



REPUBLIC DIARY

OFFICIAL BODY OF THE REPUBLIC OF ANGOLA

Price of this issue - Kz: 7,480.00

	SIGNATURE	
	Again	

SUMMARY

National Assembly

Lei n.º 38/20:

Approves the Angolan Penal Code. — Revokes the Penal Code of 1886, the legal diplomas that replaced any of its precepts and all legal provisions that foresee or punish facts incriminated by this Penal Code and all legislation that contradicts the Penal Code approved by this Law, namely the articles 1 to 6 and the sole paragraph of article 10 of Law no. 11/75, of December 15, articles 4, 7, 12 to 15, 17.º, 19.º, 20.º, 22.º, 23.º, 24.º and 33.º of Decree n.º 231/79, of July 26th, Law n.º 4/77, of 25 of February, Law no. 23/10, of 3 December, article 33 of Law no. 9/81, of 2 November, paragraphs 1 and 3 of article 14 of the Law n.º 16/91, of May 11, articles 25.º to 28.º of Law n.º 23/91, of June 15.º, articles 1275.º to 1278.º of the Code of Civil Procedure, approved by Decree-Law No. 44,129, of December 28, 1961, Articles 33.º, 34.º, 35.º, 36.º, 38.º, 39.º and 40.º of Law 3/10, of March 29, and Law no. 3/14, of February 10.

Lei n.º 39/20:

Approves the Angolan Criminal Procedure Code. — Repeals the Criminal Procedure Code of 1929, the diplomas that replaced any of its precepts and all legal provisions that provide for facts regulated by this Criminal Procedure Code and all legislation that contradicts this Diploma, namely Decree-Law no. 26.643, of May 28, 1939, Decree No. 34.553, of April 30, 1945, Decree 35.007, of October 13, 1945, Decree-Law n.º 39.672, of May 20, 1954, Decree-Law n.º 21/71, of January 29, Decree-Law n.º 292/74, of June 28, Decree-Law n.º 185/72, of May 31st, Law n.º 11/75, of December 15th, Decree n.º 3/76, of February 3rd, Law n.º 11/77, of 9 of April, Law n.º 11/82, of 7 of October, Decree n.º 231/79, of 26 of July, Law n.º 20/88, of 31 of December, Law n.º 23/12, of 14 August, Law no. 2/14, of 10 February, and Law no. 25/15, of 18 September.

Angolan that protects the essential legal assets to safeguard the State and citizens, as well as the development of institutions;

It is imperative that a Penal Code be adopted that is in line with the fundamental principles and values on which the Republic of Angola is based, enshrined in the Constitution, progress in the science of criminal law and the fundamental guidelines of modern criminal policy;

The National Assembly approves, by mandate of the people, under the combined provisions of paragraphs b), c) and e) of article 164 of the Constitution of the Republic of Angola, the following:

LAW THAT APPROVES THE ANGOLAN CRIMINAL CODE

ARTICLE 1.
(Approval)

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

ARTICLE 2
(Feather limits)

1. Prison sentences established in any criminal precept, whenever they have a minimum duration lower or a maximum duration higher than the limits provided for in paragraph 1 of article 44 of the Penal Code, are, respectively, increased or reduced for those limits.

2. Fines established in criminal laws with a duration or amount lower or higher than the limits

Penal are amended in accordance with the provisions of the previous number.

ARTICLE 3.
(Remissions)

The references contained in other criminal laws to precepts of the previous Penal Code are considered made to the corresponding provisions of the Penal Code approved by this Law.

NATIONAL ASSEMBLY

Lei n.º 38/20
November 11th

The political, economic, social and cultural context of

in the criminal field make it imperative to replace the Portuguese Penal Code of 1886 with a Penal Code

ARTICLE 4.

(Transient regime)

1. As long as incriminating criminal rules are in force that provide for mixed penalties of imprisonment and a fine, the fine directly imposed is always added to that resulting from the substitution of imprisonment for a fine.

2. In the case of the previous number, the provisions of article 49 of the Penal Code apply to the single fine.

3. The Procedural Reference Unit is equivalent to the Tax Correction Unit.

ARTICLE 5.

(Juvenile criminal liability)

1. While the rehabilitation, education and training establishments provided for in paragraph c) of paragraph 3 of article 17 of the Penal Code are not created, the following is considered:

- a) Penalties of deprivation of liberty applied to minors between 16 and 18 years of age are served in penitentiary establishments exclusively intended for young offenders;
- b) In the absence of penitentiary establishments exclusively intended for young offenders, the sentences of deprivation of liberty applied to minors are served in autonomous sections of other penitentiary establishments, separated in order to avoid any contact with adult convicts, and equipped with trained personnel to the tasks of crime prevention and social recovery.

2. When prosecuting, prosecuting and prosecuting crimes committed by minors, the competent Court takes into account the Juvenile Court Law, which regulates the application of criminal prevention measures, with the necessary adaptations to determine the minor's criminal responsibility, and may the judge dispenses with procedural acts that he deems unnecessary or performs others, regulated by the Common Criminal Procedural Law, which he deems essential to the

3. The criminal record of minors under 18 years of age is any mention of the conviction or other procedural act regarding crimes committed by them, except when they are court order or the Public Prosecutor's Office.

ARTICLE 6

(Repeal of legislation)

1. The Penal Code of 1886, the legal diplomas that replaced any of its precepts and all legal provisions that foresee or punish facts incriminated by the present Penal Code are revoked.

2. All legislation contrary to the Code is revoked Penalty approved by this Law, namely:

- a) Articles 1 to 6 and the sole paragraph of article 10 of Law No. 11/75, of 15 December — Law on the Discipline of the Productive Process;

b) Articles 4, 7, 12 to 15, 17, 19, 20, 22, 23, 24 and 33 of Decree no. 231/79, of 26th July — Disciplining Automobile Traffic;

c) Law No. 4/77, of February 25 — Law on the Prevention and Repression of Crime in Mercenarism

d) Law No. 23/10, of 3 December — Law on Crimes Against State Security;

e) Article 33 of Law No. 9/81, of 2 November — Labor Justice Law;

f) paragraphs 1 and 3 of article 14 of Law no. 16/91, of 11 May — Law on the Rights of Assembly and Manifestation;

g) Articles 25 to 28 of Law No. 23/91, of 15 June — Strike Law;

h) Articles 1275 to 1278 of the Code of Civil Procedure, approved by Decree-Law No. 44,129, of December 28, 1961, and extended to Angola by Ordinance No. 19,395, of December 30 June 1962;

i) Articles 73, 74, 75 and 76 of Law No. 7/06, of 15 May — Press Law;

j) Articles 33, 34, 35, 36, 38, 39 and 40 of Law No. 3/10, of 29 March — Public Probity Law;

k) Articles 61 to 65 of Law No. 34/11, of 12 December — Law to Combat Money Laundering; It is

l) Law No. 3/14, of 10 February — Law on the Criminalization of Offenses underlying Money Laundering.

ARTICLE 7.

(Misdemeanors)

1. The rules of substantive law remain in force relating to contraventions.

2. The contraventions to which prison sentences and a fine are applicable, alternatively or cumulatively, are now punishable only with a fine.

ARTICLE 8.º

(Doubts and omissions)

Doubts and omissions resulting from the interpretation and application of this Law are resolved by the National Assembly.

ARTICLE 9.

(Implementation)

This Law enters into force ninety days after the date of its publication.

Seen and approved by the National Assembly, in Luanda,
4 November 2020.

The President of the National Assembly, *Fernando da
Piety Days of Saints*.

Enacted on November 6, 2020.

Go public.

The President of the Republic,

ANGOLAN PENAL CODE

BOOK I

General Part

TITLE I

Leo Criminal

SINGLE CHAPTER

General principles

ARTICLE 1.

(Principle of legality)

1. Only the act described and declared punishable by law prior to the moment of its practice can be criminally punished.

2. Security measure can only be applied to states of

3. Recourse to analogy or interpretation is not permitted.

or the security measure corresponding to them.

ARTICLE 2

(Application in time)

1. Penalties and security measures are determined

tion of the assumptions on which they depend.

2. Without prejudice to the provisions of paragraph 4, whenever the criminal provisions in force at the time of the commission of the act are different from those established in subsequent laws, the regime that concretely proves to be more favorable to the agent applies. If there has been a conviction, even if final and unappealable, the execution and its criminal effects cease as soon as the part of the sentence that has been served reaches the maximum limit of the sentence provided for in the applicable law.

3. When the fact ceases to be a crime by virtue of a subsequent law, the condemnatory sentence, even if it becomes final, is not executed or, if it has already started to be executed, the execution and all its effects immediately cease.

4. The act committed during the validity of a law that is in force only for a certain period or to be in force during an emergency period is judged in terms of those laws, unless a subsequent law provides otherwise.

ARTICLE 3.

(Moment of the practice of the fact)

The act is considered committed at the time the agent acted or, in the case of omission, at the time when he should have acted, regardless of when

ARTICLE 4.

(Law enforcement in space)

The Angolan Criminal Law is applicable to acts wholly or partially committed in Angolan territory or on board ships or aircraft registered or under the Angolan flag, regardless of the nationality of the perpetrator, unless otherwise agreed by an international convention or treaty.

ARTICLE 5.

(Application of the Angolan Criminal
Law to facts that occurred outside the national territory)

1. Except for an international convention or treaty to the contrary, the Angolan Criminal Law is applicable to acts committed outside Angolan territory, when:

a) Constitute the crimes provided for in articles 256.^o to 264.^o, 296.^o, 297.^o, 310.^o to 319.^o, 329.^o to 332.^o, 336.^o and 469.^o;

b) Constitute the crimes provided for in articles 377.^o to 382.^o, 384.^o to 389.^o, provided that the agent is found in Angola and cannot be extradited;

c) Are committed against legal persons or Angolan citizens, provided that the perpetrator habitually lives in Angola and can be found here;

d) Are committed by Angolans or Angolan legal persons, or by foreigners or foreign legal persons against legal persons or Angolan citizens, provided that:

i. The facts are equally punishable by the law of the place where they were committed;

ii. Constitute a crime that, according to Angolan law, admits extradition, but this cannot be granted;

iii.

or branch in Angola. e)

Constitute crimes that, by convention or international treaty, the Angolan State has committed itself to prosecute.

2. The provisions of the previous number are only applicable when the perpetrator has not been tried in the country in which he committed the crime or if, subsequently, he has withdrawn from compliance, in whole or in part, with the sanction in which he has been sentenced.

3. Except for an international treaty or convention to the contrary, the Angolan Criminal Law is applicable to acts committed abroad by employees of international organizations governed by public law to which Angola is a Party, provided that the agent is a national citizen and the extradition cannot be granted.

4. The Angolan Criminal Law is also applicable to acts committed outside the national territory, under the terms provided for in an international treaty or convention that Angola is Part.

ARTICLE 6

(Place of practice of the fact)

The act is considered to have been committed both in the place where, in whole or in part, the agent acted, and under any form of co-payment, or, in the case of omission, should have acted, as well as in the place where the typical result has occurred.

ARTICLE 7.

(Subsidiary application of the Penal Code)

The norms of this Code apply to acts punishable by special legislation, unless otherwise provided.

TITLE II
Punishable Fact

CHAPTER I
Punishment Assumptions

ARTICLE 8.º

(Action and omission)

1. When a legal type comprises a certain result, the fact encompasses both the appropriate action to produce it and the omission of adequate action to avoid it.

it is punishable when, according to the meaning of the text of the Law, production by omission is equivalent to production by action and the omitting party has a legal duty that personally obliges him to avoid this result.

3. The legal duty to act referred to in the preceding paragraph

contractual right to act, or when the omitting party has created a situation of danger to the legal interest by virtue of a previous action or omission.

4. In case the crime was committed by omission, the penalty can be especially mitigated.

ARTICLE 9.

(Criminal liability of legal persons)

1. Legal persons, with the exception of the State and international organizations governed by public law, are liable to criminal liability.

2. Legal and similar persons, even if irregularly constituted, are responsible for offenses committed in their name, on their behalf and in their interest, or for their benefit, individually or in the performance of functions, by their bodies, representatives, or by people who hold a leadership position in it.

3. The legal persons referred to in the previous number are also responsible for crimes committed in their name, on their behalf and in their interest, or for their benefit, by natural persons who act under the authority of the persons referred to in the previous number, whenever the crime has become possible as a result of a willful violation of the surveillance or control duties incumbent on the latter.

4. When the law determines the liability of legal persons as such, it must be understood that they are legal persons or mere de facto associations.

5. The criminal liability of legal and equivalent persons does not exclude the individual liability of the respective agents nor does it depend on their accountability.

6. The criminal liability of legal and equivalent persons is excluded when the agent has acted against orders or express instructions from the competent authority for the purpose.

7. The transfer, division and merger do not determine the extinction of criminal liability of legal persons, responding for the commission of the crime:

- a) The legal person or equivalent in which the transmission or merger has been effected;
- b) Legal or similar persons resulting from branch of the split.

8. If the fines or indemnities are applied to an entity without legal personality, the

mind, the assets of each of the respective members, partners, associates or integrants.

ARTICLE 10.

(Acting on behalf of others)

Whoever acts as holder of organs of a collective entity or in legal or voluntary representation of another is punished, even if they do not concur in him, but in the person on whose behalf he acts, the qualities or relationships required by the legal type of crime.

ARTICLE 11.

(Subjective imputation)

It is only punishable the act committed with malice or, in the cases specially provided for in the Law, with negligence.

ARTICLE 12.º

(Intent)

1. Acts with intent, in the form of intent, who, representing a fact that fulfills a type of crime, acts with the intention of committing it.

2. Acts with malice, in the form of necessary malice, whoever represents the accomplishment of a fact that fulfills a type of crime as a necessary consequence of his conduct.

3. Acts with malice, in the form of eventual malice, whoever represents the accomplishment of a fact that fulfills a type of crime as a possible consequence of his conduct and, despite that, acts conforming with that accomplishment.

ARTICLE 13.

(Negligence)

He acts negligently who, by not taking the care to which, according to the circumstances, he is obliged and capable of:

- a) Represent as possible the realization of a fact that fulfills a type of crime and act without conforming to that realization;
- b) It does not even represent the possibility of realizing that fact.

ARTICLE 14.

(Error on the circumstances of the fact)

1. The error regarding elements, in fact or in law, of a type of crime excludes intent.

2. The precepts of the previous number cover the error regarding a state of affairs which, if it existed, would exclude the illegality of the fact.

3. The punishment of negligence is excepted, having mos of articles 11 and 13

ARTICLE 15.º

(Error about illegality)

1. Those who act without being aware of the illegality of the fact act without fault, if the error is not objectionable.

2. It has the same effects as the error on the illegality, the error about a state of affairs which, if it existed, would remove the agent's guilt.

3. If, in any of the cases foreseen in the previous numbers, the error is objectionable, the agent is punished with the penalty applicable to the respective intentional crime, which can be specially mitigated.

4. Error is objectionable when, given the circumstances, it is reasonable to demand another behavior from the agent.

ARTICLE 16.º

(Aggravation of the penalty for the result)

When the penalty applicable to a fact is aggravated by

conditional on the possibility of attributing that result to the agent, at least by way of negligence.

ARTICLE 17.º

(Imputability due to age)

1. Criminal imputability is acquired, without prejudice to the disposed in the following numbers, at 16 years of age.

2. Minors under the age of 16 are subject to the jurisdiction of the Juvenile Courts and, in relation to them, only assistance, education or correction measures provided for in special legislation can be taken.

3. The application of sentences to minors between the ages of 16 and 18 must be governed by the following fundamental principles and rules:

a) The limits, maximum and minimum, of the penalties established in the Criminal Law must be reduced in two thirds, for minors aged between 16 and 18 years old, on the date of the fact;

b) Under no circumstances, the penalty of deprivation of liberty the minor is aged between 16 and 18 years old, on the date of the fact;

c) Minors serve their sentences of deprivation of liberty, whenever possible, in specific rehabilitation, education and training establishments and, under no circumstances, together with adult detainees or prisoners.

4. For adult delinquents under 21 years old, the penalty must be specially reduced, under the terms of article 73, unless strong reasons of social defense and criminal prevention advise against such mitigation.

ARTICLE 18.º

(Non-imputability due to psychic anomaly)

1. Whoever, due to a psychic anomaly, is incapable, at the time of the commission of the act, of assessing the unlawfulness of the act or of determining himself in accordance with that fact, cannot be held assessment.

2. Attribution is not excluded when the psychic anomaly was caused by the agent with the intention of committing the act.

3. The Court may especially attenuate the penalty when the agent, due to a serious psychic anomaly at the time of the commission of the act, has significantly reduced the ability to assess the illegality of the act or to determine himself in accordance with that assessment.

CHAPTER II

Special Forms of Punishable Fact

ARTICLE 19.

(Preparatory acts)

1. Preparatory acts are external acts aimed at facilitating or preparing the execution of the fact, but which do not yet constitute the beginning of execution under the terms of the following article.

2. Preparatory acts are not punishable, unless otherwise provided.

ARTICLE 20.

(Attempt)

1. There is an attempt when the agent practices, with intent, acts of execution of a crime, without it reaching consummate.

2. The following are implementing acts:

a) Those who complete a constitutive element of a type of crime;

b) Those who are suitable for producing the result typical;

c) Those which, according to common experience and barring unforeseeable circumstances, are of such a nature that it is expected that acts of the types indicated in the preceding paragraphs will follow.

ARTICLE 21.º

(Punishment of the attempt)

1. Unless otherwise stated, the attempt is only punishable if the respective consummated crime corresponds to a sentence of more than 3 years in prison.

2. The attempt is punishable with the penalty applicable to the consummated crime, specially mitigated.

3. The attempt is not punishable when it is manifest:

a) The ineptitude of the means used by the agent;

b) The non-existence of the object essential to consummation do crime.

ARTICLE 22.º
(Withdrawal)

1. The attempt is not punishable when the agent, voluntarily, desists from proceeding with the execution of the crime or prevents the consummation or even when, despite the con-

avoid.

are prevented by circumstances independent of the conduct of the dropout, the attempt is not punishable if he makes serious efforts to avoid one or the other.

ARTICLE 23.º
(Withdrawal in case of reimbursement)

If several agents participate in the act, the attempt of someone who voluntarily prevents the

make a serious effort to prevent one and the other, even if the other participants continue to carry out the crime or consume it.

ARTICLE 24.º
(Authorship)

It is punishable as author who:

- a) Carry out the act itself;
- b) Carry out the fact, using as an instrument another person;
- c) Take a direct part in its execution, by agreement or jointly with another or others; d)

Deceitfully determine another person to commit the act, provided that there is execution or beginning of execution.

ARTICLE 25.º
(Complicity)

1. It is punishable as an accomplice who, apart from the cases provided for in the previous article, provides, directly and intentionally, material or moral assistance to the commission by another of a malicious act.

especially attenuated.

ARTICLE 26.º
(Unlawful participation)

1. The agent's special qualities or relationships, so

to the other participants for the purpose of determining the penalty applicable to them, unless the intention of the law is different or something different results from the nature of the crime.

2. The communication referred to in the previous number is not

ARTICLE 27.º
(Blame in the contribution)

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

ARTICLE 28.º
(Crime Quiz)

1. The number of crimes is determined by the number of types of crime actually completed, or by the number of times the same type of crime is carried out by the agent's conduct.

2. There is no concurrence of crimes when the fact is, on the whole incriminating criminal.

3. In the event referred to in the previous number:

a) If there is a relation of specialty between the incriminating norms, the special incriminating norm applies;

b) Nos restantes casos, apply a norma incrimina dora que estabaler pena mais grave.

ARTICLE 29.º
(Crime continued)

1. It constitutes a single continuous crime the multiple execution of the same type of crime or of several types of crime that fundamentally offend the same legal interest, executed in an essentially homogeneous manner and within the framework of the solicitation of an external situation that considerably reduces the agent's fault.

2. The provisions of the previous number do not cover crimes committed against eminently personal property, unless the offended party is the same.

CHAPTER III
Causes That Exclude Illegality

ARTICLE 30.
(Exclusion of illegality)

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

2. The act committed in the following cases is not unlawful:

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

ARTICLE 31.º
(Self defense)

1. The act committed as a necessary means to repel actual and unlawful aggression by legally protected interests of the agent or a third party constitutes self-defence.

2. If there is an excess of the means used in self-defence, the fact is illegal, but the penalty can be specially mitigated.

ARTICLE 32.º
(State of need)

It is not unlawful for the act to be performed as an adequate means to ward off a current danger that threatens the legally protected interests of the agent or a third party, when

- 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 sensible superiority of the interest to be saved

ARTICLE 37.º

(State of excusing necessity)

c) It is reasonable to impose on the injured party the sacrifice of his interest in consideration of the nature or value of the threatened interest.

1. Whoever commits an illicit act adequate to remove a present danger, which cannot otherwise be removed, that threatens the life, physical integrity, honor or freedom of the agent or a third party, when it is unreasonable to demand from him, acts without fault. , depending on the circumstances of the case, different behavior.

ARTICLE 33.º

2. If the danger threatens legal interests other than those

fulfillment of legal duties or legitimate orders

assumptions mentioned there, the penalty may be especially mitigated.

2. The duty of obedience to an order from a hierarchical superior to a subordinate ceases when compliance with the order leads to the commission of any crime.

ARTICLE 38.º

ARTICLE 34.º

(Consent of the offended party)

1. In addition to the cases specifically provided for by law, the consent of the offended party excludes the unlawfulness of the act when it refers to freely available interests and the act is not contrary to good customs and the dignity of the person. human.

fulfill a lesser duty and, as a result of that fulfilment, commit an unlawful act, whenever, given the circumstances of the case, it is unreasonable to demand a different behavior from the agent.

2. The provisions of the previous number apply to anyone who commits an unlawful act for having complied with an order of their lism described therein.

2. Consent may be expressed by any means that reflects a serious, free and informed will of the holder of the legally protected interest and may be freely revoked until the act is carried out.

TITLE III

Legal Consequences of the Fact

CHAPTER I

Preliminary Provisions

is over 16 years old and has the necessary discernment to assess its meaning and scope at the time the it works.

ARTICLE 39.º

(Sanctions)

Penal Code sanctions are those established in the following numbers of this article.

4. If consent is not known to the agent, this is punishable with the penalty applicable to the attempt.

1. Main Feathers:

a) Prison;

b) Fine.

2. Replacement Feathers:

a) Fine;

b)

c) Provision of work in favor of the community;

d) Suspension of the execution of the prison sentence;

e) Admonition.

3. Accessory Feathers:

a) Prohibition of exercising function;

b) Suspension from the exercise of function;

c) Prohibition of driving motor vehicles;

d) Expulsion from national territory.

4. Security Measures:

a) Internment;

b) Suspension of execution of internment;

c) Prohibition of activities;

d) Revocation of vehicle driving license

motorized;

ARTICLE 35.º

(Presumed consent)

1. There is presumed consent when the situation in which the agent is acting allows, reasonably, to assume that the holder

consented to the fact, if he knew the circumstances in which it was committed.

2. Presumed consent is equivalent to consent.

CHAPTER IV

Causes that exclude fault

ARTICLE 36.º

(Excessive excusing self-defense)

Anyone who exceeds the means employed in self-defense acts without fault, whenever the excess results from non-reproachable disturbance, fear or fright.

e) Prohibition of granting licenses to drive motor vehicles;

f) Withdrawal of license to carry a weapon;

g) Prohibition of granting a license to carry
weapon.

ARTICLE 40.º

(Purposes of penalties and security measures)

1. The application of penalties and security measures is aimed at protecting legal assets essential to the subsistence of the community and the agent's reintegration into society.

2. The execution of the prison sentence should aim at reintegrating the prisoner into society, preparing him to lead his life in a socially responsible manner, without committing crimes.

3. The execution of the prison sentence also serves the defense of society, preventing the commission of crimes.

4. The convicts to whom a sentence or security measure depriving liberty is applied maintain the ownership of fundamental rights, except for the limitations inherent to the meaning of the sentence and the requirements of the respective execution.

5. The execution of the prison sentence and the security measure of internment is regulated in specific legislation, in the

ARTICLE 41.º

(General rules)

1. There cannot be the death penalty or penalties or security measures that deprive liberty in perpetuity.

2. The application of sentences or security measures cannot, under any circumstances, serve to subject the convict to torture or cruel, degrading or inhuman treatments.

3. Feathers are not susceptible to transmission.

ARTICLE 42.º

(Assumptions and limits of penalties and security measures)

1. Guilt is an inalienable condition for the application of any penalty.

2. In no case may the penalty exceed the measure of the fault.

3. Criminal danger is an inalienable prerequisite for the application of any security measure.

4. The security measure can only be applied if it is proportional to the seriousness of the fact and the danger of the agent.

ARTICLE 43.º

(Penalties applicable to legal persons)

1. Are applicable to legal persons and equitable entities penalties of admonition, fine or dissolution.

2. For the same crimes, the following accessory penalties may be applied to legal persons and equivalent entities:

a) Publicity of the final conviction;

b) Bond of good conduct;

c) Judicial injunction;

d) Prohibition of entering into certain contracts or conclude with certain entities;

e) Deprivation of the right to subsidies, subsidies or incentives;

f) Loss of illicit profits obtained from criminal activity;

g) Loss of property acquired with illicit profits from criminal activity;

h) Prohibition of the exercise of activity;

i) Closure of establishment.

3. The accessory penalties provided for in paragraph 2 may be applied cumulatively.

4. Penalties applicable to collective entities must be

its economic and social dimension.

CHAPTER II

Head and Substitution Sentences

SECTION I

Prison and Fine Penalties

ARTICLE 44.º

(Duration of imprisonment)

1. The prison sentence has, as a rule, a minimum duration of 3 months and a maximum duration of 25 years.

2. In no case, even if due to recidivism, concurrence of crimes or extension of the sentence, may this exceed the maximum limit of 35 years.

3. Prison terms are calculated according to the criteria established in the criminal procedural law and, failing that, in the Civil Law.

ARTICLE 45.º

(Replacement of prison by fine)

1. Imprisonment applied for a period not exceeding 6 months is replaced by an equal number of days of fine or by another applicable non-custodial penalty, except if the execution of the imprisonment is required by the need to prevent the commission of future crimes, the provisions of article 47 being correspondingly applicable.

2. If the fine is not paid, the convict serves the prison sentence applied in the sentence, with the provisions of article 49(3) being correspondingly applicable.

ARTICLE 46.º

1. The Court may, in the case of imprisonment applied for a period not exceeding 5 months, which has not been replaced by a fine, under the terms of the previous article, determine, with the convict's consent, that the sentence be served in

punishment.

minimum of 36 hours and a maximum duration of 48 hours, equivalent to serving 5 days of the prison sentence applied.

prison closest to the convict's domicile or, with the convict's agreement, in any other establishment, police or otherwise.

4. If the convict does not appear at the establishment referred to in the previous number to serve the sentence,

-de-semana may be revoked, with the convict serving the sentence in a continuous prison regime.

are deducted from the penalty applied for all periods already completed,

ARTICLE 47.º
(Penalty of fine)

criteria established in paragraph 1 of article 70, with, as a rule, a minimum limit of 10 days and a maximum of 360.

2. Each day of fine corresponds to an amount between 75 Units of Procedural Reference and 750 Units of

personal charges.

in installments, the last one not being able to go beyond the 2 years subsequent to the date of the final and unappealable conviction.

4. Within the limits referred to in the previous number and

initially established payment can be changed.

5. The non-payment of one of the installments implies the maturity of all.

ARTICLE 48.º
(Replacement of fine for work)

1. At the request of the convict, the Court may order

replaced by days of work to be provided to the State or other legal persons governed by public law, or even to private institutions of social solidarity, when concluding that this form of compliance performs adequately and

2. The provisions of paragraphs 1, 3 and 4 of article 56 are correspondingly applicable.

ARTICLE 49.º
(Conversion of the unpaid fine into subsidiary imprisonment)

1. If the fine, which has not been replaced by work, is not paid voluntarily or coercively, it is converted into subsidiary imprisonment for the corresponding time reduced to two thirds, even if the crime is not punishable by imprisonment, not applying, for for this purpose, the minimum limit of days in prison set out in paragraph 1 of article 44.

2. The convict may, at any time, avoid, in whole or in part, the execution of the subsidiary prison, paying, in whole or in part, the fine to which he was sentenced.

3. If the convict proves that the reason for non-payment of the fine is not attributable to him, the execution of the subsidiary imprisonment may be suspended for a period of 1 to 3 years, provided that the suspension is subordinated to the fulfillment of duties or rules of appropriate conduct, without economic content or

fulfilled, the subsidiary prison is executed and, if they are, the sentence is declared extinct.

4. The provisions of paragraphs 1 and 2 are correspondingly applicable to the case in which the convicted person culpably fails to comply with the days of work for which, at his request, the fine was replaced and, if the non-compliance is not attributable to him, it is correspondingly applicable the provisions of the previous number.

SECTION II
Suspension of Prison Execution

ARTICLE 50.º
(Assumptions and duration)

1. The Court may suspend the execution of the prison sentence applied for a period not exceeding 3 years if, taking into account the agent's personality, the conditions of his life, his conduct before and after the crime and the circumstances of the crime, it concludes that the censure of the fact and the threat of arrest

punishment.

2. The Court, if it deems it convenient and appropriate to the area

from the execution of imprisonment, under the terms of the following articles, to the fulfillment of duties or the observance of rules of conduct.

3. Duties and rules of conduct can be imposed cumulatively.

suspension and its conditions.

after the date of the final and unappealable decision.

6. Unless otherwise provided by law, crimes of sexual abuse and aggression do not admit suspension of the execution of the sentence.

ARTICLE 51.º
(Duties)

1. The suspension of the execution of the prison may be subordinated to the fulfillment of duties imposed on the convict and intended to repair the evil of the crime, namely:

- a) Pay within a certain period, in whole or in part that the Court deems possible, the compensation due to the injured party, or guarantee its payment by means of suitable security;
- b) Give the injured party adequate moral satisfaction;
- c) Deliver to institutions, public or private, of social solidarity or to the State one contributes monetary contribution or in-kind payment of equivalent value.

2. The duties imposed cannot, under any circumstances, represent obligations for the convict whose fulfillment is not reasonably required of him.

end of the period of suspension whenever relevant supervening circumstances occur or which the Court becomes aware of only later.

ARTICLE 52.^o
(Rules of conduct)

1. The Court may require the convict to comply, for the duration of the suspension, with rules of conduct aimed at facilitating his reintegration into society.

2. The Court may impose the following on the convict:

- a)
- b) Not frequenting certain means or places;
- c) Not residing in certain places or regions;
- d) Not accompany, host or receive certain people;
- e) Do not contact or approach the victim;
- f) Not attending certain associations or not participating at certain meetings;
- g) Not having objects capable of facilitating the commission of crimes;
- h) Periodic presentation before the Court or judicial authority appointed by the latter.

3. The Court may also, after obtaining the convict's prior consent, determine his subjection to medical treatment or cure in an appropriate institution.

4. The provisions of paragraphs 2 are correspondingly applicable and 3 of the previous article.

ARTICLE 53.^o

(Failure to comply with the conditions of suspension)

If, during the period of suspension, the convict, culpably, fails to comply with any of the imposed duties or rules of conduct, the Court may:

- a) issue a warning;
- b) Demand guarantees of fulfillment of the obligations that condition the suspension;
- c) Impose new duties or rules of conduct, or introduce increased requirements in the readaptation plan;
- d) Extend the period of suspension up to half of the

1 year or in order to exceed the maximum period of suspension provided for in paragraph 5 of article 50.

ARTICLE 54.^o
(Revocation of suspension)

1. The suspension of the execution of the prison sentence is revoked whenever, during its course, the convict:

- a) Infringes, grossly or repeatedly, imposed duties or rules of conduct; b) Committing a crime for which he will be convicted and

of the suspension could not, through it, be achieved.

2. The revocation determines the fulfillment of the prison sentence. repayment of payments made.

ARTICLE 55.^o
(Extinction of penalty)

1. The penalty is declared extinct if, after the period of its suspension, there are no reasons that could lead to its revocation.

the process for a crime that may determine its revocation or incident due to lack of fulfillment of duties or rules of conduct, the penalty is only declared extinct when the

cation or extension of the period of suspension.

SECTION III
Provision of Work in Favor of the Community and Admonition

ARTICLE 56.^o

(Provision of work in favor of the community)

1. If a prison sentence of no more than 1 year is applied to the agent, the Court replaces that sentence with the provision of work in favor of the community whenever it concludes that, by this means, they are adequately carried out.

2. The provision of work in favor of the community consists of providing services free of charge to the State, to other collective persons governed by public law, or even to private institutions of social solidarity.

which may be fulfilled on business days, Saturdays, Sundays and holidays.

4. The duration of work periods cannot affect the normal working day, nor exceed, per day, what is allowed under the applicable overtime regime.

ARTICLE 57.^o

(Suspension, revocation, termination and replacement)

1. The provision of work in favor of the community may be suspended for serious medical, family,

execution time of the sentence exceeds 18 months.

2. The Court revokes the sentence of rendering work in favor of the community and orders the fulfillment of the prison sentence determined in the sentence if the agent, after the conviction:

- a) Intentionally put yourself in conditions of not being able to work;
- b) If he refuses, without just cause, to perform work or grossly infringes the duties arising from the sentence to which he was sentenced; c) Committing a crime for which he will be convicted and

of work in favor of the community could not be achieved through it.

3. The provisions of article 54 are correspondingly applicable.

4. In the cases provided for in paragraph 2, if the convict has to serve the prison sentence, but has already done work in favor of the community, the Court makes, in the prison time to be served, the discount that seems equitable.

5. If the performance of work in favor of the community is considered satisfactory, the Court may declare the sentence extinguished in no less than 72 hours, once two thirds of the sentence has been served.

6. When the agent is unable to perform the work to which he was condemned for reasons that are not attributable to him, the Court, according to what proves to be more appropriate for carrying out the

a)

fine of up to 120 days, correspondingly applying the provisions of paragraph 2 of article 47;

b) Suspends the execution of the prison sentence determined

1 and 3 years, subjecting it, under the terms of articles 51 and 52, to compliance with appropriate duties or rules of conduct.

ARTICLE 58.º

(Judicial admonition)

1. If a fine is imposed on the offender for a period not exceeding 120 days, the Court may limit itself to issuing a judicial admonition.

2. Judicial admonition is a solemn censure orally made to the agent, at a hearing, by the Court.

3. As a rule, judicial reprimand is not applied if the agent, in the 3 years prior to the fact, has been convicted of any penalty, including judicial reprimand.

4. Judicial admonition only takes place if the damage has been repaired and the Court concludes that, by that means,

of punishment.

5. Whenever the Court understands that the presence of the parents, other family members of the accused or other

court, must summon them to the hearing referred to in paragraph 2.

SECTION IV Parole

ARTICLE 59.º

(Assumptions and duration)

1. The application of parole always depends on the convict's consent.

2. The Court places the person sentenced to prison on conditional release when half of the sentence has been served and at least 6 months, if: a)

It is *reasonable* to wait, given the circumstances of the case, the previous life of the offender, the his personality and its evolution during the execution of the prison sentence, that the convict, once released, leads his life in a socially responsible way, without committing new crimes;

b) The release proves to be compatible with the defense of the legal order and social peace.

3. The Court places the person sentenced to prison on conditional release when two thirds of the sentence and at least 6 months have been served, provided that the requirement set out in paragraph a) of the previous number is proven.

4. In the case of a sentence of imprisonment for more than 5 years for committing a crime against persons or a crime of common danger, parole can only take place when two thirds of the sentence has been served.

n.º 2.

5. Without prejudice to the provisions of the previous numbers, a person sentenced to a prison sentence of more than 6 years may be released on parole as soon as he has served five-sixths of the sentence.

6. In any of the modalities, parole has a duration equal to the remaining prison time, but never exceeding 5 years.

ARTICLE 60.º

(Conditional release in case of successive execution of several sentences)

1. If several prison sentences are to be carried out, the execution of the first sentence to be served is interrupted:

a) When half of the sentence has been served, in the case of paragraph 2 of the previous article;

b) When two thirds of the sentence has been served, in the cases set out in paragraph 4 of the previous article.

2. In the cases foreseen in the previous number, the Court decides on parole when it can do so, simultaneously, in relation to the totality of the sentences.

3. If the sum of sentences to be served successively exceeds 6 years in prison, the Court places the convict on conditional freedom, if he has not previously taken advantage of it, as soon as five sixths of the sum of sentences have been served.

4. The provisions of the previous numbers are not applicable to the case in which the execution of the sentence results from the revocation of parole.

ARTICLE 61.º

(Regime)

The provisions of article 52 and paragraphs a), b) and c) of article 53 are correspondingly applicable to parole.

ARTICLE 62.º

(Revocation and termination of probation)

1. The provisions of paragraph 1 of article 54 and article 55, respectively, are applicable to the revocation and extinction of parole.

2. The revocation of parole determines the execution of the prison sentence not yet served.

3. With regard to the prison sentence that may be served, a new parole may be granted under the terms of article 59.^o

ARTICLE 63.^o

(Inadmissibility of parole)

1. The following crimes do not admit parole:

- a) Genocide;
- b) Crimes against humanity;
- c)
- d) Sexual crimes against minors under 14 years of age.

2. Likewise, the following crimes against State security are not eligible for parole:

- a) Attack on the life of the President of the Republic, holders of Sovereignty Bodies, the Vice-President -President of the Republic and the Attorney General of the Republic;
- b) High treason;
- c) Crimes of terrorism, punishable by imprisonment 8 years or more;
- d) Armed rebellion, punishable by imprisonment for 15 years or more;
- e) Sabotage, punishable with a prison sentence equal to or greater than 10 years, which jeopardizes the territorial integrity or independence of the Country;
- f) Espionage, punished with imprisonment equal to or over 16 years old.

CHAPTER III

Accessory Feathers

ARTICLE 64.^o

(Prohibition of exercising a position or function)

1. The holder of public office, civil servant or agent of the Public Administration who, in the exercise of the activity for which he was elected or appointed, commits a crime and is sentenced to imprisonment for more than 3 years, is also prohibited from exercising those functions. for a period of up to 3 years when the fact:

- a) function or with manifest and serious violation of the duties inherent to it;
- b) Reveal lack of dignity in the exercise of the position or the function;
- c) office or function.

2. The provisions of the previous number are correspondingly

public title or authorization or homologation by the public authority.

3. The time in which the agent is deprived of liberty by virtue of a procedural coercive measure, penalty or security measure does not count towards the prohibition period.

4. The provisions of paragraphs 1 and 2 cease when, for the same reason, the application of a security measure interdicting activity takes place, under the terms of article 110.^o

5. Whenever the holder of public office, civil servant or agent of the Public Administration is convicted of committing a crime, the Court communicates the conviction to the authority on which it depends.

ARTICLE 65.^o

(Suspension of office)

who is not disciplinary dismissed from the public function he performs, incurs the suspension of the function for the duration of the sentence.

2. The effects that, in accordance with the respective legislation, accompany the disciplinary sanction of suspension of the exercise of functions are linked to the suspension provided for in the previous number.

3. The provisions of the previous numbers correspond to depend on a public title or authorization or homologation by the public authority.

ARTICLE 66.^o

(Effects of prohibition and suspension of the exercise of function)

1. Unless otherwise provided, the prohibition and suspension of the exercise of a public function determine the loss of rights and benefits attributed to the holder, employee or agent, for the corresponding period.

2. The ban on exercising a public function does not preclude the holder, employee or agent from being appointed to a position or function that can be exercised without the dignity and dignity

3. The provisions of the previous numbers correspond to depend on a public title or authorization or homologation by the public authority.

ARTICLE 67.^o

(Prohibition of driving motor vehicles)

1. Is condemned in the prohibition of driving motorcycle vehicles is punished:

- a) For a crime committed while driving in violation of road traffic rules

very serious;

- b) For intentional crime committed with the use of a motor vehicle whenever such use has significantly facilitated the execution of the crime.

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

3. The prohibition is communicated to the competent services and implies, for the convict who holds a driving license, the obligation to deliver it, at the Registry of the Court or at any police station, which, without delay, must send it to that Secretariat;

4. If the license was issued in a foreign country, with international validity, the delivery is replaced by an annotation, in the said license, of the ban decreed.

5. If, in the case of the previous number, the annotation cannot be made, the Court sends the license to the entity that issued it, informing it of the prohibition.

6. The time in which the agent is deprived of liberty by virtue of a procedural coercive measure, penalty or security measure does not count towards the prohibition period.

7. The provisions of paragraph 1 are terminated when, for the same reason, the application of the cancellation of the license or interdiction of the respective concession takes place, under the terms of article 168.

ARTICLE 68.º

(Expulsion from national territory)

1. The accessory penalty of expulsion may be applied to foreign citizens who are not resident in the country, convicted of an intentional crime with a sentence of more than six months in prison or a fine as an alternative to a prison sentence of more than six months.

2. The same penalty may be imposed on a foreign citizen residing in the country, convicted of an intentional crime with a sentence of more than one year in prison, however, taking into account, in its application, the seriousness of the practical facts of the by the defendant, his personality, possible recidivism, degree of insertion in social life, special prevention and length of residence in Angola.

3. Without prejudice to the provisions of the previous number, the accessory penalty of expulsion can only be applied to foreign citizens with permanent residence, when their conduct constitutes a danger or serious threat to public order, security or national defense.

4. Once the accessory penalty of expulsion is decreed, the Sentence Execution Judge orders its execution as soon as:

- a) Half of the sentence, in cases of sentence equal to or less than five years in prison;
- b) Two-thirds of the sentence, in cases of conviction with a sentence of more than five years in prison.

5. The Sentence Execution Judge may, based on a reasoned proposal from the Director of the Prison Establishment, and without opposition from the convict, decide to anticipate the execution of the accessory penalty of expulsion as soon as one third of the penalty has been served, in cases of conviction equal to or less than five years in prison and provided that the remainder of the sentence in the country of destination is assured.

6. The expulsion is carried out, making the citizen return foreigner to the country of origin or habitual residence.

7. The fact that the citizen

food for those who need it, under the terms of the law.

8. The most favorable treatment resulting from the law or international agreement to which the Republic of Angola is a party is always applied to the refugee.

9. A refugee cannot be expelled to a country where he may be persecuted for political, racial or religious reasons or where his life is in danger.

10. Expulsion from national territory does not affect civil or criminal liability incurred by the foreign citizen.

11. The expulsion order must be communicated to the competent authorities of the country where the foreign citizen will be expelled.

12. It is incumbent upon the Migration and Foreigners Service, in coordination with the police authorities, to execute the expulsion sentence handed down by the courts.

13. Unless otherwise provided by law, the penalty of expulsion from the national territory may be carried out at any time during the sentence.

CHAPTER IV

Choice and Measure of the Penalty

SECTION I

General rules

ARTICLE 69.º

(Criterion 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 second, whenever it is carried out in a proper manner.

ARTICLE 70.º

(Determining the measure of the penalty)

1. The determination of the measure of the penalty, within the limits prevention requirements.

2. In determining the concrete measure of the penalty, the considering, in particular:

- a) The degree of unlawfulness of the act, the way in which it is carried out and the seriousness 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 manifested in the commission of the
- d) The personal conditions of the agent and his economic situation;
- e) Conduct prior to the fact and subsequent to this, especially when this is intended to repair the consequences of the crime;
- f) The lack of preparation to maintain a lawful conduct, manifested in the fact, when this lack must be censured through the application of the penalty.

3. The circumstances referred to in the previous number are aggravating when they testify against the agent and mitigating circumstances when they testify in his favor.

4. The judgment expressly mentions the grounds measures of the penalty.

ARTICLE 71.º

(Relevant circumstances for determining the measure of the penalty)

1. Without prejudice to the provisions of paragraph 3 of the previous article, the only aggravating circumstances are the fact that the agent has committed the crime:

- a) For a futile reason;
- b) By reward, remuneration or its pro mass;
- c) Due to discrimination based on race, color, ethnicity, place of birth, sex, orientation belief or religion, political or ideological convictions, social condition or origin or any other forms of discrimination;
- d) To facilitate or ensure the execution, concealment, impunity or advantage of another crime;
- e) With treason, ambush, treachery or any other fraud;
- f) With poison, fire, explosives, torture or any cruel means or which could result in danger common;
- g) Against ascendants, descendants, relatives up to the or a person in a similar situation;
- h) With abuse of authority or prevailing the agent of domestic relations, cohabitation or hospitality;
- i) With abuse of power or breach of inherent duty
- j) Against a child, elderly person or pregnant woman;
- k) With the contribution of a child;
- l) When the victim was under the immediate protection of the authority;
- m) In the event of fire, shipwreck, flood, any public calamity or private misfortune of the offended party;
- n) With the participation of one or more persons;
- o) At night or in a secluded place;
- p) With weapon superiority.

2. Mitigating circumstances are those that reduce the unlawfulness of the fact, the fault of the agent or the need for the penalty, namely:

- a) grave of an ascendant, of a person on whom he depends or to whom he owes obedience;
- b) The agent's conduct was determined by honorable motive, by strong temptation or request by the victim herself or by unfair provocation or undeserved offense;

c) There have been acts demonstrating the agent's sincere repentance, namely repairing, as far as possible, the damage caused;

d) A long time has elapsed since the practice of crime, keeping the agent good conduct;

e) Have the agent provide relevant services to the company date;

f) The conduct was based on cultural values, usages and customs, as long as they are not contrary to the Constitution or violate the dignity of the human person;

g) Any other extenuating circumstances that precede, accompany or follow the crime.

ARTICLE 72.º

legal measure of the penalty applicable to the crime in respect of which

2. Concurring in the same crime two or more circumstances

or only one of them, if they are of equal gravity, can be considered as such, with the remainder or remainder functioning as circumstances that only matter in determining the concrete measure of the penalty.

ARTICLE 73.º

(Special feather attenuation)

1. The Court especially mitigates the penalty, in addition to the cases specifically provided for by law, when there are circumstances prior, contemporaneous or subsequent to the crime, which sharply reduce the illegality of the fact, the guilt of the agent or the need for the penalty.

2. Circumstances which, by themselves or jointly with others, simultaneously give rise to an attenuation specifically provided for in the law and established in this article, may only be taken into account once.

ARTICLE 74.º

(Terms of special attenuation)

1. Whenever there is a special mitigation of the penalty, the following is observed in relation to the limits of the applicable penalty:

- a) The maximum limit of the prison sentence is reduced by one third;
- b) The minimum limit of the prison sentence is reduced to one fifth, 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 by one third 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 specially mitigated penalty may, after being specifically determined, be replaced in general terms.

ARTICLE 75.^o
(Pity waiver)

1. When the crime is punishable with a prison sentence not exceeding 6 months, or with a fine not exceeding 120 days, the Court may declare the defendant guilty, but not apply any penalty, if:

- a) The unlawfulness of the fact and the fault of the agent are small;
- b) The damage has been repaired;
- c) Preventive reasons are not opposed to the exemption from punishment.

2. If the judge has reason to believe that compensation for damage

assessment of the case within 1 year, on a day that, from the outset, must be scheduled.

3. When another norm admits, on an optional basis, the waiver of penalty, this only takes place if in the case

SECTION II
recurrence

ARTICLE 76.^o
(Recurrence assumptions)

1. Anyone who, by itself or under any form of co-payment, commits an intentional crime punishable with a prison sentence of more than 1 year, after having been convicted by a final sentence of more than 1 year, is punished as a repeat offender. 1 year for another intentional crime, if, according to the circumstances of the case, the perpetrator is to be blamed for the previous conviction or convictions

2. The previous crime for which the agent has been convicted is not relevant for recidivism if more than 6 years have elapsed between its commission and that of the following crime, not being computed, within this period, the time during which the agent has procedural measure, sentence or security measure depriving liberty has been complied with.

3. Convictions handed down by foreign courts count towards recidivism under the terms of the previous numbers, provided that the fact constitutes a crime under Angolan law.

4. The prescription of the sentence, the generic pardon and the pardon

ARTICLE 77.^o
(Effects of recurrence)

1. In case of recidivism, the minimum limit of the penalty applicable to the crime is increased by one third and the maximum limit remains unchanged.

2. The aggravation referred to in the previous number cannot exceed the measure of the most serious penalty applied in previous convictions.

SECTION III
Punishment of Concurrent Crimes and Continuing Crime

ARTICLE 78.^o
(Contest Punishment Rules)

1. When someone has committed several crimes before becoming final, the conviction for any of them is sentenced in a single sentence.

2. The single applicable penalty has as its maximum limit the sum of the penalties concretely applied to the various crimes, which cannot exceed 35 years, in the case of imprisonment, and 900 days, in the case of fines.

3. The applicable penalty has as a minimum limit the highest of the penalties concretely applied to the various crimes.

4. In the measure of the penalty, the facts and personality of the agent are considered together.

5. If the penalties applied to the crimes in concurrence are imprisonment and fines, the different nature of these remains in the single penalty resulting from the application of the criteria established in the previous numbers.

6. Accessory penalties and security measures are always applied to the agent, even if provided for by only one of the applicable laws.

ARTICLE 79.^o

(Supervening knowledge of the competition)

1. If, after a final conviction, but before the respective sentence is fulfilled, prescribed or extinct, it is shown that the agent committed, prior to that conviction, another or other crimes, the rules of the previous article are applicable.

2. The provisions of the previous number are also applicable in the event that all crimes have been separately subject to final convictions.

3. The accessory penalties and security measures applied in the previous sentence are maintained, except when they prove to be unnecessary in view of the new decision.

4. If the accessory penalties and security measures referred to in paragraph 3 are only applicable to the crime for which the accessory penalties and security measures are still to be assessed, they are only decreed if they are still necessary in view of the previous decision.

ARTICLE 80.^o

(Punishment of continued crime)

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

SECTION IV
Discount

ARTICLE 81.^o
(Procedural measures)

1. The deprivation of liberty, namely preventive detention applied to the defendant in the process in which he is convicted, is deducted in full from the fulfillment of the prison sentence applied to him.

2. If a fine is applied, the deprivation of liberty provided for in the previous number is discounted at the rate of 1 day for at least 1 day of fine.

ARTICLE 82.º

(Previous penalty)

1. If the penalty imposed by final decision is subsequently replaced by another, the previous penalty is deducted from this penalty, insofar as it has already been served.

2. If the previous and subsequent sentences are of a different nature, the discount that seems equitable is applied to the new sentence.

ARTICLE 83.º

(Procedural measure or penalty applied abroad)

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

CHAPTER V

extension of sentence

SECTION I

Delinquents by Trend

ARTICLE 84.º

(Extension of sentence)

1. The effective prison sentence for the commission of an intentional crime, exceeding 2 years, is extended for two successive periods of 3 years, if:

- a) The agent has previously committed two or more intentional crimes, to each of which effective imprisonment has also been applied for more than 2 years;
- b) When the sentence or the first extension expires, it is reasonable to expect, taking into account the circumstances of the case, the agent's previous life, his personality and its evolution during the execution of the prison, that the convict, once freed, you will not lead your life in a socially responsible way without committing crimes.

2. Any previous crime ceases to be taken into account, for the purpose of the provisions of paragraph 1, when more than 5 years have elapsed between its commission and that of the following crime, the period during which the agent complied with procedural measure, prison sentence or security measure depriving liberty.

3. Under the terms of the previous numbers, facts judged outside Angola that have led to the application of effective imprisonment for more than 2 years are taken into account, provided that, according to the Angolan Penal Law, a higher prison sentence is applicable to them to 2 years.

ARTICLE 85.º

(Other cases of extension of sentence)

1. Effective prison sentence for committing a felony is extended for two successive periods of 3 years if:

- a) The agent has previously committed four or more intentional crimes, to each of which an effective prison sentence has also been applied;
- b) above is filled.

2. The provisions of paragraph 2 of the previous article are correspondingly applicable.

3. In terms of the previous articles, the facts judged outside Angola that have led to the application of effective imprisonment are taken into account, provided that, according to the Angolan Penal Law, prison sentence is applicable to them.

ARTICLE 86.º

(Restrictions)

1. If the crimes are committed before the offender has completed 25 years of age, the provisions of articles 84 and 85 are only applicable if the offender has served imprisonment for at least 1 year.

2. The period referred to in paragraph 2 of article 85 is, for the purposes of the provisions of this article, 3 years.

SECTION II

Alcoholics and Equals

ARTICLE 87.º

(Assumptions and effects)

The effective prison sentence applied to an alcoholic or person with a tendency to abuse alcoholic beverages is extended for two successive periods of three years if:

- a) The agent has previously committed a crime to which effective imprisonment has also been applied;
- b) The crimes have been committed in a state of drunkenness or are related to alcoholism or the agent's tendency; c) The extension is necessary to eliminate the agent's alcoholism or to combat his tendency to abuse alcoholic beverages.

ARTICLE 88.º

(Narcotic abuse)

The provisions of article 87 are correspondingly applicable applicable to agents who abuse drugs.

SECTION III

Common Provision

ARTICLE 89.º

(Parole)

The provisions of articles 59 to 63 are applicable to cases subject to extension of the sentence.

CHAPTER VI

Penalties Applicable to Legal Entities

SECTION I

Main Feathers

ARTICLE 90.º

(Judicial admonition)

1. If the legal person or equivalent entity must be imposed a fine penalty of no more than 60 days, the Court may limit itself to issuing a judicial admonition, if the damage has been repaired, the legal person, within three years prior to the fact, has not been convicted of any

either penalty, including that of judicial admonition and the Court concludes that, by that means, they are carried out in an adequate manner in general, for the functions of prevention and repression of crime, the Court determines the publication of the conviction.

2. The judicial admonition consists of a solemn oral censure made at a hearing, by the Court, to the legal representative of the legal person or equivalent entity or, failing that, to another person who occupies a leadership position in it.

ARTICLE 91.º

(Fine penalty for legal persons)

minimum limit of 10 days and maximum of 360.

2. Each day of fine corresponds to an amount between 114 Units of Procedural Reference and 113,636 Units

consequences of the act and its costs with the workers

a) The Court may authorize the payment of the fine within a period not exceeding one year, or allow payment in installments, the last of which may not exceed two years following the date on which the conviction becomes final;

b) Within the limits referred to in the previous paragraph and

the payment deadlines initially established can be changed;

c) The non-payment of one of the installments results in the maturity of all.

d) After the deadline for payment of the fine or any of its installments without the payment having been made, the assets of the legal person or equivalent entity are executed.

e) A fine that is not voluntarily or coercively paid cannot be converted into a subsidiary prison.

ARTICLE 92.º

(Dissolution penalty)

The penalty of dissolution is decreed by the Court when the legal person or equivalent entity has been created with the exclusive or predominant intention of committing the crimes indicated in this Law or when the repeated practice of such crimes shows that the legal person or equivalent entity is to be used, exclusively or predominantly, for that purpose, by whoever occupies a leadership position in it.

SECTION II
Accessory Feathers

ARTICLE 93.º

(Publicity of the conviction)

1. Whenever necessary for the useful effect of the sentence imposed, to repair the damage caused by the crime, to protect the assets and interests affected by the violated norm, and

2. Publicity of the condemnatory decision is carried out at the expense of the convict, in a means of social communication at

public notice, for a period of not less than 30 days, at the commercial or industrial establishment itself or at the place of exercise of the activity, in a way that is clearly visible to the public.

3. Without prejudice to the provisions of the previous number, the Court may determine the publicity of the condemnatory decision by resorting to better adequate means or mechanisms for safeguarding the underlying effects of the conviction.

4. Publicity of the condemnatory decision is made by extract, which contains the elements of the offense and the

collectives or equivalent entities.

ARTICLE 94.º

(Guarantee of good conduct)

1. If a legal person or equivalent entity must be subject to a fine of no more than 120 days, the Court may replace it with a guarantee of good conduct, between 1,136 Units of Procedural Reference and 1,136,364

Procedural Reference Units, for a period of one to five years.

2. The guarantee is declared forfeited in favor of the State if the legal person or equivalent entity commits a new crime for which he is convicted within the period of time, being refunded to you in the opposite case.

3. The guarantee may be provided by means of a deposit,

4. The Court revokes the guarantee of good conduct and orders the fulfillment of the fine determined in the judgment if the legal person or equivalent entity does not

ARTICLE 95.º

(Judicial injunction)

1. The Court may order the legal person or equivalent entity to adopt certain measures, namely those necessary to cease the illegal activity or avoid its consequences.

2. The Court determines the period within which the injunction must be fulfilled from the final judgment of the sentence.

ARTICLE 96.º

(Prohibition of entering into contracts)

The prohibition of signing certain contracts or contracts with certain entities is applicable, for a period of 1 to 5 years, to the legal person or equivalent entity.

ARTICLE 97.º

(Deprivation of the right to subsidies, grants or incentives)

The deprivation of the right to subsidies, grants or incentives granted by the State and other public legal persons is applicable, for a period of 1 to 5 years, to the legal person or equivalent entity.

ARTICLE 98.º

(Loss of assets and benefits of crime)

For the purposes of the loss of property and the advantages of the crime, the provisions of articles 120 to 123 apply, with the necessary adaptations.

ARTICLE 99.º

(Prohibition of the exercise of activity)

1. The interdiction of the exercise of certain activities may be ordered by the Court, for a period of three months to five years, when the crime has been committed in the exercise of these activities.

2. When the legal person or equivalent entity commits a crime punishable with a fine of more than 240

certain activities.

3. In the case provided for in the previous number, the Court may rehabilitate the legal person or equivalent entity if it has conducted itself, for a period of five years after serving the main sentence, in a way that makes it reasonable to assume that it will not commit new crimes.

ARTICLE 100.º

(Establishment closure)

1. The closure of an establishment may be ordered by the Court, for a period of three months to five years, when the infraction has been committed within the scope of the respective activity.

2. When the legal person or equivalent entity commits a crime punishable with a fine of more than 240

of the establishment.

3. In the case provided for in the previous number, the Court may rehabilitate the legal person or equivalent entity and authorize the reopening of the establishment if it has conducted, for a period of five years after the main sentence has been served, in such a way that it is reasonable to assume that he will not commit new crimes.

4. It does not prevent the application of the closure penalty, the transfer of the establishment or the transfer of rights of any nature, related to the exercise of the activity, carried out after the initiation of the process or after the commission of the crime, unless the purchaser is found to be in good faith.

5. For the purposes of the previous number, goodwill is understood to be -faith the excusable ignorance that the goods, rights, values or advantages acquired were related to illicit activities.

6. The termination of the legal-employment relationship or the suspension or reduction of the payment of the respective remuneration, which occurs due to the application of the penalty of closure of the establishment or judicial dissolution, is considered, for all purposes, to be termination without just cause.

CHAPTER VII

Security measures

SECTION I

Imprisonment of Unaccountable

ARTICLE 101.º

(Assumptions and minimum duration)

1. Anyone who has committed a typical illicit act and is considered not to be held liable, under the terms of article 18, is ordered to be interned by the Court in an establishment for healing, treatment or security, whenever, by virtue of the psychological anomaly and the seriousness of the committed, there is a well-founded fear that he will commit other acts of the same kind.

2. When the act committed by the inimputable person corresponds to a crime against persons or a crime of common danger punishable with a prison sentence of more than 5 years, the internment has a minimum duration of 3 years, unless the release proves to be compatible with the defense of the legal order and social peace.

ARTICLE 102.º

(Termination and extension of hospitalization)

1. Without prejudice to the provisions of paragraph 2 of the previous article, the state of criminal danger that gave rise to it.

2. Internment cannot exceed the maximum limit of the penalty corresponding to the type of crime committed by the non-imputable person.

3. If the danger of new acts of the same kind is so serious that release is not advisable, confinement may be extended, by judicial decision, by

view no #1.

ARTICLE 103.º

(Review of the situation of the hospitalized person)

termination of confinement, the Court considers the matter at any time.

2. The assessment is mandatory, regardless of the request, after 2 years have elapsed since the beginning of the hospitalization or after the decision that maintained it.

3. In any case, the minimum period of

ARTICLE 104.º

(Freedom to test)

1. If the review referred to in the previous article results that achieved in an open environment, the Court releases the internee for probation.

minimum of 2 years and a maximum of 5, not exceeding, however, the time remaining for the maximum duration of hospitalization. 3. The

provisions of paragraphs 3 and 4 of article 108 are correspondingly applicable.

4. If there are no grounds for revoking the freedom

internment is declared extinct.

pending process or incident that may lead to revocation, the measure is declared extinct when the process

ARTICLE 105.^o

(Revocation of freedom to test)

1. The freedom to test is revoked when:

- a) The agent's behavior reveals that the internment is essential;
- b) The agent is sentenced to a deprivation penalty of

the suspension of execution, pursuant to paragraph 1 of article 50.

2. The revocation determines the rehousing of the agent.

ARTICLE 106.^o

(Reexamination of the measure of internment)

1. Execution of the internment security measure may not begin after 2 years or more have elapsed since the decision that decreed it, without assessing the existence of the assumptions that justified its application.

decreed measure.

ARTICLE 107.^o

(Imputable foreigners)

Without prejudice to the provisions of an international treaty or convention, the measure of internment of a non-imputable foreigner may be replaced by expulsion from national territory, under terms regulated by special legislation.

SECTION II

Suspension of Execution of Internment

ARTICLE 108.^o

(Assumptions and regime)

1. The court ordering the internment shall, instead, suspend the execution if reasonably

measure.

2. In the case provided for in paragraph 2 of article 101, the suspension hospitalization for the same time.

3. The suspension decision imposes on the agent rules of conduct, in terms corresponding to those referred to in article 52, necessary for the prevention of danger, as well as the duty to undergo appropriate outpatient treatments and cure regimes and to provide to examinations and observations in the places indicated to him.

4. The suspension of the execution of the internment cannot be decreed if the agent is simultaneously condemned

grounds for suspending its execution.

5. It is correspondingly applicable:

- a) The suspension of the execution of the internment the provisions of article 102 and in paragraphs 1 and 2 of article 103;
- b) The revocation of the suspension of the execution of the internment the provisions of article 105.

SECTION III

Execution of the Penalty and the Deprivation of Liberty Security Measure

ARTICLE 109.^o

(Regime)

1. The measure of internment is carried out before the sentence that the agent has been convicted and discounted therefrom.

2. As soon as the confinement measure is due to cease, the Court places the agent on conditional release if the time corresponding to half the sentence has been served and the release proves to be compatible with the defense of the legal order and social peace.

3. If the confinement measure must cease, but the time corresponding to half the sentence has not yet elapsed, the Court may, at the request of the convict, replace the time remaining for half the sentence, up to a maximum of 1 year, for performing work in favor of the community, under the terms of article 56, if this proves to be compatible with the defense of the legal order and social peace, the offender being placed on parole after performing the work.

4. If the confinement measure should cease, but the convict has not been placed on parole under the terms of the previous numbers, it is immediately placed once the time corresponding to two thirds of the sentence has been reached.

5. At the convict's request, the remaining prison time for two thirds of the sentence may be replaced, up to a maximum of 1 year, by rendering work in favor of the community, under the terms of article 56.^o

6. The provisions of paragraphs 1 and 5 of article 59 are correspondingly applicable.

7. If the performance of work in favor of the community or parole is revoked, under the terms of number 2 of article 57.^o or article 62.^o, the Court decides whether the offender must serve the remainder of the sentence or continue the sentence.

SECTION IV

Non-Liberty Security Measures

ARTICLE 110.^o

(Prohibition of activities)

1. Whoever is convicted of a crime committed with serious gross violation of the inherent duties, or is acquitted of it just for lack of imputability, the exercise of the respective activity is prohibited when, in view of the fact committed and the personality of the agent, there is a well-founded fear that he may commit other acts of the same species.

may be extended for another period of up to 3 years if,

Mentou a medira.

3. The interdiction period starts from the final and unappealable decision, without prejudice to the possibility of imputing the duration of any interdiction decreed, for the same reason, on a provisional basis.

4. The duration of the interdiction period is suspended for as long as the agent is deprived of liberty by virtue of a procedural coercive measure, penalty or security measure, but if the suspension lasts 2 years or more, the Court re-examines the situation that led to

ARTICLE 111.º

(Revocation of motor vehicle driving license)

1. In case of conviction for a crime committed in driving a motor vehicle or related to it, or with gross violation of the duties incumbent on a driver, or acquittal just for lack of imputability, the Court decrees the revocation of the driving license. driving when, in view of the fact committed and the personality of the agent:

a) There is a well-founded fear that he may commit other acts of the same kind; b) Must be considered unfit to drive a motor vehicle.

2. It is likely to reveal the ineptitude referred to in subparagraph b) of the previous number the commission, among others, of facts that integrate the crimes of:

a) Omission of aid, under the terms of article 208; b) Driving a vehicle while intoxicated, pursuant to article 306; c) Dangerous driving of means of transport, pursuant to mos of article 305.º

ARTICLE 112.º

(Prohibition of granting a license)

1. When decreeing the revocation of the driving licence, the Court determines that the agent cannot be granted a new driving license for motor vehicles, of any category or of a specific category, the provisions of paragraphs 3 and 3 being correspondingly applicable . 4 of article 67.

assumptions of the previous article is not the holder of a driving licence, the Court limits itself to enacting the ban on granting a license, under the terms of the previous number, the judgment being communicated to the competent authority, the provisions of the number being correspondingly applicable. 4 of article 67.

3. If the ban on granting a license has already been decreed against the agent in the 5 years prior to the commission of the act, the minimum period of ban is 2 years.

4. The provisions of paragraphs 2, 3 and 4 of article 110.

ARTICLE 113.º

(Revocation of license to use and carry a firearm and interdiction of concession)

1. In case of conviction for a crime involving the use of a firearm, or acquittal just for lack of imputability, the Court decrees the revocation of the license to use and carry a firearm when, in view of the fact committed and the agent, there is a well-founded fear that he may commit other acts of the same kind.

2. When decreeing the revocation of the license to use and carry a firearm, the Court determines that the agent cannot be granted a new license to use and carry a firearm, the provisions of paragraphs 3 and 4 being correspondingly applicable . and 5 of article 67.

assumptions of paragraph 1 is not the holder of a license to use and carry a firearm, the Court limits itself to enacting the interdiction of granting a license, under the terms of the previous number, the sentence being communicated to the competent entity, being correspondingly applicable the provisions of paragraph 4 of article 67.

4. If the ban on granting a license to use and carry a firearm has already been decreed against the agent in the 5 years prior to the commission of the act, the minimum period of ban is 2 years.

5. The provisions of paragraphs 2, 3 and 4 of article 110 are correspondingly applicable.

ARTICLE 114.º

(Extinction of measures)

1. If, after the minimum deadlines for the pre-emptive measures

request of the prohibition, that the presuppositions of application of those ceased to exist, the Court declares the measures that it has decreed extinct.

2. In the event of rejection, a new application cannot be submitted before 1 year has elapsed.

CHAPTER VIII

Internment of attributable persons with
Psychic Anomaly

ARTICLE 115.º

(Previous psychic abnormality)

1. When the perpetrator is not declared incompetent and is sentenced to prison, but it is shown that, due to a psychic anomaly that he already suffered at the time of the crime, the regime of common establishments will be harmful to him, or that he will seriously disturb this regime , the Court orders his internment in an establishment destined to unimputable for the time corresponding to the duration of the sentence.

2. The internment provided for in the previous number does not prevent the granting of conditional freedom, under the terms of article 59, nor the placement of the offender in a common establishment, for the period of deprivation of liberty that remains to be fulfilled, as soon as the cause ceases. determinant of hospitalization.

ARTICLE 116.º

(Later psychic abnormality)

1. If an anomaly, with the effects provided for in paragraph 1 of article 115 or in article 101, befalls the agent after committing the crime, the Court orders the internment in an establishment intended for non-imputable persons for the corresponding period to the duration of the sentence.

2. To the hospitalization referred to in the previous number, resulting from a psychic anomaly with the effects foreseen in article 115.º, the regime foreseen in no. 2 of that article applies.

3. The hospitalization referred to in no. 1, resulting from mental illness with the effects established in no. 1 of article 101, is deducted from the penalty, with the provisions of no. 2, 3, 4 and 5 of article 109.

ARTICLE 117.º

(Posterior psychic anomaly without danger)

1. If the psychic anomaly that occurs to the agent after the commission of the crime does not make him criminally dangerous, in terms that, if the agent were unaccountable, would determine his internment, the execution of the prison sentence to which he has been sentenced is suspended until cease the state that justified the suspension.

2. The provisions of paragraphs 3 and 4 of article 108 are correspondingly applicable.

3. The duration of the suspension is deducted from the time of the sentence to be served, the provisions of paragraphs 2, 3, 4 and 5 of article 109 being correspondingly applicable.

4. The duration of the sentence in which the agent was condemned may under no circumstances be exceeded.

ARTICLE 118.º

(Situation review)

The provisions of paragraphs 1 and 2 of article 103 are correspondingly applicable to the measures provided for in articles 115, 116 and 117.

ARTICLE 119.º

(Simulation of psychic anomaly)

Alterations to the normal regime for executing the sentence, based on the provisions of the previous provisions of this chapter, expire as soon as it is shown that the agent's psychic anomaly was simulated.

CHAPTER IX

Loss of Instruments, Products and Benefits

ARTICLE 120.º

(Loss of instruments and products)

1. Objects that have served or were intended to be used for the commission of a typical illicit act, or that have been produced by the State, are declared forfeited when, by their nature or the circumstances of the case, they put into question jeopardize the safety of persons, morals or public order, or offer a serious risk of being used to commit new and typical illicit acts.

2. The provisions of the previous number take place even if no specific person can be punished for the fact.

under the terms of the previous numbers, the judge may order that they be totally or partially destroyed or made available to State institutions to whom they may be useful.

ARTICLE 121.º

(Objects belonging to third parties)

1. Without prejudice to the provisions of the following numbers, the loss does not take place if the objects do not belong, at the date they belonged to at the time the forfeiture was decreed.

2. Even if the objects belong to a third party, loss is decreed when their holders have concurred, in an objectionable manner, for their use or production, or have derived advantages from the fact; or, even, when the objects are, for whatever reason, acquired after the commission of the act, the acquirers knowing their origin.

3. If the objects consist of inscriptions, representations or records recorded on paper, in another support or means of audiovisual expression, belonging to a bona fide third party, there will be no loss, proceeding with the refund, after erasing the inscriptions, representations or records that integrate the typical unlawful act or, if this is not possible, the Court orders the destruction, with compensation in accordance with civil law.

ARTICLE 122.º

(Loss of benefits)

1. Any reward given or promised to agents of a typical illicit act, for them or for others, is forfeited in favor of the State.

2. Also forfeited to the State, without prejudice to the rights of the offended party or third parties in good faith, are things, rights or advantages that, through the typical illicit act, have been directly produced, acquired, earned or accessed, for themselves or for others, by agents or third parties, and represent an undue financial advantage of any kind.

3. The provisions of the previous numbers apply to things or rights obtained through transaction or exchange with things or rights directly obtained through the typical illicit act.

4. If the reward, rights, things or advantages referred to in the previous numbers cannot be appropriated in kind, the loss is replaced by payment to the State of the respective value.

ARTICLE 123.º

(Deferred payment or installments and mitigation)

1. When the application of the previous article translates into -if, in particular, the payment of a pecuniary sum, the provisions of paragraphs 3, 4 and 5 of article 47 are correspondingly applicable.

2. If, bearing in mind the socio-economic situation of the person in question, the application of paragraph 4 of the previous article proves to be unfair or too severe, the Court may equitably attenuate the value referred to in that precept.

TITLE IV

Complaint and Private Accusation

ARTICLE 124.º

(Holders of the right to complain)

1. When the criminal procedure depends on a complaint, the victim has legitimacy to file it, unless otherwise stated, considering himself as the owner of the interests that the law especially wanted to protect with the incrimination.

2. If the offended person dies without having lodged a complaint or having waived it, the right of complaint belongs successively to the persons listed below, unless one of them has participated in the crime:

- a) The surviving spouse or person with whom the victim lived in conditions similar to those of spouses, descendants and ascendants; b) Siblings and their descendants.

3. If the victim is under 16 years of age or does not have

exercise of the right of complaint, this belongs to the legal representative and, failing that, to the persons indicated in the paragraphs of the previous number, according to the order referred therein, unless one of them has participated in the crime.

4. Any person belonging to one of the classes referred to in paragraphs 2 and 3 may file a complaint independently of the others.

5. When the right to file a complaint cannot be exercised because ownership would, in that case, only belong to the perpetrator of the crime, the Public Prosecutor's Office may initiate criminal proceedings if special reasons of public interest so require.

ARTICLE 125.º

(Extent of the effects of the complaint)

The presentation of the complaint against one of the participants in the crime makes the criminal procedure extensive to the remaining.

ARTICLE 126.º

(Extinction of the right to complain)

1. The right to file a complaint expires within 1 year from the date on which the holder becomes aware of the fact and its perpetrators, or from the death of the victim, or from the date on which he has become incapable.

2. Since there are several holders of the right to complain, the period is counted autonomously for each one of them.

3. The timely failure to exercise the right to complain in relation to one of the participants in the crime takes advantage of the others, in cases where they too cannot be pursued without complaint.

ARTICLE 127.º

(Waiver and withdrawal of complaint)

1. The right of complaint cannot be exercised if the holder has expressly waived it or has committed acts from which the waiver is necessarily deduced.

2. The complainant may withdraw the complaint, as long as there is no opposition from the accused, until the publication of the judgment of the 1st instance. Withdrawal prevents the complaint from being renewed.

3. The withdrawal of the complaint in relation to one of the participants in the crime benefits the others, unless they oppose it, in cases where they too cannot be pursued without complaint.

ARTICLE 128.º

(Private charge)

The provisions of the articles in this title are correspondingly applicable to cases in which the criminal procedure depends on a private accusation.

TITLE V

Extinction of Criminal Liability

CHAPTER I

Prescription of Criminal Procedure

ARTICLE 129.º

(Limitation deadlines)

1. The criminal procedure is extinguished, without prejudice to the provisions of paragraph 4, by statute of limitations, as soon as the following deadlines have elapsed on the commission of the crime:

- a) 15 years, in the case of crimes punishable with imprisonment whose maximum limit exceeds 10 years;
- b) 10 years, in the case of crimes punishable with imprisonment whose maximum limit is equal to or greater than 5 years, but which does not exceed 10 years;
- c) 5 years, in the case of crimes punishable with imprisonment whose maximum limit is equal to or greater than 1 year, but less than 5 years;
- d) 2 years, in the remaining cases.

2. For the purpose of the provisions of the previous number, in determining the maximum penalty applicable to each crime, the elements that belong to the type of crime are taken into account, but not the aggravating or mitigating circumstances.

3. When the law establishes, alternatively, imprisonment or a fine for any crime, only the former is considered for the purposes of the provisions of this article.

4. The crimes of genocide, crimes against humanity and crimes of terrorism and terrorism cannot be prescribed.

International.

ARTICLE 130.º

(Start of term)

1. The limitation period for criminal proceedings runs from the day on which the fact has been consummated.

2. The limitation period only runs in the following cases:

- a) In permanent crimes, from the day on which the consummation ceases;
- b) In ongoing crimes and habitual crimes, from the day on which the last act was committed;
- c) In unconsummated crimes, from the day on which the last act of execution was carried out;
- d) In the case of complicity, for the purposes of this article, the fact of the author is always taken into account.

included in the type of crime, the limitation period

4. In crimes committed against children, the statute of limitations is only completed 1 year after the day on which the offended persons reach the age of 18.

ARTICLE 131.^o
(Suspension of prescription)

1. The prescription of criminal proceedings is suspended, in addition to the cases specifically provided for by law, during the time when:

- a) The criminal proceedings cannot legally begin or continue due to lack of legal authorization or a sentence to be handed down by a non-judicial court. Criminal, or as a result of the return of such a harmful matter to a non-criminal court;
- b) The criminal proceedings are pending as of

Dispatch that has the same effect;

- c) The offender is serving a sentence or security measure involving deprivation of liberty abroad.

2. In the cases provided for in paragraphs a) and b) of paragraph above, the suspension may not exceed 3 years.

3. The prescription runs again from the day on which the cause of the suspension.

ARTICLE 132.^o
(Interruption of prescription)

1. The prescription of the criminal procedure is interrupted:

- a) With the constitution of a defendant under the terms of the applicable procedural rules;
- b) Order that has the same effect;
- c) judgment in the absentee proceedings.

2. After each interruption, a new limitation period begins to run.

3. The limitation period of the criminal procedure always takes place when, from its beginning and except for the period of suspension, the normal limitation period plus half of it has elapsed.

4. When, by virtue of a special provision, the limitation period is less than 2 years, the maximum limitation period corresponds to twice that period.

CHAPTER II

Prescription of Penalties and Security Measures

ARTICLE 133.^o
(Time limits for penalties)

1. Penalties prescribe within the following periods:

- a) 20 years, if they exceed 10 years in prison;
- b) 15 years, if they are equal to or greater than 5 years in prison;
- c) 10 years, if they are equal to or greater than 2 years in prison;
- d) 4 years in the remaining cases.

2. The limitation period begins to run on the day on which the decision that imposed the penalty becomes final.

ARTICLE 134.^o
(Effects of the prescription of the main sentence)

The prescription of the main penalty involves the prescription of the accessory penalty that has not been executed, as well as the

ARTICLE 135.^o
(Time limits for security measures)

1. Security measures prescribe within 15 or 10 years, depending on whether they are custodial or non-custodial security measures.

2. The security measure of revocation of driving license prescribes within a period of 5 years.

ARTICLE 136.^o
(Suspension of prescription)

1. The prescription of the penalty and the security measure is suspended, in addition to the cases specifically provided for by law, during the time when:

- a) By virtue of the law, the execution cannot start or continue to take place;
- b) The convict is serving another sentence or security measure involving deprivation of liberty;
- c) The delay in paying the fine persists.

2. Prescription starts to run again from the day on which the cause of suspension ceases.

ARTICLE 137.^o
(Interruption of prescription)

1. The prescription of the penalty and the security measure is interrupted with its execution.

2. After each interruption, a new limitation period begins to run.

3. The prescription of the penalty and the security measure always takes place when, from its inception, except for the period of suspension, the normal limitation period plus half of it has elapsed.

CHAPTER III

Other Causes of Extinction

ARTICLE 138.^o
(Other causes of extinction)

Criminal responsibility is also extinguished, under the terms and with the effects established in paragraph 3 of article 2, and also by death, amnesty, generic pardon and pardon.

ARTICLE 139.^o

(Effects)

1. The death of the agent extinguishes both the criminal procedure and the penalty or security measure.
2. The amnesty extinguishes the criminal procedure and, in case of conviction, it stops the execution of both the penalty and its effects as well as the security measure.
3. Generic forgiveness extinguishes the penalty, in whole or in part.
4. The pardon extinguishes the sentence, in whole or in part, or replaces it with a more favorable one provided for by law.

TITLE VI

Compensation for Losses and Damages for Crime

ARTICLE 140.^o

(Civil liability arising from crime)

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

ARTICLE 141.^o

(Indemnification of the injured party)

may secure the compensation due as a result of

cannot be satisfied by the agent.

2. In cases not covered by the legislation referred to in the previous number, the Court may attribute to the injured party, at his request and up to the limit of the damage caused, the objects declared lost or the proceeds from their sale, or the price or value corresponding to advantages arising from the crime, paid to the State or transferred in its favor pursuant to articles 120.^o, 121.^o, paragraph 2 and 122.^o

3. Outside of the cases provided for in the legislation referred to in paragraph 1, if the damage caused by the crime is so serious

predicting that the agent will not repair it, the Court assigns to the same injured person, at his request, in whole or in part and up to the limit of the damage, the amount of the fine.

payment up to the amount you have satisfied.

TITLE VII

Misdemeanors

ARTICLE 142.^o

(General provisions)

1. The unlawful act thus called constitutes a contravention by law and punishable only by a fine.
2. The illicit act called contravention is considered

of freedom.

3. The provisions relating to crimes are applicable to contraventions, unless the law provides otherwise.

ARTICLE 143.^o

(Negligence in misdemeanors)

In misdemeanors, negligence is always punished.

ARTICLE 144.^o

(Convertibility of fine penalty)

1. If the fine penalty is not paid, voluntarily or coercively, nor has it been replaced by work under the terms of article 48, subsidiary imprisonment is served, in accordance with the provisions of article 49.
2. If the fine is not established by law on days of

prison, between a minimum of 6 days and a maximum of 1 year in prison.

ARTICLE 145.^o

(Contest of infringements)

If the same act simultaneously constitutes a crime and misdemeanor, the agent is punished as a crime, without prejudice to the application of the accessory sanctions provided for the misdemeanor.

ARTICLE 146.^o

(Recurrence and extension of sentence)

The rules of this code do not apply to misdemeanors. relating to recidivism and sentence extension.

BOOK II

special part

TITLE I

Crimes Against People

CHAPTER I

Crimes Against Life

SECTION I

Murder

ARTICLE 147.^o

(simple homicide)

Anyone who voluntarily kills another person is punished with a prison sentence of 14 to 20 years.

ARTICLE 148.^o

1. The homi is punished with imprisonment from 20 to 25 years murder committed using the following means:

- a) Poison or other insidious means;
- b) Concealment or any other means that makes it difficult or impossible for the victim to defend himself;
- c) Acts of cruelty or torture;
- d) Due to medical-medicinal experiences or

patient's mind.

2. Homicide is punished with the same penalty when the act is committed:

- a) by two or more persons;
- b) With serious abuse of authority, the agent being public agent.

ARTICLE 149.º

Murder committed for the following reasons is punishable with a prison sentence of 20 to 25 years:

- a) Greed, pleasure of killing, excitement or satisfaction of the sexual instinct;
- b) Payment, reward, promise or any futile or base reason;
- c) Racial, religious, political, ethnic-linguistic or regional hatred;
- d) To prepare, execute or cover up another crime;
- e) To facilitate the escape or ensure the impunity of the perpetrator of the crime;
- f) pondered about the motives and counter-motives or having persisted in the intention to kill for more than 24 hours.

ARTICLE 150.º

Homicide in which the victim is: a) Ascending or descending, adoptive or adopted or relative up to the third degree of the collateral line of the perpetrator of the crime is punishable with a prison sentence of 20 to 25 years;

- b) Spouse or person with whom the agent lives in a similar situation to that of spouses;
- c) A person who is particularly helpless on account of age,
- d) President of the Republic and Heads of its Bodies Auxiliaries, members of Sovereignty Organs, Ombudsman, Magistrate of the Ministry Public, Provincial Governor, Lawyer,

is in charge of a public service, force agent or security service, provided that the act is committed in the exercise or because of the exercise of the victim's functions; e) Witness, declarant, expert, assistant or offender

- f) Lecturer, examiner, minister of religious worship in the exercise or because of the exercise of their duties.

ARTICLE 151.º
(Infanticide)

puerperal status is punishable with up to 3 years imprisonment.

ARTICLE 152.º
(negligent homicide)

1. Anyone who negligently kills another person is punished with a prison sentence of up to 3 years.
2. If the negligence is gross, the prison sentence is from 1 to 5 years.

ARTICLE 153.º

(Inciting or aiding suicide)

1. Whoever incites another person to suicide and this is consummated or even attempted is punished with imprisonment for up to 3 years.
2. Anyone who, under the same circumstances, limits himself to helping the person who has decided to commit suicide is punished with imprisonment for up to 2 years or with a fine of 240 days.
3. If, due to age, psychological anomaly or other reason, the victim's ability to assess or determine is reduced, the penalties referred to in paragraphs 1 and 2 are increased by half, in the maximum and minimum limits.

SECTION II

ARTICLE 154.º

(Interruption of pregnancy)

1. Whoever interrupts a woman's pregnancy without her consent shall be punished with imprisonment from 2 to 8 years.
2. Incurs the same penalty who, knowing that the woman is pregnant, exerts acts of force or violence against her and, in this way, interrupts the pregnancy, even if that is not its purpose.
3. Whoever, with the consent of the pregnant woman, interrupts the pregnancy or helps to interrupt it outside of the cases foreseen in number 1 of article 156, is punished with imprisonment from 1 to 5 years.
4. A pregnant woman who, for her own reason, interrupts her pregnancy or, in any way, participates in the interruption or consents to a third party interrupting it, outside of the cases provided for in paragraph 1 of article 156.º, is punished with Pri penalty is up to 5 years.
5. For the purposes of this article, the consent of a pregnant woman under 16 years of age or a woman with a mental disorder or when consent was obtained by fraud, threat, violence or coercion is irrelevant.

ARTICLE 155.º

(Aggravated termination of pregnancy)

1. The penalties provided for in paragraphs 1 and 2 of the previous article are increased by one third in their limits, if as a result of the interruption of the pregnancy or the means employed, serious harm to the physical integrity or death of the woman results.
2. The aggravation also applies to the agent who habitually engages in the practice of the facts described in paragraph 3 of the previous article.

ARTICLE 156.º

(Extinction of liability and special mitigation of penalty)

1. There is no criminal liability when the termination of pregnancy, carried out at the request or with the consent of the pregnant woman:
 - a) Constitute the only means of removing the danger of death or serious and irreversible damage to the physical or mental integrity of the woman;

- b) It is medically certified that the fetus is non-viable;
 c) The pregnancy results from a crime against freedom and
 in the first 16 weeks of pregnancy.

medical report, written and signed before the intervention by a doctor other than the one by whom, or under whose direction, the interruption is carried out, without prejudice to the provisions of the following number.

3. Whenever the circumstance provided for in subparagraph b) of paragraph 1 does not represent a danger to life or serious and irreversible damage to the integrity of the woman, the termination of pregnancy depends on authorization by the competent magistrate, doctor's opinion.
4. Without prejudice to the subsequent numbers, the extinction of criminal liability under the terms of paragraph c) of paragraph 1

Prosecutor's Office on the pendency of the corresponding process, accompanied by the examination of the forensic evidence and a medical report issued by the competent health authority, attesting that the pregnancy resulted from a violation of the woman's freedom or sexual self-determination.

5. The penalty established in number 1 of article 154 is especially attenuated when:

- a) The interruption is indicated to avoid danger of harm or serious and lasting harm to the physical or mental integrity of the pregnant woman
 of pregnancy;
 b) There are strong reasons to foresee that the unborn child will suffer from a serious illness or malformation
 24 weeks pregnant.

6. For the cases provided for in items a) and b) of the previous number, the formalism provided for in number 2 applies, with the necessary adaptations.

7. For the purpose of extinct liability or special mitigation of the penalty, the termination of pregnancy must always be carried out by a doctor or under the direction of a doctor other than the one who certifies the respective viability,

state of knowledge and experience of medicine.

8. Lack of medical report or other documents

2, 4 and 6 removes the extinction of responsibility or the special mitigation of the penalty, with soante os casos

9. Before proceeding with the termination of pregnancy, the doctor must warn the pregnant woman of the respective implications, seeking to clarify and advise her so that her decision can be taken with greater awareness and responsibility.

10. Consent must be given in a document signed by the pregnant woman or, not knowing or unable to sign, by another person at her request, at least 3 days in advance of the date of the intervention.

11. If the pregnant woman is under 16 years of age or suffers from mental incapacity, consent must be provided by the legal representative, by ascending or descending or, failing that, by any relative in the collateral line, respectively and successively.

12. Unable to obtain consent under the terms of the previous number and if it is urgent to interrupt the pregnancy, the doctor may decide in conscience, given the concrete situation before him, also resorting, whenever it is possible to obtain it, another doctor's opinion.

ARTICLE 157.º

(Propaganda favorable to the interruption of pregnancy)

1. It is punishable with a prison sentence of up to 1 year or a fine of up to 120 days, who, through advertising means or at public meetings, with the aim of obtaining an advantage:

- a) Offer own services or others, with a view to termination of pregnancy;
 b) Advertise appropriate procedures, means or objects for terminating a pregnancy.

2. The prohibition in the previous number does not cover activities aimed at making known and promoting the procedures, objects and means referred to therein, through

medical or pharmaceutical information, namely prospectuses relating to drugs or surgical instruments, nor to the explanations given by those who want to sell them, the medical

health establishments authorized to interrupt pregnancy, under the terms of the previous article.

ARTICLE 158.º

(Circulation of means for termination of pregnancy)

Whoever receives or transmits, for whatever reason, means intended for the interruption of pregnancy, with the intention of promoting the practice of the acts foreseen in articles 154 and 155, shall be punished with imprisonment of up to 1 year or a fine of up to 120 y

CHAPTER II

Crimes Against Physical and Mental Integrity

ARTICLE 159.º

(Simple offense to physical integrity)

1. Anyone who offends the body or health of another person is punished with imprisonment for up to 1 year or a fine of up to 120 days.

2. The criminal procedure depends on the complaint.

3. The Court may dispense with the sentence when:

- a) There have been reciprocal injuries and if it has not been proved which of the contenders attacked first; b) The agent limited himself to responding to the aggression.

ARTICLE 160.º

(Serious offense to physical integrity)

1. Anyone who offends the body or health of another person in such a way as to provoke him to:

- a) Severe and permanent deformity or deprivation of an organ or member;
- b) Female genital mutilation, total or partial, through
 - or any other practice harmful to the female genital tract for non-medical reasons;
- c) Decrease or permanent loss of physical or mental health, of one of the senses, of a limb, of an organ or of a function;
- d) Particularly painful disease;
- e) Danger to life.

2. If the deprivation of the organ or member to which the

tive, the penalty is imprisonment from 3 to 12 years.

ARTICLE 161.º

(Aggravation by result)

1. If the offense to the body and health of the other person comes to authorized person, in accordance with the knowledge and practices resulting in death, the penalty of medicine, with the intention of preventing, diagnosing, eradicating or reducing disease, suffering, injury, bodily fatigue or mental disturbance.

is: a) Prison from 1 to 6 years in the case of article 159; b) Imprisonment of 3 to 12 years in the case of paragraph 1 of article 160; c) Imprisonment of 5 to 14 years in the case of paragraph 2 of article 160.

2. Whoever commits the offenses provided for in article 159.º and the offenses provided for in article 160.1.1 result from them, shall be punished with imprisonment from 6 months to 5 years.

ARTICLE 162.º

The penalties referred to in the previous articles are increased by a quarter in their minimum and maximum limits, provided that

gos 148th to 150th

ARTICLE 163.º

(Offense to privileged physical integrity)

Anyone who offends the physical integrity of another person and, at the time of the act, is in a state of intense emotion, compassion, despair or any other relevant reason that considerably reduces their guilt, the applicable penalty is specially mitigated.

ARTICLE 164.º

(Offense to physical integrity due to negligence)

1. Anyone who, by negligence, offends the body or health of another person is punished with imprisonment for up to one year or a fine of up to 120 days.

2. If the offense does not result in illness or incapacity for work for more than 8 days, the penalty is imprisonment for up to 6 months or a fine of up to 60 days.

3. If the fact results in a serious offense to physical integrity, the agent is punished with a prison sentence of up to 2 years or a fine of up to 240 days.

4. The criminal procedure depends on the complaint.

ARTICLE 165.º

(Consent)

1. For the purpose of consent, under the terms of articles 34 and 35, physical integrity is considered freely available.

2. For the same purpose, the contrary to good customs is assessed according, namely, to the motives and

predictable extent of the offense.

3. The consent of a minor under 16 is not valid. years, if not provided by him and his legal representative.

4. In the case of a minor under 14 years of age or an incapable person for psychic anomaly, judicial authorization is required.

ARTICLE 166.º

1. It is not considered an offense to physical integrity the intervention and treatment performed by a doctor or legally authorized person, in accordance with the knowledge and practices of medicine, with the intention of preventing, diagnosing, eradicating or reducing disease, suffering, injury, bodily fatigue or mental disturbance.

2. The doctor or legally authorized person who, in interventions or treatments contrary to the knowledge and practices of medicine and, in this way, endangering the life of another person or creating danger of serious harm to the body or health of that person is punished with imprisonment for up to 2 years or with the of a fine of up to 240 days, if a more serious penalty does not apply due to the application of another penal provision.

ARTICLE 167.º

(Depiction of violence)

1. Whoever manufactures, imports or stores, puts into circulation, promotes, exhibits, offers, shows, makes accessible or makes available to other people, sound or visual recordings, images or other objects that insistently defend acts of violence or cruelty against human beings, is punished with a prison sentence of up to 1 year or a fine of up to 120 days.

2. If the agent acted for profit or to promote terrorism, the penalty is imprisonment of up to 2 years or a fine of up to 240 days.

ARTICLE 168.º

1. Whoever lives with a minor or incapacitated person or has them under his care, under his authority or at his service, is punished with a prison sentence of 2 to 6 years, if a more serious sentence does not apply to him under his authority or service or

artistically and usually:

- a) cos or psychics;
- b) Employing him in dangerous, inhumane or prohibited activities;
- c) Overburdening him with excessive work;
- d) To force begging,

2. The same penalty applies to anyone who habitually exercises physical or psychological violence against their spouse or person with whom they live in a similar situation to that of spouses.

person with whom they live in a situation similar to that of their spouses,

ARTICLE 169.^o
(Participation in brawl)

1. Whoever participates in a fight, where violent acts are committed or seriously dangerous instruments are used, is punished with imprisonment for up to 1 year or with a fine of up to 120 days.

2. The penalty is imprisonment for up to 5 years, if the brawl results in death or serious harm to the physical integrity or health of any person, as long as these are not attributable to the participant in the brawl.

3. Participation in a fight is not punishable when it is determined by the need to react against an attack, defend others, separate contenders or when similar situations occur.

CHAPTER III

Crimes Against the Freedom of People

ARTICLE 170.^o
(Threat)

1. Whoever, by any means, seriously threatens another person with the commission of a crime against physical integrity, personal freedom, sexual freedom and self-determination or property of considerably high value, under the terms of paragraph a) of article 391. ^o, in order to cause causing him fear or uneasiness or impairing his freedom of determination is punished with imprisonment for up to 1 year or a fine of up to 120 days.

2. The threat of death is punishable by imprisonment from 6 months to 2 years or with a fine of 60 to 240 days.

3. The penalties established in the previous numbers are aggravated by half their limits, minimum and maximum, if the threat is directed at a person because of their race, color, ethnicity, place of birth, sex, sexual orientation,

political or ideological convictions, social condition or origin or any other forms of discrimination.

4. The provisions of the previous number apply to the threat directed at a human group that is characterized by race, color, ethnicity, place of birth, sex, sexual orientation, disease

political or ideological convictions, social condition or origin or other relevant reason that respects the people who constitute it.

5. The penalties established in the previous numbers are even aggravated by one fifth of their limits, minimum and maximum, if the crime is committed through an information system, under the terms of paragraph e) of article 250.^o

6. Unless the victim is a minor, criminal proceedings depend on the victim's complaint or, in the case described in paragraph 4, any member of the threatened group.

ARTICLE 171.^o
(Coercion)

1. Whoever, by means of violence or threat to cause a relevant harm, constrains another person to an action or omission or to support an activity, is punished with prison sentence of up to 3 years or with a fine of up to 360 days.

2. The evil referred to in the previous number is relevant whenever, given the circumstances of the fact, it is adequate to compel the threatened person to an action or omission or to support an activity.

3. The penalty established in no. 1 is aggravated by 1/5 of its minimum and maximum limits, if the crime is committed through an information system, under the terms of sub-paragraph e) of article 250.

4. The act is not punishable when the violence or threat used is proportionally appropriate to the reality.

5. The attempt is always punishable.

6. The criminal procedure depends on the complaint, unless the victim is a minor.

ARTICLE 172.^o
(serious duress)

When coercion is carried out by means of a threat of death or the commission of a crime punishable with a prison sentence of more than 3 years, by a public official with serious abuse of his duties, against any of the persons referred to in paragraph d) of article 150. or the victim is a person

illness or pregnancy or commit suicide or attempt suicide, the penalty is imprisonment from 1 to 5 years.

ARTICLE 173.^o
(Persecution)

1. Whoever, repeatedly, persecutes or harasses another person by any means, directly or indirectly, in an adequate way to provoke fear or uneasiness or to jeopardize his freedom of self-determination is punished with imprisonment for up to 2 years or fine up to 240 days.

2. If the victim is a minor, the penalty is 1 to 2 years in prison or a fine of 120 to 240 days.

3. The accessory penalties of prohibiting contact or approximation with the victim for a period of 6 months to 3 years, and the obligation to attend

of persecution.

4. The criminal procedure depends on the complaint.

ARTICLE 174.^o
(kidnapping)

1. Whoever arrests, detains, keeps a person arrested or detained or, in any way, deprives him of his freedom is punished with imprisonment from 6 months to 3 years or with a fine of 60 to 360 days.

2. The penalty is imprisonment from 2 to 8 years, when the deprivation of liberty:

- a) Is preceded or accompanied by torture or other cruel, inhuman or degrading treatment;
- b) It was committed under the false pretext that the victim suffered from a mental disorder;
- c) Is committed against a defenseless person, due to the pregnancy;
- d) Is practiced simulating the agent, public authority or with gross abuse of authority;
- e) Is committed against the persons referred to in paragraphs d) and e) of article 150; f) Last more than 15 days.

3. The penalty is imprisonment from 2 to 12 years, when the deprivation of liberty:

- a) Last more than 30 days;
- b) It is preceded, accompanied or it results in serious harm to the physical integrity of the victim, under the terms of article 160.^o or it results in the suicide of the victim.

4. The penalty is imprisonment from 5 to 14 years, if the deprivation of liberty results in the death of the victim.

ARTICLE 175.^o
(Rapture)

1. It is punishable with imprisonment from 1 to 5 years, who, by means of violence, threat or cunning, kidnaps another person, transferring him from one place to another, with the intention of:

- a) Submitting to slavery;
- b) Subject to extortion;
- c) Commit a crime against his self-determination sexual;
- d) Obtain ransom or reward.

2. The penalty is imprisonment from 3 to 10, from 4 to 12 or from 5 to 15 years, if any of the situations described in paragraphs 2, 3 or 4 of the previous article occur, respectively.

ARTICLE 176.^o
(hostage taking)

1. Whoever commits kidnapping or abduction with the intention of carrying out

international organization, a natural or legal person or entity to an act or omission or to support an activity, threatening:

- a) Kill the kidnapped or abducted person;
- b)
- c) Keep her deprived of her freedom.

2. The provisions of paragraph 2 of the previous article regarding kidnapping are correspondingly applicable to the crime of taking hostages.

3. The penalties established in the previous numbers are equally applicable to those who, determined by the intention

of hostages committed by others.

ARTICLE 177.^o
(Slavery)

1. Whoever reduces another person to the status of an individual over whom the powers inherent to the right of property are exercised, in whole or in part, is punished with imprisonment from 7 to 15 years.

2. Whoever alienates, assigns, acquires or takes possession of a person with the purpose of keeping him in the state or condition described in the previous number commits the same crime and is punished with the same penalty.

3. Anyone who buys or sells a child under the age of 14 for adoption or, for the same

ARTICLE 178.^o

1. Whoever, by means of violence, kidnapping or serious threat, ruse or fraudulent maneuver, with abuse of authority resulting from a relationship of hierarchical, economic, work or family dependency or taking advantage of psychic incapacity or a situation of special vulnerability of the victim, offer, accept, deliver, recruit or

labor exploitation or to pursue other forms of

with a sentence of 4 to 10 years in prison.

human tissue, the penalty is 5 to 12 years in prison.

with a prison sentence of 5 to 12 years.

4. If the extraction or collection of human tissues results in the death of the victim, the penalty is 20 to 25 years in prison.

prison.

ARTICLE 179.^o

1. Whoever, being a doctor or legally authorized person, performs a medical intervention or treatment as indicated in Article 166(1) without the patient's consent is punished with imprisonment of up to 3 years or a fine of up to 360 days.

2. The act is not punishable if the consent:

- a) It cannot be obtained or renewed without delay that endangers the patient's life or implies a serious danger to his body or health;

b) It is given for a certain intervention or treatment and a different intervention or treatment ends up being carried out because these have been considered, according to the knowledge and experience of medicine, the adequate means to avoid a serious danger to life, body or the health of the patient.

3. The act described in subparagraph b) of the previous number is punishable if circumstances occur that allow the conclusion, with certainty, that the consent would have been refused by the patient.

4. For the purposes of this article, consent is only relevant when the patient has been duly informed about the diagnosis, nature, scope and possible consequences of the intervention or treatment, unless this implies the communication of facts which, to be known of the patient, could endanger his life or cause serious damage to his health.

5. The criminal procedure depends on the complaint.

ARTICLE 180.^o

(Special feather attenuation)

When, in the cases of articles 174.^o to 177.^o, the agent freely and voluntarily renounces his claim and frees the person kidnapped, kidnapped, taken hostage or enslaved or seriously tries to do so, without having practiced, against the victim, any other crime during the deprivation of his liberty, the judge may specially mitigate the penalty.

CHAPTER IV

sexual crimes

SECTION I

ARTICLE 181.^o

For the purposes of the provisions of this chapter, it is understood by: a)

«*Sexual act*», any act performed to satisfy
tion of the sexual

instinct; b) «*Sexual aggression*», any sexual act carried
out by means of threat, coercion, violence, or placing
the victim in a situation of being unable to resist; c)

«*Sexual
penetration*» means copulation, anal or oral intercourse
and vaginal or anal penetration with any part of the
body or objects used in circumstances of sexual
involvement.

SECTION II

Crimes Against Sexual Freedom

ARTICLE 182.^o

(sexual assault)

1. Whoever commits sexual aggression against another person, even if this person is the perpetrator's spouse, is punished with imprisonment from 6 months to 4 years.

2. The same penalty is applied to anyone who, in the same way, causes another person to suffer or performs a sexual act with a third party.

ARTICLE 183.^o

(Sexual assault with penetration)

Whoever, through the means referred to in paragraph b) of article 181, performs sexual penetration on another person, even if this person is the agent's spouse or who, by the same means, compels her to undergo sexual penetration by a third party, is punished with imprisonment. from 3 to 10 years.

ARTICLE 184.^o

(Sexual abuse of an unconscious or unable to resist person)

1. Whoever performs a sexual act with an unconscious or incapable person, taking advantage of any of these situations, is punished with imprisonment from 1 to 4 years.

2. If there is penetration, the penalty is imprisonment from 3 to 12 years.

ARTICLE 185.^o

(Sexual abuse of hospitalized person)

1. Whoever, taking advantage of the function or position that, in any capacity, exercises or holds in a prison, education, hospital, health, or other establishment intended for treatment or assistance, performs a sexual act with a person

is in their care shall be punished with imprisonment from 1 to 4 years.

2. If there is sexual penetration, the penalty is imprisonment for 2 to 10 years.

ARTICLE 186.^o

(Sexual harassment)

1. Whoever, abusing authority resulting from a relationship of domination, hierarchical dependency or work, seeks to constrain another person to suffer or to practice a sexual act, with the agent or with another, by means of order, threat, coercion or fraud, is punishable with imprisonment of up to 3 years or a fine of up to 360 days.

2. If the victim is a minor, the penalty is 1 to 4 years in prison.

ARTICLE 187.^o

(Sex Fraud)

1. Whoever takes advantage of another person's error or misleads him about his personal identity and, thus, performs a sexual act with him, is punished with imprisonment for up to 3 years or a fine of up to 360 days.

2. If there is penetration, the penalty is 6 months imprisonment 4 years ago.

ARTICLE 188.^o

woman, without her consent, is punishable with imprisonment from 1 to 3 years.

2. If the woman is a minor, the penalty is imprisonment from 3 to 10 years.

ARTICLE 189.^o
(lenocinio)

1. Whoever, with the intention of making a profit, promotes, favors or facilitates the exercise of prostitution or the repeated practice of sexual acts by another person, taking advantage of a situation of economic need or particular vulnerability of the victim or constraining her to that exercise or practice, using violence, threat or fraud, is punished with imprisonment from 1 to 8 years.

2. If the agent takes advantage of the incapacity situation

ARTICLE 190.^o

Whoever, using violence, threat, ruse, fraudulent maneuver, or taking advantage of any dependency relationship or situation of particular vulnerability of a person to entice or constrain the practice of prostitution in a foreign country or to favor this exercise, transporting, lodging a or receiving it, is punished with imprisonment from 2 to 10 years.

ARTICLE 191.^o
(sexual harassment)

1. Whoever harasses another person, practicing acts of sexual exhibitionism before him, constraining him to contact of a sexual nature or formulating explicit proposals of a sexual content, is punished with imprisonment for up to 3 years or a fine of up to 360 days, if longer serious does not fit him under another legal provision.

2. Anyone who commits acts of sexual harassment before a minor under 14 years of age is punished with a prison sentence of 6 months 4 years ago.

SECTION III
Crimes Against Sexual Self-Determination

ARTICLE 192.^o
(Sexual abuse of a child under 14 years of age)

1. Whoever performs a sexual act with a minor under the age of 14 or makes him practice it with another person is punished with imprisonment from 1 to 5 years.

2. If there is sexual penetration, the penalty is imprisonment for 3 to 12 years.

3. If there is penetration with a minor under 12 years old, the penalty is 5 to 15 years.

4. Whoever instigates a minor under 14 years of age to witness sexual abuse or sexual activities is punished with imprisonment from 6 months to 3 years or a fine of 60 to 360 days.

ARTICLE 193.^o
(Sexual abuse of a minor under 16 years of age)

1. Whoever, being of age, takes advantage of the inexperience of a minor under 16 years of age or a situation of particular need in which he finds himself and performs sexual acts with him or makes him practice them with a third party, is punished with imprisonment for up to 1 to 5 years.

2. If there is penetration, the penalty is imprisonment from 3 to 8 years.

ARTICLE 194.^o
(Sexual abuse of a dependent minor)

1. Whoever practices or induces to practice sexual acts with a minor under 18 years of age who is in his custody to assist or educate, is punished with imprisonment for:

- a) 5 to 15 years in prison, if he is under 14 years of age age;
- b) 3 months to 12 years, if the minor is under 18 years old.

2. If there is sexual penetration, the penalty is imprisonment from 8 to 15 years if the minor is under 14 years of age, and from 5 to 12 years if the minor is under 18 years of age.

ARTICLE 195.^o
(Protector of minors)

1. Whoever promotes, encourages, favors or facilitates the exercise of prostitution by minors under 18 years of age or the repeated practice of sexual acts by minors under 18 years of age is punishable with imprisonment from 3 to 12 years.

2. If the agent uses violence, threat or coercion,

described in the previous number, the minor suffers from a mental anomaly or is under 14 years of age, the penalty is imprisonment from 5 to 15 years.

ARTICLE 196.^o

1. Anyone who entices a minor under 18 years of age to exercise or hosting or, in any other way, favoring that exercise, is punished with imprisonment from 5 to 12 years.

2. If the agent uses violence, threat or coercion,

described in the previous number, the minor suffers from a mental anomaly or is under 14 years of age, the penalty is imprisonment from 8 to 15 years.

ARTICLE 197.^o
(Recourse to prostitution of minors)

1. Whoever, being of legal age, performs a sexual act with a minor, against payment or other consideration, is punished with a prison sentence of up to 3 years.

2. If there is penetration, the agent is punished with imprisonment from 1 to 5 years, if a more serious penalty does not apply under another provision.

ARTICLE 198.^o

1. It is punishable with imprisonment from 1 to 5 years who:

- a) Promoting, facilitating or allowing minors under the age of 18 to participate in obscene reading, conversation,

b)

c)

2. It is punishable with imprisonment from 2 to 10 years who:

a)

through information system; b)

Offer, make available, disseminate or transmit

information.

3. Whoever acquires, holds, agrees on or facilitates access

with imprisonment from 1 to 5 years.

is imprisonment from 3 to 10 years.

5. For the purposes of paragraph 2, it is understood by:

a) " ", any pornographic material

under 18 years old or person, real or virtual, appearing to be under 18 years old, engaged in sexually explicit behavior or that incites the practice of such behavior;

b) «Information system

of article 250

SECTION IV
Common Provisions

ARTICLE 199.^o
(The record)

1. The penalties provided for in articles 182.^o to 184.^o and 187.^o to 198.^o are aggravated by one third in their minimum and maximum limits, if the victim is:

a) Ascending or descending, adopting or adopting

collateral line of the agent or is under his guardianship or

guardianship; b) If you are in a relationship of hierarchical, economic or work dependency on the agent and the crime is committed taking advantage of that relationship.

2. The penalties provided for in articles 182.^o to 187.^o, 192.^o to 194.^o and 197.^o are aggravated by a fourth in their minimum and maximum limits, whenever the agent is a carrier of a susceptible sexually transmitted disease. to endanger the victim's life.

3. The penalties provided for in Articles 182 to 187 are increased by one quarter in their minimum and maximum limits when the victim is elderly, under the terms of the law.

4. The penalties provided for in articles 182.^o to 188.^o and 198.^o are increased by half in their minimum and maximum limits when the victim is under 14.

5. The penalties established for the crimes referred to in the previous number and in article 197 are increased by half their minimum and maximum limits, whenever

behaviors described therein result in pregnancy, suicide or death of the victim, serious harm to their physical integrity or transmission of an incurable disease that poses a danger to the victim's life.

6. The penalties described in articles 182.^o to 188.^o, 192.^o and 194.^o are aggravated by two thirds in their minimum and maximum limits, whenever the victim is under 14 years old and, simultaneously, of the behaviors described in them results in pregnancy, suicide or death of the victim, serious harm to their physical integrity or transmission of an incurable disease that poses a danger to the victim's life.

7. If more than one of the circumstances referred to in the previous numbers concur in the same behavior, it will only be considered for the purpose of determining the applicable penalty to the one that has a stronger aggravating effect, the others being valued according to the penalty.

ARTICLE 200.^o

(Complaint)

1. The criminal procedure depends on the complaint, in relation to the crimes foreseen in articles 182.^o to 184.^o, 186.^o to 188.^o and 191.^o to 194.^o

2. Criminal proceedings do not depend on a complaint when:

a) The death of the victim results from the crimes indicated in the previous number;

b) The crime is committed against a minor under the age of 16 and the perpetrator has legitimacy to exercise the right to file a complaint or has the victim under his/her responsibility.

3. When the crime is committed against a minor under the age of 16, the Public Prosecutor's Office may carry out criminal action regardless of a complaint, whenever, in the interest of the victim, such exercise is required.

4. In the crimes of this chapter, the criminal procedure is not extinguished, due to the statute of limitations, before the offended reaches 25 years of age.

ARTICLE 201.^o

(Accessory penalty)

When the agent is convicted of the crimes provided for in this chapter, he may be inhibited, in view of the seriousness of the fact and its connection with the function exercised by him, from the exercise of parental authority, guardianship or guardianship for a period of 3 to 15 years.

CHAPTER V

Putting People in Danger

ARTICLE 202.^o

(Improper use of weapons)

1. Whoever fires a firearm without just cause against another person is punished with imprisonment from 6 months to 3 years or with a fine of 60 to 360 days, even if the shooting did not result in any injury, if a more serious penalty does not apply to him by virtue of the application of another penal provision.

2. If the agent uses a melee weapon or a throwing weapon, even if this use has not resulted in any injury, the penalty is imprisonment for up to 1 year or a fine of up to 120 days.

ARTICLE 203.º
(Abandonment of person)

1. Whoever abandons another person in a place where, in a situation of not being able to protect or defend himself is punished with imprisonment from 1 to 3 years.

2. If abandonment results in actual danger to the life or integrity of the abandoned person, the penalty is imprisonment from 18 months to 5 years.

3. If the perpetrator is an ascendant, descendant, adopter or adoptee of the victim or person who has the duty to guard, supervise or assist the victim, the penalty is imprisonment from 2 to 6 years.

4. If the fact results in serious harm to the physical integrity of the victim, the penalty is imprisonment from 3 to 8 years.

5. If the victim's death results from the fact, the penalty is imprisonment are 10 to 15 years old.

ARTICLE 204.º

1. For the purposes of this article, it is considered newly -born the child with less than 28 days of life.

2. If, in the cases of the previous article, the abandoned person is a newborn, the penalties provided for therein are aggravated by half of their minimum limit.

3. The penalties provided for in the previous article are mitigated by half in their limits, minimum and maximum, when the

disturbing the birth, due to the situation of extreme poverty in which she finds herself or because she is justly afraid of being severely mistreated because of the birth

ARTICLE 205.º
(Contragion of sexually transmitted disease)

1. Whoever, knowing that he has a viral or bacterial, sexually transmitted disease likely to endanger life, has sexual intercourse with another person without previously informing him of this fact is punished with imprisonment for up to 2 years or with fine up to 240 days.

2. If the victim is contaminated or infected, the penalty is imprisonment from 2 to 4 years.

3. If the agent has acted with the intention of contaminating the victim, without succeeding in doing so, the prison sentence is 4 to 6 years.

4. If the agent acted with the intention of contaminating the victim and actually did so, the prison sentence is 10 to 15 years.

5. The penalty provided for in the previous number is applicable to anyone who, by any other means, intentionally contaminates another person.

6. The criminal procedure depends on the complaint.

ARTICLE 206.º
(Serious illness contagion)

1. Whoever, with the intention of transmitting a serious illness from which he is suffering, performs an act likely to infect another person is punished with imprisonment for up to 3 years or a fine of up to 360 days.

2. If the disease is transmitted, the prison sentence is 6 to 10 years.

ARTICLE 207.º
(Prevention of rendering aid)

Anyone who prevents help from being provided to a person in a situation of danger to life, of offense to their physical integrity, freedom or help intended to combat an accident or accident that poses a danger to the safety of persons is punishable with a prison sentence of 1 to 5 years, if a more serious penalty does not apply under another criminal law.

ARTICLE 208.º
(Omission of aid)

1. Whoever, being able to do so without serious risk to life, physical integrity or freedom, their own or that of a third party, fails to provide assistance to the victim of an accident, public calamity or any other situation likely to endanger life, the physical integrity or freedom of any person, or failing to ask the public authority for the help necessary to ward off danger, is punishable with imprisonment for up to 1 year or a fine of up to 120 days.

2. If the omission described in the previous number is the cause serious illness of the person in need of assistance, or his death, the penalty is imprisonment for up to 2 years.

3. If the dangerous situation was created by the omission, the omission is punished:

- a) With a prison sentence of 1 to 3 years, in the case of paragraph 1; b) With a prison sentence of 2 to 8 years, in the case of n.º 2.

ARTICLE 209.º

To provide medical-medical assistance, in case of danger to the patient's life, is punished with a prison sentence of up to 3 years or a fine of up to 360 days, if a more serious penalty is not applicable under another legal provision.

2. The health unit that refuses to intervene to save a person at risk of life is punished with a fine of up to 240 days, without prejudice to the application of an accessory penalty.

ARTICLE 210.º

Whoever, against law or regulation, performs acts of his own mission that legally enables him to exercise it is punished with a prison sentence of up to 3 years or a fine of up to 360 days.

ARTICLE 211.º

(Special attenuation or penalty waiver)

If, in the cases provided for in Articles 207 to 210, the agent

is especially attenuated, and depending on the circumstances of the case, the penalty may even be waived.

CHAPTER VI

Crimes Against the Dignity of People

SECTION I

Discrimination

ARTICLE 212.º

(Discrimination)

1. Anyone who, because of race, color, ethnicity, location

non-impairing or conditioning physical or psychic science, belief or religion, political or ideological convictions, social condition or origin or any other forms of discrimination:

- a) Refuse a contract or employment;
- b) Refuse or condition the supply of goods or services;
- c) Prevent or condition the exercise of economic activity by another person;
- d) Punish or dismiss a worker;
- e) Prevent or condition entry into an establishment public or private treatment.

2. The same penalty is applied to anyone who refuses or conditions a contract or the supply of goods or services or prevents or conditions the exercise of economic activity by a legal person because of race, color, ethnicity, place of

physical or psychological, belief or religion, political or ideological convictions, condition or social origin or any other reason that concerns its members or the holders of its governing bodies.

SECTION II

Crimes Against Honor

ARTICLE 213.º

(Injury)

1. Anyone who, by any means of expression or communication, and with the intention of offending another person, offends his honor, good name or consideration, is punished with imprisonment for up to 6 months or a fine of up to 60 days.

2. The same penalty shall apply to anyone who, with the intention of injuring or offending and through the same means, imputes directly to another person, even if in the form of suspicion, facts or formulates offensive judgments about his honor, good name or consideration.

3. The provisions of paragraphs 2, 3 and 4 of the following article apply to the fact described in the previous number .

4. If the insults are directed at a person because of his race, color, ethnicity, place of birth, gender, orientation

or religion, political or ideological beliefs, social condition or origin or any other forms of discrimination, or to a group made up of people with these characteristics, the penalty is imprisonment from 6 months to 1 year or a fine of 60 to 120 days.

ARTICLE 214.º

(Defamation)

1. Whoever, by any means of expression or communication and with the intention of offending, imputes to another person, even if in the form of suspicion, facts or, about him, formulates offensive judgments of his honor and consideration or reproduces them, in order for a third person to become aware of or be able to become aware of the imputed facts or of the judgments formulated, shall be punished with imprisonment for up to 1 year or a fine of up to 120 days.

2. If the offensive facts or judgments are imputed or formulated because of race, color, ethnicity, place of birth

physical or mental, belief or religion, political or ideological convictions, social condition or origin or any other cause of discrimination against a person or a group made up of people with these characteristics, the penalty is imprisonment from 6 months to 18 months or fine of 60 to 180 days.

3. The agent is not punished whenever:

- a) The attribution of the offensive fact is made to carry out legitimate interests;
- b) Provide proof of the truth of the imputed offensive facts;
- c) Has had serious grounds for, acting in good faith, considering the imputation to be true.

4. It is considered that the agent does not act in good faith, if he does not fulfill the duty to inform himself about the truth of the imputed facts that the circumstances imposed on him.

5. The provisions of paragraph 3 are not applicable when the imputation relates to facts relating to the intimacy of private or family life.

ARTICLE 215.º

(Slander)

Whoever, in the cases of paragraphs 1 and 2 of the previous article, proceeds to impute the fact or formulate the offensive judgment of the honor, good name or consideration of the offended person, knowing its falsity, is punished with imprisonment of 6 months to 2 years or with a fine of 60 to 240 days.

ARTICLE 216.º

(Advertising)

1. If, in the cases of the previous articles, the insult, defamation or slander are committed through means or in circumstances that facilitate its disclosure, the corresponding penalties are increased by one third in their minimum and maximum limits.

2. If, in the same cases, offenses are committed

stipulated in paragraph e) of article 250.^o, or any means of social communication, the corresponding penalties are increased by half in their limits, minimum and maximum.

ARTICLE 217.^o

(Offense to the memory of a deceased person)

1. Whoever insults, defames or slanders the memory of a person who has died for less than 30 years is punished with the penalties provided for in articles 213, 214 and 215, respectively.

2. The provisions of paragraphs 1 are applicable to this crime, and 2 of the previous article.

ARTICLE 218.^o

(Criminal procedure)

The criminal procedure depends on the complaint of the offended party or any member of the offended group, in the cases provided for in articles 213.^o, n.^o 4, and 214.^o, n.^o 2, of private accusation in the remaining crimes foreseen in the present section.

ARTICLE 219.^o

(Penalty waiver)

1. When, in court, the agent of the crimes foreseen in this section retracts or gives explanations of the crime of which he was accused and the offended party, his representative or the holder of the right of private accusation or complaint accepts these explanations or the retraction, the Court dismiss the agent pity.

2. The Court may also exempt the agent from the sentence, if the offense was caused by an illicit or reprehensible conduct by the offended party.

3. If the offended person responds with another offense to the offender's offense, the Court may exempt both agents or only one of them from the sentence, depending on the circumstances.

ARTICLE 220.^o

(Public knowledge of the sentence)

If the victim or, in the event of his/her death, the holder of the right of private prosecution, until the end of the hearing in the first instance, requests public knowledge of the conviction sentence for any of the crimes foreseen in this section, even with exemption from penalty, O

Court orders it at the expense of the agent, by the means that

must be disclosed.

SECTION III

Crimes Against Respect Due to the Dead

ARTICLE 221.^o

(Attack against the integrity of mortal remains)

Whoever, by subtraction, concealment, destruction, profanation or any other means offensive to the respect due to the dead, threatens the integrity of a corpse or ashes of a deceased person is punished with imprisonment for up to 2 years or a fine of up to 240 days.

ARTICLE 222.^o

(Funeral place desecration)

Whoever, by any means, desecrates or violates the tomb or grave of a deceased person is punishable with a prison sentence of up to 1 year or a fine of up to 120 days.

ARTICLE 223.^o

(The record)

If the agent commits the crimes foreseen in the previous articles motivated by reasons of belonging or not belonging, true or supposed, of the deceased person to a race, color, ethnicity, place of birth, sex, sexual orientation, belief or religion, political convictions, cultural or ideological beliefs, social status or origin, whether or not you have a disease

not being a member of a specific organization, the penalty is increased by one third of its minimum and maximum limits.

CHAPTER VII

Crimes Committed Through the Press and Crimes Against Freedom of the Press

ARTICLE 224.^o

(Crime of abuse of freedom of the press)

1. The crime of abuse of freedom of the press is committed, punishable with a prison sentence of up to 6 months or a fine of up to 60 days, who, through the media, proceeds:

- a) Incitement to commit a crime or the apology of a criminal act;
- b) The dissemination of information that incites the secession of the country, the creation of organized groups of crime, racial, tribal, ethnic and religious hatred and the apology for fascist and racist ideologies;
- c) The intentional promotion of a campaign of persecution and defamation, through the systematic and continuous dissemination of false information about facts, attitudes or any person's business;
- d) Disclosure of texts, images or sound obtained fraudulently;
- e) The intentional publication of false news.

2. The retraction or publication of a response, if accepted by the offended party, exempts the author or authors of the writing, sound or image from penalty.

ARTICLE 225.^o

(Disobedience)

The person who: commits the crime of disobedience, punishable by a fine of up to 60 days:

- a) Edit, distribute or sell publications suspended or seized by court order;
- b) Import for distribution, disseminate or sell foreign publications prohibited by court decision;

- c) Refuse the publication or dissemination of judicial decisions condemning crimes of abuse of press freedom;
- d) Refuse the publication or dissemination of a court decision ordering the publication of a response or
- e) Broadcast programs suspended by court decision.

ARTICLE 226.º

(Attack on freedom of the press)

Anyone who, outside the cases provided for by law, prevents or disturbs the composition, printing, distribution and free circulation of periodical publications, prevents or disturbs the emission of radio and television programs, seizes

journalistic activity, shall be punished with imprisonment for up to 1 year or a fine of up to 120 days, without prejudice to civil liability for damage caused.

ARTICLE 227.º

(Authorship and contribution)

1. Without prejudice to the provisions of the general part of this Code, the authorship of crimes committed through the press rests with whoever created the text, image or sound, or in any way publishes or disseminates something that constitutes an offense to criminally protected legal interests by criminal rules.

2. In periodical publications, news agencies and websites answer successively:

- a) The author of the writing or image, if he is liable to be held responsible and resides in Angola, except in cases of non-consensual reproduction, in which the person who promoted it and the director of the publication or news agency are liable, if he does not prove that he did not it was possible to prevent the publication of the image or the writing;
- b) The director of the periodical, the news agency or the person in charge of the website, in the case of unsigned writings or images or the author is not liable and does not reside in Angola, if he has not resigned in the manner provided for in paragraph previous;
- c) The person responsible for inserting, in the case of unsigned writings or images, published without the director's knowledge or when he is unable to prevent the publication of the writing or images.

3. In radio and television programs respond successively:

- a) The author of the writing, sound or image, if liable to be held liable, except in cases of non-consensual reproduction, in which the person who promoted it, the director and those responsible for programming or who replaces them, is liable;

- b) The director and those responsible for programming or who replaces them, in the case of unsigned writings, images or sound, whose author is not

be held accountable;

- c) matter in question.

4. In the case of statements correctly reproduced

they can be held accountable.

5. The provisions of the previous number are applicable to opinion articles, provided that their author is duly

CHAPTER VIII

Crimes Against the Private Life Reserve

ARTICLE 228.º

(Introduction in someone else's house)

1. Anyone who, without consent, enters, remains or

attachments, after being summoned to withdraw, shall be punished with imprisonment for up to 1 year or a fine of up to 120 days.

2. If the crime provided for in paragraph 1 is committed at night or in a secluded place, by means of violence or threat of violence, with the use of a weapon, burglary, climbing or false keys, under the terms of paragraphs d), and) and f) of article 391.º, or by two or more persons, the agent is punished with a prison sentence of up to 3 years or a fine of up to 360 days.

ARTICLE 229.º

(Introduction in a place closed to the public)

1. Anyone who, without consent or outside the cases in which the law allows it, enters and, after being summoned to leave, leaves

attached to housing, on boats or other means of transport or in any other fenced place and not freely accessible to the public is punished with imprisonment of up to 6 months or a fine of up to 60 days.

previous article, the penalty is imprisonment of up to 1 year or a fine of up to 120 days.

ARTICLE 230.º

(Disruption and encroachment on privacy)

1. Whoever, without consent and with the intention of violating or disturbing the peace and quiet or the personal, family or sexual life of another person, is punished with imprisonment for up to 18 months or a fine:

- a) Intercept, listen, capture, record or transmit

cial;

- b) Intercept, record, record, use, transmit or disseminate telephone conversations or communications;

- c) Register or transmit the image of another person who is in a private place; d) Disclosing facts relating to the private life or serious illness of another person and, in general, data intercepted in the manner described in the previous paragraphs.

2. The act foreseen in paragraph d) of the previous number is not punishable, if it is practiced as an adequate means to realize a relevant legitimate interest.

ARTICLE 231.º
(Correspondence Violation)

1. Whoever, without consent, opens an order, letter or any other writing that is closed and is not addressed to him or becomes aware, by technical processes, of its content or, in any way, prevents it from being received by the recipient is punished with imprisonment of up to 1 year or a fine of up to 120 days.

2. The same penalty applies to anyone who, without consent, divulges the content of said correspondence.

ARTICLE 232.º
(Breach of secrecy)

1. Whoever reveals or takes advantage of another's secret that he became aware of due to his office,

is punished with imprisonment for up to 1 year or a fine of up to 120 days.

2. If the fact described in the previous number results in harm to any person, the penalty is imprisonment of up to 18 months or a fine of up to 180 days.

ARTICLE 233.º

Who, in violation of their obligation of secrecy or reserve

is punished with imprisonment from 6 months to 3 years or with a fine of 60 to 360 days.

ARTICLE 234.º
(The record)

The penalties established in articles 230.º to 233.º are increased by one third in their minimum and maximum limits, if the act was committed with the intention of obtaining a reward for the agent or for another person or to harm someone.

ARTICLE 235.º
(Criminal procedure)

Criminal proceedings for the crimes set forth in this chapter depend on a complaint, except when committed within the scope of a criminal association or terrorist organization.

CHAPTER IX

Other Crimes Against Personal Legal Assets

ARTICLE 236.º

1. Anyone who, without express or presumed consent, shall be punished with imprisonment for up to 1 year or a fine of up to 120 days:

- a) Record the words of another person not spoken in public, even if they are addressed to you; b) Use or allow the use of the recording referred to in the previous paragraph, even if it has been lawfully produced.

2. The same penalty applies to anyone who, against a person's will:

- a) events in which you legitimately participated;
- b) if lawfully obtained.

3. The facts described in the previous number are not punished whenever:

- a) public in which they took place;
- b) public notoriety of the person photographed or

activity it develops. 4. The provisions of article 234 are correspondingly applicable to the previous numbers.

5. The criminal procedure depends on the complaint.

ARTICLE 237.º
(Withdrawal of the guarantees of the Angolan State)

1. Who, through violence, threat or otherwise

scope of protection of Angolan criminal law and exposes himself to being persecuted for political reasons, with risk to life, physical integrity or freedom, becoming the object of violence or measures contrary to fundamental rights, freedoms and guarantees, is punished with imprisonment from 2 to 10 years.

2. The same penalty applies to anyone who, by the same means, prevents another person from leaving the dangerous situation referred to in the previous number or forces him to remain there.

TITLE II

Crimes Against the Family

CHAPTER I

Crimes against marriage, marital status and parentage

ARTICLE 238.º
(fraudulent marriage)

1. Whoever, being married, contracts a new marriage or who contracts marriage with a person, knowing that he is married, is punished with imprisonment from 6 months to 2 years or with a fine of 60 to 240 days.

2. The same penalty applies to anyone who, having the competence for that purpose, performs or authorizes the performance of a marriage under the conditions referred to in the previous number.

3. The provisions of the previous numbers are equally applicable, subject to a de facto union recognized by mutual agreement.

ARTICLE 239.º
(Misleading about offside)

1. A person who enters into a marriage inducing the other party to commit an essential error regarding an impediment other than a previous undissolved marriage is punished with imprisonment for up to 18 months or a fine of up to 180 days.

2. The criminal procedure depends on the complaint.

ARTICLE 240.º

(Knowledge and concealment of impediment)

1. Anyone who contracts marriage with prior knowledge of the impediment and conceals it from the other party is punished with imprisonment for up to 1 year or a fine of up to 120 days.

2. The criminal procedure depends on the complaint.

ARTICLE 241.º

(Simulation of competency to celebrate marriage)

to celebrate a marriage and, in this condition, to celebrate is punished with a prison sentence of 1 to 3 years or with a fine of 120 to 360 days, if a more serious penalty is not applicable under another penal provision.

ARTICLE 242.º

(False statements about marital status)

or omitting statements that translate into usurping, making uncertain, falsifying, altering, implying, concealing or covering up your marital status or that of another person is punished with imprisonment up to 2 years or with a fine of up to 240 days.

ARTICLE 243.º

(Non-existent birth record)

1. Whoever declares a non-existent birth in the civil registry is punished with imprisonment from 1 to 3 years or with a fine from 120 to 360 days.

2. If the statement is made with the intention of harming another person, the penalty is imprisonment from 2 to 6 years.

ARTICLE 244.º

(Supposed birth)

Whoever presents someone else's birth as if it were his own is punished with imprisonment from 1 to 5 years.

ARTICLE 245.º

1. Whoever substitutes a newborn for another or takes it away is punished with a prison sentence of 2 to 8 years.

2. A newborn is, under the terms of paragraph 1 of article 204, the child with less than 28 days of life.

ARTICLE 246.º

the right to their marital status, is punished with imprisonment from 6 months to 2 years or with a fine of 60 to 240 days.

2. The same penalty is incurred by a third party who, in cases where the law so permits, falsely declares before the competent registration authority the status of parent of another person.

3. If the crime is committed for a reason recognizably commendable, the Court may exempt the agent from the sentence.

CHAPTER II

Crimes Against Other Family Legal Assets

ARTICLE 247.º

(Abandonment of assistance)

1. Anyone who, without just cause, fails to provide for their spouse or person with whom they live in union

peace for work or incapacitated parent, not providing them with the necessary resources or failing to pay the alimony to which he is legally obliged or, without just cause, failing to help a seriously ill descendant or parent, is punished with imprisonment up to 2 years or a fine of up to 240 days.

2. If the person entitled to maintenance is a pregnant woman and the lack of food or assistance determines the creation of danger of termination of pregnancy, the penalty is imprisonment from 1 to 5 years.

imprisonment from 2 to 8 years.

4. If, in the case of paragraph 1, the obligation to provide food or assistance is satisfied, the Court, taking into account the specific circumstances of the case, may release the agent from the sentence or declare the sentence extinct. not fulfilled.

ARTICLE 248.º

(Withdrawal or refusal of delivery of a minor)

1. Whoever subtracts a minor from the person who exercises parental or guardianship over him or who is legitimately

more serious does not fit him under another criminal provision.

2. Anyone who: is punished with imprisonment of up to 3 years or a fine of up to 360 days:

a) Refuse to hand over the minor to the persons indicated not previous number;

b) Convince the minor to flee the family home or the place where he resides or to leave that home or place, by means of violence, threat or any fraudulent artifice,

ARTICLE 249.º

(Disclosure of false paternity)

1. Whoever attributes, to himself or to another person, publicly and falsely, the paternity of another person is punished with a prison sentence of up to 6 months or a fine of up to 60 days.

2. The same penalty is incurred by anyone who assumes, publicly and

TITLE III
Crimes Against the Public Faith

CHAPTER I

ARTICLE 250.º

For the purposes of this chapter:

a) «*Document*» means any material or technical support,

magnet or other means of a similar nature that incorporates a statement made by a person and is capable of proving a legally relevant fact, as well as the sign, with relevance

in a thing to indicate its origin, nature or quality;

b) «*Batian Technical*

Record, of a value, weight or measure of a state or of the course of an event, made by means of a technical device that, acting, in whole or in part, automatically, allows to obtain results referred to Legally relevant facts:

c) «*Conditional Access*» is the subjection of access to a service through a subscription or any other form of prior individual authorisation; (d) «*Data*» is any representation of facts, information or concepts,

including computer programs, which is stored, transmitted or processed in an information system;

e) "" is any device or set of devices, as well as the network that supports the communication between them, which, separately or jointly, stores, processes, transmits, receives or retrieves data, which includes but is not limited to computer systems, electronic communications, broadcasting and telematics.

ARTICLE 251.º

1. Whoever, with the intention of causing damage to someone or obtaining, for himself or for another, a benefit, is punishable with a prison sentence of up to 2 years or a fine:

a) Draw up a false document, imitating the real one;

b)

c) Abusively use another person's signature to prepare a false document;

d) Falsely record legally relevant facts in a document or omit legally relevant facts that should be included in the document.

2. The penalty is imprisonment from 2 to 6 years if the facts described not previous number:

a) Concerning public documents, sealed wills or postal orders;

b) They are committed by a public official in the exercise of exercise of its functions.

3. Public officials who, in the exercise of their functions, insert an act or document into a protocol, registration or

with imprisonment from 1 to 5 years.

other than the forger, with the purpose indicated in number 1, is punishable with the penalty applicable to the author of the respective

maximum.

ARTICLE 252.º

1. It is punishable with imprisonment from 3 months to 2 years or with a fine of 30 to 240 days who, with the purpose of causing harm to someone or to obtain a benefit for himself or for others:

a) Draw up a false technical record;

b)

c) Falsely record a legally relevant fact in a technical register; d) Break down or

disturb the functioning of the technical apparatus, in order to vitiate the result of the records obtained

2. If the facts described in the previous number are committed by a public official in the exercise of his duties, the agent is punished with imprisonment from 2 to 6 years.

above, by a person other than the author of the

of a room at its maximum limit.

ARTICLE 253.º

(Destruction, destruction or subtraction of documents and technical records)

1. Anyone who, with the purpose of causing harm to someone, obtains a benefit for himself or for another,

a document or technical record that he cannot dispose of or whose delivery or presentation may be required by someone else is punishable with imprisonment for up to 2 years or a fine of up to 240 days.

2. When the facts described in the previous number are committed by a public official in the exercise of his functions, the prison sentence is from 2 to 6 years.

3. Criminal proceedings for the facts described in paragraph 1 depend on the victim's complaint, when he is a private individual.

ARTICLE 254.^o
(Attempt)

In the crimes described in this chapter, the attempt is always punishable.

CHAPTER II
and Credit Securities

SECTION I

ARTICLE 255.^o

1. Currency, for the purposes of this section, is paper money, made up of banknotes and metallic currency with legal tender status, either in Angola or abroad.

2. For the purposes of this chapter, currency is equivalent to tickets and respective fractions of the national lottery.

ARTICLE 256.^o
(Currency counterfeiting)

1. The person who manufactures currency, imitating the real one, with the purpose of passing it on or putting it into circulation is punished with imprisonment from 2 to 12 years.

2. The same penalty shall apply to the director, manager or employee of the issuing bank, competent for that purpose, who orders or authorizes the manufacture and issuance of:

- a) Metallic coin with a real value lower than that determined by law;
- b) Currency in excess of that determined by law.

3. Whoever, without legal authorization, manufactures metallic currency with a real value equal to or greater than legitimate currency is punished with imprisonment for up to 3 years or a fine of up to 360 days.

4. If the author of counterfeiting does not pass or put into circulation the manufactured counterfeit currency, the penalties provided for in the previous numbers are reduced by one third in their maximum limit.

ARTICLE 257.^o

increase its face value and pass or put into circulation the
to 9 years.

above, the suppression of a sign or mark indicating that the banknotes are out of circulation.

reduced by one third of its maximum limit.

ARTICLE 258.^o

1. Whoever, not being the author of the crimes foreseen in the previous articles, but, in concert with him, passes or puts

2. The passage or placing into circulation of counterfeit currency under the conditions of the previous number without agreement with the

3. If the agent only became aware of the forgery of the currency after having received it, the passage or placing of the counterfeit currency in circulation is punished with imprisonment for up to one year or a fine of up to 120 days, except in the case of manufacture of metal coin with a real value equal to or greater than that of the legitimate coin, under the terms of paragraph 3 of article 256, in which case the penalty is a fine of up to 90 days.

SECTION II

ARTICLE 259.^o

collection of taxes or fees, including sealed bill of exchange paper and postage stamps, with the purpose of using, namely, passing them on or putting them into circulation, is punished with imprisonment for up to 5 years.

signs or marks indicative of the sealed values or tim
have already been used, the applicable penalty is a fine of up to 120 days.

3. If the author of the falsehood does not manage to use the
reduced by one third of its maximum limit.

ARTICLE 260.^o

identified as true or unaltered, is punished, whatever the form of use, with the penalty applicable to the author of the falsehood.

2. The use of false sealed or stamped values

with the penalty applicable to the author of the falsehood, reduced by a quarter in its maximum limit.

3. If whoever uses the sealed or stamped values fails

having acquired them, the applicable penalty is:

- a) Imprisonment of up to 1 year or a fine of up to 120 days, in the case of the crime provided for in paragraph 1 of the previous article; b) A fine of up to 60 days, in the case of the crime provided for in paragraph 2 of the same article.

SECTION III

ARTICLE 261.^o

1. Whoever, with the purpose of causing harm to someone or obtaining benefit for himself or others, manufactures, fakes
or unchanged, checks, shares or bonds or other

document of commercial nature in bearer or transferable by endorsement and, in general, any national or foreign credit title is punishable with imprisonment from 2 to 8 years.

2. If any of the titles mentioned in paragraph 1 are issued by the State or by a bank or banking institution, the penalty is imprisonment from 3 to 12 years.

3. With the same penalty is punished who, with the same credit, debit or guarantee.

above are reduced by one third of their maximum limit.

ARTICLE 262.^o

previous article, is punished, whatever the form of use, with the penalty applicable to the author of the falsehood.

to the author of the falsehood, reduced by a quarter in its maximum limit.

3. When the person using false or false titles acquired, is punished with the penalty of:

- a) Imprisonment of up to 2 years or a fine of up to 240 days, in the event that the crime is provided for in paragraph 1 of the previous article;
- b) Imprisonment of up to 3 years or a fine of up to 360 days, in the case of the crime provided for in paragraph 2 of the same article.

SECTION IV Common Provisions

ARTICLE 263.^o (Preparatory acts)

1. Whoever prepares the execution of the crimes described in this chapter, acquiring, having in their possession or introducing equipment or materials into Angolan territory

currency, sealed values or credit instruments shall be punished with a prison sentence of up to 3 years or a fine of up to 360 days.

2. The facts described in the previous number are not punishable if their author:

- a) Voluntarily abandon the execution of crimes or prevent another person from executing them;
- b) Destroy, render useless or hand over to the competent authorities the equipment and materials referred to in paragraph 1 or report to the same authorities who owns them or the place where meet.

ARTICLE 264.^o

from Angolan territory or to introduce currency, valuables

tions, reduced by half in its maximum limit.

ARTICLE 265.^o (Attempt)

credit titles, described in this chapter, the attempt is always punishable.

CHAPTER III

ARTICLE 266.^o

1. Whoever, with a view to using them or for them to be used by others as true or unaltered, manufactures,

cas or other signs of any authority or public office is punished with imprisonment from 2 to 6 years.

2. If the objects referred to in the previous number concern a private entity, the applicable penalty is imprisonment of up to 3 years or a fine of up to 360 days.

ARTICLE 267.^o

1. Whoever, with the purpose of causing damage to someone or to obtain a benefit for himself or for another, uses or allows other people to use the objects referred to in

penalties established in paragraphs 1 and 2 of the same article, reduced by a quarter in their maximum limit.

power, with the purpose of using them or that someone else uses them, the objects referred to in the previous article, is punished with a prison sentence of up to 2 years or a fine of up to 240 days.

ARTICLE 268.^o

(Abusive use of seals, stamps, brands or seals)

1. Whoever uses, without authorization from the competent entity, stamps, stamps, brands, seals or true signs belonging to any entity or public department, with the purpose of causing harm to someone or to obtain benefit for himself or for others, is punished. with imprisonment of up to 3 years or a fine of up to 360 days.

2. If the use concerns real seals, stamps, seals or signs belonging to private entities, the applicable penalty is imprisonment of up to 2 years or a fine of up to 240 days.

ARTICLE 269.^o

Whoever, with the intention of causing harm to someone or obtaining any benefit for himself or for another, is punishable with imprisonment for up to 3 years or a fine:

- a) Place a false punch on weights, measures, scales or other measuring instruments, imitating the real one;

b)

measures, scales or other measuring instruments;

c) Change weights, measures, scales or other measuring instruments legally subject to

ARTICLE 270.^o

false or counterfeit scales or other measuring instruments

fine up to 240 days.

ARTICLE 271.^o

(Attempt)

In the crimes described in this chapter, the attempt is always punishable.

CHAPTER IV

ARTICLE 272.^o

1. Who, being a doctor, dentist, nurse, leader

doctors or person in charge of doing autopsies or other

signing a report, which he knows does not correspond to the truth, about the state of the body or physical or mental health, the birth or death of a person, intended to be authentic before public authority, to cause damage to others, is punished with penalty imprisonment from 6 months to 3 years or a fine of 60 to 360 days.

2. With the same penalty is punished the veterinarian who passes

lower compared to animals.

3. Incurs the same penalty who passes attests

ARTICLE 273.^o

Whoever, with the purpose of deceiving the public authorities or harming the interest of the State or of another person,

referred to in the previous article is punishable with imprisonment of up to 1 year or a fine of up to 120 days.

ARTICLE 274.^o

(Assumption or attribution of false identity)

Anyone who assumes the identity of a third person or assigns a false identity to a third person with the aim of obtaining a benefit for himself or others, or causing harm to someone, shall be punished with imprisonment for up to 2 years or a fine of up to 240 days.

ARTICLE 275.^o

1. Whoever, with the intention of causing harm to others, uses

person is punished with imprisonment for up to 6 months or a fine of up to 60 days.

tion is any document to which the law attributes aptitude for

benefits or advantages for the respective holder.

ARTICLE 276.^o

(Illegitimate use of designation, sign or uniform)

1. Whoever, with the purpose of making them believe that they belong to him, uses a designation, sign, costume or uniform proper to the function of public service, national or foreign, is punished with imprisonment for up to 6 months or with a fine of up to 60 days.

2. If the designation, sign, costume or uniform are exclusive to members of the armed forces or those who exercise public authority, the agent is punished with imprisonment for up to 1 year or a fine of up to 120 days.

TITLE IV

Crimes Against Collective Security

CHAPTER I

Common Danger Crimes

ARTICLE 277.^o

(Fire, flood, explosion and other particularly dangerous conduct)

1. It is punishable with imprisonment from 2 to 12 years who:

a) Cause a fire, setting fire to a building, cons

grove, harvest or field;

b) Cause flooding, explosion, detachment of soil or landslide or collapse of

building or construction;

c) Emit radiation or release radioactive substances

described, endangers the life, physical integrity of any person or someone else's property of considerably high value, under the terms of paragraph a) of article 391.^o

2. The penalty is imprisonment from 1 to 5 years, if the danger referred to in the previous number is caused by the agent's negligence.

ARTICLE 278.^o

(Manufacture, acquisition or possession of explosive substances,

1. Whoever manufactures, acquires or, by any means or title, transfers, imports, transports, markets or simply holds radioactive substances or materials,

substances suitable for its manufacture, in violation of legal provisions or in disobedience to the requirements of the competent authorities, is punished with imprisonment from 1 to 5 years.

2. If the conducts described in the previous number are destined to the execution of the crime foreseen in the previous article, the applicable penalty is imprisonment from 2 to 6 years.

ARTICLE 279.º

1. Whoever manufactures, imports, exports, purchases at any store, market, broker business or participate in it

of war, firearms or their parts, pieces or ammunition prohibited in violation of legal provisions or in disobedience to the prescriptions of the competent authorities, established in accordance with those provisions, is punished with imprisonment from 1 to 8 years.

2. With the same penalty is punished who:

a) Manufacture, import, export, acquire at any

deposit or store, commercialize, mediate business or participate in it or simply hold prohibited weapons or devices or their parts, pieces or ammunition intended to project, release or disseminate the materials or substances to be

referred to in paragraph 1 of the previous article, in violation of legal provisions or in disobedience to the prescriptions of the competent authorities established in accordance with the same provisions

positions;

b) Change the characteristics of prohibited weapons or devices or their parts, pieces or ammunition.

3. Whoever manufactures, imports, exports, purchases at any

deposit, commercialize, mediate business or intervene in it or simply hold weapons, devices or their parts, pieces or ammunition capable of producing a nuclear explosion, in violation of legal provisions or in disobedience to the prescriptions of the competent authorities established in accordance with the same provisions, is punished with imprisonment from 6 to 12 years.

4. Whoever alters prohibited equipment, weapons or ammunition in order to transform them into devices, weapons or their parts or ammunition capable of producing a nuclear explosion, is punished with the penalty established in the previous number.

5. The penalty may be specially mitigated or the punishment not take place, if the agent voluntarily abandons the

the danger provoked by it, prevent the result which the law

other responsible.

ARTICLE 280.º

(Weapons not prohibited, subject to regulation)

1. Whoever manufactures, imports, stores or markets firearms that are not prohibited but subject to regulation, without being legally authorized or licensed by the competent authorities and entities, is punished with imprisonment for up to 3 years or a fine of up to 360 days.

2. Whoever has in his possession a firearm that is not prohibited, but subject to regulation, without the necessary authorization or license, is punished with imprisonment for up to 1 year or with a fine of up to 120 days.

3. Whoever has in his possession a firearm that is not prohibited, but subject to regulation, without the necessary authorization or license, in a meeting or demonstration, in a public place, open to the public, or private, is punished with imprisonment up to 2 years or a fine of up to 240 days.

4. Whoever has in his possession a melee weapon, throwing weapon or other instrument, seriously dangerous, with the purpose of using them as a weapon of aggression, is punished with a fine of up to 60 days.

ARTICLE 281.º

or otherwise provide assistance to a foreign citizen to illegally enter Angolan territory, shall be sentenced to imprisonment for up to 3 years or a fine of up to 360 days.

2. Is sentenced to imprisonment for up to 2 years or a fine up to 240 days:

a)

in any other way provide assistance to a foreign citizen for illegal entry into Angolan territory;

b) Anyone who hosts or otherwise hides the stay of a foreign citizen in an illegal situation.

3. Whoever promotes or in any other way facilitates the illegal departure of a national or foreign citizen from Angolan territory incurs the penalties set out in the previous numbers.

see a criminal association, organization or group, the penalty is 4 to 6 years in prison.

ARTICLE 282.º

(Aggression to the environment)

1. Whoever, in violation of the precepts of the laws and regulations in force and the prescriptions imposed by the competent authorities, in accordance with those precepts, creates the danger of extinction of:

a) One or more animal or plant species elimi

b)

gidas, destroying or deteriorating their natural habitat.

2. With the same penalty is punished who, in violation of the precepts of laws and regulations or prescriptions imposed by the competent authorities, in accordance with those precepts:

a) Acquire, dispose, transport or, simply,

protected;

b) Prevent the renewal of one or more subsoil resources or create the danger of their depletion.

3. Whoever throws any radioactive sources, devices, substances or materials into the environment or deposits them in the ground or subsoil, in the sea, in rivers, lakes or other bodies of water, without being authorized, under the terms of the law and applicable regulations or, if authorised, not

legally required or imposed by the competent authorities, in accordance with the law or regulations in force, is punished with imprisonment from 2 to 12 years.

4. If the facts described in the previous numbers are due to the negligence of the agent, the penalty is imprisonment of up to 2 years or a fine of up to 240 days, in the case of paragraphs 1 and 2, and imprisonment of up to 5 years, in the case of paragraph 3.

ARTICLE 283.^o
(Pollution)

1. Anyone who, in violation of the laws and regulations in force or the impositions, limits and conditions determined by the competent authorities, contaminates or pollutes the waters, soils or air or, in any way, deteriorates the properties of these environmental components, is punished with imprisonment for up to 3 years or a fine of up to 360 days.

2. If, with the conduct described in the previous number, the agent has endangered the life or physical integrity of any person, other people's assets of considerably high value, under the terms of paragraph a) of article 391, or goods of a cultural or artistic nature, the prison sentence is from 2 to 7 years.

3. The penalty in the previous number is applicable if the conduct described in number 1 causes the properties of air, water and

4. If, in the case of paragraphs 2 and 3, the danger or damage, respectively, are caused by the agent's willful misconduct, the penalty is imprisonment of up to 2 years or a fine of up to 240 days; if the conduct is negligent, the penalty is imprisonment of up to 1 year or a fine of up to 120 days.

5. Damages are substantial whenever: a) They

prevent, with a lasting effect, the use of an environmental component;

b) fauna of the area where the pollution occurred or have a lasting harmful impact on the conservation of the species or its *habitat*.

6. The effect and impact referred to in paragraphs a) and b) of the previous number are lasting whenever they can last for at least 2 years.

ARTICLE 284.^o

(Propagation of disease, pest, vermin or weed)

1. Whoever propagates disease, plague, harmful animal or weed and, through propagation, creates an effective danger of damage to a large number of foreign, domestic or useful animals to man or to crops, plantations,

with a prison sentence of up to 5 years.

2. If the danger referred to in the previous number is due to the agent's negligence, the penalty is imprisonment of up to 2 years or a fine of up to 240 days.

3. If the conducts described in the same number are due to the negligence of the agent, the penalty is imprisonment of up to 1 year or a fine of up to 120 days.

4. The number and extent are considered high whenever they exceed 250 animals or 50 hectares, respectively.

ARTICLE 285.^o

(Adulteration of food or fodder for animals)

food intended for domestic animals or import, export, transport, hold, offer for sale, sell, deliver or distribute fodder or food intended for such animals, which is corrupted, adulterated or

actual danger of harm to a large number of animals is punishable with a prison sentence of up to 3 years or a fine of up to 360 days.

2. If the hazard created is due to the negligence of the agent, the penalty is imprisonment of up to 18 months or a fine of up to 180 days.

3. If the conducts described are due to the agent's negligence, the penalty is imprisonment of up to 1 year or a fine of up to 120 days.

4. For the purposes of paragraph 1, the number of animals is high, whenever it exceeds 250.

ARTICLE 286.^o

(Adulteration of food or medicinal substances)

1. It is punishable with imprisonment from 2 to 8 years who:

a)

other beverages or food substances or medicinal, intended for consumption or use by others;

b) Import, export, transport, hold, exhibit for sale, sell, conceal, deliver or distribute any of the drinks or substances referred to in the previous paragraph corrupted, altered or

c) Import, export, transport, hold, offer for sale, sell, conceal, deliver or distribute the substances mentioned in subparagraph a) that are out of date of validity or altered or damaged by the action of time or the agents to which they were exposed and the conduct described endangers the life or physical integrity of others.

2. If the hazard is caused by the negligence of the agent, the penalty is imprisonment of up to 2 years or a fine of up to 240 days.

3. If the conduct is due to the negligence of the agent, the penalty is imprisonment of up to 1 year or a fine of up to 120 days.

ARTICLE 287.º

(spread of contagious disease)

1. Whoever spreads a contagious disease and, in this way, creates an effective danger to the life or physical integrity of another person is punished with imprisonment from 2 to 8 years.

2. If the hazard is caused by the negligence of the agent, the penalty is imprisonment for up to 3 years.

3. If the conduct is due to negligence, the penalty is up to 2 years or a fine of up to 240 days.

ARTICLE 288.º

(Alteration of analysis and non-compliance with prescription)

1. The doctor, nurse, health or laboratory technician or their employees or person legally authorized to carry out examinations or auxiliary recording of diagnosis or medical or curative treatment who provide inaccurate data or results and, in this way, create real danger for the life or physical integrity of another person is punished with imprisonment from 2 to 8 years.

2. The same penalty applies to the pharmacist or pharmacy employee who, by supplying medicines or medicinal substances other than those prescribed in the medical prescription, creates the danger referred to in the previous number.

3. If the danger is caused by negligence of the agent, the penalty is imprisonment of up to 3 years or a fine of up to 360 days.

4. If the conducts described in numbers 1 and 2 are due negligence of the agent, the penalty is imprisonment of up to 2 years or a fine of up to 240 days.

ARTICLE 289.º

(Violation of building regulations and damage to appliances intended to prevent accidents)

1. It is punishable with imprisonment from 1 to 6 years who:

- a) Infringes or fails to observe, within the scope of its regulations or planning techniques, direction or execution of construction, complementary installations or demolitions related to the safety of the respective works;
- b) part, permanently or momentarily, of devices or any other existing means in the workplace intended to prevent accidents; c) Omit, in violation of legal, regulatory or technical standards, the installation of the devices or means mentioned in the previous paragraph and, in this way, endanger the life or physical integrity of others or property.

2. If the danger referred to in the previous number is caused by the agent's negligence, the penalty is imprisonment from 6 months to 3 years or a fine of 60 to 360 days.

3. If the conduct described in paragraphs a) and b) of paragraph 1 are due to negligence, the penalty is imprisonment of up to 2 years or a fine of up to 240 days.

4. For the purposes of this article, the value of patrimony monies is calculated under the terms of article 391.

ARTICLE 290.º

(Damage to facilities and disruption to services)

1. Anyone who creates danger to the life or physical integrity of another or to other people's property of high value is punished with imprisonment for 1 to 6 years, by virtue of:

- a) part, installation for use, production, storage, conduction or distribution
- communication, telephony or internet services, sanitation or waste management networks and systems, or installations for protection against the forces of nature;
- b) Prevent or disturb the operation of communications services or the provision to the public of sanitation or waste management, or protection from the forces of nature by subtracting or disposing of in part, thing or energy necessary for the exploitation of such services or to ensure the
- c) Vandalize public infrastructure, of public or private utility, in conditions of jeopardizing their sustainability and their useful and safe use.

2. If the danger referred to in the previous number is caused by the agent's negligence, the penalty is imprisonment from 6 months to 3 years or a fine of 60 to 360 days.

3. If the conduct described in paragraphs a) and b) of paragraph 1 are due to negligence, the penalty is imprisonment of up to 2 years or a fine of up to 240 days.

4. For the purposes of this article, the value of patrimony monies is calculated, pursuant to article 391.

ARTICLE 291.º

(Aggravation of the penalty for the result)

If, from the commission of the crimes foreseen in articles 277.º, 282.º nos. agent is punished with the penalties corresponding to the crimes committed, aggravated by half in its minimum and maximum limits.

ARTICLE 292.º

(Exemption from penalty or special mitigation)

1. If, in the cases of the crimes referred to in the previous article, the agent removes the danger:

- a) There may be a waiver if the removal
- b) The penalty is specially mitigated, if there has already been

2. The damage is not of considerably high value, if it does not exceed 500 times the lowest civil service salary, under the terms of paragraph a) of article 391.^o

CHAPTER II

Crimes against public order and tranquility

ARTICLE 293.^o

(Public instigation to crime)

1. Anyone who, in a public meeting or gathering or through communication with the public, directly incites the practice of a specific crime is punished with imprisonment for up to 3 years or a fine of up to 360 days.

2. If the conduct described in the previous number results in the commission of the crime, the agent is punished as instigator of the committed crime.

3. The penalty, under no circumstances, may be greater than that imposed for the crime that is the object of public instigation.

ARTICLE 294.^o

(Public apology of crime)

1. Whoever, in a public meeting or gathering or through means of communication with the public, extols, praises or rewards the agent of a certain crime, in order to create the danger that another crime of the same type is committed, is punished with penalty of imprisonment of up to 1 year or a fine of up to 120 days.

2. If the conduct described in the previous number results in the commission of another crime of the same type, the agent is punished as the instigator of the committed crime.

3. The penalty, under no circumstances, may exceed that provided for the crime committed as a result of the conduct described in paragraph 1.

ARTICLE 295.^o

(Impediment or disturbance of worship or funeral ceremony and offense because of religious belief or function)

1. Anyone who, by means of violence and in order to alter public order or tranquility, prevents or disturbs:

a) The legitimate exercise of an act of worship of a religion or publicly vilifying it and mock;

b) The funeral procession or ceremony.

2. Whoever publicly offends a person or mocks him because of his belief or religious function and, in this way, disturbs public order or tranquility, is punished with imprisonment for up to 1 year or a fine of up to 120 days.

ARTICLE 296.^o

(criminal association)

1. Whoever participates in the constitution of an association, organization or group constituted by two or more persons, whose purpose is committing crimes is punishable with imprisonment from 1 to 8 years.

criminal group, is punished with imprisonment from 2 to 10 years.

3. Anyone who joins the association, organization or group referred to in the previous number, becoming a member of them, collaborates with an association, organization or group that has

by supplying them with arms, ammunition, instruments of crime or places to hide or meet or helping them them in recruiting new members is punished with imprisonment from 1 to 6 years.

4. If the crimes committed are of an international nature, the limits, minimum and maximum, of the penalties established in numbers 1, 2 and 3 are increased by one quarter of their duration.

5. For the purposes of the previous number, the crime has an international character when it is committed:

a) In more than one State;

b)

its preparation, planning, direction and control took place in another State;

c) In a single State, when there is participation of an association, organization or criminal group that operates in more than one State;

d) In a single State, but produced effects

6. There may be no place for punishment or the penalty may be especially mitigated, if the perpetrator prevents or seriously seeks to prevent the continuation of the criminal association, organization or group or communicates its existence to the competent authorities, so that they can prevent the practice of crimes.

ARTICLE 297.^o

(Terrorism)

1. Criminal acts aimed at provoking a state of terror in the general public, in a group of persons or individuals

circumstances, regardless of considerations of

or of any other nature that may be invoked.

2. Own law regulates the legal regime for preventing and combating terrorism.

ARTICLE 298.^o

(Participation in riot)

1. A riot is the tumultuous gathering of an indeterminate number of people likely to endanger public order or tranquility.

2. Whoever participates in a riot in which acts of violence against people or property are collectively committed is punished with imprisonment for up to 2 years or a fine of up to 240 days.

3. The agent who provokes, summons or directs the riot is punished with imprisonment from 6 months to 3 years or with a fine of 60 to 360 days.

4. The agent is exempt from penalty, if he moves away from the riot voluntarily or by warning or order from the authorities.

ARTICLE 299.^o

(Participation in armed mutiny)

1. The penalties established in the previous article are high, that of n.º 2, for imprisonment from 6 months to 3 years, and that of n.º 3, for imprisonment from 1 to

5 years, whenever: a) One of the participants, at least, are carrying and display firearms or explosives; b) Several participants carry firearms or concealed explosives; c) Several participants are carrying objects, overt or hidden, likely to be used as weapons.

2. The riot is not considered armed when the participant carrying weapons is expelled from the riot by the other participants or leaves it on his own initiative.

3. Whoever takes a weapon to a riot, without the knowledge of the other participants, is punished as a participant in an armed riot.

4. The provisions of paragraph 4 of the previous article apply to armed mutiny.

ARTICLE 300.^o

(Disobedience to the gathering dispersion order)

1. Whoever participates in an illegal gathering, consisting of an undetermined number of people, held in a public place or with free access to the public and does not obey the legitimate order to disperse given by the competent authority, with the express warning that the gathering is illegal and that disobeying the order constitutes a crime, is punished with a prison sentence of up to 1 year or a fine of up to 120 days.

2. If the agent of the crime has promoted the gathering, the penalty is imprisonment of up to 2 years or a fine of up to 240 days.

ARTICLE 301.^o

(Alarm caused by the threat of committing a crime and abuse of an alarm signal or request for assistance)

Simultaneously believing that he or someone else is going to commit a crime and thus cause alarm among the population is punished with imprisonment for up to 2 years or a fine of up to 240 days.

2. The same penalty shall apply to anyone who, abusively, triggers an alarm call or signal or requests, in any other way, assistance from others, simulating, by any other means, that assistance is necessary, due to an accident, danger or emergency situation. collective, non-existent needs.

CHAPTER III

Crimes Against Transport Security

ARTICLE 302.^o

(Transport diversion or capture)

1. Whoever deviates from its route, aircraft, ship, train or public transport vehicle for civil passengers, or takes possession of them, is punished with imprisonment from 2 to 15 or from 1 to 10 years, depending on whether or not there are passengers involved. board.

2. Transports that are not military or assigned to military activities.

ARTICLE 303.^o

(Attack against transport security)

1. Anyone who violates transport safety is punished with imprisonment from 1 to 5 years:

- a) unusable installation, equipment or signage;
- b) Placing obstacles or barriers to movement;
- c) Making false notice or signal or giving information false;
- d) Practicing any other act that may cause disaster or considerably reduce transport safety.

2. If the agent creates, by any of the means described in the previous number, effective danger to the life or physical integrity of another person or to other people's property of high value, under the terms of paragraph b) of article 391.^o, he shall be punished with a prison sentence of 2 to 10 years.

3. If the danger referred to in the previous number is cause for negligence, the penalty is imprisonment from 1 to 5 years.

4. If the conduct that produced the danger referred to in paragraph 2 is due to negligence, the penalty is imprisonment of up to 2 years or a fine of up to 240 days.

ARTICLE 304.^o

(Driving without a legal license)

1. Whoever is found driving a motor vehicle on a public road, without being legally entitled to do so or if the right to drive has been inhibited, and the driving results in damage or danger of concrete damage, is punished with the penalty of imprisonment of up to 1 year or a fine of up to 120 days.

2. Simple driving without legal authorization that has not caused any damage or danger of concrete damage is punished with imprisonment of up to 6 months or a fine of up to 60 days.

ARTICLE 305.^o

(Dangerous driving of means of transport)

1. Whoever, when driving a means of transport, grossly violates the driving rules or is not in compliance with

aware or substances producing similar effects or in a state of drunkenness or excessive fatigue and, in this way, creating an effective danger to the life or physical integrity of another person or to other people's property of high value, is punished:

- a) With a prison sentence of 1 to 6 years, in the case of a vehicle for transport by air, water or rail; b) With a prison sentence of up to 3 years or a fine of up to 360 days, in the case of any road vehicle, with or without an engine, driven on a public road or open to the public.

2. If the agent causes danger through negligence, the penalty is imprisonment of 1 to 3 years or a fine of 120 to 360 days, in the case of paragraph a) of the previous number, and imprisonment of up to 18 months or a fine of up to 180 days, in the case of paragraph b) of the same number.

3. If the agent's conduct is due to negligence, the penalty is imprisonment of up to 18 months or a fine of up to 180 days, in the case of paragraph a) of paragraph 1, and imprisonment of up to 1 year or a fine of up to 120 days, in the case of paragraph b) of the same paragraph.

4. A driver is considered to be under the influence of alcohol if he is found to be driving with a blood alcohol level equal to or greater than 1 milligram per liter.

5. Anyone who refuses to submit to the test is presumed to be drunk.

ARTICLE 306.º

(Driving a road vehicle while intoxicated)

Whoever, intentionally or negligently, drives a road vehicle on a public road or road, with or without an engine, in a state of drunkenness or under the influence of narcotics, psychotropic substances or substances that produce similar effects is punished with imprisonment for up to 1 year, or with a fine of up to 120 days.

ARTICLE 307.º

(Projectile launch against vehicle)

Whoever throws an object or shoots a projectile at a moving vehicle, transport in the air, on water or on land, is punished with imprisonment for up to 1 year or a fine of up to 120 days, if a more serious penalty does not fit for force of another legal provision.

ARTICLE 308.º

(special aggravation)

1. When, in the crimes provided for in Articles 304 to 307, the vehicle is for school, rescue or emergency transport, the penalty is increased by one quarter in its minimum and maximum limits.

2. If the commission of crimes provided for in Articles 304 to 307 results in death or serious harm to physical integrity, under the terms of Article 160, the perpetrator is punished with penalties corresponding to the crimes committed, aggravated by a third in its minimum and maximum limits.

ARTICLE 309.º

(Exemption from penalty or special mitigating factor)

1. If, in the cases of crimes provided for in articles 303 and 305, the agent removes the danger:

a) The penalty may be waived if the removal

b) The penalty is specially mitigated, if there has already been

2. The provisions of paragraph 2 of article 292 are correspondingly applicable.

TITLE V

Crimes Against the State

CHAPTER I

Crimes Against State Security

SECTION I

Crimes Against National Independence and Integrity

ARTICLE 310.º

(High treason)

1. Whoever, with violence or threat of violence, usurpation or abuse of the exercise of positions or functions of sovereignty, endangers the independence and territorial integrity of Angola or its sovereignty over part or all of the national territory is punished with penalty prison from 10 to 20 years.

2. The same penalty is applicable to Angolan citizens or foreigners residing in Angolan territory who take part in actions of a military nature against Angola or in any way provide assistance.

ARTICLE 311.º

Whoever makes available to others or makes public

city or veracity, would be important for the external security of the Republic of Angola or for the relations of the Republic of Angola with a foreign power or international organization, making believe that such objects or facts are authentic and, with that, endangering the independence or integrity of the Republic of Angola is punishable with imprisonment from 2 to 12 years.

ARTICLE 312.º

(Preparation of high treason)

Whoever, in any way, prepares or contributes to the preparation of a crime of high treason against Angola is punished with imprisonment from 1 to 10 years.

ARTICLE 313.º

(Understandings with foreigners to provoke war)

1. Whoever has understandings or maintains conversations with a government, association, institution or foreign individuals or with their intermediary, with the intention of unleashing a war or armed action against the Republic of Angola, is punished with a prison sentence of 5 to 10 years.

2. When the fact described in the previous number results in serious danger to the independence or integrity of the Republic of Angola, the penalty is imprisonment from 10 to 15 years.

ARTICLE 314.º

(Provocation to war or reprisals)

1. Whoever, without competence to do so or without being duly authorized by the competent Bodies of Sovereignty, performs acts likely to provoke war or reprisals against the Republic of Angola is punished with imprisonment from 2 to 8 years.

2. If, as a result of the fact described in the previous number, a war is unleashed against Angola or reprisals are carried out, the penalty is imprisonment from 8 to 12 years.

ARTICLE 315.º

(Collaboration with foreigners to embarrass the State)

Whoever collaborates with a government, association or foreign institution or with its intermediary to compel the State to subject itself to foreign interference to the detriment of its independence or sovereignty, to declare or not to declare war or to maintain or not maintain neutrality in a war, is punishable with imprisonment from 3 to 12 years.

ARTICLE 316.º

(Violation of state secrecy)

1. Whoever, with the intention of favoring a foreign state or entity, makes public or accessible to an unauthorized person facts, conditions of people, objects, documents, plans or knowledge only accessible to a limited circle of people and that must be kept secret, endangering the interests of the Angolan State in terms of sovereignty, national independence, unity and integrity of the State or its internal or external security, the resources allocated to defense and diplomacy, the safeguarding of the population in Angolan territory, as well as the preservation and security of strategic economic and energy resources, is punishable with imprisonment from 8 to 12 years.

2. The same penalty will be applied to anyone who, with the same intention and endangering the interests referred to in

documents or plans mentioned therein.

3. When the agent commits the act abusing the position he occupies in a position of responsibility that especially obliges him to guard the State secret, he is punished with imprisonment from 10 to 15 years.

4. If there was no intention to favor a foreign power, the penalties are imprisonment from 3 to 8 years, in the cases of paragraphs 1 and 2, and imprisonment from 5 to 10 years, in the case of paragraph 3.

5. Negligence is, in all cases, punished with a penalty imprisonment of up to 3 years or a fine of up to 360 days.

ARTICLE 317.º

(Espionage)

1. Whoever accesses a State secret to reveal it or help someone else to do so is punished with imprisonment from 5 to 10 years.

2. If the act is committed in collaboration with a government, association, organization, foreign intelligence service or its agent, the penalty is imprisonment from 8 to 12 years.

3. If the agent commits one of the facts described in imposed by the statute of his office or function, service

punished with imprisonment of 10 to 12 years, in the case of paragraph 1, and imprisonment of 12 to 15 years, in the case of paragraph 2.

4. If the agent's activity does not have the object of state secrecy, but, even so, the collection of information endangers the security of the State, the penalty is imprisonment from 1 to 5 years.

5. If the act described in the previous number is committed in collaboration with the entities referred to in number 2 or for their benefit, the penalty is imprisonment from 2 to 8 years.

ARTICLE 318.º

(Use of evidence)

making evidence of facts regarding relations between Angola and another State or international organization unavailable and, thereby, endangering relevant national interests is punished with imprisonment from 3 to 8 years.

2. The penalty is imprisonment from 5 to 10 years, if the act is perpetrated on something that has been made available to the perpetrator by virtue of his capacity as a public official or someone especially obliged to perform public service.

ARTICLE 319.º

Angola before a foreign government, a community of states, an interstate institution or another international organization, intentionally harming Angolan rights or interests in a negotiation with those entities or assuming a commitment therein without being competently mandated by the Angolan State, is punished with prison sentence of 5 to 10 years.

2. If, in the case of the previous number, the agent does not cause damage or assume commitments, but violates instructions received from the Angolan State or, with the intention of misleading it, provides false information about facts that occurred in the negotiation in which he participated, is punished with imprisonment from 2 to 5 years.

SECTION II

Crimes Against National Defense and the Armed Forces

ARTICLE 320.º

(Use of means of defense)

1. Who, with the intention of endangering the security of Angola, the defense or attack capacity of its troops

installations, establishments, buildings, equipment, weapons, ammunition or other military means essential to national defense, the armed forces, or the protection of the civilian population, is punishable with imprisonment from 5 to 12 years.

2. The same penalty is applicable to anyone who, with the same intention, builds or orders the construction, produces or orders the production of defective installations, establishments, constructions, equipment or other military means referred to in the previous number.

3. If the facts described in the previous numbers are committed in a war situation, the penalty is imprisonment from 5 to 15 years.

ARTICLE 321.º

(Destruction or disablement of structures or military means)

damage or render unusable the structures or means referred to in paragraph 1 of the previous article and, in this way, endangering the security of the Republic of Angola and the defense or attack capacity of its armed forces is punishable with imprisonment from 5 to 12 years.

2. Negligence is punishable with imprisonment of up to 3 years or a fine of up to 360 days.

ARTICLE 322.º

(Propaganda against national defense and the armed forces)

true facts and thereby disturbing the action of the armed forces is punished with a prison sentence of up to 3 years or a fine of up to 360 days.

2. If the facts described in the previous number occur in the course of a war situation, the penalty is imprisonment for up to 5 years.

3. If the agent practices the facts described in numbers of the armed forces, the sentences are imprisonment of up to 5 years and imprisonment of 2 to 6 years, respectively.

ARTICLE 323.º

(Collection of information of a military nature)

1. Whoever, outside the cases of article 320, gathers information organization whose purpose is to gather information of a military nature, recruit informants or support any of these activities is punishable with imprisonment from 3 to 8 years.

2. If the agent commits the act referred to in the previous number to the service of a prohibited or illegal association or organization, or of foreign entities or services, to undermine the military capacity of the Angolan Armed Forces or putting it in danger, the penalty is imprisonment from 8 to 12 years.

ARTICLE 324.º

(Illustrations of objective or event of a military nature)

drawing or image of establishment, equipment, ins

militarily reserved part of the national territory and place

third parties and thereby compromising or endangering the defense or attack capacity of the Angolan armed forces is punished with a prison sentence of 2 to 5 years.

2. In case of negligence, the agent is punished with penalty imprisonment of up to 1 year or a fine of up to 120 days.

SECTION III

Crimes Against Authorities, Representatives and Symbols of States
Foreigners or International Organizations

ARTICLE 325.º

(Attack against authorities or representatives
of Foreign States or international organizations)

Anyone who perpetrates an attack against the physical integrity, life or liberty of a foreign state official member, member of a foreign government, foreign diplomatic or consular representative or leader of an organization

Angolan territory is punished with imprisonment from 2 to 8 years, if a more serious penalty does not apply due to another penal provision.

ARTICLE 326.º

(Offense to the honor of authorities or representatives of States
Foreigners or from international organizations)

1. Whoever, in national territory, insults, defames or slanders the authority of a foreign state, member of a foreign government or foreign diplomatic or consular representative or leader of an international organization

is punished with imprisonment for up to 2 years or a fine of up to 240 days.

2. When the act is committed publicly, in a meeting or through the dissemination of writings or any media, the penalty is imprisonment of 1 to 3 years or a fine of 120 to 360 days.

ARTICLE 327.º

(Outrage of symbols of foreign states or
international organizations)

the flag or badge of sovereignty of a foreign country or international organization that is publicly visible by virtue of legal prescriptions or recognized use or, in any other way, offends or outrages them is punished with imprisonment for up to 2 years or with a fine of up to 240 days.

ARTICLE 328.º

(Criminal procedure)

There will only be criminal proceedings in relation to the crime provided for in the previous article when there is a complaint from the foreign government or the international organization concerned and the Public Prosecutor's Office carries out the respective criminal proceedings.

SECTION IV

Crimes Against the Realization of the State

ARTICLE 329.º

(Rebellion)

1. Whoever, through illicit means, performs an act tending, directly or indirectly, to alter, in whole or in part, the Constitution of the Republic of Angola and subvert the State institutions established by it, is punished with imprisonment from 5 to 12 years, if the most serious sentence does not apply to him by virtue of another penal provision.

2. If the act is committed by means of armed violence or armed mutiny, the penalty is imprisonment from 10 to 15 years.

3. Whoever incites the inhabitants of Angolan territory to civil war or rebellion is punished with the penalty provided for in paragraph 1.

ARTICLE 330.^o
(Sabotage)

1. Whoever, with the intention of overthrowing, altering, destabilizing or subverting the Democratic and Rule of Law State

transmission or transport facilities, port facilities, factories or warehouses, public service facilities or facilities intended for supplying and satisfying the vital needs of the population is punishable with a prison sentence of 5 to 12 years.

2. When the fact described in the previous number results in serious danger to the independence or integrity of the Republic of Angola, the prison sentence is from 8 to 15 years.

3. Anyone who, with the intention of preparing the sabotage actions referred to in paragraph 1, and for that purpose, shall be punished with imprisonment from 2 to 8 years:

- a) Spy on sabotage objectives;
- b) Build, maintain or inspect camps for the reception of means of sabotage or support points for sabotage activity;
- c) Entice someone to practice soap actions tagging;
- d) Produce, import, store, sell, assign, acquire for any reason, distribute, transport, hold or use prohibited weapons, devices or explosive substances, intended for the execution of sabotage.

4. If, in the case of the previous number, the means of sabotage are devices or radioactive substances or suitable to 12 years.

5. When the agent carries out sabotage or the preparatory acts of sabotage described in the previous numbers, by order of a foreign government, association or institution, the penalties are increased by one sixth in their minimum and maximum limits.

ARTICLE 331.^o
(Attack against the President of the Republic and against other State entities)

Whoever perpetrates an attack against the life or physical integrity of the President of the Republic or other Holders of Organs of Sovereignty, the Vice-President of the Republic, the Attorney General of the Republic in the exercise or because of the exercise of their functions is punished with penalty imprisonment from 8 to 15 years, if a more serious penalty is not applicable under another penal provision.

ARTICLE 332.^o
(Coercion by the President of the Republic and other State entities)

Whoever, through violence or threat of violence, coerces the President of the Republic or other holders of Bodies of Sovereignty, the Vice-President of the Republic or the Attorney General of the Republic not to exercise their powers or to exercise them in a specific sense is punished with imprisonment from 5 to 10 years.

ARTICLE 333.^o
(Outrage to the State, its symbols and bodies)

1. Whoever, publicly, and with the intention of offending, outraging by words, images, writings, drawings or sounds, the Republic of Angola, the President of the Republic or any other Organ of Sovereignty is punished with imprisonment from 6 months to 3 years or a fine of 60 to 360 days.

2. If the object of the outrage is the flag, insignia or anthem of the Republic, the penalty is imprisonment of up to 2 years or a fine of up to 240 days.

ARTICLE 334.^o
(Disturbance of the functioning of the Sovereignty Body)

1. Whoever, with riots, disorders or riots, disturbs the functioning of the Organs of Sovereignty is punished with prison sentence of up to 3 years or with a fine of up to 360 days.

2. If, in the same way, he interferes with the free exercise of functions of a member of any Organ of Sovereignty, he is punished with imprisonment for up to 1 year or with a fine of up to 120 days.

ARTICLE 335.^o
(Violation of enclosures)

1. Whoever participates in concentrations and public demonstrations in enclosures or open spaces adjacent to buildings of any Organ of Sovereignty, violating the legal provisions regarding the use of these enclosures or spaces and, in this way, disturbing their operation, is punished with imprisonment up to 6 months or with a fine of up to 60 days.

2. The organizers and instigators of the concentrations and demonstrations referred to in the previous number are punished with a prison sentence of up to 1 year or a fine of up to 120 days.

SECTION V
Common Provisions

ARTICLE 336.^o
(Preparatory acts)

Preparatory acts of the crimes foreseen in articles 316.^o to 318.^o, 320.^o and 321.^o, 323.^o, 325.^o and 329th to 331st

ARTICLE 337.^o
(Special attenuation)

1. The penalty applicable to Crimes Against the Security of the State that imply the production of a danger can be

serious efforts to lessen the danger or to remove it.

2. If the agent prevents the production of danger or removes it, the penalty is specially mitigated.

ARTICLE 338.^o
(Accessory penalty)

The Court may, in case of conviction for any of the Crimes Against State Security, considering the civic and political life of the convict, declare his incapacity to be elected to the offices of President of the Republic or member of the National Assembly for a period of 5 to 10 years.

CHAPTER II
Crimes Against Public Authority

ARTICLE 339.^o
(Usurpation of functions)

1. Whoever, without being legally authorized to do so, performs duties or performs acts typical of a public official, military command, militarized force or public order, falsely arrogating that quality, is punished with imprisonment for up to 2 years or with a fine of up to 240 days.

2. The same penalty is applicable to public officials, military command, militarized force or public order who are suspended from their duties and exercise them.

ARTICLE 340.^o
(Disobedience)

1. Whoever fails to comply with legitimate orders or warrants, regularly communicated by the competent authority or official in accordance with legal requirements, is punishable with a prison sentence of 6 months or fines of up to 60 days, whenever:

- a) There is a previous legal precept that, in the specific case, defines non-compliance with the order or warrant as a crime of disobedience;
- b) If the legal provision referred to in the previous paragraph does not exist, the authority or official warns the agent that non-compliance with the order or warrant implies the commission of the crime of disobedience;
- c) compliance with a court decision.

2. The penalty is imprisonment of up to 1 year or a fine of up to 120 days, when the legal provision referred to in paragraph a) of the previous number prohibits non-compliance with the order or

ARTICLE 341.^o
(Violation of prohibitions or interdictions)

Anyone who does not comply with a criminal sentence that imposes criminal prohibitions or interdictions, either as an accessory penalty or as a non-custodial security measure, is punished with imprisonment for up to 2 years or a fine of up to 240 days.

ARTICLE 342.^o
(Resistance against employee)

1. Whoever, by means of violence or threat of violence, resists an official or member of military, militarized or security or public order forces, to prevent them from carrying out a legitimate act related to the exercise of their functions, is punished with imprisonment of up to 3 years or a fine of up to 360 days.

2. The penalty is imprisonment from 1 to 5 years when:

- a) use a weapon;
- b) The official or member of the military, militarized or security or public order forces has been in danger of life or serious harm to his physical integrity.

3. The Court may especially attenuate the penalty when the agent has committed the act convinced, by unavoidable error, that the act to which he resisted was illegitimate.

ARTICLE 343.^o
(Misplacement of objects submitted to the domain of public authority)

subtracting from the domain of public authority a document or movable thing, as well as things or goods that have been the subject of a precautionary measure or, in any way, seized, is punished with imprisonment for up to 5 years, if the most serious penalty does not fit under another penal provision.

ARTICLE 344.^o
(Breakage of seals or marks)

placed under the law by authority or official

or place or to make public knowledge that they were apprehended or any precautionary measure fell on them is punished with imprisonment for up to 2 years or a fine of up to 240 days.

ARTICLE 345.^o
(Withdrawal, destruction or alteration of notices)

competent official to do so is punished with imprisonment for up to 1 year or a fine of up to 120 days.

ARTICLE 346.^o
(Release of prisoners)

1. Whoever frees a person legally deprived of his freedom, inducing escape, promoting or helping his evasion is punished with imprisonment from 6 months to 5 years.

2. If the agent uses violence or is in charge of guarding the person legally deprived of liberty, the penalty is imprisonment from 2 to 8 years.

3. If the evasion occurred as a result of negligence on the part of the guardian of the person legally deprived of his liberty, the penalty is imprisonment of up to 2 years or a fine of up to 240 days.

ARTICLE 347.º
(Inmate riot)

1. Persons legally deprived of their liberty who, by joining forces and using violence, riot and:

- a) Attack prison officials or other persons in charge of their surveillance, custody or control or coerce them to practice or stop practicing a certain act;
- b) Attempt against the security of the prison institution or of the inmates who are in it;
- c) If they evade or try to make any of them or another inmate escapes.

2. The penalty is imprisonment from 2 to 10 years, when any of the mutineers:

- a) Is carrying a firearm or any other weapon intended to be used in the execution of the act;
- b) Putting the victim's life or serious harm to their physical integrity in danger.

CHAPTER III

Crimes Against the Execution of Justice

ARTICLE 348.º
(denial of justice)

1. Magistrates, judges or public prosecutors who, within the scope of their respective powers, intentionally refuse to administer justice or apply the law or who delay the administration of justice or the application of the law are punished with imprisonment for up to 2 years or a fine of up to 120 days.

2. If the act described in the previous number is committed penalty is imprisonment from 1 to 3 years or a fine from 120 to 360 days

ARTICLE 349.º
(Prevarication)

1. The magistrate, judicial or Public Prosecutor's Office, or the arbitrator who prevaricates in the resolution of a matter of justice, deciding or promoting against the law, with the intention of are from 1 to 5 years.

2. If the prevarication takes place in a process of a criminal nature and results in the deprivation of liberty or the maintenance of deprivation of liberty of a person, the prison sentence is from 2 to 10 years.

3. The public official who, in any proceeding, including disciplinary proceedings, illegally promotes or fails to promote, decides or fails to decide and, in general, performs or fails to perform an act inherent to the exercise of functions

someone, is punished with a prison sentence of up to 3 years or a fine of up to 360 days.

4. If the prevarication takes place in a process of a criminal nature and the conduct described in the previous number results in deprivation of liberty or the maintenance of deprivation of liberty of a person, the penalty is imprisonment from 1 to 5 years.

5. Incurs in the penalty established in no. 3 the employee who, without being competent, orders or executes a deprivation of liberty measure.

ARTICLE 350.º

(False statement, statement, expertise or translation)

1. Whoever, before the Court or official competent to receive them as a means of evidence, gives testimony or

imprisonment from 6 months to 3 years or with a fine of 60 to 360 days.

2. Whoever gives a false statement or testimony, is subject to a legal oath and has given it, is punished with the same aggravated penalty of one quarter in its minimum and maximum limits.

3. Incurs the penalty established in number 1:

- a) The defendant who makes false statements about his identity or background criminal;
- b) Anyone who, without just cause, refuses to testify, provide statements or present a report, information or translation, when their provision or presentation is mandatory.

4. The provisions of paragraph 1 do not apply to statements made by the defendant on the facts that are the object of the proceedings and which are imputed to him.

5. The penalty is imprisonment from 1 to 6 years if the fact described in the previous numbers results in the deprivation of liberty of someone or their maintenance.

6. The punishment provided for in the previous numbers will not apply if the defendant voluntarily withdraws in time for the withdrawal to be taken into account in the decision and before

ARTICLE 351.º
(Personal favor)

1. Whoever, after committing a crime, provides assistance to those who committed it, preventing, frustrating or eluding, in whole or in part, the activity of the competent judicial bodies, so that the agent escapes the action of justice, the application of criminal sanctions or their execution, shall be punished with a prison sentence of up to 3 years or a fine of up to 360 days.

2. The penalty to which the agent is sentenced may never exceed that provided for by law for the crime committed.

3. The following are not punishable:

- a) An agent who, with the assistance provided, seeks to prevent a criminal sanction from being applied or executed against him/her;

b) The spouse, ascendants or descendants, adopt them

third degree of the collateral line of the person to whom they provided assistance and, also, who with this person lives in a situation analogous to that of the spouses.

ARTICLE 352.º
(Slandering denunciation)

1. Whoever, by any means, before authorities or publicly, denounces or casts a suspicion of the commission of a crime on a certain person, with awareness of the falsehood of the imputation and the intention that criminal proceedings be instituted against him, is punished with prison sentence of 1 to 3 years or a fine of 120 to 360 days.

2. The penalty is imprisonment from 1 to 5 years, if the means used by the agent translates into presenting, altering or distorting any means of proof.

3. If the fact results in the deprivation of liberty of the offender, the prison is from 1 to 8 years.

4. The conviction for the crimes described in the previous numbers is publicly disclosed through a media outlet, at the discretion of the Court and at the expense of the convict, if the victim so requests by the end of the hearing in the first instance.

ARTICLE 353.º
(Subtraction or diversion of process or supporting documents)

1. Whoever subtracts, destroys, withholds, does not return or diverts a judicial process, a record book, or part thereof, or a document referring thereto, or even a document or probative object that he has received in connection with his duties, is punished with a prison sentence of 1 to 3 years or a fine of 120 to 360 days.

2. The fact referred to in the previous number will result in condemnation, deprivation of liberty of any person or their maintenance, the penalty is imprisonment from 2 to 8 years.

3. If the agent is a lawyer, magistrate, court or public prosecutor, the penalty is imprisonment from 2 to 6 years, in the case of paragraph 1, and from 3 to 10 years, in the case of paragraph 2.

ARTICLE 354.º
(Obstruction of justice)

1. The public official who illegitimately prevents or detained or arrested is punished with imprisonment of up to 2 years or a fine of up to 240 days.

2. Who resorts to physical force, threats, intimidation or promise, offer or concession of undue benefit, with the

testimony or the presentation of evidence in a criminal proceeding is punishable with a sentence of 2 to 4 years in prison.

3. The same penalty is incurred by anyone who resorts to enu means competent judicial authorities or criminal police.

4. The penalty is 4 to 6 years in prison when the obstruction of justice involves a criminal association, organization or group and is international in nature, under the terms of paragraph 4 of article 296 or in the case of crimes of terrorism, terrorist organization or against peace and the international community provided for in articles 377 to 389

ARTICLE 355.º

1. The lawyer or defender who provides legal assistance

months to 3 years or with a fine of 30 to 360 days.

2. Lawyers or defenders who, in cases submitted to their sponsorship, intentionally favor the opposing party to the detriment of their constituents are punished with imprisonment from 1 to 5 years.

3. If favoring the lawyer to the opposing party results in the deprivation of liberty of his constituent, the penalty is 2 to 8 years in prison.

ARTICLE 356.º
(Violation of secrecy of justice)

Whoever makes known acts, facts or the content of documents of a process protected by secrecy of justice or to which the Procedural Law or the judge does not allow public access is punished with imprisonment for up to 3 years or with a fine of up to 360 days.

CHAPTER IV

Crimes Committed in the Exercise of Public Functions and in Prejudice to Public Functions

ARTICLE 357.º
(Improper receipt of advantage)

1. Public officials who, in the exercise of their functions or because of them, by themselves or through an intermediary, with himself or a third party, a pecuniary or non-pecuniary advantage that is not due to him, is punished with imprisonment from 1 to 5 years.

2. Who, by himself or through an intermediary, with his employee or a third party by indication or knowledge of the latter, patrimonial or non-patrimonial advantage that is not due to him, in the exercise of his functions or because of them, is punished with imprisonment from 6 months to 3 years or with a fine of 60 to 360 days.

3. Excluded from the previous numbers are conducts socially appropriate and in line with usage and customs.

ARTICLE 358.º
(Active employee corruption)

1. Who, by himself or through an intermediary, with his patrimonial or non-pecuniary advantage to the official or to the person specially obliged to provide public service, or to the third person with knowledge of them,

to perform an act or omission inherent to the duties of the respective position or function, shall be punished with imprisonment for up to 2 years or a fine of up to 240 days.

2. If, in the case of the previous number, the act or omission is contrary to the duties of the position or function, the penalty is imprisonment of up to 3 years or a fine of up to 360 days.

3. If the offer, gift or promise of advantage is intended for the commission of a criminal offense, the penalty is 3 to 7 years in prison.

4. If the unlawful act referred to in the previous number is committed, the perpetrator is punished with imprisonment from 3 to 10 years, if a more serious penalty does not apply to him under another criminal law.

5. For the purposes of this article, offers, donations or promises made to an official or a person especially obliged to provide a public service that are socially appropriate and in accordance with the uses and costumes.

6. The agent is exempt from the penalty whenever he withdraws the promise, refuses to offer the advantage or requests its restitution before the commission of the fact.

7. The penalties provided for in the previous numbers are specially attenuated when:

- a) The agent committed the act at the request of the official, directly or through an intermediary person;
- b) The agent denounces the crime within a maximum period of 90 days after the commission of the act and always before the initiation of criminal proceedings;
- c) The agent concretely assists in obtaining or

tion or capture of other perpetrators.

ARTICLE 359.^o

(Passive employee corruption)

1. An employee who, by himself or through an intermediary with his consent, requests or accepts, for himself or for a third party, a pecuniary or non-pecuniary advantage, or his promise, to perform an act or omission inherent to the duties of the position or function, even if prior to that request or acceptance, is punished with imprisonment for up to 2 years or a fine of up to 240 days.

2. If, in the case of the previous number, the act or omission is contrary to the duties of the position or function, the penalty is imprisonment of up to 3 years or a fine of up to 360 days.

3. If the solicitation, acceptance or promise of advantage is intended for the commission of a criminal offense, the penalty is imprisonment from 3 to 7 years.

4. If the offense referred to in the previous number is committed, the perpetrator is punished with imprisonment from 3 to 10 years, if a more serious penalty does not apply, by virtue of another penal provision.

5. The penalties provided for in the previous numbers are aggravated by a third, within their maximum and minimum limits, when the agent holds a political office.

6. The agent is exempt from penalty whenever he voluntarily repudiates the offer or promise he had accepted, refunds the advantage or, in the case of a fungible thing, its value, before the commission of the fact.

7. The penalties provided for in the previous numbers are specially mitigated if the employee:

- a) Denounce the crime within a maximum period of 90 days after the commission of the act and always before the initiation of criminal proceedings;
- b) Concretely assist in obtaining or producing

ture of other agents.

8. The provisions of paragraph 5 of the previous article are correspondingly applicable.

ARTICLE 360.^o

(Active corruption of magistrate or arbitrator)

1. Whoever offers, promises or grants, by himself or through an intermediary with his consent, a pecuniary or non-pecuniary advantage that is not owed to a Judicial Magistrate, Public Prosecution Service or arbitrator in order to perform or for having performed an act inherent to the office or function, shall be punished with imprisonment for up to 5 years.

2. If the offer, promise or concession of advantage has

duties of the position or function, the penalty is imprisonment from 2 to 7 years.

3. If, in the case of the previous number, the unlawful act is committed, the penalty is imprisonment from 3 to 12 years, if a more serious penalty does not apply due to another penal provision.

4. The penalties provided for in the previous numbers are increased by one third, within their maximum and minimum limits, when the agent holds a political office.

5. The provisions of the paragraphs 5, 6 and 7 of article 358 and paragraph 5 of article 359

ARTICLE 361.^o

(Passive corruption of magistrate or arbitrator)

1. The judicial magistrate, Public Prosecution Service or arbitrator who requests, demands or accepts, for himself or for a third party, a promise of advantage or advantage that is not due to practice or not to practice, due to having actually practiced or not, an act inherent to their position or function, even if prior to that request, requirement or acceptance, is punished with imprisonment from 1 to 5 years.

2. If the solicitation, requirement or acceptance of a promise or advantage is intended for the practice of an illegal act or contrary to the duties of the position or function, it is punished with imprisonment from 3 to 10 years.

3. If, in the case of the previous number, the unlawful act is committed, the penalty is imprisonment from 5 to 16 years, if a more serious penalty does not apply by virtue of another penal provision.

4. The provisions of the paragraphs 6, 7 and 8 of article 359.

ARTICLE 362.º

(Embezzlement)

1. A public official who illegitimately appropriates, for his own benefit or that of others, money or movable property that does not belong to him and has been delivered to him, is in his possession or to which he has access by virtue of his position or functions is punished, according to the value of the appropriate movable property or money, with the following penalties:

- a) Imprisonment of 1 to 5 years, if the value of the appropriated thing is not high;
- b) Imprisonment of 3 to 10 years, if the value of the property is high;
- c) Imprisonment of 5 to 14 years, if the value of the appropriated thing is considerably high.

2. The penalties provided for in the previous number are aggravated by one third, within their minimum and maximum limits, when the agent holds a political office.

3. The penalties provided for in paragraph 1 are especially mitigated as if the employee:

- a) Denounce the crime within 90 days after the commission of the act and, always before the initiation of criminal proceedings;
- b) Concretely assist in obtaining and producing

criminal agents.

ARTICLE 363.º

(Embezzlement of use)

1. A public official who uses or lets use money or movable things that do not belong to him and have been delivered to him, are in his possession or to which he has access by

those for whom the thing is intended is punished with imprisonment for up to 5 years.

2. If, in the case of public money, the agent gives it public use other than that for which it was intended without

years or a fine of up to 360 days.

3. Use embezzlement is not punishable when the money or movable thing used is not of high value, under the terms of paragraph b) of article 391.º

ARTICLE 364.º

(Economic participation in business)

1. The official who, with the intention of obtaining an advantage that is not due, participates in a legal transaction that involves patrimonial interests that, in whole or in part, fulfill him, due to his position or duties,

prison sentence of up to 5 years.

2. The holder of public office who, taking advantage of his capacity and in violation of what is

allocation of a legal transaction of the State, of a patrimonial nature, in favor of one's own interests, of a spouse, of

3. If the fact described in the previous numbers harms the equity interests mentioned there, the penalty is imprisonment from 2 to 7 years.

ARTICLE 365.º

(Illegal collection of contributions)

1. The employee in charge of collecting taxes, fees or other contributions who receives them, knowing that they are not owed by the taxpayer or that they are owed in a smaller amount, is punished with imprisonment for up to 2 years or a fine of up to 240 days.

2. The employee who grants give illegal discounts to the taxpayer.

ARTICLE 366.º

1. Whoever, by himself or through an intermediary, demands or accepts an advantage or promise of an advantage to use his

way, obtains from it an unlawful decision favorable to the agent of the fact referred to in paragraph 2 of this article or the entity that he represents or in the interest of which he acts, is punished with imprisonment from 1 to 5 years, if a more serious penalty does not fit him under another penal provision.

2. The same penalty applies to anyone who, on their own behalf or that of the entity they represent, gives or promises the advantage referred to in the previous number.

3. The provisions of the paragraphs 6 and 7 of article 358 and paragraphs 5 and 6 of article 359

ARTICLE 367.º

(Violation of domicile by employee)

Employees who, abusing the powers inherent to their position or duties, commit the crime of rape or entering and staying in someone else's dwelling

Anyone who, by the nature of their 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 360 days.

ARTICLE 368.º

(Employment of public force against the execution of law or legitimate order)

The official who, being competent to request or

execution of the law, court order or legitimate order of public authority is punished with imprisonment for up to 3 years or a fine of up to 360 days.

ARTICLE 369.º

(Lack of collaboration)

An official who, without legitimate reason, does not collaborate with an organ or employee of the Administration of Justice or any public service, after such collaboration has been legally requested, requested or formally ordered by a competent authority shall be punished with imprisonment. up to 2 years or a fine of up to 240 days.

ARTICLE 370.º

(Torture and cruel, inhuman and degrading treatment)

1. Anyone who, with the function of preventing, pursuing and investigating offenses of any nature, instructing the respective processes, is punished with a prison sentence of 1 to 6 years, if a more serious sentence does not fit him/her by virtue of another penal provision, the execution of legally applied criminal reactions or the protection, custody or supervision of a person deprived of his liberty, to practice against him or any other person acts of torture or to subject him to cruel, inhuman or degrading treatment for:

- a) testimony;
- b) Punish her for an act committed or allegedly committed by her or a third party;
- c) Intimidating or intimidating a third party.

2. For the purposes of paragraph 1, an act of torture, cruel, inhuman or degrading treatment is understood to be

or acute or intense physical or psychological suffering or intense physical or psychological fatigue, and also the use of chemical products, drugs or other means likely to disturb or reduce the capacity of determination or the free expression of will of the person under custody or agent control.

ARTICLE 371.º

(The record)

The penalty is imprisonment from 5 to 12 years, if the conduct described in the previous article causes serious harm to the victim's physical or mental integrity, and from 8 to 15 years, if the conduct results in a serious and incurable illness, suicide or death of the victim.

ARTICLE 372.º

(Responsibility of the hierarchical superior)

1. The hierarchical superior who expressly or tacitly authorizes the practice, by his subordinate, of torture, cruel, inhuman or degrading treatment is punished with the penalty applicable to the perpetrator, increased by a quarter of its minimum and maximum limits.

2. The hierarchical superior who, having become aware of the commission of the facts referred to in articles 370 and 371, does not denounce them within a maximum period of 10 days is punished with imprisonment for up to 3 years or with a fine of up to 360 days.

ARTICLE 373.º

(Persecution of innocents)

1. The official who, being in charge of activities of investigation, instruction or procedural promotion, in proceedings of a criminal nature, pursues a person, knowing that he is innocent, that in relation to

of security or that he cannot be subjected to such persecution is punished with imprisonment from 2 to 6 years.

2. In the case of criminal proceedings or security proceedings for the application of penalties or security measures not

deprivation of liberty, respectively, or administrative or disciplinary proceedings, the penalty is imprisonment of up to 3 years or a fine of up to 360 days.

ARTICLE 374.º

(Abuse of power)

The employee who, outside of the cases provided for in the previous articles, abuses the powers inherent to the position or function he performs, with the intention of obtaining benefit for himself or a third party or causing damage to another person, shall be punished with imprisonment for up to 2 years. or with a fine of up to 240 days.

ARTICLE 375.º

(Breach of confidentiality by employee)

1. An official or person specifically obliged to provide a public service who, aware that he/she is endangering the public interest or that of a third party or with the intention of obtaining a benefit for himself or another person, discloses

knowledge in the exercise of their position or function is punished with imprisonment from 1 to 5 years.

2. In case of negligence, the penalty is imprisonment for up to 1 year or a fine of up to 120 days.

3. The criminal procedure depends on the participation of the entity responsible for the service or on the victim's complaint.

CHAPTER V

General Provision

ARTICLE 376.º

(Public agent)

1. For the purposes of the Penal Code, the expression employee includes:

- a) The civil servant;
- b) The administrative agent;
- c) Holders of political office, elected or appointed of the;
- d) Anyone who, even if provisionally or temporarily, against remuneration or free of charge, voluntarily or compulsorily, has been called upon to perform or practice or participate in the performance of an activity included in the public administrative or judicial function, or, under the same circumstances, carry out functions in public utility organizations or participate in them, namely members of the armed forces called upon to exercise civil functions of a public nature.

2. Public servants are equated with gestures

public companies.

3. For the purposes of the provisions of Articles 358 and 359, all those who carry out functions identical to those described in paragraph 1 within the scope of any organization governed by public law of which Angola is a member are also treated as civil servants.

TITLE VI

Crimes Against Peace and the International Community

ARTICLE 377.^o

(Incitement to hatred against a people and apology for war)

1. Whoever, repeatedly and publicly, incites hatred against a people, with the purpose of triggering a war, is punished with imprisonment from 1 to 8 years.

2. Incurs the same penalty who, in the same way,

people.

3. If any war is unleashed, the penalty is

imprisonment from 3 to 10 years.

ARTICLE 378.^o

(Recruitment of members of the armed forces)

Whoever recruits members of the Angolan armed or security forces with the intention of starting a war against a foreign state or territory or to forcibly overthrow the legitimate government of another state or territory is punishable with imprisonment from 2 to 6 years.

ARTICLE 379.^o

(Recruitment of mercenaries)

1. Who recruit mercenaries for an organization

legitimate government of another state, attacking its sovereignty, independence or territorial integrity or disturbing the normal functioning of its institutions is punished with imprisonment from 2 to 8 years.

2. The same penalty applies to anyone who enlists or joins the armed organization or group referred to in the previous number.

3. The crime foreseen in this article is consummated with the conclusion of the recruitment contract, with enlistment or with incorporation into the armed organization or group referred to in paragraph 1.

4. He is a mercenary who is considered as such by law International.

ARTICLE 380.^o

(Incitement to discrimination)

1. Whoever, in a meeting, public place or through any means of dissemination or communication with the public, incites hatred against a person or group of people because of their race, color, ethnicity, place of birth, sex,

belief or religion, political or ideological convictions, condition or social origin or other cause, with the purpose of discriminating against them, is punished with imprisonment from 6 months to 6 years.

2. The same penalty applies to anyone who, in a public meeting or place or by any means of disclosure or communication with the public, incites acts of violence against a person or group of people because of their race, color, ethnicity, place of birth, gender, sexual orientation, disease

political or ideological beliefs, social condition or origin or any other forms of discrimination.

3. If the facts described in the previous numbers are committed through an information system, under the terms of paragraph e) of article 250.^o, the prison sentence is from 1 to 6 years.

institution instituted to incite discrimination or that repeatedly and publicly incites discrimination, hatred and violence against a person or group of people, because of their race, color, ethnicity, place of birth, sex, orientation

religion, political or ideological convictions, social condition or origin or any other forms of discrimination, is punished with imprisonment from 2 to 8 years.

5. The same penalty applies to anyone who participates in the activities of the organization referred to in the previous number or who provide assistance.

ARTICLE 381.^o

(Genocide)

1. It is punishable with imprisonment from 5 to 25 years who, within the scope of a concerted action and, with the intention of exterminating or partially destroying, a national, ethnical, racial or religious group:

- a) Voluntarily kill any member of the group, subject him to inhuman, cruel or degrading treatment and, in general, seriously offend his physical and mental integrity;
- b) Subjecting the group to conditions of life and existence likely to cause its total or partial destruction;
- c) Impose measures aimed at preventing procreation and births within the group;
- d) Transfer, by force, minors under 18 years of age, belonging to the group, to any other group.

2. Public and repeated incitement to hatred against a national, ethnic, racial or religious group with the aim of destroying it, in whole or in part, is punishable with imprisonment from 3 to 10 years.

ARTICLE 382.^o

(Crimes against humanity)

Anyone who, in the context of a generalized or systematic attack against a given population or in the context of a

military power of a State, territory or part thereof, commits the following acts against protected persons:

- a) Intentional homicide;
- b) Extermination;
- c) Slavery;

- d) Imprisonment or other form of serious deprivation of physical liberty, in violation of norms and principles of international law;
- e) Offense to the dignity of the human person through, namely, the use of torture and other treatments cruel, inhuman and degrading practices;
- f) Rape, sexual slavery, prostitution, pregnancy and sterilization;
- g) Persecution for political, ideological, racial, ethnic, social, cultural reasons or for reasons of nationality, gender, religion, illness or sexual;
- h) Forced disappearance;
- i) Subjecting one or more persons to physical mutilation or any type of medical experience
- medical, dental or hospital treatment or carried out in the interests of such persons and which cause death or seriously endanger their lives or health;
- j) The deportation or forced transfer of persons or groups of persons for reasons related
- carried out for compelling military reasons.

ARTICLE 383.^o

For the purposes of the previous article, it is considered:

- a) «*Attack*», any conduct involving the multiple practice of the acts described therein, in execution of a State policy or of an organization directed to that practice;
- b) «*Extermination*», the extinction or elimination of persons or groups of persons as a result of the conditions to which they were intentionally submitted, namely depriving them of food or medicine;
- c) «*Slavery*», the exercise of a power translated into a right of ownership or possession over a person or group of persons, including the exercise
- d) «*Forcible deportation or transfer*» means the displacement of persons through expulsion or other coercive means from the area in which they are found, without reason recognized by international law or the transfer, direct or indirect, by an occupying power, of part of its people to the territory it occupies or the displacement of all or part of the people of the occupied territory within or outside that territory;
- e) «*Torture and Other Cruel, Inhuman or Degrading*» means the acts through which they are

caused physical or psychological suffering or intense physical or psychological fatigue, and also the use of chemical products, drugs or other means likely to disturb or reduce the capacity of determination or the free expression of will of the person who is under the custody and control of the agent;

- f) «*Sexual slavery*», the exercise of powers inherent in or associated with the right of ownership over one or more persons, who are constrained by those who arrogate those powers to the practice of one or more acts of a sexual nature;
- g) «*Forced prostitution*», the practice of one or more acts of a sexual nature by one or more persons against or without their will, in exchange for pecuniary or other advantage, for the agent or another person;
- h) «*Persecution*», the intentional deprivation of fundamental rights in violation of international law, for reasons related to the identity of the persecuted group or collectivity;
- i) «*Enforced Disappearance*» means the detention, imprisonment or abduction of persons by a State or a political organization or with its authorization, support or agreement, followed by the refusal of such State or organization to recognize the deprivation of liberty of these persons or to provide information about your status or location;
- j) «*Protected Persons*», in addition to the civilian population and civilians in general, the wounded, sick or shipwrecked, medical or religious personnel, prisoners of war, persons out of combat, parliamentarians and their companions and any other person protected by international treaties or conventions to which Angola is a party or to which it has adhered.

ARTICLE 384.^o

(Other crimes against humanity)

It is punished, with the penalty foreseen in article 382.^o, who

against humanity by the law of international treaties and conventions received in the Angolan Legal Order.

ARTICLE 385.^o

(War crimes against civilians)

1. It is punishable with imprisonment from 5 to 16 years, if a more serious penalty is not applicable by virtue of another penal provision, who, in violation of the norms of international law

final or military occupation of a State, territory or part thereof:

- a) Attack the civilian population;
- b) Taking hostages among the civilian population;

c) Recruit or allow minors under the age of 16 to recruit and serve in the belligerent forces;

d) Taking advantage of civilians or other persons protected by international law to prevent certain places, areas or forces from being the target of military operations, using them as human shields;

e) Compelling nationals of an enemy power to fight or participate in warlike operations against their own country or to force members of the civilian population to enlist and fight

internal;

f) Intentionally launch an attack, knowing that it will cause injuries and loss of life among the civilian population, clearly excessive in relation to the expected advantages of a military nature;

g) Attacking personnel on peacekeeping or humanitarian assistance missions, in accordance with the charter of the United Nations, whenever such personnel are entitled to the protection accorded to civilians under international law.

2. Civilians and members of the civilian population are considered, for the purposes of this article, to be persons not taking a direct part in hostilities and members of

prevented from fighting by injury, illness, arrest or any other reason.

3. For the purposes of this article, the persons referred to in paragraph j) of article 383 are protected by international law.

ARTICLE 386.^o

(War crimes against property other than military objectives)

It is punishable with imprisonment from 3 to 12 years, if a more serious penalty is not applicable under another penal provision, who, under the conditions described in the body of paragraph 1 of the previous article:

a) Attacking, in any way, settlements, undefended dwellings or buildings and, in general, civilian objects or targets, causing their total or partial destruction or elimination, provided that such assets or civilian targets do not constitute military objectives or those operations

offices or advantages of a military nature;

b) Looting conquered locations;

c) Attacking buildings devoted to religious worship, education, arts, science, assistance or

hospitals and other places where they receive and treat the sick and wounded who are not military targets;

d) Attacking buildings, materiel, units and vehicles

distinctive signs of the 1949 Geneva Conventions in accordance with international law;

e) Destruction or appropriation, massively and arbitrarily, of property, whenever the destruction or

needs of a military nature.

ARTICLE 387.^o

(War crimes against combatant personnel)

Anyone who, in the context described in paragraph 1 of article 385, is punishable with imprisonment from 8 to 20 years, if a more serious penalty is not applicable under another penal provision:

a) Compelling a prisoner of war or of a belligerent force to serve in the armed forces of a

belligerent;

b) Depriving a prisoner of war or a belligerent force or other person protected by international law of the right to a fair and impartial trial;

c) Condemn and execute, without prior judgment by a regularly constituted court offering judicial guarantees generally recognized as indispensable, a prisoner of war or a prisoner of a belligerent force or any person protected by international law;

d) Killing or wounding a combatant who has laid down his arms or unconditionally surrendered.

ARTICLE 388.^o

(Other war crimes)

1. It is punishable with imprisonment from 3 to 20 years, if a more serious penalty does not fit under another provision.

a) Atomic or radioactive weapons;

b) Poison or poisoned weapons;

c)

likely to cause death, illness or serious harm to the physical integrity of an undetermined number of persons;

d)

Human Body;

e) Weapons, projectiles, materials and combat methods likely to cause, by their nature, injuries.

and effects that are indiscriminate or designed to cause extensive, serious and lasting damage to the natural environment and to endanger the health and survival of populations;

f) Whoever commits any act is punished with the same penalty.

international treaties or conventions signed by the Republic of Angola and received in its internal legal order.

ARTICLE 389.^o

(Destruction of ships, aircraft or other civil transport)

civil vehicles for the transport of passengers by rail or road, unnecessarily and without adopting, where applicable, the essential measures to preserve the safety of the people on board, shall be punished with a prison sentence of 2 to 10 years, if the a more serious penalty does not apply to him under another penal provision.

ARTICLE 390.^o

(Accessory Feathers)

In the event of conviction for any of the crimes provided for in this chapter, depending on the seriousness of the crime committed and its projection on the civic and political suitability of the convict, he may be declared in the conviction incapable of being elected President of the Republic, Member of the Assembly National, or to be appointed to positions in the Executive, for a period of 2 to 10 years.

TITLE VII

Crimes Against Heritage

CHAPTER I

Preliminary Provision

ARTICLE 391.^o

For the purposes of the provisions of this title, it is considered:

- a) «Considerably High Value», which exceeds 500 times the monthly minimum wage of the public service, at the time the act is committed;
- b) «High Value», which exceeds 100 times the lowest monthly salary of the civil service, at the time the act is committed;
- c) «Decreased Value», which does not exceed half of the lowest monthly salary of the civil service, at the time the act is committed;
- d) «Breaking in», breaking, breaking or destroying, in whole or in part, any device intended to close or prevent entry, from the outside or inside the house or closed place dependent on it;
- e) «Climbing», the introduction into a house or closed place dependent on it, by a place not intended, in principle, for entry, namely, by ceilings, balconies, windows, walls, underground openings or by any device intended to close or prevent entry or passage;
- f) «False Keys»:
 - i. Imitated, counterfeit or altered;
 - ii. The real ones, when they are out of the power of those who have the right to use them;

iii. Lock picks or any instruments that can be used to open locks or other security devices;

g) «Landmark» means any building, plantation, fence, ditch, signboard or other sign intended to establish the limits of properties or concessions, placed by judicial decision, by administrative act or with the authorization of the competent administrative authority;

h) «Gang or Gang», the group formed by two or more people for the repeated practice of

from them.

CHAPTER II

Crimes Against Property

SECTION I
Furto CrimesARTICLE 392.^o
(Theft)

Whoever, with the intention of appropriating for himself or for another, a movable or moving property of another, to subtract it is punished with penalties of:

- a) Imprisonment of up to 3 years or a fine of up to 360 days, if the value of the thing subtracted is not high;
- b) Imprisonment of 1 to 5 years, if the value of the subtracted thing is high;
- c) Imprisonment of 2 to 8 years, if the value of the subtracted thing is considerably high.

ARTICLE 393.^o

1. The penalties established in the previous article are aggravated whenever the movable thing is subtracted:

- a)
 - economic or technological progress, value
 - collection or public exhibition or accessible to the public, if it is on deposit or in the custody of museums or collected in any of its
- b) Is assigned to a religious cult or destined to venerate the memory of the dead and the subtraction takes place in a place destined for worship or in a cemetery;
- c) If it is intended for public service, is allocated to the distribution network or provision of public goods and services or constitutes a product of primary need and the subtraction disturbs the functioning of the service, causes interruption or interference in the supply to the public or in the provision of the service by the State or authorized entities;

d) It is subtracted from a place intended for the deposit of goods or objects or removal of any means of transport and the subtraction occurs between the time of loading and arrival at the destination or delivery;

e) If found closed in a drawer, safe or similar object equipped with a lock, secret or other device specially designed for

security;

f) Possess, by its nature, high danger.

2. The penalties established in the previous article are also aggravated, whenever the agent:

a) If you enter, in order to commit the act, in housing, even if it is mobile, commercial or industrial establishment or closed space, public or private, by means of breaking in, climbing or false keys;

b) Is a member of a band or gang and the theft was committed with the collaboration of at least one other member of the band or gang;

c) Take advantage of the particular physical or psychological vulnerability of the victim or occasions of fire, explosion, flood, shipwreck, earthquake, riot and, in general, favorable circumstances for committing theft caused by any disaster, accident or other situation involving public disturbance and commotion;

d) Illegal entry into an immovable or mobile home, commercial or industrial establishment or any closed, public or private space, or remaining hidden there for the purpose of committing theft;

e) Committing the act with usurpation of title, uniform or insignia of public, civil or military employee, claiming false order or displaying false

of public authority;

f) In the case of cattle theft, if it is introduced into corrals in rural areas or carried out in a place

wilderness;

g) Make the practice of theft a way of life.

As in the previous numbers, the crime of theft is punished as follows:

a) The provisions of subparagraph a) of article 392, subject to penalty imprisonment from 1 to 5 years;

b) The provisions of paragraph b) of the same article, subject to penalty imprisonment from 3 to 8 years;

c) The provisions of paragraph c) of the same article, subject to penalty imprisonment from 3 to 12 years.

4. If the stolen thing is of low value, there is no place

ARTICLE 394.º
(Theft of common thing)

1. Whoever, being joint-owner or co-owner, possessor, co-heir or partner of a common movable thing, subtracting it is punished with the penalties provided for in article 392.º, reduced by half in its maximum limit.

2. The subtraction of a common fungible thing is not punishable if the value subtracted does not exceed the quota belonging to the agent.

ARTICLE 395.º
(Theft of vehicle use)

1. Whoever, without authorization from the respective holder, takes a car or other motor vehicle, boat or aircraft, to use them temporarily and then return them, is punished with imprisonment from 6 months to 2 years or with a fine of 60 to 240 days.

2. The penalty is imprisonment of 1 to 3 years or a fine of 120 to 360 days if the vehicle stolen for use is intended for public use, the provision of public service or specially designed for rescue missions, patrol, transport of protocol individualities or institutional support.

ARTICLE 396.º
(Theft of own thing)

1. Whoever, being the owner of movable property, which has been seized, arrested, pledged, given in pledge or constituted in legal deposit, to be subtracted to the detriment of a third party is punished with the penalties of article 392.º

2. Misappropriation or destruction of the thing referred to in the previous number is equivalent to subtraction and is punished as such.

ARTICLE 397.º

1. Whoever, using any clandestine or illicit means, subtracts from the distribution network, complex or installation, public or private, electricity or any other form of energy with economic value, is punished, under the terms of articles 392 and 393rd

2. For the purposes of the previous number, telephone and internet services, gas or water or

supply and distribution of those products to the public.

3. The same penalty applies to anyone who subtracts equipment, resources, accessories and other means allocated to the installation or network for the provision and distribution of goods and services, under the terms of the previous numbers.

4. If the subtraction results in interruption, interference or disturbance in the operability of the network or in the supply of the good or service, affectation or decrease in the supply capacity or stability of the network, the applicable penalties, under the terms of the previous numbers, are aggravated by one third, in its minimum and maximum limits.

5. The provisions of paragraph 3 are applicable to the subtraction of material allocated to the basic sanitation and waste management network.

ARTICLE 398.º

(Punishment of the attempt)

In the crime of theft, the attempt is always punishable, unless the value of the subtracted thing is small.

ARTICLE 399.º

(Restitution or repair)

1. When the stolen item is returned or the damage caused by the theft is fully repaired, until the publication of the sentence or judgment in the 1st instance, criminal liability is extinguished, upon the agreement of the victim and the defendant, without illegitimate damage from third.

2. If the restitution or reparation is partial, and before the decision rendered in the 1st instance, the penalty may be specially mitigated, provided that there is no illegitimate damage by a third party.

3. It is a necessary condition for applying the numbers above, which is:

- a) primary defendant;
- b) Crime of an exclusively patrimonial nature, excluding any unlawful acts against life, physical integrity, liberty, self-determination or the security of persons.

ARTICLE 400.º

(Criminal procedure)

1. The criminal procedure depends on the complaint, in the crimes of theft described in articles 392.º, 394.º, nº 1 of 395.º

is subtracted from the private network.

2. The criminal procedure depends on a particular accusation when, in the case of the crimes listed in the previous number:

- a) The agent is a spouse, ascendant or descendant, second degree of the victim or person who lives with him in conditions similar to those of the spouses;
- b) The thing stolen is of small value and intended to satisfy the actual need of any of the persons mentioned in the previous paragraph or of the agent himself.

SECTION II
crimes of theft**ARTICLE 401.º**

(Theft)

1. Whoever, with the purpose of appropriating, for himself or for another, someone else's movable property, to subtract or force whoever owns or detains it to hand it over, using violence against a person or a threat with imminent danger to his life or physical integrity or making it impossible to oppose the subtraction or to resist the surrender is punished with imprisonment for up to 5 years.

2. If the value of the subtracted thing is high, the penalty is imprisonment from 1 to 8 years.

3. If the value of the subtracted thing is considerably high, the penalty is imprisonment from 3 to 10 years.

ARTICLE 402.º

1 and 2 of article 393, the crime of theft described in the previous number is punished:

- a) The provisions of paragraph 1, with a prison sentence of 1 to 6 years;
- b) The provisions of paragraph 2, with a prison sentence of 3 to 10 years;
- c) The provisions of paragraph 3, with a prison sentence of 5 to 14 years.

2. The penalty is 3 to 12 years imprisonment when:

- a) The theft is committed with a firearm or any of the agents is carrying a firearm at the time of its commission;
- b) The fact results, with intent or negligence, in real danger to the life of the victim or serious harm to his or her physical integrity.

3. The penalty is from 5 to 15 years, if the de facto results, by virtue of negligence, the death of the victim or another person.

provided that the value of the appropriate movable thing is small.

ARTICLE 403.º

(Violence after subtraction)

The penalties set out in the previous article apply to anyone who, caught after the subtraction, uses the forms of violence described therein to retain power over the things he/she has subtracted or to ensure impunity.

SECTION III
Misappropriation Crimes**ARTICLE 404.º**

1. Whoever illegitimately appropriates movable property that has been given to him by non-translative title of ownership, which entails an obligation to return it or to present it

for the crime of theft, in article 392.º, taking into account the value of the appropriated thing.

2. The attempt is always punishable, unless the value of the appropriated thing is small.

ARTICLE 405.º

1. When you have received the thing that you illegitimately appropriated, by virtue of a deposit imposed by law, in guardian, curator or judicial depository, the agent is punished with:

- a) Imprisonment of 6 months to 4 years, if the value of the property is not high;
- b) Imprisonment of 1 to 6 years, if the value of the thing appropriate is high;
- c) Imprisonment of 2 to 8 years, if the value of the appropriated thing is considerably high.

2. If the value of the appropriated thing is small, there is no

ARTICLE 406.^o

(Illegitimate appropriation of assets of public sector companies)

1. Whoever, by virtue of the position held, has the power to administer, manage or dispose of assets of a public company, public capital company or company in whose capital the State participates and, in any way, illegitimately appropriates or disposes of them, is punished with the penalties established in the previous article, if a more serious penalty does not fit him under another legal provision.

2. Incurs, equally, the penalties provided for in the previous article, the official, worker or collaborator of public companies or public service providers who proceed, compete, ensure or facilitate the subtraction or illegitimate appropriation of material, equipment, resources, accessories and other means related to the installation or functionality of the network, the provision and distribution of public goods and services, if the most serious penalty is not applicable to you by virtue of another legal provision.

3. If the subtraction referred to in the previous numbers results in interruption, interference or disruption of the network's operability, the applicable penalties, under the terms of the previous numbers, are increased by one third, in their minimum and maximum limits.

ARTICLE 407.^o

(Illegitimate appropriation of thing found or in case of accession)

1. Whoever illegitimately appropriates someone else's movable property that he has found is punished with imprisonment for up to 1 year or a fine of up to 120 days.

2. If the value of the thing found is small, the penalty is a fine of up to 60 days.

3. The same penalties apply to anyone who illegitimately appropriates someone else's money or other movable property that has come into their possession or detention by mistake, as a result of natural force or fortuitous event or by any other means, regardless of their will.

ARTICLE 408.^o

(Restitution or repair)

The provisions for the crime of theft, in article 399.^o, with the necessary adaptations, apply to the crimes foreseen in this section.

ARTICLE 409.^o

(Criminal procedure)

1. The criminal procedure for the crimes described in the Articles 404 and 407 depend on the complaint.

2. The procedure depends on the particular accusation

when:

a) The agent is a spouse, ascendant or descendant,

third degree of the collateral line of the offended person or person who lives with him in conditions analogous to those of the spouses;

b) The thing illegitimately appropriated is of small value and intended to satisfy an urgent need of the agent himself or of any of the persons mentioned in the previous paragraph.

SECTION IV
Crimes of Dano

ARTICLE 410.^o

(Damage)

1. Whoever causes relevant damage to someone else's thing, destroying it,

the penalties established for the crime of theft in article 392, taking into account the value of the damage caused by the damage.

2. Relevant damage is considered to be that which translates into a loss greater than half of the national minimum wage for civil servants.

ARTICLE 411.^o

(Damage of things of public interest and value)

1. Is punished with imprisonment provided for in articles 392.

a) Public monuments or legally classified things

b) Things or site inventoried or placed under

c)

or for the social, cultural, economic, political, technical or technological development of the Country;

d) Exposed thing, placed or deposited in archive,

e) Goods, equipment, materials or resources allocated to facilities for the use, production, storage, conduction or distribution of

public services, communication, telephony or internet services, sanitation or waste management networks and systems, or installations for protection against the forces of nature;

f) Public infrastructure or of public utility, housing in central areas and housing projects of public utility and allocation, their dependencies and social support facilities;

g) Thing intended for public utility and use.

2. The penalty is imprisonment of up to 3 years or a fine of up to 360 days, if the amount of damage caused is not high.

3. If the damage referred to in sub-paragraph e) of paragraph 1 results in interruption, interference or disturbance in the operability of the network or in the supply of the good or service, impairment or reduction in the supply capacity or stability of the network, the penalties applicable, under the terms of the previous numbers, are increased by one third, in their minimum and maximum limits.

ARTICLE 412.^o
(Damage with violence)

1. If the damage is committed using the agent of violence against a person or of serious threat to his life or physical integrity or putting him in a situation of being unable to resist him, the agent is punished with the penalty of:

- a) Imprisonment of 1 to 6 years, if the damage is not of high value;
- b) Imprisonment of 2 to 10 years, if the damage caused is of high value;
- c) Imprisonment of 4 to 12 years, if the damage caused is of a considerably high value.

2. If the fact results in actual danger to the life of the offended or threatened person or serious harm to his or her physical integrity, the penalty is imprisonment from 3 to 12 years.

3. If the fact results, as a result of negligence, in the death of another person, the penalty is imprisonment from 4 to 15 years.

4. The penalties set out in the previous numbers apply to anyone who, caught committing the act, uses violence or the threat of violence to continue committing it or to ensure impunity.

5. It applies, with the necessary adaptations, to paragraph 1 of the pre this article, the provisions of paragraph 3 of the previous article.

6. To determine the damage referred to in paragraph 1, it is applied the provisions of paragraphs a), b), and c) of article 391 are applicable.

ARTICLE 413.^o
(Repair)

The provisions of article 399 for theft apply to crimes of damage provided for in articles 410 and 440, with the necessary adaptations.

ARTICLE 414.^o
(Criminal procedure)

1. Criminal proceedings for crimes of damage provided for in articles 410 and 440 depend on a complaint, except in the case of subparagraph c) of paragraph 3 of article 440.

2. The criminal procedure depends on a particular accusation when, in the same crimes, the agent is a spouse, ascendant or descendant, adopter or adopted or relative up to the third degree of the collateral line of the offended person or person who lives with him in conditions analogous to those of spouses.

SECTION V
Other Crimes Against Property

ARTICLE 415.^o
(Usurpation of property and undivided inheritance)

1. Whoever, by means of violence or threat towards people, occupies immovable property that does not belong to him or maintains the occupation, with the intention of, in relation to that, exercising a real right not authorized by law, sentence or administrative act is punished with a prison sentence of up to 3 years or a fine of up to 360 days, if a more serious sentence does not fit him under another penal provision.

2. The illegitimate appropriation, as indicated in the previous number, of any assets of undivided inheritance is equivalent to the crime of property usurpation and punishable with the same penalty.

3. If, in the case of the previous number, any of the heirs is a minor, the penalty is from 6 months to 5 years in prison.

4. The criminal procedure depends on the complaint, except in the case of usurpation of waters for common use and in the case foreseen in the previous number.

ARTICLE 416.^o
(Pulling out, destroying and altering landmarks)

1. Whoever, with the intention of appropriating, for himself or for another person, something or part of someone else's immovable property, pulls out, destroys or alters a landmark is punishable with imprisonment of up to 1 year or a fine of up to 120 days.

2. The provisions of article 399 and subparagraph a) of paragraph 2 of article 400 apply to the previous number, with the necessary adaptations.

3. If the milestones referred to in the previous number are public or publicly posted, for the purposes of identification

conditioned, of limited exploitation or land reserve areas of the State, the agent is punished, under the terms of article 411.^o

4. The criminal procedure depends on the complaint, with the exception of the case foreseen in the previous number.

CHAPTER III
Crimes Against Heritage in General

SECTION I
Mockery Crimes

ARTICLE 417.^o
(Derision)

Whoever, using any astute or deceitful means, induces or keeps others in error or deceit and, with the purpose of obtaining an illicit enrichment for himself or a third party, leads him to perform acts that cause him or the third person financial loss is punished with the penalties established for the crime of theft in article 392.^o, taking into account the amount of property damage caused.

ARTICLE 418.^o

1. The penalties referred to in the previous article are aggravated whenever:

a) The act is carried out by the agent taking advantage of the particular vulnerability of the victim or occasions of disaster, accident or public calamity;

b) The agent holds a public office or is responsible for a public service and commits the act in the exercise of his duties or because of them, usurps the title, uniform or insignia of a public office holder or alleges a false order by a public authority;

c)

d) There has been a public appeal to collect funds

e) The agent used the media to commit the crime.

mentioned in the previous number, the agent is punished with the penalties

article 393, taking into account the value of the property damage caused.

3. If the value of the loss is small, there is no room for

ARTICLE 419.º

(Scam to obtain food, drinks, fuel or services)

1. Anyone who, with the intention of not paying and refusing to settle the contracted debt, is punished with imprisonment for up to 6 months or a fine of up to 60 days:

a) Consume food or drink in a commercial establishment open for the consumption of such products;

b) Use a hotel room or service or establishment similar ment;

c) Refuel the vehicle with fuel or

maintenance of vehicles in companies, service stations or places intended for the supply of those products or the provision of those services.

2. The same penalty applies to anyone who, with the same purpose, uses transport or enters a public area with conditioned access to the purchase of a ticket, without having purchased it.

ARTICLE 420.º

(Scam related to work, employment or study)

Anyone who, with the aim of obtaining illicit enrichment for himself or a third party, is punished with a prison sentence of 6 months to 3 years or a fine of 60 to 360 days:

a) Enticing people residing in Angola, through promises of work, employment or study in a foreign country;

b) Enticing people residing abroad, through promises of work, employment or study in Angola.

ARTICLE 421.º

(Abuse of incapacitated)

Whoever, outside the hypothesis provided for in article 417, but with the purpose of obtaining, for himself or a third party, an illicit enrichment and, abusing the situation of inexperience of a minor, incapable person or person with a psychic anomaly, takes those people to carry out acts that cause, for themselves or for third parties, damage of a pecuniary nature is punished, under the terms of that article, as author of the crime of fraud.

ARTICLE 422.º

(Punishment of the attempt)

In crimes of fraud, the attempt is always punishable, unless the damage caused is small.

ARTICLE 423.º

(Restitution or repair)

The provisions for the crime of theft, in article 399, apply to the crimes described in this section.

ARTICLE 424.º

(Criminal procedure)

1. The criminal procedure depends on the complaint, except for

and the crime of fraud provided for in article 443.º, or a crime for

in article 296 or of a terrorist organization, under the terms of the special law.

2. The criminal procedure depends on a particular accusation when, in the case of the previous number, the agent is a spouse, ascendant or descendant, adopter or adopter.

of the victim or living with her in conditions similar to those of spouses.

SECTION II

Other Crimes Against Heritage in General

ARTICLE 425.º

(Extortion)

1. Whoever, with the purpose of obtaining, for himself or for a third party, an economic advantage that is not due to him, using

As a result, coercing a person to make a property disposition that causes damage to that or another person, is punished with the penalties established for the crime of theft in article 401, taking into account the value of the economic advantage obtained with extortion.

2. The penalty is imprisonment from 2 to 12 years, when:

a)

the threat;

b) The agent is a member of a band or gang and the extortion has been carried out with the collaboration of at least one other member of the band or gang;

c) The fact results, with intent or negligence, in real danger to the life of the victim or a third party or serious harm to the respective physical integrity.

3. The penalty is imprisonment from 4 to 15 years, if the violence or threat results, as a result of negligence, in the death of the victim or another person.

ARTICLE 426.º

1. Whoever, by law or legal act, has been

property or other property interests of others and intentionally cause these goods or interests material damage to property is punished with the penalties provided for in Article 392 for the crime of theft, taking into account the amount of damage caused.

2. Significant property loss is that which has a high value, under the terms of paragraph b) of article 391.^o or leaves the victim in a difficult economic situation.

3. If the assets or patrimonial interests belong to a public company, public capital company or companies in whose capital the State contributes, the penalty is increased by one third, in its minimum and maximum limits.

4. The criminal procedure depends on the complaint, except in the case foreseen in the previous number.

theft in article 399, with the necessary adaptations.

ARTICLE 427.^o

(Use and abuse of credit, debit or guarantee card)

1. Whoever, without the consent of the respective holder or abusing this consent, uses a credit, debit or guarantee card to obtain a payment from the issuer, causing the card holder or another person financial damage, is punished with the penalties established for the crime of theft, in article 392, taking into account the value of the damage caused.

2. The attempt is always punishable.

3. The provisions for the crime of theft in article 399 and in subparagraph a) of paragraph 2 of article 400 are applicable to the crime described in this article.

ARTICLE 428.^o

(Use of violently stolen card)

The illicit use of a credit, debit or guarantee card and, as the case may be, the corresponding secret code, subtracted or obtained through violence against a person or a threat with imminent danger to his life or physical integrity, or placing -a the agent, unable to oppose the subtraction or resist the revelation, is equivalent to the crime of theft and punishable, under the terms of articles 401.^o, 402.^o and 403.^o, with the necessary adaptations.

ARTICLE 429.^o

(Usury)

1. Who, with a view to obtaining, for himself or to have

situation of need, psychic anomaly, incapacity, ineptitude, lack of experience or weakness of character of the debtor, with which he obliges himself to promise or grant, to himself or to another, a patrimonial advantage manifestly disproportionate with the consideration is punished with imprisonment of up to 3 years or a fine of up to 360 days.

2. The criminal procedure depends on the complaint.

3. The penalty is from 1 to 5 years in prison, when the agent:

- a) Make usury a way of life;
- b) Disguising the illegitimate pecuniary advantage, simulating a contract or credit instrument;
- c) Consciously cause, through usury, the victim's patrimonial ruin.

4. The penalties are especially attenuated if, until the closure of the discussion of the cause at the trial hearing in the first instance, the agent:

- a) Expressly waive the delivery of the promised illegitimate advantage;
- b) Return the illegitimate advantage received, plus interest, at the legal rate, from the day it was received;

c)

entered into, in accordance with the rules of good faith.

5. If the facts referred to in the previous number occur after the conclusion of the discussion of the cause at the trial hearing in first instance, until the sentence is handed down, the penalties may also, depending on the circumstances, be specially mitigated.

CHAPTER IV

Crimes Against Property Rights

ARTICLE 430.^o

(Frustration of outstanding credits)

1. The debtor who, with the intention of frustrating an execution already initiated and the consequent satisfaction of the executed debt, performs acts of patrimonial disposition or that

declaring, concealing or withholding assets from its assets or in a manner

declared insolvency, with a prison sentence of up to 3 years or a fine of up to 360 days.

2. The third party who commits the act described in the preceding paragraph with the debtor's knowledge or for his benefit is punished with imprisonment for up to 2 years or a fine of up to 240 days.

ARTICLE 431.^o

(Intentional bankruptcy)

1. A merchant who, with the intention of harming creditors, shall be punished with a prison sentence of 1 to 3 years or a fine of 120 to 360 days:

a)

your assets;

b)

disguising, hiding objects or rights, acknowledging credits and invoking unequal debts existing assets or simulating, through faulty accounting, false balance sheets or, in any other way, a lower-than-actual equity situation;

c)

likewise, reduce profits;

d) Buy goods on credit, with the aim of selling them, or using them in payment, at a price significantly lower than the current one and, in this way, delaying bankruptcy.

2. The same penalty is applied to the agreement that does not live up to agreed date.

3. The third party who, with the knowledge of the debtor trader or for his benefit, commits the acts described in paragraph 1 is punished with imprisonment for up to 2 years or a fine of up to 240 days.

ARTICLE 432.^o
(negligent bankruptcy)

1. A trader who, with serious negligence, allows himself to fall into bankruptcy is punished, if this is declared in court, with imprisonment of up to 2 years or a fine of up to 240 days.

2. The criminal procedure depends on the complaint.

ARTICLE 433.^o
(Favoring creditors)

1. The debtor who, knowing his situation of insolvency or anticipating the imminence of falling into it and, with the intention of favoring some creditors to the detriment of others, settles unpaid debts or settles overdue debts in a manner other than payment in cash or usual values or offering guarantees to which he was not obliged, is punished:

a) If it is judicially declared bankrupt, with a prison sentence of up to 2 years or a fine of up to 240 days;

b) If you are judicially declared insolvent, with a prison sentence of up to 1 year or a fine of up to 120 days.

2. The criminal procedure depends on the complaint.

ARTICLE 434.^o
(Disturbance of auction and adulteration of public tender)

1. Whoever, with the intention of obtaining a financial advantage, for himself or for a third party, prevents, vitiates or impairs the results of a sale or judicial auction or other sale at public auction authorized or imposed by law, obtaining, through a gift, promise, violence or threat, got it

someone fails to launch or bid or who, in any way, the freedom of the respective acts is disturbed is punished with a prison sentence of up to 3 years or a fine of up to 360 days, if a more serious penalty is not applicable to him/her by another criminal provision, depending on the violence used.

2. The same penalty applies to anyone who, with the same intention, through a gift, promise, violence, understanding with other competitors or any other artifice or fraudulent means, determines that someone withdraws from the competition

In this way, the contest is distorted, removed from its objectives or its results are distorted.

3. Incurs the same penalty who, with the intention referred to in the previous numbers, accepts gifts, promises or any benefit or advantage.

ARTICLE 435.^o
(Reception)

1. Whoever, with the intention of obtaining, for himself or for others, a patrimonial advantage, acquires or receives, by any title, conserves or hides something obtained through an act

typical and illicit action against property or helping a third party in good faith to acquire, receive, preserve or conceal it is punishable with imprisonment of up to 2 years or a fine of up to 240 days.

receive or use, in any capacity, anything that, due to its quality, quantity or nature, due to the condition of the person who offers it or the amount of the price sought by him, he knows or should reasonably suspect that it originates from a typical and unlawful fact against the property is punished with imprisonment for up to 1 year or a fine of up to 120 days.

3. The penalty is imprisonment from 1 to 3 years or a fine of 120 to

4. The provisions for theft in article 399 and in subparagraph a) of paragraph 2 of article 400 apply, with the necessary adaptations.

5. The recipient is punished, even if, due to inability to act or another legal reason, he is not the agent of the fact from which the thing originates.

6. The penalties provided for in the previous numbers are increased by one third, in their minimum and maximum limits, if the thing object of reception constitutes a good, equipment, material or resource assigned to installations for use, production, storage, handling or distribution

services, electricity or public lighting, communication, telephony or internet services, sanitation or waste management networks and systems, or installations for protection against the forces of nature.

7. The condemnatory sentence for the crime of reception also determines the seizure and loss in favor of the State, of the things received and of the instruments, tools and means used for their concealment or transformation.

8. When the objects of reception are stored, concealed, transformed or made available to the public in deposit, industry, commerce or other establishments, with the knowledge of the respective holder, the provisions of articles 99 are applicable. and 100.^o, without prejudice to the combined application of other accessory penalties.

9. In case of recidivism, the minimum and maximum limit of the applicable penalty is doubled.

10. The values and products that, with them, are directly obtained are equivalent to the things to which this article refers.

ARTICLE 436.^o
(material aid)

1. Whoever, having knowledge of a typical and illicit act against the heritage, helps its agents to take advantage of the things obtained with their practice is punished with prison sentence of up to 1 year or with a fine of up to 120 days.

2. The provisions of the paragraphs 6 to 9 of the previous article.

3. The provisions for theft in article 399 and in paragraph a) of paragraph 2 of article 400 apply to material aid, with the necessary adaptations.

TITLE VIII
computer crime

CHAPTER I
General Provisions

ARTICLE 437.^o

For the purposes of this title, it is considered:

- a) «Access Code», data or password that allows access in whole or in part and in an intelligible form, to an information system;
- b) «Traffic Data», the computer data related to a communication carried out by means of a computer system, generated by this system as an element of a chain of communication, indicating the origin of the communication, destination, route, time, date, size, duration or type of underlying service;
- c) «Computer data» means any representation of facts, information or concepts in a form capable of processing in a computer system, including programs capable of making a computer system perform a function;
- d) «Device» means any equipment, electromagnetic, acoustic, mechanical, technical or other material or computer program;
- e) «Service Provider», any entity, public or private, that provides users of its services with the possibility of communicating through a computer system, as well as any other entity that processes or stores computer data in the name and on behalf of that service provider entity or the respective users;
- f) «», the act intended to capture information contained in a computer system, through electromagnetic, acoustic, mechanical, technical or other devices;
- g) «Semiconductor product average of any product, consisting of a substrate including a layer of semiconductor material and consisting of one or more layers of conductive, insulating or semiconducting materials, in accordance with provision

and intended to fulfill, exclusively or not, an electronic function;
- h) «Computer Program» the set of instructions (software) used directly or indirectly in a computer, with a view to obtaining a certain result, including the design material;

- i) «Electronic Communications Network», transmission systems and, if applicable, switching or routing equipment and other resources that allow the sending of signals by cable, radioelectric means, including

circuit or packet switching, including internet) and mobile, electricity cable systems, in so far as they are used for sound and television transmission and cable television networks, regardless of the type of information transmitted;

- j) « », any device or set of interconnected or associated devices, in which one or more of them develops, in execution of a program, the automated processing of computer data, as well as the network that supports the communication between them and the set of computer data stored, processed, retrieved or transmitted by that or those devices, with a view to their operation, use, protection and maintenance;

- k) « » means a series of images linked together, regardless of how

make up a semiconductor product and in which each image reproduces the design, or part of it, of a surface of the semiconductor product, regardless of the respective manufacturing stage.

CHAPTER II

Crimes Against Computer Data

ARTICLE 438.^o

(Illegitimate access to information system and investigation through information system)

1. Whoever, without authorization, accesses all or part of an information system, which he does not own, is punished with imprisonment for up to 2 years or a fine of up to 240 days.

2. If access is obtained through violation of security rules or if it has been made to a protected service, the penalty is 2 to 8 years in prison.

3. The same penalty is applicable whenever, in the case described in paragraph 1, the agent:

- a) Becoming aware of trade secrets or

by law;

- b) Obtains benefit or equity advantage from

paragraph b) of article 391.^o

4. Whoever, without being duly authorized mind:

- a) Carry out the computer processing of data or
- b) authorised, computer-processed data or information;
- c)

from someone else.

5. The attempt is always punishable.

any broadcasting or information society service, provided that it is provided for remuneration and with conditional access, as described in paragraph c) of article 250.

ARTICLE 439.^o

(Illegitimate interception in an information system)

1. Anyone who, through technical means, intercepts or records non-public transmissions of data processed in the

defined in paragraph e) of article 250.^o intended for him or coming from him, is punished with imprisonment for up to 2 years or with a fine of up to 240 days.

2. The same penalty applies to anyone who opens an e-mail that is not addressed to him or becomes aware of its content or, in any way, prevents it from being received by its recipient.

3. The same penalty applies to anyone who divulges the content of the communications referred to in the previous numbers.

4. If the interception is achieved through the violation of security rules or is carried out from a legally protected service, the penalty is 2 to 8 years in prison.

5. The attempt is always punishable.

ARTICLE 440.^o

(Damage to computer data)

1. Whoever, with the intention of causing damage to a third party or obtaining benefit for himself or a third party, alters, deteriorates, disables, erases, suppresses, or destroys, in whole or in part, or, in any way, makes data inaccessible oblivious,

the ability to use, is punished with the penalties provided for in Articles 392 and 393, based on the value of the damage caused.

2. The same penalty is applicable to anyone who, with the intention of causing damage to a third party or obtaining benefit for himself or a third party, destroys, in whole or in part, renders useless,

seriously disrupt the functioning or affect the usability of an information system, as may be

3. In the cases described in the previous numbers, the foreseen penalties are aggravated by one third, in their minimum and maximum limits, if the disturbance or damage caused seriously and lastingly affects an information system that supports activities aimed at ensuring the supply of essential goods or services, transport, communications, basic sanitation or waste management, or protection against the forces of nature.

4. If the damage caused is not material, under the terms of

5. The attempt is always punishable.

CHAPTER III

Crimes Against Communications and Information Systems

ARTICLE 441.^o

(Computer sabotage)

1. Whoever, illegally:

- a) whole of an electronic communications network or computer system;
- b) Seriously disturb the operation of an electronic communications network, and computer systems;
- c) Affect usability, through the intro

preventing access or deletion of computer data or through any other form of interference in the electronic communications network and computer system.

2. If the damage resulting from the disturbance is of high value, the agent is punished with imprisonment from 2 to 5 years.

3. If the damage arising from the disturbance is of a considerably high value, or seriously or lastingly affects an electronic communications network, and computer systems that support an activity aimed at ensuring essential social functions, the agent is punished with the penalty of imprisonment from 2 to 8 years.

ARTICLE 442.^o

(Computer fraud)

1. Whoever, with the intention of deceiving or harming, introduces, alters, eliminates or suppresses data in an information system or, in general, interferes with the processing of such data, in order to give rise to false data that can be considered true and used as a means of proof, is punished with imprisonment of up to 2 years or a fine of up to 240 days.

2. When the actions described in the previous number concern the data registered or incorporated in a payment bank card or any other device that allows access to a payment system or means, to an electronic communications system or to a conditional access service, the penalty is 2 to 5 years imprisonment.

3. The penalties established in paragraphs 1 and 2 are applicable to anyone who, not being the author of the crimes described in these numbers, uses, with the intention of causing harm to others or obtaining benefit for himself or a third party, respectively, the false data referred to in paragraph 1 or the card or device in which the data obtained from the facts described in paragraph 2 are registered or incorporated.

4. If the author of the facts described in the previous numbers res is a public official in the exercise of his duties, the penalty is:

- a) Imprisonment of 6 months to 3 years or a fine of 60 to 360 days, in the case of paragraph 1;
- b) 4 to 10 years, in the case of paragraphs 2 and 3.

ARTICLE 443.^o

(Computer and communications fraud)

It is punished with the penalties established for the crime of theft

material damage caused, who, with the purpose of obtaining for himself or for third parties an equity advantage in the ways described, causes damages of a patrimonial nature to others:

- a) Interfere with the result of data processing,
 - through incorrect structuring of a computer program, incorrect or incomplete use of data, use of data without authorization, or through intervention, in any other unauthorized way, in the processing;
- b) Use programs, devices or other means that, separately or jointly, are intended to reduce, alter or prevent, in whole or in part, the normal functioning or exploitation of the telecommunications service.

ARTICLE 444.^o

(Illegitimate reproduction of a computer program,

1. Whoever illegitimately reproduces, distributes, communicates to the public or makes available to the public a computer program protected by law is punishable with imprisonment of up to 2 years or a fine of up to 240 days.

2. Whoever, not being authorized for that purpose, reproduces, distributes, communicates to the public or makes available to the

punished with a prison sentence of up to 3 years or a fine of up to 360 days.

3. Whoever, not being authorized for that purpose, extracts or reuses a database protected by law is punished with a prison sentence of up to 2 years or a fine of 240 days.

4. The penalty in paragraph 2 is applicable to anyone who unlawfully reproduces, distributes, disseminates or makes available to the

5. In case of unauthorized reproduction, illicit copies of computer programs, databases,

devices on the market may also be seized

authorized or the neutralization of any technical safeguard eventually placed for their protection.

TITLE IX

Crimes Against the Consumer and the Market

CHAPTER I

Crimes Against the Consumer

ARTICLE 445.^o

(Clandestine slaughter of animals intended for sale)

1. Whoever proceeds with the clandestine slaughter of animals intended for commercialization is punished with a prison sentence of up to 1 year or a fine of up to 120 days.
2. The same penalty applies to those who purchase meat from animals slaughtered clandestinely for public consumption, provided they are aware of the clandestine nature of the slaughter.

3. The slaughter of animals intended for for commercialization:

- a) Without the competent sanitary inspection;
- b) Outside slaughterhouses or places licensed for that purpose;
- c) Not normally used for human consumption in the Country.

4. It is equivalent to clandestine slaughter the supply for public consumption of animal meat, whenever:

- a) They have died of illness;
- b) The meat is unfit for consumption;
- c) It is meat from animals slaughtered in hunting activity, which has not been submitted to health inspection;
- d) In case of negligence, the penalty is a fine of up to 120 days.

ARTICLE 446.^o

(hoarding)

1. It is punishable with imprisonment of up to 2 years or a fine of up to 240 days who, in detriment of the regular supply

supply of essential or first-need goods or raw materials indispensable for their production:

- a) Hide or store them in places not indicated
- tion is required;
- b) Refusing to sell them, according to the uses of the respective activity;
- c) Refusing or delaying its delivery, after having ordered and accepting the respective supply;
- d) Close the establishment or place of exercise

for sale;

- e) Making the sale conditional on the purchase of other goods, or asking for them at a manifestly exorbitant price, with the aim of discouraging the buyer from acquiring them.

2. In case of negligence by the agent, the penalty is imprisonment of up to 1 year or a fine of up to 120 days.

3. Refusal to sell goods does not constitute hoarding. raw materials, commodities or goods:

- a) Indispensable for the domestic supply of the producer or seller;
- b) In quantities that are manifestly disproportionate to the purchaser's normal consumption needs;

c) In an amount likely to harm the fair distribution among clientele;

d) regarding the punctuality of payment by the purchaser, in the case of credit sales.

ARTICLE 447.^o
(Speculation)

Whoever, being a merchant or habitually engaged in trade, sells goods or provides services for prices that exceed the limit established by the legal regime

up to 1 year or a fine of up to 120 days.

ARTICLE 448.^o
(Fraud about goods)

1. Whoever, with the intention of harming a third party or enriching himself, manufactures, transforms goods, imports, exports, stores, transports, holds, exhibits for sale, sells, puts into circulation or distributes false

or unaltered or of a different nature or goods of inferior quality to those attributed by the agent is punished with a prison sentence of up to 2 years or a fine of up to 240 days, if a more serious penalty is not applicable to him by another penal provision .

2. In case of negligence, the penalty is a fine of up to 60 days.

ARTICLE 449.^o

or food products intended for public consumption is punishable with a prison sentence of up to 2 years or a fine of up to 240 days, if the more serious penalty does not apply, under the terms of another penal provision, depending on the danger created or the damage produced with the behavior described.

2. The same penalty incurs who:

- a) Import, export, hold, deliver or distribute substances or food products intended for public consumption that have been corrupted, adulterated or
- b) Import, export, sell, place or distribute substances or food products intended for public consumption that have been corrupted, adulterated or
- c) Tampering with the period of validity of the subtenants, delivering or distributing the intended subfood items.

3. In case of negligence, the penalty is imprisonment for up to 1 year or a fine of up to 120 days.

4. If the substances or products are intended for animal feed, the penalty is imprisonment of up to 1 year or a fine of up to 120 days, if the more serious penalty is not applicable, by another criminal provision, depending on the danger created or damage produced by the agent's conduct.

5. If the fact described in the previous number is due to negligence of the agent, the penalty is imprisonment of up to 6 months or a fine of up to 60 days.

ARTICLE 450.^o

1. Anyone who, to the detriment of market supply, is punished with the penalties established for the crime of hoarding:

a) Destroy the goods and raw materials referred to Article 448;

b) normally intended, imposed by law or determined by the competent authority.

dispose of own assets that are essential for the country's economy.

3. In case of negligence by the agent, the penalty is a fine up to 120 days.

ARTICLE 451.^o
(False indication of quality or false designation)

that serves to certify the quality, composition or origin of a product, providing false, incomplete or incorrect data about the quality, composition or origin of that good or any other indication about an essential quality of the good that does not correspond to the truth is penalty with a fine of up to 240 days, if a more serious penalty does not apply, under the terms of the current criminal legislation.

2. In case of negligence, the penalty is a fine of up to 120 days.

ARTICLE 452.^o
(Misleading publicity)

1. Commercial advertising that contains indications relating to goods or services likely to mislead the consumer as to the nature, composition, origin, date of manufacture, essential qualities or results of their use, extent and value of guarantee or purchase conditions , return, repair or maintenance is punishable by a fine of up to 120 days.

2. Commercial advertising is considered, for the purposes of the previous number, all information not legally imposed, issued with the direct purpose of promoting, among the public, the sale of a good or service, whatever the means of communication used.

CHAPTER II

Crimes Against the Market and the Economy

ARTICLE 453.º

(Refusal to provide information)

1. It is punishable with imprisonment for up to 1 year and a fine of up to 120 days who:

a) In the context of carrying out surveys or filling out manifests ordered by an entity

of the existence of certain goods, not providing the information requested or the

provide any other elements that, with the

b)

they are requested or required regarding the application of price regimes in force or the movement of companies or establishments;

c) Failure to present merchandise, writing, accounting and documentation requested or required by the entities

build processes for the types of offense described in this title.

2. It is equivalent to the situations referred to in number

or ordered, by the competent authority, for the agent to provide the information or present or provide the elements referred to in the same number.

3. If there is negligence, the agent is punished with a fine of up to 60 days.

ARTICLE 454.º

(Illicit export of goods)

Whoever exports goods, dependent on licensing, without complying with legal procedures, is punished with a prison sentence of up to 1 year or a fine of up to 120 days, if a more serious penalty is not applicable under another criminal provision.

ARTICLE 455.º

(Fraud in obtaining subsidy or grant)

1. Anyone who obtains see subsidy or subsidy:

a) Providing the authorities competent to grant them, false, inaccurate or incomplete information regarding things or fundamental facts for their granting or omitting these facts;

b)

the subsidy or subsidy or fundamental facts for its grant, obtained through inaccurate or incomplete information.

2. When the subsidy or subsidy is of a considerably high value, under the terms of paragraph a) of article 391, the agent uses a false document or the subsidy is granted thanks to the abuse of functions or powers of the holder of a position or function public, the penalty is from 2 to 8 years in prison.

3. They are considered essential for granting the sub grant or subsidy the facts:

a) Declared as such by law or by the entity granting the subsidy or grant;

b) On which the granting, reimbursement, maintenance or renewal of the subsidy or subsidy is legally dependent.

4. Negligence is punished, in the case of the crime provided for in paragraph 1, with a prison sentence of up to 2 years or a fine of up to 240 days and, in the case of the crime provided for in paragraph 2, with a prison sentence of 6 months to 2 years or a fine of 60 to 240 days.

5. The agent is exempt from penalty, if after having requested the subsidy or grant, spontaneously, he/she has made an effort

thine what is given.

6. The crimes described in this article are consummated with the availability or delivery of all or part of the subsidy or subsidy of the agent.

ARTICLE 456.º

(Fraud in obtaining credit)

1. Anyone who requests and obtains the granting of a credit intended for a company or establishment is punished with a prison sentence of up to 1 year or a fine of up to 120 days and, in order to obtain it:

a) Provide, in writing, false or incomplete information that is essential for the concession;

b) Use documents proving the economic situation of the applicant for the granting of credit false, incomplete or out of date;

c) Hide the deterioration of the economic situation of the applicant for the granting of credit, which occurred after the formulation of the respective request.

2. The provisions of the previous number apply to extensions of the concession period and, in general, to any change in the regime of the conditions of the credit granted.

3. The penalty is 1 to 3 years imprisonment or a fine of 120 to 360 days, if the credit amount is considerably high,

4. If the agent is negligent, the penalty is imprisonment of up to 6 months or a fine of up to 60 days, in the case of paragraph 1, and imprisonment of up to 2 years or a fine of up to 240 days, in the case described in paragraph 3.

5. They are considered essential for the purposes of paragraph a)

depend on the granting of credit.

6. It is always punishable to attempt the facts described in the n.os 1 e 2.

7. The provisions of paragraphs 5 and 6 of the previous article are correspondingly applicable, with the necessary adaptations .

ARTICLE 457.^o

(Diversion of subsidy or subsidy and credit)

1. Whoever uses amounts obtained as a subsidy or

intended is punished with imprisonment for up to 1 year or a fine of up to 120 days.

2. The same penalty applies to anyone who uses a value obtained

seen in the credit line or determined by the legally competent entity.

3. When the credit is of a considerably high value, under the terms of paragraph a) of article 391, the penalty is imprisonment from 6 months to 3 years or a fine of 60 to 360 days.

ARTICLE 458.^o

(Special feather attenuation)

1. The penalties provided for in articles 455 to 457 are special

received as a subsidy or subsidy or the debtor settles the debt resulting from the credit granted, plus interest at the legal rate that is due, until the conclusion of the discussion of the cause at the trial hearing at first instance.

2. If the return or liquidation takes place after the discussion of the cause has ended, but before the sentence is handed down, the penalty may, depending on the circumstances, be specially mitigated.

ARTICLE 459.^o

(Passive corruption)

1. Anyone who does not have the status of public official, under the terms of article 376, and who works, holds a position or performs functions for any association or organization or legal person, regularly or irregularly constituted, in the private sector, directly or indirectly, by himself or through an intermediary, receives an advantage for himself or a third party or accepts a promise from it, which is not due to him, as compensation for conduct

In this way, violating competition rules or causing property damage to a third party or the entity for whom he works, holds a position or performs functions is punished with imprisonment for up to 3 years or a fine of up to 360 days.

2. If the agent does not violate any of his obligations, he must

benefit, the penalty is imprisonment of up to 1 year or a fine of up to 120 days.

3. If, in any of the cases described in the previous numbers, the agent repudiates the promise or returns the benefit received before causing damage and carrying out the conduct

exempt from penalty.

ARTICLE 460.^o

(Active corruption)

or offering the advantages mentioned in the previous article to the agent of the act described therein is punished with imprisonment of up to 3 years or a fine of up to 360 days.

2. If the agent, before committing the act described in the previous article, expressly withdraws the promise or asks for the restitution of the advantages offered, the penalty is imprisonment of up to 18 months or a fine of up to 180 days.

3. If the corruption referred to in this article involves a criminal association, organization or group and is of an international nature, under the terms of paragraph 5 of article 296, the penalty is 3 to 5 years in prison.

ARTICLE 461.^o

(Corruption in the field of international trade)

1. Whoever offers or promises to a public official, national or foreign, or holder of national or foreign political office, any benefit for, unlawfully, to alter or maintain their contract, business or advantageous position in the field of international trade is punished with imprisonment from 1 to 5 years.

previous article, the penalty is from 2 to 8 years in prison.

3. The penalties foreseen in the previous numbers are increased by one third, in their maximum and minimum limits, when the agent is holder or member of sovereign bodies or holder of political office.

4. The penalties provided for in the previous numbers are specially attenuated when:

- a) The agent committed the act at the request of the official, directly or through an intermediary person;
- b) The agent denounces the crime within a maximum period of 90 days after the commission of the act and always before the initiation of criminal proceedings;
- c) The agent concretely assists in obtaining or

tion or capture of other perpetrators.

5. For the purposes of this article, the following are considered:

- a) «National Public Official», those referred to in article 376;
- b) «Foreign Public Official», those who, by election or appointment, hold a position or function of a public nature in a foreign country or for a company or public service organization in a foreign country, as well as workers or agents of international organizations or above. -state public law;
- c) «Holders of Foreign Political Offices», the

by the law of the Country for whom they exercise the offices.

ARTICLE 462.^o

(Prohibited economic activities)

1. Anyone who produces or sells goods or provides services whose production, sale or provision is prohibited in the national territory shall be punished with imprisonment of up to 2 years or a fine of up to 240 days, if a more serious penalty is not applicable under another criminal provision.

2. The same penalty applies to anyone who, with a profit motive, receives, transforms, conceals, in any way acquires or secures possession, transmits or contributes to transmitting goods whose production or commercialization is prohibited in the national territory.

ARTICLE 463.º

(Embezzlement of goods subsidized or purchased with State resources)

1. Whoever acquires subsidized goods or

carried out in a certain location or establishment and has a different destination, will be punished with imprisonment of up to 2 years or a fine of up to 240 days.

2. In addition to the penalties provided for in the previous number, the Court must condemn the defendant to the full restitution of the goods and/or amounts illicitly obtained or embezzled from the damage caused.

ARTICLE 464.º

(Fraud in the transport or transfer of currency abroad)

1. Anyone who, fraudulently or in violation of legal or regulatory provisions, removes national or foreign currency from the country, by means of physical currency transport or bank transfer, is punished with imprisonment from 2 to 8 years, if the most serious penalty does not apply to him by virtue of another legal provision.

2. Whoever acquires foreign currency incurs the same penalty.

3. In the case of the physical transport of currency across a border, the violation is consummated after passing through immigration control, with the applicable penalty being imprisonment of up to 1 year or a fine of up to 120 days, if the amount in question does not exceed double the legally permitted limit.

4. The values object of the crime foreseen in the numbers previous ones are apprehended and revert to the State.

5. The economic agent or employee of the institution

practice of the crime foreseen in the previous numbers, is punished with a prison sentence of up to 2 years or a fine of up to 240 days.

ARTICLE 465.º

(Illicit introduction of foreign currency into the country)

1. Whoever introduces foreign currency into the country, via physical transport, in violation of legal provisions or regulations, is punished with a fine of up to 120 days, if a more serious penalty is not applicable under another legal provision.

2. The provisions of paragraph 4 of the previous article are applicable.

ARTICLE 466.º

(Illegal currency trade)

1. Anyone who, in violation of legal or regulatory provisions, trades national or foreign currency is punishable with imprisonment for up to 1 year or a fine of up to 120 days.

2. The economic agent or fun

instigate or facilitate the commission of the crime foreseen in the previous number.

3. The values object of the crime foreseen in the numbers previous ones are apprehended and revert to the State.

ARTICLE 467.º

(Prohibition of cash payments)

Anyone who makes, accepts or facilitates cash payments in an amount equal to or greater than 35,311 Procedural Reference Units or the respective correspondent in Kwanzas or any other foreign currency, in transactions of any nature, is punished with the penalty of fine up to 120 days.

ARTICLE 468.º

(Currency Hold)

1. Anyone who retains large sums of money outside the

liable, shall be punished with imprisonment for up to 1 year or a fine of up to 120 days.

2. For the purposes of the previous number, the following are considered large amounts:

a) Amounts above 34,091 Procedural Reference Units, or the corresponding foreign currency, in the case of individuals, micro or small companies, associations, foundations, trade unions, political parties, religious organizations or non-governmental organizations;

b) Amounts above 56,818 Procedural Reference Units, or the corresponding foreign currency equivalent, in the case of medium or large-sized companies.

3. The difference in values that exceeds the limits object of the crime foreseen in the previous numbers is apprehended and reverts in favor of the State.

ARTICLE 469.º

(Unauthorized circulation of currency)

Whoever puts into circulation currency not yet authorized to circulate or currency already withdrawn from circulation is punished with imprisonment from 1 to 4 years.

ARTICLE 470.º

(Rejection of legal tender currency)

The rejection, without just cause, of legal tender currency is punished with a fine of 30 to 180 days.

ARTICLE 471.º

without causing damage, performing, ordering or unlawfully facilitating the third parties, without the holder's consent, is punished with imprisonment for up to 2 years or a fine of up to 240 days, if the more serious penalty does not apply.

ARTICLE 472.º

(Fraud in electronic payments)

Anyone who addicts or clones an electronic payment method

third, is punished with imprisonment for up to 2 years or a fine of up to 240 days.

ARTICLE 473.º

1. Without prejudice to the provisions of special legislation, it is a crime, punishable by imprisonment for up to 5 years, prospecting, research, exploitation, extraction, purchase, sale, payment in kind, of metals or unprocessed precious stones, without the competent license or authorization.

2. The activity of prospecting, research and evaluation,

as simple illicit possession or mere detention, extraction or theft is punishable under the terms of mining legislation.

The President of the National Assembly, *Fernando da Piedade Dias dos Santos*.

The President of the Republic,

Lei n.º 39/20

November 11th

Considering the values and principles enshrined in the Constitution of the Republic of Angola, as well as progress in the science of criminal law and the main guidelines of modern criminal policy;

With a view to achieving swift and effective criminal justice,

fundamental rights, freedoms and guarantees;

Imposing the introduction in the Angolan Legal Order of a Penal Procedure Code that harmonizes with the new Angolan Penal Code and reconciles, equally, the needs of judicial practice with the requirements of solid grounds of Law;

The National Assembly approves, by mandate of the people, under the terms of paragraph e) of article 164 of the Constitution of the Republic, the following:

LAW APPROVING THE CODE
OF THE ANGOLAN CRIMINAL PROCEDURE

ARTICLE 1.

(Approval)

The Angolan Criminal Procedure Code is approved, annexed to this Law, which is an integral part thereof.

ARTICLE 2

(Revocation)

1. The Criminal Procedure Code of 1929, the diplomas that replaced any of its precepts and all legal provisions that provide for facts regulated by this Criminal Procedure Code are hereby revoked.

2. All legislation contrary to this present regulation is hereby repealed.

Diploma, namely:

a) Decree-Law No. 26.643, of May 28, 1939 — Prison Reform;

b) Decree No. 34,553, of April 30, 1945 — Regulates the Organization of Courts for the Execution of Sentences; c)

Decree-Law No. 35,007, of October 13, 1945 — Applicable to Angola, with amendments, by Ordinance No. 17,076, of March 20, 1959;

d) Decree-Law No. 39.672, of May 20, 1954

News, Preventive Prison and the Exercise of Civil Action in conjunction with Criminal Action;

e) Decree-Law No. 21/71, of 29 January — Disciplines the Deposit of Seized Cash Amounts and Unclaimed Objects and Amounts, Seized in Criminal Proceedings;

f) Decree-Law No. 292/74, of 28 June — Imposes on the Public Ministry the Obligation to Execute

Offended, Whenever these do not constitute Lawyer in the Process;

g) Decree-Law No. 185/72, of 31 May — Amends the Precepts of the Criminal Procedure Code with regard to Preventive Prison, Provisional Freedom and Execution of Sentences;

h) Law No. 11/75, of December 15 — Discipline of the Production Process;

i) Decree No. 3/76, of 3 February — Regulation of Law No. 11/75, of 15 December — Discipline of the Productive Process;

j) Law No. 11/77, of 11 May — Establishes the Intervention of Popular Advisers in the Courts;

k) Law No. 11/82, of 7 October — Establishes Popular Participation in the Administration of Justice;

l) Decree No. 231/79, of the 26th of July — Disciplines Automobile Traffic;

m) Law No. 20/88, of December 31 — Adjustment of Civil and Criminal Procedural Laws to the

n) Law no. 23/12, of 14 August — Amends article 56 of the Code of Criminal Procedure;

o) Law No. 2/14, of 10 February — Law Regulating Searches, Searches and Seizures;

p) Law No. 25/15, of 18 September — Law on Precautionary Measures in Criminal Procedure.

ARTICLE 3.

(Remissions)

References in other criminal procedural laws to precepts of the now revoked Criminal Procedure Code are considered to be made to the corresponding provisions of the Criminal Procedure Code approved by this Law.