

PUBLIC

ANNEX 8.32

BOOK TWO
CRIMES AND MISDEMEANOURS AGAINST
THE PUBLIC INTEREST

TITLE I

Crimes and Misdemeanours against the Individuality of the State.

CHAPTER I

Crimes and Misdemeanours to the Detriment of the Entity of the State.

ARTICLE 165. Bearing of Arms by Libyans Against the State.

Any Libyan bearing arms against Libya or who takes service in any manner in the armed forces of a State at war with Libya shall be punished by death.

Whoever is in the territory of an enemy State and commits an act to which he was constrained by an obligation imposed upon him by the laws of that State is not liable to punished.

ARTICLE 166. Plotting with Foreign State to make war against Libya.

Whoever gives information to a Foreign State or to one of its officials or to any person acting in the interests of that Foreign State, or who plots with the said State or with the persons aforesaid, with the object that the said State may make war or carry out hostile acts against Libya shall be punished by death whether the object be realised or not.

ARTICLE 167. Plotting with an Alien to the Detriment of the Military or Political States of Libya. (See Article 224.)

Whoever, in time of peace, plots with a Foreign State or with one of its officials, with the object of causing detriment to the Military, Political or Diplomatic Status of Libya shall be punished by imprisonment for a period of between one and six years.

The same penalty shall be applied to whomsoever intentionally destroys, secretes or falsifies documents knowing the same to be advantageous to the proof of the rights of Libya before a Foreign State.

If the offences aforementioned are committed during the time of war the penalty shall be imprisonment for a period of from three to ten years.

The penalty shall be doubled if the offender was a Public Official or an Envoy charged with Public Service or if he has been entrusted by the State with any matter of importance whatsoever.



ARTICLE 168. Raising Troops or Hostile Acts against a Foreign State.
(See Article 224.)

Whoever, without the consent of the Government, raises troops against a Foreign State or does any other hostile act whereby the Libyan State may be exposed to the danger of war shall be punishable by imprisonment for a period of from six months to five years.

If, as the result of the act, diplomatic relations are severed, or, by reason of the hostile act, the Libyan State or its subjects wherever they may be are exposed to retaliation then shall the penalty be imprisonment for a period of from two to ten years.

If war results then shall the offender be punished with imprisonment for life.

ARTICLE 169. Corruption from an Alien.

If a Libyan obtains, even indirectly, money or any other advantage or any promise thereof from an alien with the object of his performing acts to the detriment of the National interest he shall be punished by imprisonment for a period of from three to five years and by fine of between one hundred and one thousand pounds if the act was committed in time of peace.

The penalty is doubled if the offence is committed during the time of war.

The alien who gives the money or other advantage or who promised the same shall be punished by the same penalty.

ARTICLE 170. Acts Prejudicial to State Territory and Facilitation of War against it.

shall be punished by death :-

Whoever facilitates the entry of the enemy into the country or who surrenders to him Cities, Fortresses, Establishments or places, ports, stores, ammunition factories, or ships or aeroplanes used in the defence of the Country or prepared therefor, or means of communication, or arms, ammunition, or materials of war, or provisions, or food, or who assists the enemy with troops or with men or money, or engages to supply him with information or to act as a guide, or who incites Libyan Troops to desert to the enemy, or, generally, assists the approach of the enemy by raising insurrection or by raising fear among individuals of the forces defending the Country, or prevents their contact the one with the other in meeting the enemy, or disturbs the loyalty of the National Forces defending the Country or their allegiance to the King, or in any other manner.

ARTICLE 171. Disclosure of Information of a Secret Nature to Representatives of a Foreign Government and the obtaining thereof for the purpose of Spying.

Whoever, in whatever manner or by whatever means, gives to a Foreign Government or to one of its representatives or to anyone acting in its interest, information of a secret nature relating to the defence of State Territory or any secret information of a similar nature shall be punished with imprisonment for life.



Whoever obtains secret information of the aforesaid nature by whatever means with the intention of communicating the same, directly or indirectly, to a Foreign Government, or whoever, to the advantage of a Foreign State, destroys or renders useless, either wholly or in part, such secret information is punishable by the same penalty.

The Penalty shall be death if the offence is committed in time of war.

ARTICLE 172. Clandestine Intrusion into Military Areas and Wrongful Possession of Means of Intelligence.

Shall be punished by imprisonment for a period of from six months to five years :-

1. Whoever intrudes clandestinely or fraudulently into any place or area on land, on the sea, or in the air, to which access is forbidden in the Military interests of the State;

2. Whoever is found in any such place or area, or in proximity thereto, in wrongful possession of means adapted for spying;

3. Whoever is found in wrongful possession of papers, documents, or any other article adapted for the purpose of supplying information relating to the safety of the State or any information legally regarded as of such a nature.

If any act before-mentioned in this Article is committed in time of war then shall the penalty be imprisonment of from three to ten years.

ARTICLE 173. Obtaining Intelligence relating to the Defence of the Country or Similar Secret Information.

Shall be punished by imprisonment for a period of from six months to five years and by fine of from one hundred to five hundred pounds :

1. Whoever, by whatever means of deceit, obtains secret intelligence relating to the defence of the Country, but not for the purpose of disclosing the same to a Foreign State, or to any of its representatives, or to any person acting in the interests thereof;

2. Whoever arranges or uses any means of telephonic or wireless communication or similar means of communication with the purpose of obtaining intelligence as to the defence of the Country or of what may be regarded as such or to communicate the same for a purpose other than espionage.

The penalty shall be imprisonment for a period of from three years to fifteen years if the act is committed in time of war.

ARTICLE 174. Circulation of Secret Information as to Defence.

Whoever, by any means whatsoever, circulates information of a secret nature relating to the defence of the Country or of what may be regarded as such shall be punished with imprisonment for a period of from six months to five years and with a fine of from one hundred to five hundred pounds.



If the offence occasions damage to the Military preparations of the Country for defence or if the offender was a Public official or one in the capacity of a Public Prosecutor or a delegate appointed for some important purpose or one representing the Government or if the offence was committed in time of war then shall the penalty be imprisonment for a period of from three to fifteen years.

ARTICLE 175. Spreading Despondency. (See Article 224.)

Whoever intentionally circulates news or information or rumours which are false or biased or intended during time of war to spread agitation, with the purpose of affecting the Military preparations of the Country for defence or to cause terror among the people or to weaken the endurance of the Nation shall be punishable by the penalties proscribed by Article 173 of this Code.

ARTICLE 176. Spreading Despondency among the Troops.

Whoever incites the troops to disobey the laws, or to be false to the oath they have taken, or to fail in the duty of their military discipline, or any other duty inherent in their position, or induces them to approve of acts contrary to the laws, to their oaths, to their discipline, or to any other military duties, shall be punished by a penalty of imprisonment of from one to three years, provided that the act does not constitute a graver offence. If the offence was committed publicly then shall the penalty be imprisonment for a period of from two to five years.

The penalty shall be doubled when the offence is committed in time of war.

ARTICLE 177. Spreading Economic Despondency. (See Article 224)

Whoever, in time of war, uses means to jeopardise the Rate of Exchange or to influence prices of securities, public or private, in such a manner as to endanger the National resistance to the enemy shall be punished by a penalty of imprisonment of which the period shall not be less than five years and by a fine of not less than one hundred pounds.

If the act was committed as the result of intelligence from a foreigner the period of imprisonment shall not be less than seven years.

If the act was committed as the result of Intelligence from the enemy the period of imprisonment shall not be less than ten years.

ARTICLE 178. Anti-National Activities of a Libyan Abroad. (See Article 224)

Any Libyan who, being outside the Territory of the State, disseminates or communicates rumours or information which are false, exaggerated, or tending to agitate and which relate to the internal condition of Libya in such a manner as to diminish the credit or prestige of Libya abroad or who, in any way, acts so as to injure the National interests shall be punished with a penalty of imprisonment of which the period shall not be less than five years.



ARTICLE 179. Sabotage or Destruction of Military Works.

Whoever intentionally destroys or makes useless any arms, or ships, or aeroplanes, or works, or establishments, or means of communication, or appurtenances, or materials, or food, which are used for the purpose of the defence of the Country, or what may be considered as such, or in the manufacture of the aforesaid things intentionally damages them with the object of rendering them unfit for the purpose of their use in defence or to expose to danger the lives of those within them or of those entrusted with their use, or so that any accident may result there from is punishable by the penalty of imprisonment for life.

If the offence is committed in time of war then shall be penalty be death.

ARTICLE 180. Failure to Perform Contracts of Supplies to the Government or Fraud therein. (See Article 224.)

Whoever, in time of war, intentionally fails to perform, whether in whole or in part, any obligation arising out of a contract with the Government whereby he is engaged to supply things or Public Works to meet the needs of the Army or Civilians or who is guilty of fraud in the performance of his obligations under a contract of the kind aforesaid shall be punished by a penalty of imprisonment of from six months to five years and by a fine of from one hundred to five thousand pounds.

Sub-Contractors shall be subject to the same penalty if they fail in their obligations or are guilty of fraud in the performance of their obligations.

If the failure to perform the obligation, whether wholly or in part, results from negligence then is the penalty reduced to the extent of not more than one half.

ARTICLE 181. Purchase of Arms and Stores unfit for Use. (See Article 224.)

Whoever, by virtue of his office, is entrusted with the purchase of arms or stores or materials for supply to the Army and who purchases, or recommends the purchase of, arms or materials knowing that they are not fit for the purpose for which they are required or that they are a danger to life shall be punished by a penalty of imprisonment for a period of not less than five years.

If as the result of the offence one person dies, or two persons or more suffer grievous bodily harm, then shall the penalty be imprisonment for life; if more than one person dies as the result of the offence then shall the penalty be death.

If the penalty is committed in time of war and interferes with the results of war operations then shall the penalty be death in every case.

ARTICLE 182. Making use of State Secrets.

If a Public Official for his own benefit or for the benefit of another, uses any invention, or scientific discovery, or new industrial appliance, knowing, by virtue of his appointment or service of the necessity that the same shall remain secret in the interest of the safety of the State he shall be punished by a penalty of imprisonment for a period of not less than five years and of a fine of not less than two hundred pounds.

If the act is committed in the interest of a State at war with Libya or has interfered with the Military preparations or efficiency of the State or with its military operations then shall the penalty be death.



ARTICLE 183. Treason against the State.

Whoever, being entrusted by the Libyan Government with affairs of the State abroad, betrays that trust shall be punished by a penalty of imprisonment for a period of not less than five years if it is probable that his act may result in harm to the National interest.

ARTICLE 184. Facilitation of the Commission of Offences hereinbefore referred to.

Shall be punished by a penalty of imprisonment for a period of up to three years and with a fine of from twenty to two hundred pounds, or by one of the said penalties:

1. Whoever, knowing of the intention of a person to commit, or to attempt to commit, one of the offences provided for in Article 165, 166, 170, 171 and 179, assists the said person by giving him sustenance, housing, shelter or a place for assembly, or any other form of aid;

2. Whoever conceals the things or instruments used or prepared for use in the commission of the offences aforesaid, or the things, or materials, or papers obtained by the offences, having knowledge of the circumstances;

3. Whoever carries messages of the person committing or attempting to commit one of the aforesaid offences or facilitates in whatever manner, the search for and concealment of the object of the offence or removes or communicates the same, knowing, under both circumstances, of the offence.

If the offence is committed in time of war then shall the penalty be imprisonment of from six months to six years and fine of from one hundred to five hundred pounds.

ARTICLE 185. Facilitation of the aforesaid Offences by Negligence.

Whoever in time of peace, negligently facilitates the commission of one of the offences provided for by the Articles mentioned in the preceding Article shall be punished by a penalty of detention for a period not exceeding one year or by a fine not exceeding one hundred pounds or by both these penalties.

If the offence is committed in time of war then shall the penalty be detention or a fine of from fifty to two hundred pounds or both.

ARTICLE 186. Failure to give Notice of the Offences under Article 184.

Whoever knows of the commission of one of the acts mentioned in the provisions of Article 184 or of the attempt to commit the same, not having taken part in any preparation therefor, and does not give notice thereof to the Administrative or Judicial Authorities at the time when he comes to know of the same shall be punished by the penalties prescribed by the previous Article.



ARTICLE 187. Conditions for Exemption from Penalties.

If anyone gives information to the Administrative or Judicial authorities of the offence before the attempt to execute any act thereof he shall be excused from the penalties for the offences referred to in this Title.

If the information is given after the commission of the offence, or the attempt thereof, the informer may be excused from the penalties, provided that the information was given before the investigation has been commenced.

As also may an offender be excused from the penalties who, after the commencement of the investigation, has made possible the arrest of the offenders and their accomplices in the same offence or one similar thereto in kind and gravity.

ARTICLE 188. Disclosure of Secret Information of Investigations.

Whoever discloses information as to the investigations or searches relating to one of the offences provided for by this Title shall be punished by the penalties prescribed by Article 185 of this Code.

An increase of not more than double the penalty shall be made if the offence is committed by one who has knowledge of the secret information by virtue of his office or during the time when he is entrusted with a Public Service.

ARTICLE 189. Definitions.

In the application of the provisions of this Title :

Firstly, a Libyan who has lost his nationality for the purpose of avoiding his obligations of fidelity and loyalty to his Country shall remain a Libyan;

Secondly, the expression "the country" shall mean the territory over which Libya has dominion and power;

Thirdly, "Secret information relating to the defence of the Country" intends the things, documents, evidence or information which in the interests of the defence of the Country should not be known by anyone other than those entrusted with keeping them;

Fourthly, to be included within the meaning of secret information relating to the defence of the Country are things, documents and information which are by an order of the appropriate Authority to be considered as secret or of which, although of themselves not secret, the publication might lead to the disclosure of secret information relating to the defence of the Country;

Fifthly, within the meaning of the expression "time of war" is included the period during which the danger of war is imminent, if, in fact, war ensues thereafter;

Sixthly, if an offence provided for in this Title is, in time of war, committed against an ally of Libya the said offence shall be considered as falling within the provisions for the offences committed against the Libyan State;

Seventhly, the expression "The State at war with Libya" shall include political Organizations having dealings with the States at war although they may not be recognized as States.



CHAPTER 2.

Crimes and misdemeanours to the Detriment of the
Internal Safety of the State.

ARTICLE 190. Attacks against the King or Queen or Crown Prince or
One of the Regents.

Whoever makes an attack upon the life or safety of the
King, or makes a grave attack upon his personal liberty shall be
punished by death or imprisonment for life.

The same penalties shall apply if the attack is directed
against the life of the Queen or the Crown Prince or one of the
Regents, or if the attack is upon their safety or personal liberty.

ARTICLE 191. Attack upon the Liberty of the King or Queen or Crown
Prince or a Regent. (See Article 224)

Whoever, in conditions not provided for by the preceding
Article, makes an attack upon the liberty of the King or Queen or
Crown Prince or one of the Regents shall be punishable by a penalty
of imprisonment of from five to fifteen years.

ARTICLE 192. Offenses against the Honour of the Royal Person. (See Article
224)

Whoever dishonours the Royal Person shall be punished with
a penalty of imprisonment for a period of from two to seven years.

The same penalty shall apply as against whomsoever shall
commit the offence against the Queen or the Crown Prince or one of
the Regents.

ARTICLE 193. Imputing Blame to the King Publicly. (See Article 224)

Whoever publicly imputes blame to the King for an act of
the Government, or lays upon the King responsibility for that act,
shall be punished by detention for a period not exceeding one year
and by fine of between twenty and one hundred pounds or by one of
these two penalties.



ARTICLE 194. Attacks Upon the Royal Attributes. (See Article 224)

Whoever publicly attacks the Royal Attributes or the order of the succession to the Throne or the rights of The King or his powers shall be punished by detention for a period not exceeding two years and by a fine not exceeding three hundred pounds, or by one of these penalties.

ARTICLE 195. Insulting Constitutional Authorities. (See Article 224.)

Whoever publicly insults the King's Government or the Parliament or one of the Legislative councils or the Judicial Organization or the Armed Forces shall be punished by the penalty prescribed by the preceding Articles.

ARTICLE 196. Attacks upon the Constitution of the state.

Whoever, by force or in any other unconstitutional manner, attempts to alter the Constitution of the State or the form of Government or the order of the Royal Succession shall be punished by imprisonment for life or by imprisonment for a period of not less than five years.

If the offence is committed by an armed band whoever raised the armed band or assumed leadership thereof in whatsoever manner shall be punished by death.



ARTICLE 197. Use of Explosives in the Commission of the Offence provided for by the Preceding Article.

Whoever uses bombs or other explosive instruments with the intention of committing the offence provided for in the preceding Article or for the purpose of political assassination shall be punished by death.

Whoever makes, imports from abroad, or obtains bombs or dynamite or other explosives with the intention of committing the act hereinbefore mentioned shall be punished by imprisonment for a period of not less than three years.

The expression "explosives" shall include every substance entering into the composition of explosives as also the equipment tools or chemicals and articles used in the manufacture of explosives or in detonating them.

ARTICLE 198. Destruction of Government Buildings, Warehouses or Property.

Whoever intentionally destroys buildings warehouses or other structures the property of the Government shall be punished by imprisonment for life or by imprisonment for a period of not less than three years.

ARTICLE 199. Forceful or Unlawful Seizure of Military Leadership.

Whoever, for a Criminal purpose, takes over the leadership of a Division or Detachment of the Army, or part of the Navy, or a Warship or War Aircraft, or a military point, or a Port, or City, not being required to do so by the Government, or empowered thereto by any other lawful reason, shall be punished by death. As also shall be punished by death whoever remains in any position of military leadership against the order of the Government issued to him and every head of a military force who keeps the troops under his command under arms or assembled after the Government has issued its order to him to disband them.

ARTICLE 200. Use of Forces Contrary to the Orders of the Government.

Whoever is invested with authority over the soldiers of the Army or members of the Police Force and who demands from them or requests them to do acts delaying the execution of the orders of the Government as to their recruitment or service shall be punished with a penalty of imprisonment for a period of not less than three years.

If as the result of the demand or request aforesaid delay occurs in the execution of the orders of the Government by reason of the obedience of the members of the Forces aforementioned to the unlawful demand or request aforesaid then shall the penalty be death.

In the case of the Chiefs and Leaders of the Forces of a lower rank who obeyed the unlawful orders aforesaid they shall be punished by a penalty of imprisonment for a period of not less than three years;

ARTICLE 201. Armed Insurrection against the State Authorities.

Whoever instigates armed insurrection against the State Authorities shall be punished by a penalty of imprisonment for life, and if the insurrection in fact occurs the penalty shall be death.



Whoever takes part in the insurrection shall suffer a penalty of imprisonment for a period of from three to fifteen years and the leaders thereof shall be punished by death.

The insurrection shall be considered as armed even although the arms prepared for the purpose are deposited in a store so long as they are prepared for use.

ARTICLE 202. Devastation, Rapine and Carnage.

Whoever for the purpose of attacking the security of the State commits an act the object of which is to bring devastation, rapine or carnage into the territory of the State shall be punishable by death.

ARTICLE 203. Civil War.

Whoever commits an act for the purpose of stirring up Civil War in the State shall be punished by a penalty of life imprisonment. If Civil War equally results the offender shall be punishable by death.

ARTICLE 204. Attacks upon the Legislative and Executive Authorities.

Shall be punished by a penalty of imprisonment for a period of not less than three years, unless the act constitutes a graver offence, whoever commits an act the object of which is to prevent, whether wholly or partly, the exercises by the Authorities hereinafter mentioned of their business or of the authority with which they are lawfully invested, even although that prevention be temporary:

1. The Federal Government, the Ministers, and Nazirs:
2. Parliament, or one of its Assemblies, as also the Legislative Councils in the Provinces.

The penalty shall be imprisonment for a period of from one to three years if the purpose of the act was the disturbance of the exercise by the said Authorities of their powers or business aforesaid.

ARTICLE 205. Contempt of the Nation and its Emblems.

Whoever publicly insults the Libyan Nation or its Flag or State Emblems shall suffer a penalty of imprisonment for a period not exceeding three years.

For the purposes of Criminal Law the expression "The National Flag" shall include the Official State Flag and every other flag carrying the National colours.

The provisions of this Article shall also apply to whomsoever shall publicly insult the colours which collectively indicate the National Flag.

ARTICLE 206. Terrorist Associations.

Whoever, within the Kingdom of Libya, promotes, organises, or directs Associations whose object is by force, terror, or any other unlawful means, to establish the authority of one social class over



another class, or to suppress a social class, or to overthrow the political, special, or economic structure of the State, shall be punished by a penalty of imprisonment for a period of from three to ten years and by a fine which shall be not less than one hundred pounds and shall not exceed one thousand pounds.

The same penalty shall be applied to whomsoever promotes, organises or directs, within the Kingdom of Libya, associations the object of which is by force, terror, or any other unlawful means to suppress any political institution of Society.

Whoever takes part in any of the associations referred to in the first and second paragraphs of this Article shall be punished by a penalty of imprisonment for a period of from six months to three years and by a fine which shall not be less than fifty nor more than two hundred pounds.

Whoever, within the Kingdom of Libya, takes part in or joins any of the aforesaid associations having their headquarters outside the Kingdom of Libya shall be punished by a penalty of imprisonment for a period of from fifteen days to two years and by a fine not exceeding one hundred pounds.

ARTICLE 207. Incitement to Insurrection and Sanction of Revolutionary Movements.

Shall be punished by a penalty of imprisonment for a period not exceeding five years and by a fine of not less than fifty pounds nor more than five hundred pounds, whoever circulates, within the Kingdom of Libya, by whatever means, any views or principles whose object is to alter fundamental Constitutional principles, or the fundamental social order, or to impose the rule of one social class over another, or to suppress a social class, or to overthrow the Constitutional Social or Economic order of the State, or to destroy any Constitutional order of Society, by the use of force, terror or any other unlawful means.

The same penalty shall be applied to whomsoever, by what ever means, sanctions the acts aforesaid.

ARTICLE 208. Formation of International Associations and Taking Part in them without Permission. (See Article 224)

Whoever in the Kingdom of Libya, without permission from the Government, promotes, organises, or directs associations or bodies of an international character, or branches thereof, shall be punished by a penalty of detention for a period not exceeding six months or by a fine not exceeding fifty pounds.

The maximum penalty shall be doubled if permission from the Government has been granted by reason of false or imperfect information.

Whoever takes part in the Societies or associations or bodies before-mentioned shall be punished by a penalty of detention for a period not exceeding three months or by fine not exceeding thirty pounds; as also any Libyan living within the Kingdom of Libya who, in whatever manner without the permission of the Government, joins any of the associations aforesaid having their headquarters abroad.

ARTICLE 209. Accepting Presents or Rewards for Promoting Insurrection.

Shall be punished by imprisonment for a period not exceeding five years and by fine of not less than fifty pounds but not exceeding one thousand pounds, whoever accepts or obtains, directly

or by any means whatsoever, money or advantage of any kind from whatsoever person or from whatsoever source within the Kingdom of Libya or abroad, when the acceptance or obtaining thereof was in respect of the promotion of offences provided for the three preceding Articles.

ARTICLE 210. Accessory Proceedings.

Upon conviction under the circumstances set for in Articles 206 & 298 of this Code the Court shall order the dissolution of associations mentioned therein and the closure of their headquarters.

In the other circumstances set forth in the four preceding Articles the Court shall, upon conviction, order the confiscation of money, goods, documents and other articles used by the offenders for the commission of the offence or obtained by them in any manner as the result thereof.

ARTICLE 211. Conspiracy.

If several persons conspire to commit one of the intentional offences provided for by Chapters 1 and 2 of this Title, punishable under this Code by death, imprisonment for life or imprisonment, each person taking part in the said conspiracy shall be punishable by a penalty of imprisonment for a period of between one year and six years if the offence is not committed and the penalty shall be increased by not exceeding one third in the case of the person who promoted the conspiracy.

Nevertheless the penalty shall not exceed half the penalty prescribed for the offence which is the object of the conspiracy.

ARTICLE 212. Associations of Political Conspiracy.

If an association of three persons or more is formed for the purpose of committing one of the offences referred to in the preceding Article the person who promotes, founds, or organises the association shall be punishable by a penalty of imprisonment of from five to twelve years and the leaders thereof shall suffer the same penalty.

One who only took part in the association shall be punishable by a penalty of imprisonment of from two to eight years.

The penalty shall be increased by not more than a third if the purpose of the association was to commit two or more of the said offences.

ARTICLE 213. Armed Bands.

Whoever promotes, founds or organises an armed band for the purpose of committing the offences referred to in Article 211 shall be punishable by a penalty of imprisonment for a period of from five to fifteen years.

One who merely takes part in the armed band shall be punishable by a penalty of imprisonment for a period of from three to nine years but he who leads the armed band or finances the same shall suffer the same penalty as the promoters thereof.



ARTICLE 214. Aiding those Taking Part in an Armed Band.

Whoever shelters or supplies with provisions a person taking part in an armed band shall be punishable by a penalty of imprisonment for a period not exceeding two years if he does not take part in the offence or does not assist in its commission.

If the sheltering or supplying with provisions is continuous then shall the penalty be increased by a third.

The penalty shall not be reduced if the offender is sheltered or supplied with provisions by one of his kindred.

ARTICLE 215. Exemption from Punishment in Circumstances of Conspiracy.

In the circumstances provided for by Articles 211 and 212 of this Code the persons mentioned hereinafter shall not be punishable:

1. Any person who, in whatsoever manner, dissolves or causes the dissolution of the association.

2. Any person who withdraws from the conspiracy or association not being the leader or promoter thereof, before the commission of the offence agreed to be committed or for which the association was formed and before the members of the association have been arrested or before the institution of proceedings against them.

Similarly, no person shall be punishable who has prevented the carrying out of the offence agreed upon or in respect of which the association was formed.

ARTICLE 216. Exemption from Punishment in the case of Armed Bands.

In the circumstances provided for by Article 213 and 214 of this Code the persons hereinafter mentioned shall be exempt from punishment:

1. Whoever dissolves or causes the dissolution of the armed band.

2. Whoever withdraws from the band or surrenders without resistance and gives up his arms or abandons them, not being the leader or promoter of the armed band.

It is a condition that these acts be done before the commission of the offence for which the armed band was formed and before any orders are issued by the Public Authorities or Armed Forces of the State or immediately thereafter. Likewise no penalty is inflicted upon him who prevents the carrying out of the offence for which the armed band was promoted.

ARTICLE 217. Attacks upon the Political Rights of a Libyan Subject.

Whoever prevents another, either wholly or partly, by Force, threats, or by decoit, from the exercise of a political right shall be punished by a penalty of imprisonment of from one to five years. The same penalty shall be applied to whomsoever compels another to exercise that right in a manner contrary to his will.

CHAPTER 3.

Crimes and Misdemeanours against Foreign States.

ARTICLE 218. Offences against Heads of Foreign States. (See Article 223)

Whoever, within the territory of Libya, attacks the life or safety of the Head of a Foreign State, or makes a grave attack



upon his personal liberty, shall be punished by a penalty of imprisonment for a period of not less than fifteen years if the attack was upon life and by imprisonment for a period of not less than ten years under the other above-mentioned conditions.

If death results from the attack the offender shall be punished by the penalty of death if the attack was upon life and by the penalty of imprisonment for life under the other conditions above-mentioned.

ARTICLE 219. Offences against the Liberty of the Heads of Foreign States. (See Articles 223 and 224)

Whoever, within the territory of Libya, makes an attack upon the liberty of the Head of a Foreign State under conditions not provided for by the preceding Article shall be punished by a penalty of imprisonment for a period of between one and ten years.

ARTICLE 220. Offences against the Honour of the Heads of Foreign States. (See Articles 223 and 224)

Whoever publicly attacks the honour or prestige of the Head of a Foreign State who is within the territory of Libya shall be punished by a penalty of imprisonment for a period of from six months to three years.

ARTICLE 221. Offences against Representatives of Foreign States. (See Articles 223 and 224)

The provisions of the three preceding Articles shall also apply if the acts therein provided for are committed against Representatives of Foreign States duly accredited to the Government of Libya as heads of Diplomatic Missions by reason of or in the exercise of their functions.

ARTICLE 222. Offences against the Flags or Emblems of Foreign States. (See Article 223 and 224)

Whoever, within the territory of Libya, in a public place, or a place open to the public, insults the Official Flag or Emblem of a Foreign State while being used in conformity with the law of Libya shall be punished by a penalty of detention for a period not exceeding three years.

ARTICLE 223. Conditions of Reciprocity.

The provisions of Articles 218, 219, 220, 221 and 222 of this Code apply only in so far as the law of the Foreign State gives similar penal protection.

The Heads of Diplomatic Missions are entitled to penal protection in the terms of Article 221 only in so far as the Foreign State which they represent gives similar penal protection to the Heads of Libyan Diplomatic Missions.

If no such reciprocal provisions exist then shall the general provisions of the Criminal Code apply.



CHAPTER 4.General Provisions as to the Previous Chapters.ARTICLE 224. Permission to Institute proceedings and the Demand Therefor.

No proceedings may be instituted in respect of the offences provided for by Article 167, 168, 175, 177, 178, 180, 181, and 208 of this Code except by the permission of the Minister of Justice; in the case of the offence provided for by Article 195 of this Code, if it was directed against Parliament, or one of the Assemblies thereof, or against the Legislative Council of one of the Provinces then shall no proceedings be taken except with the permission of the Assembly against which the insult was directed, and if the offence is committed against the Judicial Organization then may no proceedings be taken without the permission of the Federal Supreme Court, and in respect of other conditions provided for in the said Article 195 no proceedings may be taken without the permission of the Minister of Justice.

Proceedings may also not be commenced without the permission of the Minister of Justice in the case of the offences provided for by Articles 191, 192, 193 and 194 of this Code.

In the case of the offences provided for by Articles 219 and 220 and in Article 221 in relation to the said Articles 219 and 220, as also in the case of the offence provided for by Article 222, no proceedings may be instituted except upon the demand of the Minister of Justice.

ARTICLE 225. Deportation.

If he is sentenced to a penalty restrictive of liberty for one of the offences provided for in this Title an alien shall be deported from the Libyan State.

TITLE II.OFFENCES AGAINST THE PUBLIC ADMINISTRATION.CHAPTER I.Offences Committed by Public Officials against the Public Administration.ARTICLE 226. Bribery.

Every Public Official who accepts for himself or for another a gift or promise of anything to which he is not entitled, whether the same be money or any other benefit whatsoever, for the purpose of doing, or not doing, delaying, or contravening his official duties shall be punished by a penalty of imprisonment for a period not exceeding five years and by a fine equalling half the value of the gift he accepted or which was promised to him and by dismissal from his Office.

The same penalty shall be applied to him who offers the bribe or to the intermediary, who knows that it is a bribe, who acts as between the person who offers the bribe and the person who accepts the bribe, but the Judge may pardon the person who bribes or the intermediary if he proceeds before others to inform the Public Authorities of the commission of the offence.

