprisonment for up to 1 year or a fine of up to 100 days.

ARTICLE 303. [Use of other people's identification documents]

1. Whoever, with the intention of causing harm to others or the State, of obtaining an illegitimate benefit for himself or a third party, or of preparing, facilitating, executing or covering up another crime, uses identification documents issued in favor of another person is punished with imprisonment of up to 1 year or a fine of up to 100 days.

2. Anyone who, with the intention of making the fact described in the previous paragraph possible, delivers an identification document to a person in favor of whom it was not issued is subject to the same penalty.

3. The concept of identification document includes an identity card, passport, banknote or other certificates or attestations to which the law attributes equal identification force to persons, or their status or professional situation, which may result in any rights or advantages, particularly with regard to subsistence, payment, travel or means of earning a living or improving one's standard.

Section II Counterfeiting of Currency, Credit Title or sealed value

ARTICLE 304 [Currency counterfeiting]

Whoever commits counterfeiting of currency, with the intention of putting it into circulation as legitimate, is punished with imprisonment for 2 to 15 years.

ARTICLE 305 [Forgery or alteration of the face value of legitimate currency]

Anyone who, with the intention of putting it into circulation, falsifies it by any means or alters the face value of legitimate currency to a higher value than what it has, is punished with imprisonment from 1 to 8 years.

ARTICLE 306 [Depreciation of value of legitimate currency]

1. Whoever, with the intention of putting it into circulation as a whole, depreciates legitimate metallic currency by depleting it, filing it, subjecting it to chemical processes, or otherwise reducing its value, is punished with imprisonment up to 2 years or a fine of up to 200 days.

2. Anyone who, without legal authorization and with the intention of putting it into circulation, manufactures metallic currency with the same or greater value than the legitimate one, is also punished with the penalty mentioned in the previous paragraph and.

3. The attempt is punishable.

ARTICLE 307 [Concept of currency]

Currency is understood as paper money, including bank notes and metallic currency that is legal tender in São Tomé and Príncipe or in any foreign country.

ARTICLE 308 [Passage of counterfeit currency in concert with the counterfeiter]

1. The penalties indicated in the previous articles will be incurred by anyone who, in agreement with the agent of the facts described therein, carries out the intention intended by him, passing or putting into circulation in any way, including displaying them for sale, the said coins.

2. The attempt is punishable.

ARTICLE 309 [Passing of counterfeit currency]

1. Anyone who, by any means, including display for sale, puts into circulation:

- a) As legitimate or intact, counterfeit or counterfeit currency;
- b) Metallic currency depreciated to its full value, or currency with the same or greater value than the legitimate one, but manufactured without legal authorization;

is punished, in the case of paragraph a), with imprisonment for up to 5 years and, in the case of paragraph b), with imprisonment for up to 3 years or a fine of up to 300 days.

2. If, in the case of the previous paragraph, the agent only became aware that the currency is fake or counterfeit, that it is depreciated or was manufactured without legal authorization, after receiving it

bido, the penalty is a fine of up to 60 days, but never less than twice the value represented by the currency passed or put into circulation.

ARTICLE 310 [Acquisition of counterfeit currency to be put into circulation]

1. Whoever acquires, receives in deposit, imports or otherwise introduces into São Tomé territory, for himself or for a third party, with the intention of, by any means, including displaying it for sale, passing on or putting into circulation :

a) As legitimate or intact, counterfeit or counterfeit currency; b)

Metallic currency depreciated to its full value, or currency with the same or greater value than the legitimate one, but manufactured without legal authorization;

is punished, in the case of paragraph a), with imprisonment for up to 3 years and, in the case of paragraph b), with imprisonment for up to 2 years or a fine of up to 200 days.

2. The attempt is punishable.

ARTICLE 311 [Credit securities]

1. For the purposes of articles 304 to 310, national and foreign credit securities contained, by law, on a type of paper and printing specially designed to guarantee them, are equivalent to currency. against the danger of imitations and which, due to their nature and purpose, cannot, in themselves, fail to incorporate heritage value.

2. National lottery tickets or fractions, guarantee or credit cards are also equivalent to currency.

3. The provisions of paragraph 1 do not cover the forgery of titles in relation to elements whose guarantee and identification are not intended for use on paper or printing.

ARTICLE 312 [Forgery of sealed securities]

1. Whoever, with the intention of using them or putting them into circulation in any way, including displaying them for sale, exposes them in circulation as legitimate or intact, commits counterfeiting, or forgery of sealed or stamped values, the supply is exclusive to the State of São Tomé, namely stamped paper, stamped letter paper, tax or postage stamps, is punishable by 1 to 5 years in prison.

2. Who:

a) Use the aforementioned sealed or stamped values as legitimate or intact, when false or falsified; or

b) With the intention referred to in paragraph 1, acquire, receive in deposit, import or otherwise introduce into São Tomé territory, for oneself or for a third party, the aforementioned sealed or stamped values, when false or falsified;

is punishable by imprisonment for up to 3 years or a fine of up to 300 days.

3. If the forgery consists of making the signs of having already served disappear from said sealed or stamped values, the penalty is imprisonment for up to 3 months or a fine of up to 300 days.

4. If, in the case of paragraph 2, the agent only became aware that the sealed or stamped values are false or falsified after having received them, the penalty is a fine of up to 60 days, but never less than double the value represented by the stamped or stamped values that passed or put into circulation.

Section III Forgery of Dies, Weights and Similar Objects

ARTICLE 313 [Counterfeiting or forgery of seals, stamps, marks or seals]

1. Whoever, with the intention of using them as authentic or intact, counterfeits or falsifies seals, stamps, marks or seals, of any authority or public office, is punished with imprisonment from 1 to 5 years.

2. Whoever, with the aforementioned intention, acquires, receives in deposit, transfers, imports, or otherwise introduces into São Tomé territory, for himself or for a third party, the aforementioned stamps,

false or counterfeit stamps, marks or stamps are punishable by imprisonment for up to 3 years or a fine of up to 300 days.

3. Anyone who, with the intention of causing harm to others or the State, uses, without authorization from the person entitled, seals, stamps, marks or seals of any public authority or department, is punished with imprisonment for up to 2 years or a fine up to 200 days.

ARTICLE 314 [False weights and measures]

1. Whoever, with the intention of causing harm to others or the State:

- a) Affixes a false mark to weights, measures, scales or other measuring instruments or has falsified the existing one;
- b) Has altered weights, measures, scales or other measuring instruments, whatever their nature, which are legally subject to the existence of a puncture;
- c) Has used false or falsified weights, measures, scales or other measuring instruments;

is punishable by imprisonment for up to 2 years or a fine of up to 200 days 2.

The attempt is punishable.

3. If, in the case of paragraph 1, the agent has caused insignificant damage and has used a gross forgery, clearly seizable as such, he or she will be punished with a prison sentence of up to 6 months or a fine of up to 60 days.

ARTICLE 315 [Preparatory acts]

Whoever, with the intention of preparing the execution of the acts referred to in articles 304, 305, 306, 311, 312, 313 and 314, manufactures, imports, acquires, for himself or for someone else, supply, offer for sale or retain:

- a) Forms, dies, clichés, coining presses or punches, negatives, photographs or other instruments that, by their nature, are usable to carry out crimes;
- b) Paper, holograms or other elements that are the same or likely to be confused with those that are particularly manufactured to avoid imitations or used in the manufacture of currency, credit instruments or sealed value;

is punished with imprisonment for up to 3 years.

ARTICLE 316 [Withdrawal]

It is not punishable who, in the cases of the previous articles, voluntarily:

- a) Abandon the preparation or execution of the crimes referred to therein and prevent the danger, caused by them, that others continue to prepare the acts or execute them, or make serious efforts in this direction, or prevent their consummation; b) If, in the latter case, the non-completion of the crime, or the removal of the danger of others continuing its preparation, takes place independently of the action of the desister, the serious effort of the agent in this direction is sufficient for its non-punishment;
- c) Destroy or render unusable the means or objects referred to in the previous article, or make them known to the public authority or hand them over to them.

ARTICLE 317. [Seizure and loss and liability of legal persons]

1. Counterfeit, falsified or depreciated coins and similar objects, as well as weights, measures or any and all instruments intended to commit the crimes provided for in this chapter, will be seized and put out of use or destroyed.

2. If the facts referred to in articles 296, 298, 304, 305, 306, 309, 310, 312, 313 and 314 are committed by the representatives or bodies of a legal or similar person, in its name and in the collective interest, they are criminally responsible, being punishable by a fine set between 30 million and 500 million doublings, and their dissolution may also be ordered. .

Chapter VI Crimes of common danger

Section I Fires, explosions, radiation and other crimes of common danger

ARTICLE 318 [Fire]

1. Whoever causes a fire, creating a danger to the life or physical integrity or to property of great value of another person, is punished with imprisonment for 2 to 6 years.
2. If the danger referred to in the previous paragraph is attributable to negligence, the penalty is imprisonment for up to 3 years or a fine for up to 300 days.
3. If the fire is caused by negligence, the penalty is imprisonment for up to 1 year or a fine for up to 100 days.

ARTICLE 319 [Danger of fire and burning]

1. Whoever, through intent or serious negligence, creates a fire hazard in easily flammable installations or establishments, forests, forests or groves, crops or fields where cereals or other easily flammable agricultural products are deposited or sown, not those watching or throwing burning objects, even without an open flame, is punished with imprisonment for up to 2 years or a fine of up to 200 days.
2. If the things referred to in the previous paragraph are the property of the agent, the agent is only punished if life or physical integrity or high-value assets are put in danger through intent or serious negligence.
3. Anyone who carries out fires outside the appropriate season or without administrative authorization, when necessary, resulting in the destruction of forests, plantations or crops is punished with imprisonment for up to 1 year or a fine of up to 100 days.
4. If the burning is carried out legally but, through negligence, the agent causes the damage referred to in the previous paragraph, the penalty is imprisonment for up to 6 months or a fine for up to 60 days.
5. In the situations provided for in paragraphs 3 and 4, criminal proceedings depend on a complaint.

ARTICLE 320 [Explosion]

1. Whoever causes an explosion, creating a danger to the life or physical integrity or property of great value of another person, is punished with imprisonment for 2 to 6 years.
2. If the explosion is caused by the release of nuclear energy, the penalty is imprisonment from 2 to 8 years.
3. If the danger referred to in the previous paragraphs is attributable to negligence, the penalty is, in the case of no. 1, imprisonment of up to 3 years or a fine of up to 300 days and, in the case of no. 2, up to 5 years.
4. If the explosion is caused by negligence, the penalty is, in case no. 1, imprisonment for up to 2 years or a fine of up to 200 days and, in case no. 2, up to 4 years.

The mere release of nuclear energy, creating the dangerous situations foreseen in the previous paragraphs, is punishable under the terms of paragraph 2.

ARTICLE 321 [Exposure of a person to radioactive substances]

1. Anyone who, with the intention of harming the health of another person, exposes them to radiation, consistent with the effects of radioactive substances and suitable for that purpose, is punished with imprisonment for up to 4 years.
2. If the action referred to in the previous paragraph is directed against an unspecified person, the agent is punished with imprisonment for up to 2 years or a fine for up to 200 days.

ARTICLE 322 [Exposure of foreign objects to radioactive substances]

Whoever, with the intention of harming the possibility of using someone else's thing of important value, exposes it to radiation, consistent with the effects of radioactive substances suitable for such use, is punished with imprisonment for up to 2 years or a fine for up to 200 days.

ARTICLE 323 [Release of toxic or asphyxiating gases]

1. Anyone who, through the release of toxic or asphyxiating gases, exposes others to danger to their life or serious harm to their physical integrity or health is punished with imprisonment for 2 to 6 years.
2. If the danger referred to in the previous paragraph is created by negligence, the penalty is imprisonment for up to 3 years or a fine for up to 300 days.
3. If the action referred to in paragraph 1 of this article is attributable to negligence, the penalty is imprisonment for up to 2 years or a fine for up to 200 days.

ARTICLE 324 [Preparatory acts]

Whoever, to prepare for the execution of one of the crimes provided for in no. 2 of article 320 and in articles 321 and 322, manufactures, conceals, acquires for himself or another, delivers, detains or imports explosive substance or substance capable of producing nuclear, radioactive explosions or suitable for the manufacture of toxic asphyxiating gases, as well as the equipment necessary for the execution of such crimes, is punished with imprisonment for up to 3 years or a fine for up to 300 days.

ARTICLE 325 [Weapons, devices, explosive and similar materials]

1. Anyone who, outside legal requirements, manufactures, imports, transports, sells or gives to others firearms, non-lethal chemical and nuclear weapons, ammunition for them, substances for their manufacture or operation or any other type of explosive, is punishable by a prison sentence of 1 to 4 years.
2. If the facts described in the previous paragraph concern weapons of war, chemical and nuclear weapons with high lethal capacity, the penalty is 2 to 8 years in prison.
3. The simple detention, use or carrying of a firearm without the agent being legally authorized is punishable by a prison sentence of up to 2 years or a fine of up to 200 days.

ARTICLE 326 [Flood and avalanche]

1. Whoever causes flooding, avalanches, masses of earth or rocks, creating a danger to the life or physical integrity of others, or to other people's property of great value, is punished with imprisonment for 2 to 6 years.
2. If the danger referred to in the previous paragraph is created by negligence, the penalty is imprisonment for up to 3 years or a fine for up to 300 days.
3. If the action referred to in paragraph 1 of this article is attributable to negligence, the penalty is imprisonment for up to 2 years or a fine for up to 200 days.

ARTICLE 327 [Construction collapse]

1. Whoever causes the collapse or collapse of a building, creating a danger to the life or physical integrity or to property of great value of another person, is punished with imprisonment from 2 to 6 years.
2. If the danger referred to in the previous paragraph is created by negligence, the penalty is imprisonment for up to 3 years or a fine for up to 300 days.
3. If the action referred to in paragraph 1 of this article is attributable to negligence, the penalty is imprisonment for up to 2 years or a fine for up to 200 days.

ARTICLE 328 [Violation of construction rules]

1. Whoever, in the planning, direction or execution of construction, demolition, technical installation under construction, or its modification, violates the legal or regulatory provisions, or even the technical rules that in this case, according to generally respected or recognized standards, must be observed, thus creating a danger to the life, physical integrity or property of great value of others, is punished with imprisonment from 2 to 6 years.
2. If the danger referred to in the previous paragraph is created by negligence, the penalty is imprisonment for up to 3 years or a fine for up to 300 days.

3. If the action referred to in paragraph 1 of this article is attributable to negligence, the penalty is imprisonment for up to 2 years or a fine for up to 200 days.

ARTICLE 329 [Telephone tapping instruments]

1. Anyone who imports, manufactures, stores, buys, sells, transfers or acquires in any capacity, transports, distributes or possesses instruments or equipment specifically intended for setting up telephone tapping, or for violating correspondence or telecommunications, outside legal conditions or contrary to the prescriptions of the competent authority, is punished with a prison sentence of up to 3 years or a fine of up to 300 days.

2. If the acts are committed by an official performing his duties, the penalty is 1 to 5 years in prison.

ARTICLE 330 [Damage to equipment designed to prevent accidents]

1. Whoever, totally or partially, damages, destroys, removes, makes it impossible to use or, through technical means, renders unusable installation or equipment that, in the workplace, is intended to prevent personal accidents, characteristic or particular to this type of work, thereby creating a danger to the life or physical integrity of others, is punishable by imprisonment for 2 to 6 years.

2. If the danger referred to in the previous paragraph is created by negligence, the penalty is imprisonment for up to 3 years or a fine for up to 300 days.

3. If the action referred to in paragraph 1 of this article is attributable to negligence, the penalty is imprisonment for up to 2 years or a fine for up to 200 days.

ARTICLE 331 [Disruption to the functioning of public services]

1. Anyone who prevents or disrupts the operation or operation of public communications services, such as post, telegraph, telephones, television, or service supplying water, light, energy or heat to the public, destroying, damaging, rendering unusable, modifying, subtracting or diverting the thing or energy that serves such services, in a way that creates a danger to the life, physical integrity or property of great value of another person, is punished with imprisonment from 2 to 6 years .

2. If the danger referred to in the previous paragraph is created by negligence, the penalty is imprisonment for up to 3 years or a fine for up to 300 days.

3. If the action referred to in paragraph 1 of this article is attributable to negligence, the penalty is imprisonment for up to 2 years or a fine for up to 200 days.

ARTICLE 332 [Damage or destruction of installations of public interest]

1. Anyone who, in whole or in part, destroys, damages or renders unusable:

a) Large installations for the use, production, storage, conduction or distribution of water, oil, gasoline, gas, heat, electricity or nuclear energy; b) Installations for protection against forces of nature, creating a danger to the life or major injury to the physical integrity of others or to important property belonging to others;

is punished with imprisonment from 2 to 6 years.

2. If the danger referred to in the previous paragraph is created by negligence, the penalty is imprisonment for up to 3 years or a fine for up to 300 days.

ARTICLE 333 [Water contamination and poisoning]

1. Whoever corrupts, contaminates or pollutes, through poison or other substances harmful to health, water that can be used for human consumption, creating a danger to life or serious harm to the health or physical integrity of others, is punished with imprisonment of 2 to 8 years.

2. If the danger created by the activities described in the previous paragraph for the health or physical integrity of others is of minor severity, or is limited to threatening a considerable number of domestic animals or animals useful to humans, the penalty is imprisonment for up to 2 years or a fine of up to 200 days.

3. If the danger is created by negligence, the penalty is, in the case of no. 1, imprisonment of up to 3 years or a fine of up to 300 days and, in the case of no. 2, imprisonment of up to 1 year or fine of up to 100 days.
4. If the action described in paragraphs 1 and 2 is attributable to negligence, the penalty is imprisonment for up to 1 year or a fine for up to 60 days.

ARTICLE 334. [Damage against nature and illegal extraction of aggregates]

1. Whoever, without observing legal or regulatory provisions, eliminates specimens of fauna or flora or destroys natural habitat or depletes subsoil resources, in a serious manner, is punished with a prison sentence of up to 4 years or a fine of up to 300 days.
2. For the purposes of the previous paragraph, the agent acts seriously when:
 - a) Cause to disappear or decisively contribute to the disappearance of one or more animal or plant species in a certain region;
 - b) The destruction results in significant losses in populations of legally protected species of wild fauna or flora;
 - c) Deplete or prevent the renewal of a subsoil resource throughout an entire regional area.
3. If the conduct referred to in paragraph 1 is carried out negligently, the agent is punished with a prison sentence of up to 1 year or a fine of up to 100 days.
4. The penalty provided for in paragraph 1 is also applicable to anyone who extracts aggregates from beaches or coastal regions, without a license or without observing legal or regulatory provisions.
5. If the acts referred to in paragraphs 1 and 4 are committed by representatives or bodies of legal or similar persons, in their name and in the collective interest, they are criminally responsible, being punishable by a fine to fix between 30 million and 500 million folds.

ARTICLE 335 [Pollution]

1. Who, to an extent beyond what is admissible and tolerable:
 - a) Pollute water or soil or, in any way, degrade their qualities;
 - b) Pollute the air through the use of technical devices or installations; or
 - c) Cause noise pollution through the use of technical devices or installations, in particular machines or land, river, sea or air vehicles of any nature.
 reza;
 is punished with a prison sentence of up to 3 years or a fine of up to 300 days.
2. If the conduct referred to in paragraph 1 is carried out negligently, the agent is punished with a prison sentence of up to 1 year or a fine.
3. Pollution occurs to an extent beyond what is permissible or tolerable whenever the nature or values of the pollutant emission or emission contradict prescriptions or limitations imposed by the competent authority in accordance with legal or regulatory provisions and under compulsion to apply penalties provided for in this article.
4. If the acts referred to in paragraph 1 are committed by representatives or bodies of legal or similar persons, in their name and in the collective interest, they are criminally responsible, being punishable by a fine to be set between 5 million and 100 millions of folds.

ARTICLE 336 [Pollution posing danger to the life, physical integrity or property of others]

1. Whoever, through conduct described in paragraph 1 of the previous article, creates a danger to the life or physical integrity of another, or to other people's property of high value, is punished with a prison sentence: a) 1 to 8 years, if the conduct and creation of the danger were intentional;
- b) Up to 5 years, if the conduct is intentional and the danger was created through negligence.
2. If the acts referred to in paragraph 1 are committed by representatives or bodies of legal or similar persons, in their name and in the collective interest, they are responsible.

criminally liable, being punishable by a fine of between 50 million and 500 million doublings.

ARTICLE 337 [Spread of contagious disease]

1. Whoever spreads a contagious disease, creating a danger to the life or serious harm to the health or physical integrity of an undetermined number of people, is punished with imprisonment from 1 to 5 years.
2. If the conduct described in paragraph 1 of this article is attributable to negligence, the penalty is imprisonment for up to 1 year or a fine for up to 100 days. However, in the case of a doctor violating the obligation to report a contagious disease, the penalty is imprisonment for up to 2 years or a fine of up to 200 days.

ARTICLE 338. [Spread of epizootics]

1. Anyone who spreads a disease, pest, harmful plant or animal in nature in such a way as to cause harm to a considerable number of domestic animals, or any other animals useful to humans, is punished with imprisonment for up to 3 years or a fine of up to 300 days.
2. The same penalty applies to anyone who practices the conduct referred to in the previous paragraph, when causing damage to large crops, plantations or forests that do not belong to them.

ARTICLE 339 [Deterioration of food intended for animals]

1. Whoever manipulates, manufactures or produces, imports, stores, puts on sale or circulates food or fodder intended for other people's domestic animals, in a way that creates a danger to the life or serious harm to the health or physical integrity of said animals, is punishable by imprisonment for up to 1 year or a fine of up to 100 days.
2. If the fact described in the previous paragraph is attributable to negligence, the penalty is a fine of up to 60 days.

ARTICLE 340 [Corruption of substances for food or medicinal purposes]

1. Whoever, in the use, production, confection, manufacture, service, packaging, transport, treatment or any other activity that affects them, of substances intended for the consumption of others, to be eaten, chewed, drunk, for purposes medicinal or surgical drugs, corrupt, falsify, alter, reduce their nutritional or therapeutic value, or add ingredients to them, in such a way as to create a danger to life or serious injury to the health and physical integrity of others, is punished with imprisonment from 2 to 6 years old.
2. Anyone who imports, conceals, sells, displays for sale, has in storage for sale or, in any way, delivers for other people's consumption is subject to the same penalty:
 - a) Substances that are the subject of any of the activities referred to in the previous paragraph;
 - b) Substances with the purpose and carrying the danger referred to in the previous paragraph, to the extent that they are used after their expiry date or are damaged, corrupt or altered by the mere action of time or the agents to whose action they are exposed .
3. If the danger to health or physical integrity referred to in the previous paragraphs is minor, the penalty is imprisonment for up to 2 years or a fine for up to 200 days.
4. If such danger is created by negligence, the penalty is, in the cases of paragraphs 1 and 2 of this article, imprisonment of up to 2 years or a fine of up to 200 days and in the case of paragraph 3, imprisonment of up to 1 year or a fine of up to 100 days.
5. If the conduct described in the previous paragraphs is carried out through negligence, the penalty is imprisonment of up to 1 year or a fine of up to 60 days, in the cases of paragraphs 1 and 2, and imprisonment of up to 6 months or a fine of up to 30 days, in the case of paragraph 3 of this article.

ARTICLE 341 [Change of analysis]

1. The doctor, analyst or their employee, nurse or laboratory employee who provides inaccurate data or results when preparing a clinical analysis, x-ray, electrocardiogram or other examination auxiliary to diagnosis or medical or surgical treatment, creating a danger to life or serious injury to the health or physical integrity of another, is punishable by imprisonment for up to 2 years or a fine of up to 200 days.

2. If the danger created to the health or physical integrity of others is minor, the penalty is imprisonment for up to 6 months or a fine for up to 60 days.
3. If the danger referred to in paragraph 1 is created by negligence, the penalty is imprisonment for up to 1 year or a fine for up to 100 days.
4. If the conduct described in paragraph 1 is carried out through negligence, the penalty is imprisonment for up to 6 months or a fine for up to 60 days.

ARTICLE 342 [Change of prescription]

1. The pharmacist or his employee who supplies medicinal substances in disagreement with what was prescribed in the medical prescription, creating a danger to the life or serious injury to the health or physical integrity of others, is punished with imprisonment for up to 2 years or a fine up to 200 days.
2. If the danger created to the health or physical integrity of others is minor, the penalty is imprisonment for up to 6 months or a fine for up to 60 days.
3. If the danger referred to in paragraph 1 is created by negligence, the penalty is imprisonment for up to 1 year or a fine for up to 100 days.
4. If the conduct described in paragraph 1 is carried out through negligence, the penalty is imprisonment for up to 6 months or a fine for up to 60 days.

ARTICLE 343 [Refusal of medical assistance]

1. A doctor who refuses the assistance of his profession in the event of danger to the life or serious injury to the health or physical integrity of another, which otherwise cannot be removed, is punished with a prison sentence of up to 4 years.
2. If the danger to the health of others is minor, the penalty is imprisonment for up to 1 year or a fine for up to 100 days.

ARTICLE 344 [Aggravation due to the result]

If the crimes provided for in articles 318.^o to 321.^o, 323.^o, 326.^o to 328.^o, 330.^o, 331.^o, 332.^o, 333.^o, 337.^o, 338.^o, 340th, 342nd and 343rd result, due to negligence, death or serious bodily injury to another is punished in the penal framework that would apply to the case, increased by half (1/2).

ARTICLE 345 [Withdrawal]

Anyone who, before the crimes listed in the previous article have caused considerable damage, voluntarily removes the danger created by them, may be exempt from punishment or it must always be specially mitigated.

Section II Crimes against communications security

ARTICLE 346 [Disruption of air and water transport services]

1. Anyone who hinders or impedes transport services by air or water:
 - a) Placing obstacles to its operation, destroying, removing, damaging or rendering installation, material or signage unusable;
 - b) Giving false warning or signal;
 - c) Carrying out any act that could result in disaster and thus creating a danger to the life or physical integrity or to property of great value of another person;
 is punished with a prison sentence of 3 to 10 years.
2. If the danger is caused by negligence, the penalty is imprisonment for up to 3 years or a fine for up to 300 days.
3. If the action described in paragraph 1 is attributable to negligence, the penalty is imprisonment for up to 2 years or a fine for up to 200 days.
4. Whoever, using violence or cunning, violates the free decision of his commander or his team or usurps the respective command:
 - a) Take possession of a vessel or aircraft in flight;

b) Divert a vessel or aircraft in flight from its normal route;
is punished with a prison sentence of 4 to 12 years.

5. An aircraft in flight is considered to be one in which, once boarding has finished, the exterior doors have been closed until one of these doors is opened for disembarking.

6. Whoever, in order to prepare the offenses provided for in this article, manufactures, acquires, possesses or gives to others a firearm, explosive substances or any other substance, device or device intended to cause an explosion or fire, is punished with a prison sentence of 2 at 8 years.

7. The provisions of articles 344 and 345 apply to the cases referred to in this article.

ARTICLE 347 [Dangerous driving of means of transport]

1. Anyone who drives an aircraft, boat or other vehicle intended for transport services by air, water or land, without being in a position to do so safely, thus creating a danger to life or physical integrity or to large-scale property. value of another person, is punished with imprisonment from 2 to 6 years.

2. If the danger referred to in the previous paragraph is created by negligence, the penalty is imprisonment for up to 3 years or a fine for up to 300 days.

3. If the action described in paragraph 1 of this article is attributable to negligence, the penalty is imprisonment for up to 2 years or a fine for up to 200 days. 4. The provisions of articles 344 and 345 apply to the cases referred to in this article.

ARTICLE 348 [Dangerous driving of a road vehicle]

1. Anyone who drives a vehicle, with or without an engine, on public roads or similar:

a) Not being able to do so safely, due to being in a state of intoxication or under the influence of alcohol, narcotics, psychotropic substances or products with similar effects, or due to physical or mental disability or excessive fatigue; or

b) Grossly violating the rules of road traffic;
and thus creating a danger to the life or physical integrity of others, or to other people's property of high value, is punished with a prison sentence of up to 3 years or a fine of up to 300 days.

2. If the danger referred to in the previous paragraph is created by negligence, the agent is punished with a prison sentence of up to 2 years or a fine of up to 200 days.

3. If the conduct referred to in paragraph 1 is carried out negligently, the agent is punished with a prison sentence of up to 1 year or a fine of up to 100 days.

ARTICLE 349. [Driving a vehicle while drunk]

Whoever, at least through negligence, drives a vehicle, with or without an engine, on public roads or similar, with a blood alcohol level equal to or greater than 1.2 g/l, is punished with a prison sentence of up to 1 year or with penalty of a fine of up to 200 days, if a more serious penalty is not applicable due to another legal provision.

ARTICLE 350 [Disruption of road transport]

1. Anyone who hinders or impedes road safety by destroying, damaging or removing communication routes or rolling stock, works of art or installations, placing obstacles or carrying out acts capable of causing disaster and thus creating a danger to life or physical integrity of another person or for other people's property of great value, is punished with imprisonment for 2 to 6 years.

2. If the danger is created by negligence, the penalty is imprisonment for up to 2 years or a fine for up to 200 days.

3. If the conduct is attributable to negligence, the penalty is imprisonment for up to 1 year or a fine for up to 100 days.

4. Whoever, by violent means or cunning, or by usurping legitimate driving, takes possession of a transport vehicle serving passengers or diverts it from its normal route, is punished

with imprisonment of 2 to 6 years. The provisions of articles 344.º and 345.º.

ARTICLE 351 [Launching a projectile at a vehicle]

1. Anyone who throws any projectile at a moving vehicle, whether transported by air, water or land, is punished with imprisonment for up to 1 year, unless the act corresponds to a more serious penalty by another legal provision.

2. The provisions of article 344 apply to the cases referred to in these articles.

ARTICLE 352. [Crimes committed against the driver or passengers of a vehicle]

1. Whoever takes advantage of the particular circumstances of transport by water, air or land, commits theft, violent extortion or attacks on the life, physical integrity or freedom of drivers or passengers traveling in it is punished with imprisonment from 2 to 8 years, if another penalty more serious is not applicable.

2. The provisions of article 344 apply to the cases referred to in this article.

Section III Crimes of disturbing the social order

ARTICLE 353 [Crime committed while drunk]

1. Whoever, through voluntary ingestion, or through negligence, of alcoholic beverages or other toxic substances, places himself in a state of complete imputability and commits a typical illicit act is punished with imprisonment for up to 1 year or a fine of up to 100 days.

2. If the agent expects or could expect to commit criminally illegal acts in that state, the penalty is imprisonment for up to 3 years or a fine for up to 300 days.

3. The penalty cannot be greater than that provided for the typical illicit act committed.

4. The criminal procedure depends on a complaint if the procedure for the crime committed also requires it.

ARTICLE 354 [Provision of alcoholic beverages to an intoxicated person or a habitual drunkard]

Whoever supplies alcoholic beverages to another who is drunk or to a habitual drunkard, who thereby places himself in a state of complete imputability, fulfilling the prerequisites for punishment referred to in the previous article, is punished with imprisonment for up to 1 year or a fine of up to 100 days.

ARTICLE 355 [Use of minors in the exploitation of begging]

Anyone who exploits children under the age of 16, or is not responsible, using them to beg, is punished with imprisonment for up to 2 years or a fine of up to 200 days.

Section IV Crimes against public peace

ARTICLE 356 [Public instigation of a crime]

1. Whoever, in a public meeting, through the means of social communication or through the dissemination of writings or other means of technical reproduction, provokes or incites a specific crime, without the provocation being followed by a criminal effect, is punished with imprisonment up to 3 years, however, the punishment cannot exceed that which would fit the crime provoked.

2. If the provocation is followed by a criminal effect, the provocateur is punished as the author of the crime committed.

ARTICLE 357 [Public apology for a crime]

Whoever, in a public meeting, by dissemination of writing or other means of technical reproduction,

compensating or praising another for having committed a criminal act, provoking or inciting the commission of a crime, thus creating the danger that a crime of the same nature will be committed again is punishable by imprisonment for up to 6 months or a fine of up to 60 days, if the fact does not fit, due to another legal provision, a more serious penalty.

ARTICLE 358 [Criminal associations]

1. Whoever promotes or founds a group, organization or association whose purpose or activity is directed at the commission of one or more crimes punishable by a prison sentence of 4 years or more is punished with a prison sentence of 1 to 8 years.
2. The same penalty applies to anyone who is part of such groups, organizations or associations or whoever supports them, namely by financing, providing weapons, ammunition, instruments of crime, guards or places for meetings, or any assistance to recruit new elements. .
3. Anyone who heads or directs the groups, organizations or associations referred to in the previous paragraphs is punished with a prison sentence of 2 to 8 years.
4. The aforementioned penalties may be particularly attenuated, or no punishment may be imposed, if the offender prevents the continuation of groups, organizations or associations or informs the authority of their existence so that the authority can prevent the commission of crimes.
5. For the purposes of this article, a group, organization or association is considered to exist when a group of at least three people are involved, acting in concert over a certain period of time.
6. If the acts referred to in numbers 1 and 2 are committed by the representatives or bodies of a legal or similar person, in their name and in the collective interest, they are criminally responsible, being punishable by a fine to be set between 10 million and 500 million folds, and its dissolution may also be decreed.

ARTICLE 359 [Terrorist organizations]

1. Whoever promotes or founds a terrorist group, organization or association is punished with imprisonment from 5 to 20 years.
2. A terrorist group, organization or association is considered to be any group of 2 or more people who, acting in concert, aim to harm national integrity and independence or prevent, alter or subvert the functioning of State institutions provided for in the Constitution or force the public authority to carry out an act, to refrain from carrying it out or to tolerate it being carried out or even to intimidate certain people, groups of people or the population in general by committing any crimes:
 - a) Against life, the physical integrity or freedom of people;
 - b) Against the security of transport and communications, including telegraphic, telephone, radio broadcasting or television;
 - c) Intentional production of common danger, through fire, release of radioactive substances or toxic or asphyxiating gases, flood or avalanche, construction collapse, contamination of food and water intended for human consumption or spread of an epizootic;
 - d) Sabotage;
 - e) That involve the use of bombs, grenades, firearms, explosive substances or devices, incendiary means of any nature, parcels or booby-trapped letters.
3. Anyone who joins the terrorist groups, organizations or associations referred to in the previous paragraph is subject to the penalty set out in paragraph 1 of this article.
4. When a group, organization or association, or the people referred to in paragraphs 1 and 3, possess any of the means indicated in subparagraph e) of paragraph 2 intended to achieve their criminal purposes, the penalty is increased by one third (1/3) in its minimum and maximum limits.
5. Anyone who heads or directs a terrorist group or organization will face a prison sentence of 10 to 20 years.

6. Acts preparatory to the formation of a terrorist group, organization or association are punishable by imprisonment for 2 to 8 years. 7. The provisions of paragraph 4 of article 358 apply to the cases referred to in this article.

ARTICLE 360 [Terrorism]

1. Whoever commits any of the crimes referred to in subparagraphs a) to d) or using the means referred to in subparagraph e), all of paragraph 2 of the previous article, acting with the intention of harming national integrity and independence, or destroy, alter or subvert the functioning of the State institutions provided for in the Constitution or to force the public authority to carry out an act, to refrain from carrying it out, or to tolerate it being carried out or to intimidate certain people, groups of people or the population in general, is punished with imprisonment from 3 to 15 years or the penalty corresponding to the crime committed, increased by one third (1/3) in its minimum and maximum limits, if equal or greater.

2. Complicity and attempt are, respectively, equated to authorship and consummation.

3. If the agent voluntarily abandons his activity, removes or considerably reduces the danger caused by him, prevents the result that the law wants to avoid from occurring, concretely assists in the collection of decisive evidence for the identification or capture of the other persons responsible, the penalty may be freely mitigated or even exempted.

ARTICLE 361 [Participation in riot]

1. Anyone who takes part in a public riot, during which violence is committed collectively against people or property, is punished with imprisonment for up to 2 years or a fine for up to 200 days, if another more serious penalty is not applicable to him for his participation in the crime. committed.

2. The penalty is imprisonment for up to 3 years, if the agent provoked or directed the riot.

3. If the agent withdrew from the riot by order or warning from the authority without committing violence, nor having provoked it, he is exempt from punishment.

ARTICLE 362. [Participation in armed riot]

1. The minimum and maximum limits of the penalty increase, in the case of the previous article, to double if the mutiny is armed.

2. A riot is considered armed when one of the participants carries an overt firearm or in which several of the participants carry firearms, overt or concealed, or objects, overt or concealed, used as weapons or brought to serve as

weapons.

3. For the purposes of the previous paragraph, a riot is not considered armed:

- a) In which weapons are brought accidentally and without the intention of using them;
- b) When participants bring weapons, they immediately leave or are expelled.

4. Anyone who brings a weapon without the knowledge of others is punished as if they actually participated in an armed riot.

ARTICLE 363 [Disobedience to the order to disperse a public meeting]

1. Whoever does not obey the legitimate order to withdraw from a gathering or public meeting, given by a competent authority, with the warning that disobedience constitutes a crime, is punished with imprisonment of up to 1 year or a fine of up to 100 days.

2. If the disobedient are the promoters of a meeting or gathering, the penalty is imprisonment for up to 3 years or a fine for up to 300 days.

ARTICLE 364 [Threat to commit a crime]

Anyone who, through the threat of committing a crime, causes alarm or unrest among the population is punished with imprisonment for up to 2 years or a fine for up to 200 days.

ARTICLE 365 [Abuse and simulation of danger signs]

Anyone who abusively uses alarm or distress signals or calls or simulates the belief that due to a disaster, danger or situation of collective need, assistance from others is required, is punished with imprisonment for up to 1 year or a fine of up to 100 days .

Section V Crimes against identification signs

ARTICLE 366 [Abuse of designations, signs or uniforms]

1. Anyone who, illegitimately and with the intention of making them believe that they belong to him, employs or uses designations, signs, uniforms or attire typical of public service functions, national or foreign, is punished with imprisonment of up to 1 year or a fine of up to 100 days
2. The penalty is imprisonment for up to 2 years or a fine of up to 200 days if the designations, signs or uniforms or costumes are exclusive to people exercising public authority.

Title V *Crimes against the State*

Chapter I Crimes against State security

Section I Crimes against national sovereignty

ARTICLE 367 [Treason against the Country]

Whoever, through violence, threats of violence or with foreign assistance:

- a) Attempt to separate from the Motherland, or hand over to a foreign country or submit to foreign sovereignty, all or part of the territory of São Tomé, b)

Offend or endanger the independence of the Country; is punishable by 15 to 25 years in prison.

ARTICLE 368 [Military service in enemy armed forces]

1. Whoever, being from São Tomé, takes up arms under the flag of a foreign nation against São Tomé and Príncipe is punished with imprisonment for 10 to 15 years.
2. If, before hostilities or the declaration of war, the agent was in the service of the enemy State, authorization from the Sao Tome government may be particularly mitigated.
3. Anyone who, being in the territory of an enemy State before the declaration of war or hostilities, is forced by the military laws of that enemy State to take up arms under the foreign flag against São Tomé and Príncipe is not punishable.

ARTICLE 369 [Intelligence with foreign countries to provoke war]

1. Anyone who has intelligence with the government of a foreign State, with a foreign party, association, institution or group, or with any of its agents, with the intention of promoting or provoking a war or armed action against São Tomé and Príncipe, is punished with imprisonment of 10 to 20 years. If the conduct described does not have the intended effect, the penalty is 3 to 10 years.
2. If the agent carries out the action described in the previous paragraph with the intention of provoking acts of reprisal or hostility against essential interests of São Tomé and Príncipe in the diplomatic, military, social or economic domains, the penalty is imprisonment of 3 to 10 years , reducing to 1 to 5 years if the effect is not achieved.

ARTICLE 370 [Provocation to war or reprisal]

1. Whoever, being a São Toméan, foreigner or stateless person residing or staying in São Tomé and Príncipe, carries out acts not authorized by the São Tomé and Príncipe Government and appropriate to ex-

by the São Tomé State to a declaration of war or armed action, is punished with a prison sentence of 3 to 10 years. If this conduct does not have the expected effect, the agent is punished with a prison sentence of 1 to 4 years.

2. If the acts referred to in the previous paragraph are merely capable of exposing the essential interests of São Tomé and Príncipe in the diplomatic, military, social or economic domains to reprisals from foreign powers, the penalty is imprisonment of 2 to 6 years, which may be reduced to 6 months to 2 years if acts of reprisal do not take place.

ARTICLE 371 [Intelligence with foreigners to embarrass the São Tomé State]

1. Whoever has intelligence with a government of a foreign State, with a foreign party, association, institution or group or with any of its agents, with the intention of forcing the State of São Tomé to:

- a) Declare war;
- b) Fail to declare or maintain neutrality;
- c) Declare or not maintain neutrality;
- d) Be subject to interference by a foreign State in São Tomé and Príncipe's business of a nature that could endanger the independence or integrity of São Tomé and Príncipe;

is punished with imprisonment from 2 to 8 years.

2. Whoever, with the intention referred to in the previous paragraph, publicly makes or disseminates statements that he knows to be false or grossly distorted, is punished with imprisonment from 1 to 5 years.

3. Anyone who, directly or indirectly, receives or accepts promises of any donations to facilitate illegitimate foreign interference in São Tomé and Príncipe's business, is subject to the penalty provided for in the previous paragraph, aimed at endangering the independence or integrity of São Tomé and Príncipe .

ARTICLE 372 [Aid to enemy armed forces]

Whoever, being a São Tomé, foreigner or stateless person residing in São Tomé and Príncipe, in time of war or armed action against São Tomé and Príncipe, with the intention of favoring or helping the execution of enemy military operations against São Tomé and Príncipe or causing harm to São Tomé's military defense, has with the foreigner, directly or indirectly, any understandings or performs any acts with a view to the same ends is punished with imprisonment of 5 to 15 years, which may be reduced from 2 to 5 years if the end is not reached or the aid or loss is insignificant.

ARTICLE 373 [Aid for hostile measures to São Tomé and Príncipe]

Whoever, being a São Tomé, foreigner or stateless person residing in São Tomé and Príncipe, has, directly or indirectly, any understanding with the foreigner or carries out any acts intended to favor the execution of hostile measures or reprisals by foreign powers against interests essential services of São Tomé and Príncipe is punished with imprisonment of 2 to 10 years, which may be reduced from 1 to 5 years if the objectives are not achieved or the aid is not significant or important.

ARTICLE 374 [Campaign against war effort]

Anyone who, being a São Tomé, foreigner or stateless person residing in São Tomé and Príncipe, makes or reproduces, publicly, in time of war, statements that they know to be false or grossly distorted, with the intention of preventing or disrupting São Tomé's war effort. Tomé and Príncipe or aiding or promoting enemy operations is punishable by imprisonment for 1 to 5 years.

ARTICLE 375 [Sabotage against national defense]

1. Anyone who harms or endangers national defense, damages or destroys any military works or materials belonging to the armed forces or even routes and means of communication.

tion, transmission or transport, shipyards, port facilities, factories or warehouses is punishable by imprisonment for 3 to 10 years.

2. Whoever, with the intention of carrying out the acts provided for in the previous number, imports, manufactures, stores, buys, sells, transfers or acquires for any reason, distributes, transports, possesses or uses prohibited weapons, explosive devices or substances or those capable of producing nuclear, radioactive explosions or those used to produce toxic or asphyxiating gases, is punishable by imprisonment for 2 to 8 years.

ARTICLE 376 [Violation of State secrets]

1. Whoever, endangering the interests of the São Tomé State regarding national independence, the unity and integrity of the State, its internal and external security or the conduct of its foreign policy, transmits, makes accessible to a person authorization, or make public a fact or document, plan or object that must, in the name of those interests, remain secret from foreign powers, is punished with imprisonment from 3 to 10 years.

2. The same penalty is applied to anyone who, endangering the interests referred to in the previous number, destroys, steals or falsifies or allows documents, plans or other objects in the same number indicated to be destroyed, stolen or falsified.

3. Imprisonment can be extended to up to 15 years if the agent, by doing so, violates a particular duty, which his duties impose on him, to guard State secrets or the objects referred to in the previous paragraphs.

4. The negligent commission of the acts referred to in the first two paragraphs is punishable by imprisonment for up to 3 years, if the agent had access to objects or State secrets due to the competent functions or service.

ARTICLE 377 [Espionage]

1. Anyone who collaborates with a government or organization, association or foreign intelligence service or with any of its agents, with the intention of carrying out any of the acts referred to in the previous article, is punished with imprisonment from 5 to 10 years.

2. The same penalty is applied to anyone who knowingly recruits, welcomes or receives an agent who commits the acts referred to in the previous article or in paragraph 1 of this article or, in any way, encourages the carrying out of such acts.

3. If the agent commits the acts described in paragraph 1 in violation of the specifically imposed duty, namely, that of guarding State secrets or the aforementioned objects, due to the status of his function or service, or the mission conferred on him by competent authority, is punished with a prison sentence of 3 to 15 years.

ARTICLE 378 [Forgery, destruction or subtraction of evidence of national interest]

1. Whoever falsifies, steals, destroys, renders useless, causes to disappear or conceals evidence about facts relating to relations between São Tomé and Príncipe and a foreign State or an international organization, endangering national rights or interests, is punished with primary punishment. are from 2 to 8 years old.

2. If the action involves removing, removing, falsely placing, rendering unrecognizable or, in any way, removing landmarks, beacons or other signs indicating the limits of the territory of São Tomé, the penalty is imprisonment for up to 3 years.

ARTICLE 379 [Diplomatic infidelity]

1. Whoever, officially representing the State of São Tomé, conducts State business with a foreign government or international organization, with the intention of causing harm to national rights or interests, is punished with imprisonment from 2 to 8 years.

2. Anyone who officially represents the State of São Tomé before a foreign State or international organization, with the intention referred to in the previous paragraph, incurs the same penalty.

make commitments without being duly authorized in the name of São Tomé and Príncipe.

ARTICLE 380 [Violation of trust of representatives of São Tomé and Príncipe with a foreign State or international organization]

1. Anyone who, officially representing the São Tomé State before a foreign State or international organization, carries out acts against official orders or guidance or gives false information about certain facts with the intention of misleading the São Tomé Government, is punished with imprisonment for up to 3 years.

2. The criminal procedure depends on the participation of the São Tomé Government.

ARTICLE 381 [Correspondence and commerce in time of war with a subject or agent of an enemy State]

Who, in time of war, violating legal prohibitions:

- a) Maintain correspondence with a subject or agent of an enemy State;
 - b) Conduct, directly or indirectly, trade with a subject or agent of an enemy state;
- is punishable by up to 5 years in prison.

ARTICLE 382 [Usurpation of São Tomé public authority]

1. Whoever, in the country, carries out acts in favor of a foreign State or its agents that he knows are exclusive to the public authority of São Tomé, is punished with imprisonment from 1 to 5 years.

2. The same penalty, increased by one third (1/3), is applied to anyone who in national territory commits acts leading to the illicit delivery of a person, national or foreign, to a foreign State, its agent or to any public or private entity existing in that state, using violence or fraud for this purpose, unless a more serious penalty is applicable under another legal provision.

Section II Crimes against military capacity and defense

ARTICLE 383 [Mutilation for exemption from military service]

1. Whoever, through mutilation or any other means, intentionally becomes or causes to become, definitively or temporarily, in whole or in part, incapable of fulfilling the obligations of military service is punished with imprisonment for up to 3 years.

2. Anyone who intentionally makes another person, with their consent, definitively or temporarily, totally or partially, incapable of fulfilling the obligations of military service, incurs the same penalty.

ARTICLE 384 [Emigration to avoid military service]

Anyone who, with the intention of avoiding military service, moves to a foreign country is punished with imprisonment for up to 1 year.

ARTICLE 385 [Drawings, photographs and other activities against national defense]

Whoever, with the awareness of endangering national defense, executes, without due authorization, drawings, photographs or filming operations of fortifications, establishments, works, communication routes, boats, vehicles, aircraft, ports, arsenals, military places or instruments or those intended for national defense are punished with imprisonment from 1 to 5 years, if a more serious penalty is not applicable due to another legal provision.

ARTICLE 386 [Sea and air piracy]

1. Any person who, by violent means, commits the crime of piracy, commanding or manning a ship or aircraft, to commit robbery or any violence against the ship itself

or aircraft or against any other, or against people or property on board them, or for violating the security of the State or a friendly nation, will be sentenced to a sentence of 16 to 20 years in prison and a maximum fine.

2. The crime of piracy includes any of the following facts:

- a) The seizure, through fraud or violence, of a ship or aircraft for any of the purposes referred to in this article;
- b) Illegitimate acts of violence or fraud, detention or any form of depredation, committed for personal purposes by the crew or passengers of a ship or aircraft, and directed, at sea or in the open or territorial air, against the ship or another ship or aircraft or count people or goods that come on board them;
- c) The usurpation of command of a national ship or aircraft, or one chartered by a national company, provided navigation in violation of the fundamental rules of freedom of trade security or with harm to national interests;
- d) Land, sea or air signals that constitute fraudulent shipwreck maneuvers, the toll, ditching or landing of ships or aircraft with the aim of attacking them or the people or property on board.

3. Those who incite others to commit any of the acts included in this article or in its number 1, the authors and guides of the criminal project and all those who, knowing the piracy nature of the acts, voluntarily participate in them or facilitate them, suffer equal punishment.

4. The penalties for the crime of piracy are added to those of the other crimes in competition, increasing by one third of the minimum and maximum limits of the penalty applied, never less than one month:

- a) Whenever there is a crime of a private nature, any crime against honesty or voluntary homicide;
- b) When pirates have abandoned any person without the means to save themselves;
- c) When pirates have caused the destruction or loss of a ship or aircraft or have abandoned it to sail;
- d) When committing the act, habitual or habitual offenders.

5. In all cases in which special Laws or International Conventions consider other facts as a crime of piracy, their provisions will be observed.

Section III Crimes against Foreign States or International Organizations

ARTICLE 387 [Offenses against representatives of a foreign State or international organization]

Anyone who attacks the life, physical integrity, freedom or honor of a representative of a foreign State or international organization, while the offended party is in São Tomé and Príncipe performing official duties, is punished with the penalty prescribed for the respective crime, aggravated by one third (1/3) in its minimum and maximum limits.

ARTICLE 388 [Outrage of foreign symbols]

Whoever, publicly, through words, gestures, publication of writings or other means of communication with the public, insults the official flag or other symbol of foreign State sovereignty is punished with imprisonment for up to 2 years or a fine for up to 200 days.

ARTICLE 389 [Conditions of punishment]

1. The provisions of this section only apply when, cumulatively, the following conditions are met:

- a) They are States with which São Tomé and Príncipe maintains diplomatic relations, and provided that there is reciprocity in the criminal treatment of such facts, at the time of their commission and judgment;

b) Participation of the Sao Tome Government to initiate criminal proceedings.

2. In the case of an offense to honor, it is also necessary that the participation referred to in paragraph b) of the previous paragraph be requested by the foreign government or by representatives of the respective international organizations.

Section IV Crimes against the rule of law

ARTICLE 390 [Conjure]

1. Whoever, being from São Tomé, or a foreigner or stateless person residing in São Tomé and Príncipe, conspires against the national integrity or independence or against the constitutionally established rule of law in São Tomé, conspiring with another person or persons to commit any of the crimes listed in articles 367, 368, 391, paragraph 2 of article 392, or 393, he is punished, if the conspiracy is followed by any act of execution, with imprisonment from 1 to 5 years.

2. If the conduct referred to in the previous paragraph is not followed by an act of execution, the penalty is imprisonment for up to 2 years.

3. The penalty in the previous paragraph is also applicable when, in the event of an act of execution, there are mitigating factors of exceptional importance.

ARTICLE 391 [Violent alteration of the rule of law]

1. Whoever, through violence or threat of violence, attempts to destroy, alter or subvert the constitutionally established rule of law is punished with imprisonment from 3 to 10 years.

2. If the crime described in the previous paragraph is committed through armed violence, the prison term is 5 to 15 years.

ARTICLE 392 [Incitement to civil war]

1. Anyone who publicly incites inhabitants of São Tomé and Príncipe territory or any military or militarized forces in the service of São Tomé and Príncipe to civil war or to commit acts referred to in the previous article is punished with imprisonment from 2 to 8 years.

2. If the facts described in the previous paragraph are accompanied by the distribution of weapons, the prison term is 5 to 10 years.

ARTICLE 393 [Attack against the President of the Republic]

1. Anyone who attacks the life, physical integrity or freedom of the President of the Republic, or whoever constitutionally replaces him, is punished with imprisonment from 5 to 15 years, if the act does not require a more serious penalty under another legal provision .

2. The penalties provided for the consummation of the crimes referred to in the previous paragraph are increased by one third (1/3) in their minimum and maximum limits.

ARTICLE 394 [Offense to the honor of the President of the Republic]

1. Anyone who insults or defames the honor and consideration due to the President of the Republic, or whoever constitutionally replaces him, is punished with imprisonment for up to 3 years.

2. If the insult or defamation is made through words spoken publicly, through the publication of writing or drawings, or through any technical means of communicating with the public, imprisonment is up to 4 years.

ARTICLE 395 [Sabotage]

Whoever destroys, makes it impossible to operate or diverts from its normal purposes, totally or partially, definitively or temporarily, means or routes of communication, public service installations or facilities intended for supplying and satisfying the general and essential needs of the population , with the intention of destroying, altering or subverting the constitutionally established rule of law, is punished with imprisonment from 3 to 10 years.

ARTICLE 396 [Kidnapping and kidnapping of a member of a sovereign body or government body of the autonomous region]

1. Whoever kidnaps or abducts a member of a sovereign body or member of the government or assembly of the autonomous region is punished with imprisonment for 5 to 10 years.
2. Imprisonment is increased to 15 years if the deprivation of liberty is preceded or accompanied by any of the circumstances set out in paragraph 2 of article 158.
3. The prison term is 10 to 20 years when the deprivation of liberty results in the death of the victim.

ARTICLE 397. [Prohibited weapons, explosive devices or substances]

1. Whoever, with the intention of destroying, altering or subverting the constitutionally established rule of law, imports, manufactures, prepares, stores, buys, sells, transfers or acquires for any reason, distributes, transports, possesses or uses prohibited weapons, devices, explosive substances or substances capable of producing nuclear, radioactive explosions or suitable for the manufacture of toxic or asphyxiating gases is punished with imprisonment from 2 to 6 years.
2. Whoever, with the intention referred to in the previous number, steals or steals, or knowingly holds in their possession, explosive or similar substances or devices, or weapons or communication equipment, considered for explosive use by the armed forces or militarized forces, is punished with imprisonment from 2 to 8 years.
3. Complicity and attempt are, respectively, equated to authorship and consummation.

ARTICLE 398 [Outrage against the Republic, sovereign body, autonomous region and its self-governing bodies and the armed forces]

Whoever, with the intention of destroying, altering or subverting the constitutionally established rule of law, in a public meeting or by disseminating writings or other means of communication with the public, insults the Republic, the sovereign bodies, the autonomous region and their own government bodies or the armed forces, in order to endanger the prestige of the State or democratic institutions, is punished with imprisonment for up to 3 years.

ARTICLE 399 [Incitement to collective disobedience]

1. Whoever, with the intention of destroying, altering or subverting the constitutionally established rule of law, incites, in a public meeting or through any means of communication with the public, collective disobedience of public order laws or non-compliance with duties inherent to public functions, is punished with a prison sentence of up to 2 years.
2. The same penalty applies to anyone who, with the intention referred to in the previous paragraph:
 - a) Disseminate, in a public meeting or through any means of communication with the public, false or biased news likely to cause alarm or unrest among the population;
 - b) Cause or attempt to cause, by the means referred to in the previous paragraph, divisions within the armed forces, between them and the militarized forces, or between any of these and the sovereign bodies;
 - c) Incite political struggle through violence.

ARTICLE 400 [Campaign abroad]

Whoever, abroad, develops a campaign or propaganda with the intention of violently destroying, altering or subverting the constitutionally established rule of law is punished with imprisonment for up to 3 years, if the act does not require a more serious penalty under another legal provision.

ARTICLE 401 [Connection with abroad]

Whoever, with the intention of destroying, altering or subverting the constitutionally established rule of law, places himself in connection with the government of a foreign State, with a foreign party, association, institution or group or with any of its agents to:

a) Receive instructions, directives, money or valuables; or

b) Collaborate in activities consisting of:

I) In the collection, preparation or public dissemination of false or grossly distorted news;

II) In recruiting agents or facilitating those activities, providing a place for meetings, subsidizing them or advertising them;

III) In promises or gifts;

IV) Threatening another person or using fraud against them;

is punished with imprisonment from 1 to 5 years, if the act does not require a more serious penalty under another legal provision.

ARTICLE 402 [Outrage of national and regional symbols]

Anyone who publicly lacks respect, by words, gestures or by publishing writings or by other means of communication with the public, insults the Republic, the National Flag or Anthem, the weapons or emblems of São Tomé sovereignty, as well as the symbol or emblem of the Autonomous Region of Príncipe, or lack of respect due to them, is punishable by imprisonment for up to 2 years or a fine of up to 200 days.

ARTICLE 403 [Coercion against constitutional bodies]

1. Whoever, through violence or threat of violence, prevents or constrains the free exercise of functions of the sovereign bodies and self-governing bodies of the Autonomous Region of Príncipe, is punished with imprisonment from 2 to 8 years, if the fact there is no more serious penalty due to another legal provision.

2. If the acts described in paragraph 1 are committed against local authority bodies, the penalty is imprisonment for up to 2 years.

3. When the acts described in paragraph 1 are committed against a member of the bodies referred to in paragraph 1, imprisonment is from 1 to 5 years. If committed against a member of the bodies referred to in paragraph 2, the penalty is imprisonment for up to 2 years.

ARTICLE 404 [Disruption of the functioning of constitutional bodies]

1. Anyone who, through riots, disorder or loud noise, illegitimately disrupts the functioning of the bodies referred to in the previous article, and is not a member, is punished with imprisonment for up to 3 years.

2. Whoever, by the means referred to in the previous paragraph, illegitimately disrupts the exercise of the functions of any of the members of the sovereign bodies or of the holders of the positions also referred to therein, is punished with a prison sentence of up to 1 year.

Section V of Electoral Crimes

ARTICLE 405 [False voter registration]

1. Anyone who causes their registration in the voter registration by providing false information will be punished with imprisonment for up to 1 year or a fine of up to 100 days.

2. Anyone who registers, prevents the registration of another person who they know has the right to register or, in any other way, falsifies the voter registration is subject to the same penalty.

ARTICLE 406 [Voter card forgery]

Anyone who, with fraudulent intent, modifies or replaces a voter card is punished with imprisonment for up to 3 years or a fine for up to 300 days.

ARTICLE 407. [Obstruction of registration]

1. Whoever, through violence, threat of violence or fraudulent artifice, determines a voter not to register in the electoral register or to register outside the geographical unit or the

appropriate location, or beyond the deadline, is punished with imprisonment of up to 1 year or a fine of up to 100 days, if a more serious penalty is not applicable due to another legal provision.

2. The attempt is punishable.

ARTICLE 408 [Forgery of census books]

1. Anyone who knowingly, in any way, violates, replaces, destroys or alters the census books is punished with imprisonment for up to 3 years or a fine for up to 300 days.

2. The same penalty is applied to members of the census committee who, with fraudulent intentions, do not prepare and correct the census books.

ARTICLE 409 [Disruption of electoral assembly]

Whoever, by means of violence, threat of violence or participating in riots, disorders or riots, prevents or seriously disturbs the holding, functioning or counting of results of an assembly or electoral college, intended, under the terms of the law, for the election of the bodies of sovereignty, of an autonomous region and of local authorities, is punishable by imprisonment for up to 3 years or a fine of up to 300 days.

ARTICLE 410 [Fraud in elections]

1. Whoever, in the elections referred to in the previous article, votes in more than one section or polling station, more than once or with several lists in the same section or assembly, or acts in any way that leads to a false count, is punishable by imprisonment for up to 2 years or a fine of up to 200 days.

2. Anyone who falsifies the count, publication or official minutes of the voting results is subject to the same penalty.

3. The attempt is punishable.

ARTICLE 411 [Voter fraud and corruption]

1. Whoever, in the elections referred to in article 409, through false news, slanderous rumors or fraudulent devices, prevents voters from voting, is punished with imprisonment for up to 1 year or a fine for up to 100 days.

2. The same penalty applies:

- a) Whoever buys or sells a vote for the elections referred to in the same article;
- b) Whoever enters an assembly or electoral college armed, not belonging to the duly authorized public force.

ARTICLE 412. [Breach of ballot secrecy]

Whoever, in the elections referred to in article 409, carried out by secret ballot, in violation of the legal provision intended to ensure the secrecy of the ballot, becomes aware or gives knowledge to another person of a voter's voting intention is punished with imprisonment for up to 1 year or a fine of up to 100 days.

ARTICLE 413 [Aggravation]

The penalties provided for in this section, with the exception of that provided for in paragraph 2 of 408, are increased by one third (1/3) in their minimum and maximum limits if the perpetrator of the respective crime is a member of the census committee, section or polling station or political party delegate to the aforementioned committee, section or assembly.

Section VI Common provisions

ARTICLE 414 [Preparatory acts]

Acts preparatory to the crimes provided for in articles 367 to 375 and 391 to 393 are punishable by imprisonment for up to 3 years.

ARTICLE 415 [Withdrawal]

1. The court may freely mitigate the penalty or even exempt it, if the perpetrators of the crimes provided for in this chapter voluntarily abandon their activity, remove or considerably reduce the danger caused by the conduct or if before the warning from the competent authority or immediately thereafter, surrender without resisting, surrender or abandon their weapons.

2. If the agent has exercised command or management functions, the sentence may be particularly reduced.

ARTICLE 416 [Additional penalties]

Whoever is convicted of a crime provided for in this chapter with a prison sentence of more than one year, may be incapacitated from electing President of the Republic, member of the legislative assembly or local authority, from being elected as such or from being a juror, for a period of 2 to 10 years.

Chapter II Crimes against Public Authority

Section I Resistance and Disobedience to public authority

ARTICLE 417 [Coercion of officials]

1. Whoever uses violence or serious threats against an official, or member of the armed, militarized or security forces, to oppose him from carrying out or continuing to carry out a legitimate act included in his duties or to constrain him from carrying out or continuing committing an act related to their functions, but contrary to their duties, is punished with imprisonment for up to 2 years or a fine of up to 200 days.

2. If the violence or serious threat produces the desired effect, the penalty increases to up to 3 years and the fine up to 300 days.

ARTICLE 418 [Offense against an employee]

1. Whoever commits bodily harm or other violence against any of the people referred to in the previous article in the exercise of their functions or because of them, is punished with the penalty applicable to the respective crime, increased by one third (1/3) within its limits minimum and maximum.

2. If the offended party is a member of a sovereign body, of the government or of the assembly of the Autonomous Region of Príncipe, a member of a body of local authorities, of a corporation that exercises public authority, commander of a public force, teacher or public examiner, the penalty applicable to the crime is increased by half (1/2) in its minimum and maximum limits.

3. The aggravation provided for in the previous paragraph extends to bodily harm, or other violence committed against a lawyer in the exercise of his duties, in an act presided over by a magistrate.

ARTICLE 419 [Aggravation]

If, in the case of articles 417 and 418, the offense is committed with a weapon or causes death or serious danger to life, serious offense or serious danger of harm to the health or physical or mental integrity of the victim, the The penalty is imprisonment for 2 to 8 years, if a more severe penalty is not applicable under another legal provision.

ARTICLE 420 [Coercion on employees with mutiny]

If the crime provided for in article 417 is committed as a riot, anyone who participates in this crime is punished with imprisonment for 1 to 3 years, if a more serious penalty is not applicable due to their participation in the crime committed.

ARTICLE 421 [Disobedience]

1. Anyone who fails to comply with a legitimate order or warrant, regularly communicated and issued by a competent authority or official, is punished with imprisonment for up to 1 year or a fine of up to 100 days.
2. The same penalty is applied if another legal provision complements the penalty for simple disobedience.
3. The penalty is imprisonment for up to 2 years or a fine for up to 200 days if another legal provision imposes the penalty for qualified disobedience.

Section II Prison evasion and non-compliance with obligations imposed by criminal sentence

ARTICLE 422. [Release of prisoners]

1. Whoever, through violence, threat or artifice, releases a person legally deprived of liberty in a prison or other establishment, is punished with imprisonment from 1 to 5 years.
2. Anyone who instigates, promotes or, in any way, assists the evasion of people referred to in the previous paragraph is subject to the same penalty.

ARTICLE 423. [Employee assistance with evasion]

The official or anyone responsible for the custody of a person legally deprived of their liberty who releases them, allows them to escape, or facilitates, promotes or, in any way, assists their escape is punished with imprisonment from 2 to 8 years.

ARTICLE 424 [Negligence in the Guard]

The official or whoever, under the terms of the law, is responsible for the custody of any of the people referred to in article 422 who, through gross negligence, allows their escape is punished with imprisonment for up to 1 year or a fine for up to 100 days.

ARTICLE 425 [Evasion]

1. Whoever, finding himself in a situation imposed under the law of detention, internment or prison in a closed regime, or taking advantage of his removal or transfer, escapes, is punished with imprisonment for up to 2 years.
2. If the evasion takes place in an establishment that operates under an open regime, the penalty is imprisonment for up to 4 years.
2. If the evasion takes place in an establishment that operates under a medium security system, the penalty is imprisonment for up to 3 years.
3. If the act is committed with violence or through threats against people or through a break-in, the penalty is imprisonment for 1 to 5 years.
4. If violence or threats are carried out using weapons or against a group of people, the penalty is imprisonment for 2 to 6 years.
5. The sentence can be reduced by half (1/2) when the offender surrenders, before sentencing, to the competent authority.

ARTICLE 426 [Violation of obligations imposed by criminal sentence]

Anyone who violates obligations relating to the place where they must present themselves, reside or frequent, or prohibitions on exercising a certain profession or activity, trade or industry, by themselves or

imposed by a criminal sentence is punishable by imprisonment for up to 1 year or a fine of up to 100 days.

ARTICLE 427 [Prisoner riot]

Prisoners, detainees or internees, who mutiny or associate and, combining their forces, with the intention of, combining their forces:

- a) Attack an employee or other person legally responsible for their custody, treatment or supervision, or force them, through violence or threat of violence, to carry out any act or to refrain from carrying it out;
- b) If they escape or help one of them or another prisoner to escape;
are punished with imprisonment from 2 to 8 years.

ARTICLE 428 [Accumulation]

The penalties applied to the crimes provided for in articles 425, 426 and 427 are materially combined with those to which the offender has been sentenced or will be sentenced.

Section III Violation of public measures

ARTICLE 429 [Dispossession or destruction of objects placed under public authority]

1. Whoever destroys, damages, renders useless or, in any way, steals from the public authority, to which it is subject, a document or any other movable object, placed in the custody of a competent official, or entrusted by him to his own custody or that of a third party, is punishable by up to 4 years in prison.
2. If the perpetrator of the crime is an employee in whose custody the object has been entrusted, he or she will be punished with imprisonment from 1 to 5 years.
3. When the crime does not result in harm to the State or another person, or the harm is minor, the penalty is imprisonment for up to 1 year or a fine of up to 100 days.

ARTICLE 430 [Violation of legitimate arrest or seizure]

Anyone who destroys, damages, renders useless or steals anything that has been legally arrested, seized or subject to precautionary measures, in a way that undermines, in whole or in part, the purpose of these measures, is punished with imprisonment for up to 3 years or a fine for up to 300 days. .

ARTICLE 431 [Breaking of marks and seals]

Whoever opens, breaks or renders unusable, totally or partially, legitimately affixed, by a competent official, to identify or keep anything inviolable, or to certify that it has been arrested, seized or taken precautionary measures, is punished with imprisonment for up to 2 years or a fine. up to 200 days.

ARTICLE 432 [Removal, destruction or alteration of notices]

Anyone who rips off, destroys, alters or, in any way, prevents the publication of a notice posted by a competent official is punished with imprisonment for up to 1 year or a fine for up to 100 days.

ARTICLE 433 [Usurpation of functions]

1. Whoever, without being authorized to do so, performs functions or performs acts typical of an official or military command or public security force, invoking this capacity, is punished with imprisonment of up to 2 years or a fine of up to 200 days.
2. The same penalty is incurred by anyone who exercises a profession, for which the law requires a title or fulfillment of certain conditions, claiming, expressly or tacitly, to possess it or fulfill them, when in fact, he does not have it or does not fill in.
3. Anyone who continues to perform public duties will be subject to the same penalty after having been officially notified of the dismissal or suspension of those duties.

Chapter III Crimes against the realization of justice

ARTICLE 434 [False statement by party]

Whoever, in a civil proceeding, gives a statement as a party, making false statements regarding facts about which he must testify, after being sworn and warned of the criminal consequences to which he exposes himself by giving a false statement, is punished with imprisonment for up to 2 years or a fine of up to 200 days.

ARTICLE 435. [False testimony, false statements, expertise, interpretation or translation]

1. Whoever, as a witness, declarant, expert, technician, translator or interpreter, before a court or official competent to receive as evidence, their statements, reports, information or translations, gives statements, presents reports, gives information or documents making false translations is punishable by up to 3 years in prison or a fine of up to 300 days.

2. Anyone who, without just cause, refuses to testify, make statements, present reports, information or translations is subject to the same penalty.

3. If the crime referred to in paragraph 1 is committed after the offender has been sworn and warned of the respective criminal consequences, the penalty is imprisonment for up to 4 years or a fine for up to 300 days.

ARTICLE 436 [Mitigation and exemption from penalty]

1. The penalties provided for in articles 434 and 435 are, respectively, reduced to sentences of imprisonment of up to 1 year or a fine of up to 60 days, of imprisonment of up to 18 months or a fine of up to 100 days and of imprisonment of up to 2 years or fine of up to 200 days, and the agent may be exempt from the penalty when the falsehood concerns a secondary circumstance or has no significance for the evidence for which the statements, reports, information or translations are intended.

2. If the crimes provided for in articles 434 and 435 were committed to prevent the agent, the spouse, an adopter or adopted person, their relatives or relatives up to the 3rd degree from exposing themselves to the danger of If they are punished or subject to criminal action, their sentences may be freely reduced or punishment may even be excluded.

ARTICLE 437 [Retraction]

1. If the perpetrator of the crimes provided for in articles 434 and 435 voluntarily retracts, in time for the retraction to be taken into account in the decision, or before it has resulted from the false testimony, statement, report, information or translation , harm to the interests of third parties, is exempt from penalty.

2. There is no place for punishment or the penalty to be particularly attenuated if the withdrawal avoids a greater danger to a third party. This provision applies, in particular, when the withdrawal occurs after the pronouncement of indictment or equivalent in criminal proceedings.

3. The retraction may be made before a court, the Public Prosecutor's Office, the Criminal Investigation Police or another competent authority.

ARTICLE 438. [Instrumentalization]

Anyone who misleads or influences another person to commit one of the acts described in articles 434 and 435, even through negligence, is punished with imprisonment for up to 3 years or a fine for up to 300 days.

ARTICLE 439 [Bribery]

Whoever convinces or tries to convince another person, through any material or non-material advantage, to commit the crime provided for in article 435, that this will actually be committed, is punished with imprisonment of up to 1 year or a fine of up to 100 days .

ARTICLE 440 [Aggravation]

The penalties provided for in articles 434, 435, 438 and 439 are increased by one third (1/3) in their minimum and maximum limits, the provisions of article 436 not applying:

- a) If the agent acts with profit-making intent;
- b) If the crime results in deprivation of liberty, dismissal from a post or professional position or the destruction of family relationships of others;
- c) If the crime results in someone else being convicted of the crime committed instead of the agent.

ARTICLE 441 [Slandorous denunciation]

1. Whoever, by any means, before authority or publicly, with awareness of falsehood or imputation, denounces or suspects the commission of a crime against a certain person, with the intention of instituting proceedings against him, is punished with a penalty imprisonment for up to 3 years or a fine of up to 300 days.

2. If the conduct results in the false imputation of an administrative offense, misdemeanor or disciplinary offense, the agent is punished with a prison sentence of up to 2 years or a fine of up to 200 days.

3. If the means used by the agent results in presenting, altering or distorting evidence, the penalty may be up to 4 years or a fine of up to 400 days in the case of no. 1 and up to 3 years or a fine of up to 300 days in the case of no. 2.

4. In the case of an accusation that results in an accusation in criminal proceedings or an order equivalent to a sentence of up to 4 years in prison.

5. If the act results in the deprivation of freedom of the offended party, the offender is punished with a prison sentence of 1 to 8 years.

6. At the request of the offended party, the court may order the sentence of conviction to be published in accordance with article 196.

ARTICLE 442. [Simulation of crime or its agents]

1. Whoever, without attributing it to a specific person, reports a crime or causes the competent authority to suspect its commission, knowing that it has not been verified, is punished with imprisonment for up to 1 year or a fine for up to 100 days.

2. Anyone who seeks to deceive the authorities about the perpetrators of a crime that they imagine has occurred or has actually occurred is subject to the same penalty.

3. If the facts referred to in the previous paragraphs constitute a misdemeanor, administrative offense or disciplinary offense, the penalty is a fine of up to 100 days.

ARTICLE 443 [Personal favor]

1. Whoever, totally or partially, frustrates or eludes the evidentiary or preventive activity of the competent authorities with the intention or with the conscience of preventing others, who committed a crime, from being subjected to criminal reaction in accordance with the law, is punished with imprisonment of up to 3 years or a fine of up to 300 days.

2. Anyone who provides assistance to another with the intention or awareness of, totally or partially, preventing or frustrating the execution of a criminal reaction applied to them is subject to the same penalty.

3. If the acts referred to in 1 and 2 are committed by the representatives or bodies of a legal or similar person, in their name and in the collective interest, they are criminally responsible, being punishable by a fine to be set between 10 million and 500 million of folds, and its dissolution may also be decreed.

4. The penalty cannot, however, be greater than that provided for by law for the act for which the person for whose benefit the action was committed is judged.

5. An agent who, by doing so, seeks at the same time to prevent the imposition or execution of a sentence or security measure against him or her is not punishable by the provisions of this article; spouse,

adopters or adopted, relatives or similar up to the 3rd degree of the person for whose benefit acted.

ARTICLE 444. [Personal favoritism practiced by an employee]

When the favoritism provided for in the previous article is committed by an official who intervenes or has the competence to intervene in the respective process, or by someone who has the competence to order the execution of the criminal reaction, or is responsible for executing it, he or she is punished with imprisonment. from 1 to 5 years.

ARTICLE 445 [Extortion of testimony]

Any official who, in criminal proceedings or for administrative or disciplinary offences, uses violence, serious threats or other means of illegitimate coercion, to obtain written or oral testimony from the accused, declarant, witness or expert, or to prevent them from do so, is punished with imprisonment from 1 to 5 years.

ARTICLE 446 [Intentional promotion]

The official competent to promote criminal proceedings, for administrative offenses or disciplinary proceedings, who initiates proceedings against a certain person who he or she knows is innocent, is punished with imprisonment from 1 to 5 years.

ARTICLE 447. [Non-promotion]

1. Any employee who, failing to fulfill his duties, does not promote or does not continue to promote criminal proceedings against an offender, or does not take measures within his competence to prevent or prevent the commission of any crime, is punished with imprisonment of up to 2 years or a fine of up to 200 days.

2. If the employee has participated or participated in the commission of a crime, he or she will be punished with the corresponding penalty, increased by half the minimum and maximum limits.

ARTICLE 448 [Malfeasance]

1. An employee who, when exercising powers arising from the position he holds, conducts or makes decisions illegally with the intention of harming or benefiting a third party, is punished with imprisonment for 2 to 6 years.

2. Any official who, being competent to do so, orders or executes a measure depriving liberty illegally, or omits to order or execute it in accordance with the law, is punished with a prison sentence of 1 to 5 years, if the acts committed do not correspond to a more serious penalty under another legal provision.

3. Any official who, after being requested to do so, refuses to disclose the reasons for his arrest, to whom he is serving a prison sentence under his order or who is otherwise deprived of liberty, is punished with a prison sentence. up to 3 years.

4. If the illegal order or execution of deprivation of liberty, or the failure to execute the order in accordance with the law, is due to gross negligence, the penalty is imprisonment for up to 2 years or a fine for up to 200 days.

ARTICLE 449 [Denial of justice]

An official who refuses to administer justice or to apply the right that is inherent to him due to his duties and has been requested, does not promote or does not continue to promote criminal proceedings against an offender, or does not take measures to preventing or preventing the commission of a crime is punishable by imprisonment for up to 2 years or a fine of up to 200 days.

ARTICLE 450 [Lawyer or solicitor malfeasance]

1. Any lawyer or solicitor who voluntarily harms a case under his or her sponsorship with the intention of achieving a benefit is punished with imprisonment for up to 3 years or a fine for up to 300 days.

2. The same penalty applies to a lawyer or solicitor who, in the same case, advocates or practices solicitorship in relation to people whose interests are in conflict, with the intention of acting to the benefit or detriment of some of them.

ARTICLE 451 [Violation of judicial secrecy]

1. Whoever illegitimately gives knowledge, in whole or in part without authorization from the judge or competent official, of an act or document in criminal proceedings that is covered by judicial secrecy, or during which the general public is not permitted to be heard, is punished with imprisonment of up to 3 years or a fine of up to 300 days.

2. If the fact described in the previous paragraph concerns proceedings for an administrative offense, pending a decision by the administrative authority or disciplinary proceedings, while secrecy is maintained, the agent is punished with a prison sentence of up to 6 months or a sentence of fine of up to 60 days.

Chapter IV Crimes committed in the exercise of public functions

Section I Corruption

ARTICLE 452 [Passive corruption for unlawful act]

1. The employee who, by himself, or through an intermediary, with his consent or ratification, requests or accepts, for himself or for a third party, without being owed a material or non-material advantage, or his promise, in return for an act or omission contrary to the duties of the position is punishable by imprisonment for 2 to 6 years.

2. If the act is not carried out, the penalty is imprisonment for up to 3 years or a fine for up to 300 days.

3. In the case of a mere omission or delay in carrying out an act related to their functions, but with a violation of the duties of their position, the penalty is, respectively, in case no. 1, imprisonment of up to 2 years or a fine of up to 200 days and in the case of no. 2, imprisonment for up to 1 year or a fine of up to 100 days.

4. If the official voluntarily repudiates the offer or promise he had accepted, or returns the money or the value of the financial advantage, before the act or its omission or delay, he is exempt from punishment.

5. The penalty can be especially mitigated if the agent specifically assists in the collection of decisive evidence for the identification or capture of other perpetrators.

ARTICLE 453 [Passive corruption for a lawful act]

The official who, either by himself or through a person with his consent or ratification, requests or accepts, for himself or for a third party, without being owed to him, a material or non-material advantage, or his promise, in return for an act or of omission not contrary to the duties of the position, is punished with imprisonment of up to 1 year or a fine of up to 100 days.

ARTICLE 454 [Active corruption]

1. Whoever gives or promises to an employee, by himself or through an intermediary, a material or non-material advantage that the employee is not owed, for the purposes indicated in article 452, is punished, depending on the case, with the penalties provided for in such disposition.

2. If the acts referred to above are committed by the representatives or bodies of a legal or similar person, in their name and in the collective interest, they are criminally responsible, they are punished with a fine set between 10 million and 500 million do-bras, and its dissolution may also be decreed.

3. If the act was carried out to prevent the agent, the spouse, an adopter or adopted person, or relatives or similar up to the 3rd degree from being exposed to the danger of being punished or subject to any criminal reaction, the penalty may be specially mitigated or even waived.

4. The exemption from the penalty provided for in paragraph 4 of article 452 only benefits the agent of active corruption if he voluntarily accepts the repudiation of the promise or the restitution of the money or financial advantage he had made or given.

5. The agent is exempt from punishment if the commission of the act is the result of a request or requirement from an official as a condition for carrying out acts within their respective competence and if the agent reports the crime to the authorities.

ARTICLE 455 [Illegal enrichment]

1. An official who, during the period of exercising public functions or in the three years following the cessation of such functions, acquires assets or a way of life that is manifestly disproportionate to his or her income and that does not result from any other means of lawful acquisition, with the danger that that heritage or way of life comes from advantages obtained through the commission of crimes committed in the exercise of public functions, is punishable by a prison sentence of up to 5 years.

2. For the purposes of the previous paragraph, assets are understood to be all patrimonial assets existing in the country or abroad, including real estate, quotas, shares or shares in the capital of civil or commercial companies, rights to boats, aircraft or motor vehicles, securities portfolios, term bank accounts, equivalent financial investments and credit rights.

3. For the purposes of paragraph 1, lifestyle is understood as all expenditure on consumer goods or liberalities made in the country or abroad.

4. For the purposes of paragraph 1, income is understood as all gross income included in the declaration presented for the purposes of calculating personal income tax, or that the same, when exempted, should be included.

Section II Embezzlement

ARTICLE 456 [Embezzlement]

1. An official who unlawfully appropriates, for his own benefit or that of another person, money or any other movable item, public or private, that was delivered to him, is in his possession or is accessible to him due to his functions, is punished with imprisonment from 2 to 8 years, if a more serious penalty is not applicable to him due to another legal provision.

2. If the official lends, pledges, or in any way encumbers any objects referred to in the previous paragraph, with the awareness of harming or being able to harm the State or its owner, he or she will be punished with imprisonment for up to 3 years or a fine. up to 300 days, if a more serious penalty is not applicable due to another legal provision.

ARTICLE 457 [Use embezzlement]

1. An employee who makes use of, or allows another person to make use of, for purposes other than those for which they were intended, vehicles or other movable things of appreciable value, whether public or private, that are delivered to him and are in his possession or are accessible to him due to his duties, he will be punished with imprisonment for up to 3 years or a fine of up to 300 days.

2. If the official, without special reasons of public interest justifying it, gives public money a destination for public use other than that to which it is legally allocated, he or she will be punished with imprisonment of up to 2 years or a fine of up to 200 days.

3. If the purpose of the irregular application is not carried out for a public purpose, which is the legally established purpose, the agent is punished with a sentence of 1 to 5 years in prison.

ARTICLE 458 [Embezzlement due to someone else's error]

An employee who, in the exercise of his duties, taking advantage of another's error, receives, for himself or for a third party, fees, emoluments or other sums, not due or greater than those due, is punished with imprisonment of up to 2 years or a fine of up to 200 days.

ARTICLE 459 [Economic participation in business]

1. An employee who, with the intention of obtaining for himself or a third party, illicit economic participation, harms in a legal transaction the property interests that, in whole or in part, he owes to him as a result of his role, administering, supervising, defending or carry out, is punishable by imprisonment for up to 4 years.

2. An employee who, in any way, receives a financial advantage as a result of a civil legal act, relating to interests that he had, by virtue of his functions, at the time of the act, fully or partially in the disposal, administration or supervision, even without harming them, is punished with a fine of up to 200 days.

3. The penalty provided for in the previous paragraph is also applicable to the employee who receives for himself or for a third party, in any form, an economic advantage as a result of collection, collection, liquidation or payment of which, by virtue of his duties, in total or partially, is in charge of ordering or carrying out, as long as there is no economic loss to the Public Treasury or to the interests thus effected.

Section III Abuse of authority**ARTICLE 460 [Domicile violation by employee]**

1. Any employee who, abusing the powers inherent to his duties, commits the crime of breaking into someone else's home, or violates the professional home of someone who, due to the nature of his activity, is bound by the duty of secrecy, is punished with a prison sentence of up to 3 years or a fine of up to 300 days.

2. If the abuse consists of non-compliance with legal formalities, the penalty is imprisonment for up to 1 year or a fine for up to 200 days.

ARTICLE 461 [Illegal imposition of contributions or taxes]

Any official who, without legal authorization, imposes, fixes or receives, destined for the Public Treasury, by himself or through another, contributions or taxes or amounts of contributions or taxes greater than those due, is punished with imprisonment for up to 1 year or a fine up to 100 days.

ARTICLE 462 [Use of public force against the execution of the law or legal order]

The official who, being competent to request or order the use of public force, requests or orders this use to prevent the execution of any law, or a regular mandate from justice or a legitimate order from a public authority, is punished with imprisonment up to 3 years or a fine of up to 300 days.

ARTICLE 463 [Refusal of cooperation]

Any official who, having received a legal request from the competent authority to provide due cooperation for the administration of justice or any public service, refuses to provide it, or without a legitimate reason not to provide it, is punished with imprisonment for up to 1 year or a fine up to 100 days.

ARTICLE 464 [Abuse of powers]

Any employee who, outside of the cases provided for in the previous articles, abuses powers or violates the duties inherent to his functions with the intention of obtaining, for himself or for a third party, an illegitimate benefit or causing harm to others, is punished with imprisonment. up to 3 years or a fine of up to 300 days, if a more serious penalty is not applicable due to another legal provision.

Section IV Breach of secrecy

ARTICLE 465 [Breach of confidentiality by employee]

1. An employee who, without being duly authorized, reveals a secret that he was aware of or that was entrusted to him in the exercise of his duties with the intention of obtaining, for himself or another, an illegitimate benefit or causing harm public interest or that of third parties, is punishable by imprisonment for up to 2 years or a fine of up to 200 days.

2. The attempt is punishable.

3. Criminal proceedings depend on a complaint from the entity supervising the respective service or from the offended party.

ARTICLE 466 [Violation of correspondence or telecommunications secrecy]

1. Postal, telegraph and telephone or telecommunications service employees who:

a) Delete or remove letters, orders, telegrams or other communications entrusted to those services and which are accessible to them due to their functions;

b) Open a letter, order or other communication that is accessible to him due to his duties, or, without opening it, become aware of its contents;

c) Reveal to third parties communications between certain people, made by post, telegraph, telephone or other means of telecommunications of those services, of which he became aware due to his functions;

d) Record or reveal to a third party the content, in whole or in part, of the aforementioned communications, or make it possible for them to hear or become aware of them;

e) Allow or promote the facts referred to in the previous paragraphs;
is punishable by up to 4 years in prison.

2. However, imprisonment can be up to 5 years, in the case of telecommunications, when the agent acts with the intention of obtaining, for himself or a third party, a material benefit or causing harm to others.

ARTICLE 467 [Punishment of former employee]

Violation of secrecy provided for in this section is punishable, even when committed after an employee has ceased performing his duties.

Section V Resignation of duties

ARTICLE 468 [Abandonment of duties]

An official who, with the intention of preventing or interrupting a public service, abandons his duties or neglects their performance, is punished with imprisonment for up to 6 months or a fine of 20 to 60 days.

Section VI General provisions

ARTICLE 469 [Concept of employee]

1. For the purposes of criminal law, the term employee covers:

a) The civil servant;

b) The administrative agent;

c) Whoever, even provisionally or temporarily, for remuneration or free of charge, voluntarily or obligatorily, has been called upon to perform or participate in the performance of an activity included in the public administrative or jurisdictional function, or, in the same circumstances, performs functions in public benefit bodies or participates in them.

2. The treatment of anyone who performs political, governmental or legislative functions as an official, for the purposes of criminal law, is regulated by special law.

ATTACHMENTS

Tables of plants, substances and preparations referred to in article 278 of this Code:

TABLE I – A

Acetyl-alpha-methylfentanyl - N-(1-(alpha) methylphenethyl-4-piperidyl) acetanilide.
 Acetyldihydrocodeína - 3-methoxy-4,5-epoxy-6-acetoxy-17-metilmorfinano.
 Acetylmetadol - 3-acetoxy-6-dimethylamino-4,4-diphenyl-heptane.
 Acetorphine - 3-0-acetyl-tetrahydro-7(alpha)-(1-hydro-1-methylbutyl)-6,14-endoethane-orphavine.
 Alfacetylmetadol - alpha-3-acetoxy-6-dimethylamino-4,4-diphenylheptane.
 Alfameprodine - alpha-3-ethyl-1-methyl-4-phenyl-4-propionoxypiperidine.
 Alfametadol - alfa-6-dimethylamino-4,4-difenil-3-heptanol.
 Alpha-methylfentanyl - N-[1-((alpha) methylphenethyl)-4-piperidyl] propionanilide.
 Alpha-methylthiofentanyl - N-[1-methyl-2-(2-thienyl) ethyl]-4-piperidyl propionanilide.
 Alfentanil - monohydrochloride of N-[1[2-(4-ethyl-4,5-di-hidro-5-oxo-1H-tetrazol-1 il) ethyl]-4-(methoxymethyl)-4-piperidinyl]-N-phenylpropanamide.
 Alphaprodine - alpha-1,3-dimethyl-4-phenyl-4-propionoxypiperidine.
 Allylprodine - 3-allyl-1-methyl-4-phenyl-4-propionoxypiperidine.
 Anileridine - 1-para-aminophenethyl-4-phenylpiperidine-4-carboxylic acid ethyl ester.
 Benzilmorfina - 3-benzyloxy-4,5-epoxy-N-metil-7-morphineno-6-ol; 3-benzylmorphine.
 Benzetidine - 1-(2-benzyloxyethyl)-4-phenylpepyridine-4-carboxylic acid ethyl ester.
 Betacetylmetadol - beta-3-acetoxy-6-dimethylamino-4,4-diphenyl-heptane.
 Beta-hydroxyfentanyl - N-[1-((beta)-hydroxyphenethyl)-4-piperidyl] propionanilide.
 Beta-hydroxy-3-methylfentanyl - N-[1-(beta)-hydroxyphenethyl)-3-methyl-4-piperidyl]propionanilide.
 Betameprodine - beta-3-ethyl-1-methyl-4-phenyl-4-propionoxypiperidine.
 Betametadol - beta-6-dimetilamino-4,4-difenil-3-heptanol.
 Betaprodina - beta-1,3-dimethyl-4-phenyl-4-propionoxypiperidine.
 Bezitramida - 1-(3-cyano-3,3-diphenylpropyl)-4-(2-oxo-3-propionyl-1-benzimidazoliny)-piperidine.
 Butirato de dioxafetilo - ethyl-4-morpholino-2,2-difenilbutirato.
 Ketobemidone - 4-metahydroxyphenyl-1-methyl-4-propionylpiperidine.
 Clonitazeno - 2-para-clorobenzil-1-dietilaminoetil-5-nitrobenzimidazol.
 Codeína - 3-methoxy-4,5-epoxy-6-hydroxy-17-metil-7-morphineno; 3-methyl-morphine.
 Codeína N-oxid - 3-methoxy-4,5-epoxi-6-hidroxi-17-metil-7-morfineno-17-oxi-ol.
 Codoxin - dihydrocodeinone-6-carboxymethyloxin.
 Poppy straw concentrate - material obtained by treating poppy straw in order to obtain the concentration of its alkaloids, as soon as this material is placed on the market.
 Desomorphine - 3-hydroxy-4,5-epoxy-17-methylmorphinan; dihydrodoxymorphine.
 Dextromoramide - (+)-4-[2-methyl-4-oxo-3,3-diphenyl-4 (1-pyrrolidinyl)-butyl]-morpholine.
 Dextropropoxyphene - (+)-4-dimethylamino-3-methyl-1,2-diphenyl-2-butanol propionate.
 Diampromide - N-[(2-methylphenethylamino)-propyl]-propionanilide.
 Diethylthiambutene - 3 diethylamino-1,1-di-(2'-thienyl)-1-butene.
 Diphenoxylate - 1-(3-cyano-3,3-diphenylpropyl)-4-phenylpiperidine-4-carboxylic acid ethyl ester.
 Difenoxin - 1-(3-cyano-3,3-diphenylpropyl)-4-phenylisonipeccotic acid.
 Diidrocodeína - 6-hidroxi-3-methoxy-17-metil-4,5-epoximorfinano.
 Di-hydromorphine - 3,6-di-hydroxy-4,5-epoxi-17-methylmorphinan.
 Dimefeptanol - 6-dimetilamino-4,4-difenil-3-heptanol.
 Dimenoxadol - 2-dimethylaminoethyl-1-ethoxy-1,1-diphenylacetate.
 Dimethylthiambutene - 3-dimethylamino-1,1-di-(2'-thienyl)-1-butene.
 Dipipanona - 4,4-difenil-6-piperidina-3-heptanona.
 Drotebanol - 3,4-dimetoxi-17-metilmorfinano-6-beta, 14-diol.
 Ethylmethylthiambutene - 3-ethylmethylamino-1,1-di-(2'-thienyl)-1-butene.
 Ethylmorphine - 3-ethoxy-4,5-epoxy-6-hydroxy-17-methyl-7-morphineno; 3-ethylmorphine.

- Etonitazeno - 1-dietilaminoetil-2-para-etoxibenzil-5-nitrobenzimidazol.
- Etorphine - tetra-hydro-7-(1-hydroxy-1-methylbutyl)-6,14-endoethenoripina.
- Ethoxeridine - 1-[2-(2-hydroxyethoxy)-ethyl]-4-phenylpiperidine-4-carboxylic acid ethyl ester.
- Phenadoxone - 6-morpholino-4,4-diphenyl-3-heptanone.
- Phenanpromide - N-(1-methyl-2-piperidinoethyl)-propionalide.
- Phenazocine - 2'-hydroxy-5,9-dimethyl-2-phenethyl-6,7-benzomorphano.
- Phenomorphano - 3-hydroxy-N-phenethylmorphinano.
- Phenopyridine - 1-(3-hydroxy-3-phenylpropyl)-phenyl-piperidine-4-carboxylic acid ethyl ester.
- Fentanyl - 1-phenethyl-4-N-propionylanilinopiperidine.
- Pholcodine - 3-(2-morpholino-ethoxy)-6-hydroxy-4,5-epoxy-17-methyl-7-morphinene; morpholinylethyl-morphine.
- Furetidine - 1-(2-tetrahydrofurfuryloxyethyl)-4-phenylpiperidine-4-carboxylic acid ethyl ester.
- Heroin - 3,6-diacetoxy-4,5-epoxy-17-methyl-7-morphinene; diacetylmorphine.
- Hydrocodone - 3-methoxy-4,5-epoxy-6-oxo-17-methylmorphine; dihydrocodeine.
- Hydromorfinol - 3,6,14-trihydroxy-4,5-epoxy-17-methylmorphinan; 14-hydroxydihydromorphine.
- Hidromorфона - 3-hydroxy-4,5-epoxy-6-oxo-17-metilmorfinano; dihydromorphinone.
- Hydroxypethidine - 4-meta-hydroxyphenyl-1-methylpiperidine-4-carboxylic acid ethyl ester.
- Isomethadone - 6-dimethylamino-5-methyl-4,4-diphenyl-3-hexanone.
- Levofenacilmorphan - (-)-3-hydroxy-N-phenacilmorphinan.
- Levomorfano - (-)-3-methoxy-N-metilmorfinano (ver nota *).
- Levomoramide - (-)-4-[2-methyl-4-oxo-3,3-diphenyl-4-(1-pyrrolidinyl)-butyl] morphine.
- Levorphanol - (-)-3-hydroxy-N-methylmorphinan (see note *).
- Methadone - 6-dimethylamino-4,4-diphenyl-3-heptanone.
- Methadone, intermediate of - 4-cyano-2-dimethylamino-4,4-diphenylbutane.
- Metazocine - 2'-hydroxy-2,5,9-trimethyl-6,7-benzomorphano.
- Methyl-desorfin - 6-methyl-delta-6-deoxymorphine; 3-hydroxy-4,5-epoxy-6,17-dimethyl-6-morphinene.
- Methyldihydromorphine - 6-methyl-dihydromorphine; 3,6-dihydroxy-4,5-epoxy-6,17-dimethylmorphinane. 3-methylfentanyl - N-(3-methyl-1-phenethyl-4-piperidyl) propionanilide (and its two cis isomers and trans).
- Metopão - 5-methyl dihydromorphinone; 3-hydroxy-4,5-epoxy-6-oxo-5,17-dimethylmorphinone.
- Mirofin - myristylbenzylmorphine; 3-benzoyloxy-4,5-epoxy-17-methyl-7-morphine tetradecanoate for-6-worms.
- Morferidine - 1-(2-morpholinoethyl)-4-phenylpiperidine-4-carboxylic acid ethyl ester.
- Moramide, intermediate of - 2-methyl-3-morpholino-1,1-diphenylpropane carboxylic acid.
- Morphine - 3,6-dihydroxy-4,5-epoxy-17-methyl-7-morphineno.
- Morphine, bromomethylate and other morphine derivatives with pentavalent nitrogen.
- Morphine-N-óxido - 3,6-dihydroxy-4,5-epoxy-17-methyl-7-morphineno-N-óxido.
- MPPP - 1-methyl-4-phenyl-4-piperidinol propionate.
- Nicocodine - codeine ester of 3-pyridinecarboxylic acid; 6-nicotinylcodeine.
- Nicodicodine - dihydrocodeine ester of 3-pyridinecarboxylic acid; 6-nicotinyl-dihydrocodeine.
- Nicomorphine - 3,6-dinicotylmorphine.
- Noracimetadol - (more or less)-alpha-3-acetoxy-6-methylamino-4,4-diphenylheptane.
- Norcodeína - 3-methoxy-4,5-epoxy-6-hydroxy-7-morphineno; N-desmetilcodeína.
- Norlevorphanol - (-)-3-hydroxymorphinan.
- Normethadone - 6-dimethylamino-4,4-diphenyl-3-hexanone.
- Normorphine - 3,6-di-hidroxi-4,5-epoxy-7-morphineno; desmethylmorphine.
- Norpipranone - 4,4-diphenyl-6-peperidino-3-hexanone. Opium -
- the spontaneously coagulated juice obtained from the Papaver somniferum L. capsule and which has not undergone more than the manipulations necessary for its packaging and transport, whatever its morphine content. Opium - mixture of alkaloids in the form of hydrochlorides and bromides.
- Oxicodona - 3-methoxy-4,5-epoxy-6-oxo-14-hidroxi-17-metilmorfinano; 14-hydroxydihydrocodeinone.

Oximorphone - 3,14-dihydroxy-4,5-epoxy-6-oxo-17-metilmorfinano; 14-hydroxydiydromorfinone.
 Para-fluorofentanyll-(4'-fluoro-N-(1-phenethyl-4-piperidyl) propionanilide.
 PEPAP - 1-phenethyl-4-phenyl-4-piperidinol acetate.
 Pethidine - ethyl ester of 1-methyl-4-phenylpiperidine-4-carboxylic acid.
 Pethidine, intermediate A of - 4-cyano-1-methyl-4-phenylpiperidine.
 Pethidine, intermediate B of -4-phenylpiperidine-4-carboxylic acid ethyl ester.
 Pethidine, intermediate C da - 1-methyl-4-phenylpiperidine-4-carboxylic acid.
 Piminodine - 4-phenyl-1-[3-(phenylamino)-propylpiperidine]-4-carboxylic acid ethyl ester.
 Pyritramide - acid amide 1-(3-cyano-3,3-diphenylpropyl)-4-(1-piperidino)-piperidino-4-carboxylic.
 Proheptazine - 1,3-dimethyl-4-phenyl-4-propionoxiazacycloheptane.
 Propiridine - isopropyl ester of 1-methyl-4-phenylpiperidine-4-carboxylic acid.
 Propyran - N-(1-methyl-2-piperidinoethyl)-N-2-pyridylpropionamide.
 Racemétorfano - (mais ou menos)-3-methoxy-N-metilmorfinano.
 Racemoramide - (more or less)-4-[2-methyl-4-oxo-3,3-diphenyl-4-(1-pyrrolidinyl)-butyl]-morpholine.
 Racemorphan - (more or less)-3-hydroxy-N-methylmorphinan.
 Sufentanyl - N-[4-methoxymethyl-1-[2-(2-thienyl)-ethyl]-4-piperidyl]-propionanilida.
 Tabecão - 3-methoxy-4,5-epoxy-6-acetoxy-17-metilmorfinano; acetidyl-hidrocodeína.
 Thebaine - (3,6-dimethoxy-4,5-epoxy-17-methyl-6,8-morphinadiene).
 Tilidine - (more or less)-ethyl-trans-2-(dimethylamino)-1-phenyl-3-cyclohexene-1-carboxylate.
 Thiofentanyl - N-[1-[2-(2-thienyl) ethyl]-4-piperidyl] propionanilida.
 Trimeperidine - 1,2,5-trimethyl-4-phenyl-4-propionoxypiperidine.
 The isomers of the substances listed in this table in all cases where these isomers may exist with a specific chemical name, unless they are expressly excluded.
 The esters and ethers of the substances listed in this table in all forms in which
 These esters and ethers may exist unless they appear in another table.
 The salts of the substances listed in this table, including the salts of the esters and ethers and isomers mentioned above whenever the forms of these salts are possible.
 (nota *) O dextrometorfano (+)-3-metoxi-N-metilmorfinano eo dextrorfano (+)-3-hidroxi-N-methylmorphinene are specifically excluded from this table.

TABELA I – B

Coca, leaf – the leaves of *Erythroxylon coca* (Lamark), *Erythroxylon nova-granatense* (Morris) Hieronymus and its varieties, of the erythroxylacea family and its leaves, of other species of this genus, from which cocaine can be extracted directly, or obtained by chemical transformations; the leaves of the coca bush, except those from which all ecgonine, cocaine and any other alkaloids derived from ecgonine have been extracted.
 Cocaine – (-)-8-methyl-3-benzoyloxy-8-aza-bicyclo-(1,2,3)-octane-2-carboxylic acid methyl ether; benzoyllecgonine methyl ester.
 Cocaine-D – right-handed isomer of cocaine.
 Ecgonine, – (-)-3-hydroxy-8-methyl-8-aza-bicyclo-(1, 2, 3)-octane-2-carboxylic acid, and its esters and derivatives that are convertible into ecgonine and cocaine.
 All salts of these compounds are considered to be included in this table, as long as their existence is possible.

TABELA I – C

Cannabis – leaves and flowering or fruiting parts of the *Cannabis sativa* L. plant, which are not has extracted the resin, whatever the name given to it.
 Cannabis, resin – separated resin, raw or purified, obtained from the Cannabis plant.
 Cannabis oil – separated crude or purified oil obtained from the Cannabis plant.
 All salts of these compounds are considered to be included in this table, as long as their existence is possible.

TABLE II – A

Bufotenin - 5-hydroxy-NN-dimethyltryptamine.

Catinone – (-) – (alpha) -aminopropiophenone.

DET – NN-diethyltryptamine.

DMA – (more or less)-2,5-dimethoxy-a-methylphenylethylamine.

DMHP – 3 – (1,2-dimetil-heptil)-1-hiroxi-7,8,9,10-tetraidro-6,6,9-trimetil-6H-dibenzo-(b,d)

Piran.

DMT - NN-dimetiltriptamina.

DOB is 2,5 dimethoxy-4-bromoamphetamine.

DOET - (more or less)-2,5-dimethoxy-4(alpha)-ethyl-methylphenylethylamine.

DOM, STP - 2-amino-1-(2,5-dimethoxy-4-methyl)phenyl propane.

DPT - dipropyltryptamine.

Ethiclidine, PCE - N-ethyl-1-phenylcyclohexylamine.

Phencyclidine, PCP - 1-(1-phenylcyclohexyl) piperidine.

Lysergide, LSD, LSD-25-(more or less)-NN-diethylisergamide; dextro-li-acid diethylamide
seric.

MDMA - 3,4-metilenadioxianfetamina.

Mescaline - 3,4,5-trimethoxyphenethylamine. 4-

methylaminorex - (corn ou menos)-cis-2-amino-4-methyl-5-phenyl-2-oxazoline.

MMDA - (mais ou menos)-5-methoxy-3,4-methylenedioxi-(alfa) methylfenileethylamine.

Para-hexyl - 3-hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo (b,d) pyran.

PMA - 4 (alfa)-methoxy-metilfenileethylamine.

Psilocybina - fosphatodiydrogenado de 3-(2-dimethylaminoetil)-4-indolyl.

Psilocina - 3-(-2-dimethylaminoethyl)-4-(hydroxy-indole).

Roliclidine, PHP, PCPY - 1-(1-phenylcyclohexyl) pyrrolidine.

Tenamphetamine-MDA - (more or less)-3,4 N-methylenedioxy, (alpha)-dimethylphenylethylamine.

Tenocyclidine, TCP - 1-[1-(2-thienyl) cyclo-hexyl] piperidine.

TMA - (more or less)-3,4,5-trimethoxy-(alpha)-methylphenylethylamine.

Salts of the substances indicated in this table, whenever the existence of such salts is possible.

TABLE II – B

Amphetamine - (more or less)-2-amino-1-phenylpropane.

Cathine - (+)-threo-2-amino-1-hidroxi-1-phenylpropane.

Dexanfetamina - (+)-2-amino-1-fenilpropano.

Phendimethazine - (+)-3,4-dimethyl-2-phenylmorpholine.

Phenethylene - (more or less)-3,7-di-hydro-1,3-dimethyl-7-{2-[(1-methyl-2-phenylethyl) amino] ethyl}-
1H-purine-2,6-dione.

Fenmetrazina - 3-methyl-2-phenylmorpholina.

Phentermine - (alpha), (alpha)-dimethylphenethylamine.

Levanfetamina - (-)-2-amino-1-fenilpropano.

Levometanfetamina - (-)-N-dimetil, a-fenetilamino-3 (O-clorofenil)-2-metil (3H)-4-quinazolinona.

Methamphetamine - (+)-2-methylamino-1-phenylpropane.

Methamphetamine, racemate - (more or less)-2-methylamine-1-phenylpropane.

Methylphenidate - methyl ester of 2-phenyl-2-(2-piperidyl) acetic acid.

Tetrahydrocannabinol - the following isomers: (Delta) 6a (10a), (Delta) 6a (7), (Delta) 7, (Delta) 8,
(Delta) 9, (Delta) 10, (Delta) (11).

Derivatives and salts of the substances listed in this table, whenever their existence is possible, as well as all
preparations in which these substances are associated with other compounds, whatever their action.

TABLE II – C

Amobarbital - 5-ethyl-5-(3-methylbutyl) barbituric acid.
Buprenorphine - 21-cyclopropyl-7 alpha [(s)1-hidroxi-1,2,2-trimethylpropyl]-6,14-endo-ethane-6,7,8,14-tetra-hidroripavina.
Butalbital - 5-allyl-5-isobarbituric acid.
Cyclobarbital - 5-(1-cyclo-hexene-1-yl)-5-ethylbarbituric acid.
Glutethamide - 2-ethyl-2-phenylglutarimide.
Mecloqualone - 3-(O-chlorophenyl)-2-methyl-4(3H)-quinazolinone.
Metaqualone - 2-metil-3-o-tolil-4(3H)-quinazolinone.
Pentazocine - 1,2,3,4,5,6-hexahydro-6,11,dimethyl-3-(3-methyl-2-butenyl)-2,6-methane-3-benzochina-8-ol.
Pentobarbital - 5-ethyl-5-(1-methylbutyl) barbituric acid.
Secobarbital - 5-allyl-5-(1-methylbutyl) barbituric acid.
Salts of the substances indicated in this table, whenever the existence of such salts is possible.

TABLE III

- 1 - Preparations which, due to their quantitative composition and although derived from narcotic drugs, do not present a great risk of use and abuse.
- 2 - Preparations of acetyldihydrocodeine, codeine, dihydrocodeine, ethylmorphine, pholcodine, nicocodine, nicodicodine and norcodeine, when mixed with one or more other ingredients and the amount of narcotic does not exceed 100 mg per administration unit and the concentration in the preparations pharmaceuticals in undivided form does not exceed 2.5%.
- 3 - Cocaine preparations containing a maximum of 0.1% cocaine, calculated in cocaine base, and opium or morphine preparations containing a maximum of 0.2% morphine, calculated in anhydrous morphine base, when in any of them there is one or various ingredients, active or inert, so that cocaine and opium or morphine cannot be easily recovered or are not in preparations that constitute a health hazard.
- 4 - Difenoxin preparations containing in an administration unit a maximum of 0.5 mg of difenoxin, calculated in base form, and an amount of atropine sulfate equivalent to at least 5% of the dose of difenoxin.
- 5 - Diphenoxylate preparations containing in a unit of administration a maximum of 2.5 mg of diphenoxylate, calculated in base form, and an amount of atropine sulfate equivalent to at least 1% of diphenoxylate.
- 6 - Ipecac and opium powder with the following composition: 10% opium powder; 10% powdered ipecac root; 80% of any inert powder not containing controlled drug.
- 7 - Propyram preparations containing a maximum of 100 mg of propyram per administration unit associated with at least an equal amount of methylcellulose.
- 8 - Preparations administered orally that do not contain more than 135 mg of base dextro-propoxyphene salts per unit of administration or that the concentration does not exceed 2.5% of the preparations in undivided form whenever these preparations do not contain any subject substance to control measures of the 1971 Convention on Psychotropic Drugs.
- 9 - Preparations that correspond to any of the formulas mentioned in this table and mixtures of the same preparations with any ingredient that is not part of controlled drugs.

TABLE IV

Allobarbital - 5,5 diallylbarbituric acid.
Alprazolam - 8-chloro-1-methyl-6-phenyl-4 Hs-triazole [4,3-(alpha)] [1,4] benzodiazepine.
Amfepramone - 2-(diethylamino) propiophenone.
Barbital - 5,5-diethylbarbituric acid.
Benzefetamina - N-benzyl-N,dimethylphenethylamine.
Bromazepam - 7-bromo-1,3-di-hydro-5-(2-pyridinyl)-2 H-1,4-benzodiazepine-2-one.

Butobarbital - 5, butyl-5-ethylbarbituric acid.

Camazepam - dimethylcarbamate (ester) of 7-chloro-1,3-dihydro-3-hydroxy-1-methyl-5-phenyl-2H-1,4-benzodiazepine-2-one.

Cetazolam - 11-chloro-8, 12b-di-hidro-2,8-dimethyl-12b-fenil-4H-[1,3] oxazino [3,2-d] [1,4] benzodiazepine-4,7 (6h)-dione.

Clobazam - 7-chloro-1-metil-5-fenil-1H-1,5-benzodiazepina-2,4(3H, 5H)-diona.

Clobenzorex - (+)-N-(o-clorobenzil)-(alfa)-metilfenetilamina.

Clonazepam - 7-nitro-5-(2-clorofenil)-3H-1,4-benzodiazepina-2 (1H)-ona.

Clorazepate - 7-chloro-2,3-dihidro-2,2-dihidroxy-5-phenyl-1H-1,4-benzodiazepine-3-carboxylic acid.

Chlordiazepoxide - 7-chloro-2-methylamino-5-phenyl-3H-1,4 benzodiazepine-4-oxide.

Chlordesmethyldiazepam - 7-chloro-5-(2-chlorophenyl)-1,3-di-hidro-2H-1,4-benzodiazepine-2-ona.

Clotiazepam - 5-(2-clorofenil)-7-etil-1,3-di-hidro-1-metil-2H-tieno [2,3-e]-1,4-diazepina-2-ona.

Cloxacolam - 10-chloro-11b-(2-clorofenil)-2,3,7,11b-tetra-hidrooxa-zolo [3,2-d] [1,4] benzodiazepina-6 (5H)-ona.

Delorazepam - 7-chloro-5-(2-chlorophenyl)-1,3-di-hidro-2H-1,4-benzodiazepine-2-ona.

Diazepam - 7-chloro-1,3-di-hidro-1-metil-5-fenil-2H-1,4-benzodiazepina-2-ona.

Estazolam - 8-chloro-6-phenyl-4H-s-triazolo [4,3-(alpha)] [1,4] benzodiazepine.

Etlorvinol - etil-2-cloroviniletinil-carbinol.

Ethylamphetamine - (more or less)-N-ethyl-(alpha)-methylphenylethylamine.

Ethyl loflazepate - 7-chloro-5-(2-fluorophenyl)-2,3-di-hidro-2-oxo-1H-1,4-benzodiazepine-3-carboxylic acid.

Ethynamate - carbamate-1-ethynylcyclo-hexanol.

Fencamfamine - (more or less)-3-N-ethylphenyl-(2,2,1) bicyclo 2-heptanamine.

Phenobarbital - 5-ethyl-5-phenylbarbituric acid.

Fenproporex - (more or less)-3-((alpha)-methylphenitylamine) propionitrile.

Fludiazepam - 7-chloro-5-(2-fluorophenyl)-1,3-di-hidro-1-methyl-2H-1,4-benzodiazepine-2-one.

Flunitrazepam - 5-(2-fluorofenil)-1,3-di-hidro-1-metil-7-nitro-2H-1,4-benzodiazepina-2-ona.

Flurazepam - 7-chloro-1-[2-(diethylamino) ethyl]-5-(2-fluorophenyl)-1,3-di-hidro-2H-1,4-benzodiazepine-2-one.

Halazepam - 7-chloro-1,3-di-hidro-5-phenyl-1-(2,2,2-trifluorethyl)-2H-1,4-benzodiazepine-2-ona.

Haloxazolam - 10-bromo-11b-(2-fluorofenil)-2,3,7,11b-tetra-hidrooxazol [3,2-d] [1,4] benzodiazepina-6(5H)-ona.

Loprazolam - 6-2-(clorofenil)-2,4-di-hidro-2-[4-metil-1-piperazinil] metileno-8-nitro-1H-imidazo-[1,2-a] [1,4] benzodiazepina-1-ona.

Lorazepam - 7-chloro-5 (2-chlorophenyl)-1,3-di-hidro-3-hidroxi-2H-1,4-benzodiazepine-2-ona.

Lormetazepam - 7-chloro-5-(2-chlorophenyl)-1,3-di-hidro-3-hidroxy-1-methyl-2H-1,4-benzodiazepine-2-one.

Mazindol - 5-(p-chlorophenyl)-2,5-di-hidro-3N-imidazole (2,1-a)-isoindole-5-ol.

Medazepam - 7-chloro-2,3-di-hidro-1-methyl-5-phenyl-1H-1,4-benzodiazepine.

Mefenorex - (more or less)-N-(3-chloropropyl)-a-methylphenethylamine.

Meprobamate - dicarbamate-2-methyl-2-propyl-1,3-propanediol.

Methylphenobarbital - 5-ethyl-1-methyl-5-phenylbarbituric acid.

Methiprilon - 3,3-diethyl-5-methyl-2,4-biperidinedione.

Midazolam - 8-chloro-6-(o-fluorophenyl)-1-methyl-4H-imidazole [1,5-(alpha)] [1,4] benzodiazepine.

Nimetazepam - 1,3-di-hidro-1-metil-7-nitro-5-fenil-2H-1,4-benzodiazepina-2-ona.

Nitrazepam - 1,3-di-hidro-7-nitro-5-fenil-2H-1,4-benzodiazepina-2-ona.

Nordazepam - 7-chloro-1,3-di-hidro-5-fenil-1(2H)-1,4-benzodiazepina-2-ona.

Oxazepam - 7-chloro-1,3-dihidro-3-hidroxy-5-phenyl-2H-1,4-benzodiazepine-2-one.

Oxazolam - 10-chloro-2,3,7,11b-tetra-hidro-2-metil-11b-feniloxazol [3,2-d] [1,4] benzodiazepina-6(5H)-ona.

Pemolina - 2-amino-5-phenyl-2-oxazoline-4 already (or: 2-imino-5-phenyl-4-oxazolidinone).

Pinazepam - 7-cloro-1,3-di-hidro-5-fenil-1-(2-propinil)-2H-1,4-benzodiazepina-2-ona.
Pipradol - 1,1-difenil-2-piperidinometanol.
Pyrovalerone - (more or less)-1-(4-methylphenyl)-2 (1-pyrrolidinyl) 1-pentanone.
Prazepam - 7-chloro-1-(cyclopropylmethyl)-1,3-di-hidro-5-phenyl-2H-1,4-benzodiazepine-2-one.
Propylhexedrine - (more or less)-1-cyclohexyl-2-methyl-aminopropane.
Quazepam - 7-chloro-5-(2-fluorophenyl)-1,3-di-hidro-1-(2,2,2-trifluoroethyl)-2H-1,4-benzodia zepi-
of na-2-thione.
Secbutabarbital - secbutyl-5-ethylbarbituric acid.
SPA, Lepheta mine - (-)-1-dimethylamino-1,2-diphenylethane.
Temazepam - 7-chloro-1,3-dihydro-3-hydroxy-1-methyl-5-phenyl-2H-1,4-benzodiazepine-2-one.
Tetrazepam - 7-cloro-5-(1-ciclo-hexano-1-il)-1,3-di-hidro-1-metil-2H-1,4-benzodiazepina-2-o na.
Triazolam - 8-cloro-6-(2-clorofenil)-1-metil-4H-[1,2,4]triazol[4,3-(alfa)][1,4]benzodiazepina.
Vinylbital - 5-(1-methylbutyl)-5 vinylbarbituric acid.
Salts of the substances indicated in this table, whenever the existence of such salts is possible.

TABLE V

Lysergic acid.
Ephedrine.
Ergometrine.
Ergotamina.
Phenyl-1 propanone-2.
Isosafrole.
3,4-Methylenedioxyphenyl-2-propanone.
N-acetylanthranilic acid.
Piperonal.
Pseudo-ephedrine.
Safrole.

The salts of the substances listed in this table in all cases where the existence of
if possible.

TABLE VI

Acetone.
Anthranilic acid.
Hydrochloric acid.
Phenylacetic acid.
Sulfuric acid.
Acetic anhydride.
Ethyl ether.
Methyl ethyl ketone.
Potassium permanganate.
Piperidina.
Toluene.

The salts of the substances listed in this table in all cases where the existence of
if possible.

