

## **Penal Code No. 16 of 1960**

### Article (1)

This law is called “The Penal Code for the year 1960” and will come into effect one month after its publication in the Official Gazette.

### Article (2)

Phrases and words contained in this Law have meanings assigned to it below unless evidence shows otherwise:

The Kingdom: The Hashemite Kingdom of Jordan.

The term (judicial procedures) includes: all procedures taken before any court, or public prosecutor, or the Judicial Council, or an investigative committee or a person whom a testimony may be performed before after taking the oath whether such court or the Judicial Council or the Committee or the person hears the testimony after swearing in the witness or without doing so.

The term (house of residence) means: a place or any section of a building designated for residential use by the owner or tenant or their respective family, guests, or servants, even if at the time of the crime it was vacant. It also includes all premises and facilities attached to it within the boundaries of the residence fence.

The term (public highway) means: every road allowed for public traffic at all times and with no restriction, including bridges and all roads connecting the cities or countries together, and excluding markets, piazzas, squares and streets located within cities, towns or villages and rivers.

The term (public place) means: every road, place or route allowed for passage through or entrance into by the public with no restrictions, or with restriction of payment of a sum of money. It also includes every building or place used for a public meeting or a public or religious ceremony or an open arena.

The term (night) or (at night) means: the period of time falling between sunset and sunrise.

The word (wound) means: every cut or slash which gashes the external human body tissues. For the purposes of this definition a tissue is considered to be external if it could be touched without the need to cut slash any other tissue.

## **Book One**

General Provisions

## **TITLE ONE**

The Criminal Law

## **Chapter One**

Of the Operative Period of a Criminal Law

### Article (3)

No penalty shall be imposed unless provided for by the law at the time the crime is committed. A crime is considered to be a complete one when all the acts composing it are completed without any regard to the time when the result happens

#### Article (4)

1. Any law which amends the incrimination conditions in favor of the defendant, its provisions shall be applicable to acts committed before its enactment, unless a final judgment had been issued regarding such acts.
2. Any law that amends the right of legal pursuit shall be applied to previous crimes if such amendments are in favor of the defendant.
3. If the new law states a new period during which the legal pursuit shall be initiated, such period shall only start from the day such law becomes into effect. If the law amends a period that existed before, then it shall start according to the old law provided that it does not exceed the period provided in the new law.
4. If the law amends the statute of limitation concerning a penalty or a crime, it shall start running according to the old law provided that the period does not exceed the period stipulated in the new law starting from the day such law enters into force.

#### Article (5)

Any new law which nullifies a penalty or imposes a more lenient one shall be applied to offences committed prior to its enactment. If a new law is enacted after the issuance of a final judgment and such law renders the related criminal act unpunishable, the enforcement of the judgment shall be halted and its criminal consequences shall end.

#### Article (6)

A law which imposes stricter penalties does not apply to crimes committed before its entry into force.

## **Chapter Two**

Application of the Criminal Provisions with Respect to Place

### **(1) Territorial Jurisdiction**

#### Article (7)

1. Provisions of this Law apply to every person who commits a crime on the territory of the Kingdom as set forth therein.
2. A crime is deemed to have been committed on the territory of the Kingdom where one of its elements, or any of the criminal acts which constitute the crime, or any principle or accessory act, is committed on the territory of the Kingdom.
  - a. The Kingdom territory includes the airspace covering it, and the territorial sea to a distance of five kilometers from the coastline and the airspace covering the territorial sea, and Jordanian ships and air vessels/aircrafts.
  - b. And foreign territories occupied by the Jordanian army if the crime committed affect the security of the army or its interests.

#### Article (8)

The Jordanian Law does not apply to:

1. Crimes committed in the Jordanian air space aboard a foreign aircraft if the crime did not exceed the brink of the aircraft whereas crimes not exceeding the brink of the air vessel are subject to the Jordanian law if the perpetrator or the victim is a Jordanian national or if the aircraft landed in the Hashemite Kingdom of Jordan after the commission of the crime.
2. Crimes committed in the Jordanian territorial sea or its airspace on board a foreign ship or aircraft if the crime did not exceed the brink of a ship or aircraft.

## **(2) Material Jurisdiction**

Article (9)

The provisions of this law apply to every Jordanian or foreigner – whether perpetrator, partner, abettor or accessory – who committed a felony or misdemeanor, outside the Kingdom, against the State security or has counterfeited the state seal, currency, banknotes or Jordanian or foreign bank securities which are legally traded or circulated in the Kingdom.

## **(3) Personal Jurisdiction**

Article (10)

The provisions of this law apply to:

1. Each Jordanian national – be it perpetrator, accomplice, abettor or aidor – who committed a felony or a misdemeanor outside the territory of the Kingdom punishable under Jordanian legislation.

The provisions also apply to all mentioned, even if the offender has acquired or lost the Jordanian nationality after the commission of the felony or misdemeanour of which he / she is accused.

2. Crimes committed by any Jordanian public official in the course of his / her duty outside the Kingdom.
3. Crimes committed by Foreign Service officials, Jordanian consuls enjoying immunity conferred on them by public international law.
4. Every foreign national residing in the Hashemite Kingdom of Jordan, whether perpetrator, partner, abettor or accessory, who has committed a felony or misdemeanor outside the Hashemite Kingdom of Jordan punishable by Jordanian laws, if his/her extradition is not requested or not granted.

Article (11)

The provisions of this law are not applicable to crimes committed by foreign service officials and consuls enjoying immunity conferred on them by public international law.

## **(4) Effects of Foreign Judgments**

Article (12)

With the exception of offenses set forth in Article (9) and crimes committed on the territory of the Kingdom, no Jordanian or foreign national shall be prosecuted in the

Kingdom if he / she has been tried abroad or if the sentence that has been enforced or dismissed due to the expiration of the statute of limitation or an amnesty.

#### Article (13)

1. Prosecution in the Kingdom is not precluded in the case of:
  - a. Judgments issued abroad pertaining to any of the crimes set out in Article (9).
  - b. Judgments issued abroad pertaining to any crime committed on the territory of the Kingdom.
2. In both cases, prosecution in the Kingdom is refrained if the foreign court judgment has been issued as a result of official notice from the Jordanian authorities.
3. Time served by the convicted person as a result of executing a judgment abroad is deducted out of the sentence period imposed on him / her in the Kingdom.

## **TITLE TWO**

### **Of Criminal Provisions**

#### **Chapter One**

##### **Penalties**

#### **(1) Felonies Penalties in General Terms**

##### Article (14)

Criminal penalties are:

1. Death penalty
2. Life imprisonment with hard labor
3. Life detention
4. Temporary imprisonment with hard labor
5. Temporary detention

##### Article (15)

Penalties for Misdemeanors:

1. Imprisonment
2. Fine
3. Bail bond

##### Article (16)

Exasperating Penalties

1. Exasperating imprisonment
2. Fine

#### **(2) Criminal Penalties**

##### Article (17)

1. The death penalty is the hanging of the convicted person.
2. In case the woman who is sentenced to death was proven to be pregnant, the death sentence would be replaced with life with hard labor.

Article (18)

Hard labor, is deployment of the convicted offender to hard labour suitable to his / her state of health and age, whether inside or outside the prison.

Article (19)

Detention is the placement of the convicted person at one of the State prisons for the term he / she is sentenced to with granting of special treatment and not requiring the person to wear prison uniform or work inside or outside the prison without his / her consent.

Article (20)

If not otherwise provided for in this code, the minimum sentence prescribed for temporary hard labor and temporary detention is three years with a maximum of fifteen years.

Article (21)

Imprisonment is the placement of the convicted person in one of the state prisons for the period of the verdict which ranges between one week and three years unless the law provides otherwise.

Article (22)

A fine, is obliging the convicted person to pay the government treasury the amount stated in the judgment. The fine amount ranges between five dinars (JD5) to two hundred dinars (JD200) unless the law provides otherwise:

1. If the convicted person failed to pay the fine amount, an imprisonment of one day would be imposed for every two dinars (JD2) or its fraction thereof, provided that the imprisonment term not to exceed one year in this case.
2. When the court issues a judgment imposing a fine, the judgment should indicate that failure to pay the fine amount would lead to the imprisonment of the convicted person for the equivalence of the imposed amount provided for in the preceding paragraph. In the absence of such text, the fine shall be replaced upon the decision issued by the General Prosecution.
3. Any partial payments done before or during the imprisonment and any other collected amount shall be deducted from the fine amount which is stated in the judgment according to paragraph one of this article.

**(4) Exasperating Punishment**

Article (23)

The duration of exasperation imprisonment ranges between twenty-four hours to one week, and, where possible, are executed at places other than those appropriated to offenders convicted with felony or misdemeanor sentences.

Article (24)

The Exasperation Fine ranges between two and ten Jordanian dinars (JD2-10).

**General Provisions**

Article (26)

For imprisonment and fine penalties provided for in some of the articles of this law, or any other law, whereby the minimum and maximum limits are not defined or the maximum limits defined as exceeding one week imprisonment or a five Jordanian Dinars (JD5) fine, the minimum imprisonment term would be considered as one week and the minimum fine would be five Jordanian dinars (JD5). Whereas when the maximum limits are not defined, the maximum imprisonment term would be three years and the maximum fine would be two hundred dinars (JD200).

#### Article (27)

1. The court may order grating the convicted person sentenced to imprisonment special treatment as prescribed in the Prisons Act.
2. If a person is sentenced to imprisonment for a period not exceeding three months, the court which issued the judgment has the power to replace imprisonment sentence with a fine on the basis of two dinars (JD2) for each day, provided that the court is convinced that the fine is a sufficient penalty for the crime committed.
3. If a couple (husband and wife) are sentenced to imprisonment for a period not exceeding one year and has under their care a person who is under eighteen years of age, the sentence shall be executed consecutively provided they have a fixed place of residence.

## **Chapter Two**

### Precautionary measures in general terms

#### Article (28)

Precautionary measures are:

1. Freedom confining measures
2. Material confiscation
3. Precautionary bond
4. Closure of a business place
5. Dissolution or a legal entity or halting its functions

#### **(1) Freedom Confining**

##### Article (29)

1. Any person sentenced to detention in a precautionary quarter shall be placed in a special hospital and provided the treatment required.
2. Any person sentenced with a freedom confining penalty or a precautionary bond and during sentence execution it was proven that he / she has become mentally incapacitated; he / she shall be placed in a precautionary quarter and given the treatment needed. The precautionary measure or detention period shall not exceed the remaining period of the suspended measure unless the convict constitutes a danger on the public safety.
3. The death penalty shall be suspended if the convicted person becomes mentally incapacitated. If the person regains sanity according to a medical report issued by a specialized medical committee, the penalty shall then be executed.

#### **(2) Material Confiscation**

##### Article (30)

With consideration of the rights of others who acted in good faith, all items generated as a result of a felony or intentional misdemeanor, or items used or prepared for use in

committing said acts, shall be confiscated. In case of unintentional misdemeanors and infractions, such items may not be confiscated unless the law states otherwise.

#### Article (31)

Illegally manufactured, sold or acquired items shall be confiscated even if not belonging to the accused or if the legal action taken does not result in a conviction.

### **(3) Precautionary Bond**

#### Article (32)

1. Precautionary bond is the deposition of money or public securities or the provision of an insurance contract to guarantee the good behavior of the convict or in order to safeguard against the commission of any crime.
2. A bond may be imposed for at least one year and not more than three years unless the law contains a special provision which provides otherwise.
3. In the judgment the court shall define the amount that has to be deposited or the amount that has to be guaranteed in the insurance contract or by the guarantor, provided that such amount is not less than five dinars (JD5) or more than two hundred dinars (JD200).

#### Article (33)

A precautionary bond may be imposed:

1. When a verdict is issued in threats cases
2. When a verdict is issued in incitement to commit a felony, which did not materialize
3. If there is a fear that the convicted person will harm the victim or one of his / her family members or their property

#### Article (34)

1. The bond shall be canceled, the insurance amount is returned and the guarantor is released of his / her obligations if during the probation period the act meant to be prevented did not occur.
2. If the before mentioned act was committed then the bond amount shall be collected and allocated to personal compensations, fees and fines. Remaining balance shall be confiscated for the benefit of the government.

### **(4) Closure of a Business Place**

#### Article (35)

1. A sentence to close a business place where the offence was committed by the owner or with his complicity may be issued for a minimum period of one month and a maximum of one year if the law explicitly provides for it.
2. The closure of a business place as a result of the commission of criminal acts or acts against morality shall prohibit the convicted person or any member of his/her family or any other person who rented or owned the place, from pursuing the same business in the place.
3. Such prohibition shall not include the owner of the premises and anyone who has rights over such premises as long as they are not involved in the commission of the crime.

### **(5) Suspension or Dissolution of a Legal Entity**

#### Article (36)

Any union, company, association, and all corporate entities, except for public administration entities, may be suspended if any of its directors, board members, representatives or employees committed under its name an intentional misdemeanor or felony punishable by imprisonment of at least two years.

#### Article (37)

Entities mentioned in the previous article may be dissolved:

- a. If they did not abide by their legal articles of incorporation.
- b. If their incorporation objectives are contrary to applicable laws or the pursuit of such illegal objectives.
- c. If they were in violation of the legal provisions which provide basis for dissolution.
- d. If suspended according to a final judgment issued before less than five years.

#### Article (38)

1. Even if the name of the entity was changed and the board of director members replaced, the legal entity shall be suspended for a minimum period of one month and a maximum for two years. Such suspension shall halt all the functions of the legal entity and prevent the transfer of the entity's quarters and title provided that the rights of others acting in good faith are protected.
2. The dissolution requires the liquidation of the legal entity's assets and all directors, board members and liable persons the right to establish or manage similar entities.

#### Article (39)

Violation of each of the previous provisions is punishable by one to six months imprisonment and a fine ranging between five and one hundred Jordanian dinars (JD5-200).

### **General Provisions**

Calculation of penalties and precautionary measures:

#### Article (40)

1. A penalty day is twenty four hours and the month is thirty days. Days exceeding one month shall be calculated as a day per the Gregorian Calendar System.
2. Except for when a detained person is sentenced for twenty four hours, he / she shall be released before noon of the last day of his / her sentence.

#### Article (41)

The detention period shall be calculated as part of the imposed sentence.

### **Chapter Three**

#### **Civil Obligations**

##### **(1) Types of Civil Obligations**



#### Article (42)

Obligations that may be ordered by the court are:

1. Restitution
2. Reparation of damages
3. Forfeiture
4. Expenses

#### Article (43)

1. Restitution is the reverting back of the conditions that were present before committing the crime. The court shall automatically order restitution whenever it deems that restitution is possible.
2. The civil legal provisions shall govern the restitution of what is under the possession of the other.
3. The civil legal provisions shall govern the reparation of damages and shall be ordered based on the request of the civil complainant. In case of innocence, the civil complainant might be ordered to pay any damages based on the request of the accused.

#### Article (44)

If the Public Prosecution acquires the possession of any property related to a criminal charge, then the prosecution, or any court which tried such charge, has the right to, either automatically or based on a request of the civil complainant, order the surrender of such property to the person who appears to be the owner. If it was not possible to determine the owner of the property, then it is allowed to issue the appropriate order regarding it.

#### Article (45)

Expenses incurred by the Treasury are born by the losing party:

1. If multiple people were convicted, expenses have to be equally divided among them unless the judge decides otherwise.
2. All expenses not benefiting the case shall be incurred by the person who caused their incurrence, even if such the person is not the losing party.
3. What is stated above shall not violate the provisions of the commercial law related to bankruptcy.
4. The complainant or the plaintiff shall be exempted from the expenses if the crime which initiated the investigation had in fact been committed but the investigation was unable to identify the perpetrator.
5. In case of the death of the convicted person or his / her absence or his / her immaturity, expenses are collected with the knowledge of the execution department per the provision of the Execution Law.

## **(2) General Provisions**

#### Article (46)

1. Civil obligations are collectively collected from all persons convicted of the same crime.
2. Collectiveness dose not include correlated crimes unless they were committed for the same purpose.
3. Collectiveness dose not include civil obligations if the convicted persons were convicted of the same crime and pertaining to the same case.

4. The persons liable for civil compensation shall be called to appear before the court and have to, collectively with the perpetrator of the crime, pay all the fees due to the state, and shall pay all civil compensations if the civil complainant requested so.

## **Chapter Four**

### Of the Overturn of Criminal Convictions

#### **General provisions**

##### Article (47)

The reasons for the overturn of criminal convictions or baring its execution or delaying its issuance are:

1. The death of the convicted person
2. General Amnesty
3. Special Amnesty
4. Clemency of the injured party.
5. Periods of Prescription
6. Suspension of sentence execution
7. Reinstitution of reputation: which results in dropping the conviction judgment in any felony or misdemeanour and the erasure of all effects of such conviction, including the deprivation from rights and any other criminal effects.

##### Article (48)

Reasons that render criminal judgments extinct or ban or suspend their execution have no bearing on civil reparation, which must remain subject to civil provisions.

#### **(1) Death of the Convicted Person**

##### Article (49)

1. All criminal consequences of the verdict shall be eliminated.
2. Death precludes against the collection of fines and fees.
3. Death has no effect on material confiscation and the closure of the business place.

#### **(2) General Pardon**

##### Article (50)

1. A general pardon is issued by the legislative authority.
2. A general pardon erases the criminality of the act. It is issued with regard to the public action before a judgment is issued and after the issuance of the judgment. It dismisses any principle or supplemental penalties but it dose not deny the civil complainant form all relevant civil obligations or prevent the execution of the judgment which includes such obligations.
3. Collected fines, fees and confiscated items are not reimbursed.

#### **(3) Special Pardon**

##### Article (51)

1. His Majesty the King grants a special pardon on the recommendation of the Council of Ministers which has to include the Council's recommendation.
2. A special pardon shall not be issued for those who have not been sentenced with a final ruling.
3. The special pardon is personal; it may be by dropping the penalty or replacing it or reducing it in whole or in part

#### **(4) The Clemency of the Injured Party**

##### Article (52)

The clemency of the injured party shall halt the legal action and the execution of the penalties which are not final, provided that the initiation of the legal action is based on a personal complaint by the injured party.

##### Article (53)

1. Clemency shall not be conditional and cannot be retracted.
2. Clemency granted to one of the convicted persons shall include all others.
3. In the case where there is more than one civil complainant, clemency shall not be considered unless granted by all complainants.

#### **(5) Periods of Prescription**

##### Article (54)

The period of prescription provisions stated in the Criminal Procedures Law shall preclude against the execution of penalties.

##### Article (54) *repeated*

1. When passing an imprisonment sentence of not more than one year for a felony or a misdemeanor, the court may order in the judgment a suspension of sentence execution, according to the conditions stipulated in this law, if based on the convicted person's character, past, age and circumstances of offence it perceives any reason to believe that he / she will not violate the law again. The court must indicate in its judgment its reasons for suspending the sentence. The suspension might include any supplemental penalty and all other criminal effects which result from the conviction.
2. The period of a suspended sentence may be three years following the date of final judgment issuance. The suspension can only be canceled in the following two instances:
  - a. If, during the period of suspension, the convicted person was sentenced to imprisonment for more than one month for an act which he/she committed before or after issuing the suspension order.
  - b. If, during this period, it appears that the convicted person was sentenced, prior to the issuance of the suspension order, with the same sentence stipulated in the previous paragraph, without the knowledge of the court.
3. The order to reinstate the sentence has to be issued by the same court that issued the suspension order based on a request made by the Public Prosecution, and after notifying the convicted person to appear. If the new sentence upon which the reinstatement is based was issued after the suspension order was made, the same

court which issued the new sentence has the power to reinstate the halted sentence by itself or according to a request made by the public prosecution.

4. The reinstatement of the halted sentence results in executing the penalty and all other supplemental penalties and other criminal effects which were halted

## **TITLE THREE**

### **Of Crime**

#### **Chapter One**

##### **Article (55)**

1. A crime constitutes a felony or a misdemeanor or a fraction based on the penalty stipulated for such a crime.
2. In the legal categorization of the crime, the upper limit of the penalty should be considered as the most severe legally stipulated sentence.

##### **Article (56)**

The legal category of a crime shall not be altered if the penalty for such a crime was reduced when accounting for mitigating factors.

#### **(2) Legal Multiplicity of Crimes**

##### **Article (57)**

1. If the act has many definitions all of which were mentioned in the judgment, the court has to impose the most severe penalty.
2. If the act has a general and a specific definition, then the court has to take into consideration the specific one.

##### **Article (58)**

1. A single criminal act can only be prosecuted once.
2. If the results of the criminal act became aggravated after the first prosecution and the act can be given a more dangerous legal definition, it shall be prosecuted according to this new definition and the severest penalty shall be imposed. If the previous penalty was served it shall be deducted from the new one.

#### **(3) Justification Reasons**

##### **Article (59)**

There is no crime if the act occurs while exercising a legal right and without the misuse of such right.

##### **Article (60)**

1. Execution of one's right is considered as any act deemed necessary due to an imminent need to prevent an illegal and unprovoked offence against his / her person or property or the property or person of others.
2. The protection shall be equal for both natural and legal persons.
3. If there was an encroachment in the defense, the perpetrator of the crime might be exempted from penalty according to the conditions stipulated in article (89).

##### **Article (61)**

A person is not criminally liable for acts committed in one of the following instances:

1. While implementing the law.
2. Obeying an order commanded by a lawful authority, unless the action is manifestly unlawful.

#### Article (62)

1. An act allowable by the law is not considered a crime.
2. The law allows:
  - a. Forms of discipline exercised on children by their parents, as sanctioned by general custom.
  - b. Acts of violence occurring during sports if rules of the game were taken into account the.
  - c. Surgical operations and or medical professional treatments when carried out with the consent of the patient or his legal representative or in cases emergency.

### **Chapter Two**

#### Of the Mental Element of the Crime

##### **(1) Intent**

#### Article (63)

Intent is the will to commit the crime as defined by law.

#### Article (64)

A crime is considered to be a deliberate one even if the criminal consequence of the act exceeded the intent of the perpetrator, provided that he / she expected such consequence and accepted the risk of its occurrence. It shall be considered a mistake if the act is the result of negligence, or lack of due care or lack of consideration for any laws or regulations.

#### Article (65)

1. The motive is the reason which makes the perpetrator commits the act, or it is the ultimate result the perpetrator desires to achieve.
2. Motive is not an incriminating element except in instances stipulated by the law.

#### Article (66)

If the crime occurs on a person other than the intended one, the perpetrator shall be punished as if he / she committed the act against the person he / she intended to harm.

##### **(2) Motive**

#### Article (67)

1. The motive is the reason which makes the perpetrator commits the act. Or, it is the ultimate result he / she intend to achieve.
2. A motive is not an incriminating element except in instances stipulated by the law.

### **Chapter Three**

#### Of Physical Element of the crime

#### Article (68)

An attempt is to begin executing one of the acts which appear to lead to the commission of a felony or a misdemeanour. If the perpetrator could not complete the acts needed to commit such felony or misdemeanour for reasons beyond his / her will, and unless the law provides otherwise, he / she shall be punished according to the following:

1. Life or temporary imprisonment with hard labour ranging between seven to twenty years if the attempted crime penalty is death, and at least five years of said penalty if the original penalty is life imprisonment with hard labour or life detention.
2. Any other original temporary penalty has to be reduced from one half to two thirds.

#### Article (69)

The mere intention to commit a crime or the preparations to do so are not considered an attempt. Whoever attempts to carry out an act and willingly stops short from carrying out the criminal acts, he/she shall only be punished for the act or acts committed, which by itself constitute a crime.

#### Article (70)

If all the acts needed to complete the crime were taken but for reasons, independent from the perpetrator intent, the deliberate crime did not materialize, he/she shall be punished as follows:

1. Life or temporary imprisonment with hard labor from ten to twenty years if the attempted felony is punishable by death penalty. Seven to twenty years of the same penalty if the original penalty is life imprisonment with hard labor or life detention.
2. Any other penalty has to be reduced by one third to one half.

#### Article (71)

1. An attempt to commit a misdemeanor is not punishable unless in the instances explicitly stipulated by the law.
2. If the law provides for a penalty for the attempt to commit a misdemeanor, the penalty shall not exceed half of the maximum penalty prescribed for the crime, unless the law provides otherwise.

### **(2) Multiplicity of penalties**

#### Article (72)

1. If a number of felonies or misdemeanors are committed, the judgment has to include a penalty for each crime and only the greatest penalty shall be imposed.
2. It is allowable to combine the penalties in a way that the total number of the temporary penalties only exceed the maximum penalty prescribed for the severest crime by one-half.
3. If there is no decision to combine the penalties the issue has to be referred to the competent court.
4. The exasperating Penalties must be combined.

### **(3) Publicity**

#### Article (73)

The following are considered as means of publicity:

1. Acts and gestures committed in a public place or a place open for the public, or if they are committed in a place other than the ones mentioned before but could be seen by any person present at such places.
2. Spoken or hollered remarks whether transmitted by some mechanical means or otherwise, which occur in a manner that can be heard by any person who is not connected in any way to the act.
3. Different forms of writings, pictures, hand drawings, photos, films, signals, or displayed in a public place or a place open to the public or displayed for sale or distributed to more than one person.

## **TITLE FOUR**

### **Of Liability**

#### Section One

##### **Of Liable Persons**

#### **Chapter One**

##### **Of the Perpetrator of the Crime**

###### Article (74)

1. No person shall be sentenced unless he / she commit the act consciously and willfully.
2. Legal entities other than governmental, public and official institutions and bodies are criminally liable for crimes committed by their representatives or directors or agents in their name or on their behalf.
3. Legal entities can only be sentenced with fine and confiscation. If the law provides for an original penalty other than fine it shall be replaced with ( وإذا كان القانون ينص على عقوبة أصلية غير الغرامة استعويض بالغرامة عن العقوبة المذكورة وأنزلت بالأشخاص المعنويين في الحدود المعينة في المواد من 22 الى 24 )

#### **Chapter Two**

##### **Of Criminal Participation**

#### **(1) The Perpetrator**

###### Article (75)

The perpetrator of a crime is the person who brought to existence the elements which constitute the crime and directly participated in committing them.

###### Article (76)

If several persons collectively committed a felony or a misdemeanor, or if the felony or misdemeanor is constituted of several acts and each one of them committed one or more of such acts with the intent to commit such a felony or misdemeanor, then they are all considered as partners in committing the crime and each one of them shall be punished by the penalty prescribed by law as if he / she was a sole perpetrator.

###### Article (77)

The two partners in a crime which is committed through the transfer of words by electronically means according to what is stipulated by article (73) or the two partners in a crime which is committed by one of the means stipulated in paragraph three of

the same article are the one who said the words or who did the writings or the publisher unless the first proves that the publication was done without his / her consent.

#### Article (78)

If a crime is committed through the use of newspapers, the manager in charge is considered to be the publisher; if there is no manager in charge then the editor or the chief editor of the newspaper shall be considered as the publisher.

#### Article (79)

1. Material causes which might aggravate or mitigate the penalty or exempt the perpetrator from it, shall be applicable to all the partners, accessories and inciters of the crime.
2. The personal aggravating factors or the dual factors which led to the commission of the crime shall also be applicable to them.

### **(2) Inciters and Accomplices**

#### Article (80)

1.
  - a. An inciter is a person who induces or tries to induce another person to commit a crime, by means of money or gift, promise, threat, order, or an abuse of authority or powers.
  - b. The liability of the inciter is independent from the liability of the person who was incited to commit the crime.
2. The following is considered to be an accomplice to a crime:
  - a. Whoever aids through providing directions towards committing a crime.
  - b. Whoever provides the perpetrator with a weapon or tools or any other item that might aid the occurrence of the crime.
  - c. Whoever aids the perpetrator in carryout the preparatory acts that facilitate or insure the commission of the crime.
  - d. Whoever has an agreement with the perpetrator and the accomplices to the crime prior to its commission and participated in hiding it or dispensing of any items resulting of it or hiding any person or persons who participated in the commission of the crime from justice.
  - e. Whoever has prior knowledge of the criminal history of bandits, who are used to committing acts of violence against the state security and the public safety or against persons and property and he / she provided them with shelter, food, a hideout or a place to meet.

#### Article (81)

An inciter and the accomplice shall be punished with the following penalties:

1.
  - a. Temporary imprisonment with hard labor from fifteen to twenty years if the perpetrator is punishable by the death penalty.
  - b. Temporary imprisonment with hard labor from seven to fifteen years if the perpetrator is punishable by life imprisonment with hard labor or life detention.
2. In other instances the inciter and accomplice shall be punished with the same penalty as the perpetrator after it is reduced from one sixth to one third.
3. If the incitement does not lead to the commission of a felony or a misdemeanor the penalty stipulated in the previous two paragraphs shall be reduced to one third.



#### Article (82)

Incitement to commit an infraction and the participation in it and does not elicit punishment.

#### Article (83)

Except for the instances stipulated in article 80/1 of this law, whoever knowingly hides the stolen or embezzled property of any other person or acquired such property through the commission of a felony or a misdemeanor, he / she shall be punished by imprisonment for a period not to exceed two years and a fine not to exceed fifty Dinars (JD50).

#### Article (84)

1. Except for the instances stipulated in article 8/e & f, whoever hides a person while he/she knows that this person committed a felony or helped such person to escape from justice, he / she shall be punished with imprisonment for a period not to exceed two years.
2. The ancestors, decedents, spouses, bothers and sisters of the perpetrators shall be exempt from penalty.

### Section Two

#### Exemption from Punishment

#### **Chapter One**

##### Ignorance of Law and Facts (circumstances)

#### Article (85)

Ignorance of the law shall not be an excuse for any person who commits a crime.

#### Article (86)

1. Any perpetrator or inciter or accomplice who commits any of the acts which constitute an intentional crime while under a wrong understanding or one of the crime's material elements, he / she shall be exempted from punishment.
2. If the wrong understanding is concerning one of the aggravating factors, the perpetrators shall not be responsible in relation to this factor.

#### Article (87)

The wrong understanding concerning an act which constitutes an unintentional crime shall be considered as a legal excuse which bans punishment provided that such misunderstanding is not the result of the perpetrator's mistake.

#### **Chapter Two**

##### Force Majeure

#### **(1) Force Majeure and Mental Compulsion**

#### Article (88)

Whoever is coerced to commit a crime under the force of threat and he / she was anticipating when committing the crime, within the limits of logic, death or any grave harm which might lead to disfiguration or permanent disabling of any of his/her limbs if he / she refused to commit the crime. Murder crimes shall be excluded from this

rule. This rule shall be applicable provided that the perpetrator did not willingly put him / herself under such coercion or duress and he / she had no means to prevent it

## **(2) Necessity**

### Article (89)

Whoever commits an act out of necessity to protect him / herself or others or his / her property or the property of others from a significant and imminent danger, shall be exempted from punishment provided that he / she did not willingly cause such danger and his / her action is congruent with such danger.

### Article (90)

A person who is required by law to face, shall not be considered in a necessity situation.

### Article (91)

Any person shall be deemed as mentally fit when he / she commits a crime until proven otherwise.

### Article (92)

1. Whoever commits an act while he / she is unable to realize the nature of his / her acts or is unable to realize that it is prohibited to commit such an act due to mental disorder, shall be exempt from punishment.
2. Whoever is exempt from punishment based on the previous paragraph shall be admitted to a mental illnesses hospital until he / she is proven to be cured by a medical committee report and he / she no longer represent danger to public safety.

## **(3) Drunkenness and Drug Intoxication**

### Article (93)

Whoever loses his / her volition or reason when committing an act due to alcohol or drugs, regardless of its nature or type, shall be exempt from punishment; provided that he / she consumed such substance against his / her will or without his / her knowledge.

## **Chapter Four**

### Of Age

### Article (94)

With due regard to the provisions of the Juvenile Rehabilitation law:

1. Criminal proceedings cannot be brought against any person who is under 7 years of age.
2. Whoever did not reach the age of twelve shall be exempted from criminal liability unless it is proven that when committing the act he / she was able to understand that it is prohibited to commit such action.

### Section Three

Exemption from Punishment, Mitigating and Aggravating Factors

## **Chapter One**

Of excuses

### **(1) Exempting Excuses**

Article (95)

There shall be no excuses with regard to the commission of a crime unless stipulated in the law.

Article (96)

An exempting excuse shall exempt the perpetrator from any penalty but if needed he/she shall be subject to precautionary measures such as a precautionary bond.

### **(2) Mitigating Excuses**

Article (97)

When the law provides for a mitigating excuse:

1. If the felony is punishable by the death penalty or by life imprisonment with hard labor or life detention, the penalty shall be replaced with imprisonment for a minimum of one year.
2. If the act constitutes any other felony, then the penalty shall be imprisonment from six months to two years.
3. If the act constitutes a misdemeanor , then the penalty shall not exceed imprisonment for six month a fine of twenty five Dinars.

Article (98)

Whoever commits a crime while in a state of rage which is the result of an unjustifiable and dangerous act committed by the victim, benefits from a mitigating excuse.

## **Chapter Two**

### **Of Mitigating Factors**

Article (99)

If mitigating factors existed in a case the court shall rule as follows:

1. Life imprisonment with hard labor or ten to twenty years of temporary imprisonment instead of the death penalty.
2. Temporary imprisonment for no less than eight years instead of life imprisonment with hard labor, temporary detention for a period no less than eight years and instead of life detention.
3. The court has the power to reduce any other criminal sentence by half.
4. Except in case of repetition, the court may also reduce any penalty that has a minimum limit of three years imprisonment to a sentence of at least one year imprisonment.

Article (100)

1. If the court applied mitigating factors for the benefit of a person who committed a misdemeanor, then the court has the power to reduce the sentence at least to its minimum limit stated in articles (22 and 21).

2. The court has the power to replace imprisonment sentence with a fine, or to replace the misdemeanor penalty - except in the case of repeated offences - to an infraction penalty.
3. The decision to consider mitigating factors has to be fully reasoned in both felonies and misdemeanors.

### **Chapter Three** Of Repetition

#### Article (101)

Any person convicted and sentenced with a final judgment for committing a felony, and during the sentence period or within ten years from serving the sentence or after it was dismissed for a legal reason – committed a crime punishable by temporary imprisonment with hard labor or temporary detention – he / she has to be sentenced for a period not to exceed twice the penalty stated for the second crime, provided that the punishment dose not exceed twenty years.

#### Article (102)

Any person sentenced with a final judgment and before, during or within three years of serving such sentence, or after the penalty was dismissed for any of the legal reasons, committed a misdemeanor similar to the first one, the person has to be sentenced for a period not to exceed twice the period stipulated for the second offence, provided that the sentence dose not exceed five years.

#### Article (103)

Theft, fraud, breach of trust and forgery shall be considered similar misdemeanors for purposes of repetition. In addition, defamation, vilification and slander shall be deemed as similar offences.

#### Article (104)

The previous conviction shall not be considered a base for applying the rules of repetition, unless it was issued by a regular court.

### **Provisions Related to the Pervious Chapters**

#### Article (105)

The penalty mitigating and aggravating factors shall apply in the following order:

1. Material aggravating factors
2. Excuses
3. Personal aggravating factors
4. Mitigating factors

#### Article (106)

The court shall state the effect of all the penalty mitigating and aggravating factors in its judgment

### **Book Two** Crimes

### **TITLE ONE** Of Crimes against State Security

#### Article (107)

A conspiracy is an agreement between two persons or more to commit a crime through certain means.

#### Article (108)

A crime against state security shall be deemed as a complete crime whether the act constituting the crime was fully committed or not or it was only an attempt to commit the act

#### Article (109)

1. Any person who participated in a conspiracy against state security and informed the authorities of such conspiracy before starting any act in preparation for its execution shall be exempt from punishment.
2. If such an act was committed or initiated, the excuse then would not be an exonerating excuse rather than a mitigating one.
3. An accused person who informs the authority of a conspiracy or another crime against state security before its completion, or – even after pursuit of involved persons has started - facilitated the arrest other persons accused or, or exposed their hiding place, shall benefit from the mitigating factor.
4. The provisions of this article shall not apply to the inciter.

### **Chapter One**

#### Of Crimes against External State Security

##### **(1) Treason**

#### Article (110)

1. Any Jordanian who holds arms with the enemy against the state shall be punished by the death penalty.
2. Any Jordanian - even if did not join an enemy army – who at time of war committed a hostile offence against the state shall be punished by life imprisonment with hard labor.
3. Any Jordanian who joins an enemy army in any capacity, and did not leave such army before the commencement of any hostile act against the state, shall be punished by imprisonment with hard labor even if he / she acquired through enlistment a foreign citizenship.

#### Article (111)

Any Jordanian who plotted or corresponded with a foreign state to incite it to take a hostile action against the state, or provided the means for such action, he / she shall be punished by life imprisonment with hard labor. If such act led to a consequence, he / she shall be punished by the death penalty.

#### Article (112)

Any Jordanian, who plotted or corresponded with the enemy to help the enemy in any manner defeat the state, shall be sentenced to death.

#### Article (113)

1. Any Jordanian who, with the intent to paralyze national defense, damages – by any means - the factories, establishments, aircrafts , tools , ammunitions, food supplies, transportation means, and in general anything that has military use, or prepared to be used by the army or its forces, shall be punished by life imprisonment with hard labor.
2. The death penalty shall be sentenced if the act was committed during wartime, or at a time when the start of such war was anticipated; or if the act led to the death of any person.

#### Article (114)

Any Jordanian who, through acts, speeches, writings or any other mean, attempted to detach any part of the Jordanian territory in order to annex it to a foreign state; or gives such a state rights or special privileges owned by the Jordanian state, shall be punished by imprisonment with hard labor for no less than five years.

#### Article (115)

1. Any Jordanian, who knowingly provides any of the enemies' soldiers or spies with food or shelter or assisted such a person to escape, shall be punished with temporary imprisonment with hard labor.
2. Any Jordanian who facilitates the escape of any prisoner of war or an enemy citizen shall be punished with temporary imprisonment with hard labor.

#### Article (116)

The before mentioned penalties shall also apply if the act is directed against a state which is bound with the kingdom by a treaty against a common enemy.

#### Article (117)

Foreigners with domicile or an actual place of residence in the Kingdom shall be considered as Jordanians with regard to provisions stipulated in articles (111-116).

## **(2) Crimes against International Law**

#### Article (118)

Any person who commits the following acts shall be punished with temporary detention for no less than five years:

1. Any person who violates measures the State undertook to preserve its neutrality in war.
2. Any person who, through acts, writings, speeches not permitted by the State, subject the state to the danger of hostile acts, or disrupt its relations with a foreign state; or subjects Jordanians to acts of revenge against them and their properties.

#### Article (119)

Any person who, within the Kingdom, organized or assisted any attempt to overthrow the constitution of a foreign ally state or to change the regime in place in such a state by force, shall be punished with temporary detention.

#### Article (120)

Any person who, without the governments consent, recruited soldiers to fight for a foreign state shall be punished with temporary detention. If such a state was a hostile state, the punishment shall be the death penalty.

#### Article (121)

Any incitement that takes place in the kingdom or carried out by a Jordanian through one of the means stated in Article 118 in order to allow the air, ground or sea soldiers of an allied state escape or rebel, shall be punished by imprisonment for no more than two years and a fine for no more than twenty Dinars (JD20).

#### Article (122)

Based on a complaint submitted by the injured party, the penalties stated in the previous article shall apply in the event when one of the following offences is committed:

1. Publicly insulting a foreign state or its army or flag or national emblem.
2. Publicly insulting, slandering or humiliating the president of a foreign state or its ministers or political representatives in the kingdom .It is not allowed to prove the act which constitutes the subject of the insult.

#### Article (123)

The provisions of articles 119-122 shall only be applicable if the laws of the concerned state or the agreements concluded with such a state include similar provisions.

### **(3) Espionage**

#### Article (124)

Any person who entered or attempted to enter a banned place in order to acquire items, documents or information required to remain secret for the safety of the state shall be punished by temporary imprisonment with hard labor. If such an attempt was done for the benefit of a foreign state, the punishment shall be the death penalty.

#### Article (125)

1. Whoever steals or acquires items, documents or information as mentioned in the previous article, shall be punished by temporary imprisonment with hard labor for no less than ten years.
2. If the offence was committed for the benefit of a foreign state, the punishment shall be life imprisonment with hard labor. If the foreign state is a hostile state then the punishment shall be the death penalty.

#### Article (126)

1. Any person possessing documents or information similar to the ones mentioned in article 124 and disclosed it without a legitimate cause, shall be punished by temporary imprisonment with hard labor for no less than ten years.
2. The punishment shall be life imprisonment with hard labor if the disclosure was done for the benefit of a foreign state. If the foreign state was a hostile state then the punishment shall be the death penalty.

### **(4) Contact with the Enemy for Illegal Purposes**

#### Article (127)

Any Jordanian or person residing in the kingdom shall be punished by no less than two years of imprisonment and a fine of no less than one hundred dinars (JD100) if he/she concludes or attempted to conclude, directly or through a third person, a commercial deal or sell or buy or trade with the enemy's citizens or with a person residing in a hostile state.

#### Article (128)

The punishment stated in the previous article shall be applicable to the mentioned persons if they participated in a loan or a general offering for the benefit of a hostile state or if they facilitated its financial dealings in any way.

#### Article (129)

Whoever conceals or embezzles the property of a hostile state or one of its nationals which is under the control of a guardian, shall be punished by imprisonment for a period not to exceed two years or a fine not to exceed one hundred dinars (JD100) or with both penalties.

### **(5) Harming the State's Standing and National Feeling**

#### Article (130)

Any person who, at time of war or when the start of such war is anticipated, started in the kingdom a propaganda in order to weaken the national feeling or stir racist or sectarian differences, shall be punished by temporary imprisonment with hard labor

#### Article (131)

1. Any person, who knowingly, under the same circumstances, disseminated in the kingdom false or exaggerated news that might weaken the nation's morale, he / she shall be subject to the same punishment stated in the previous article.
2. If the perpetrator spreads such news believing such news as truthful, he / she shall be punished by imprisonment for a period no less than three months.

#### Article (132)

1. Any Jordanian, who knowingly spreads, outside the country, false or exaggerated news which might weaken the state's standing or its prestige, shall be punished by imprisonment for no less than six months and a fine for no less than fifty dinars (JD50).
2. If the abovementioned was directed against His Majesty the king or the crown prince or one of the throne regents, the perpetrator shall be punished by imprisonment for no less than a year.

### **(6) Contractors Crimes**

#### Article (133)

1. Whoever, at time of war or when the start of such a war is anticipated, did not fulfill all obligations imposed on him / her under a service or a manufacturing contract related to national defense or the national interests of the state or the food supply to civilians, shall be punished with temporary imprisonment and a fine from fifty to a hundred dinars (JD50-100).



2. If no-execution of the contract was a result of an unintentional mistake, the perpetrator shall be punished by imprisonment in addition to the fine stated above.
3. The penalties stated above shall be reduced by half if the execution was only delayed.
4. The penalties shall also apply to any other person who was the cause behind the non- execution of the contract or the delay in its execution.

#### Article (134)

Any fraud committed in relation to the contracts mentioned in the previous article shall be punished by temporary imprisonment with hard labor and a fine from one hundred to two hundred dinars (JD100 – 200).

### **Chapter Two**

#### Of Crimes against Internal State Security

##### **(1) Crimes against the Constitution**

#### Article (135)

1. Whoever assaulted the life or freedom of His Majesty the King, he / she shall be punished with the death penalty.
2. Whoever assaulted His Majesty the king with non life threatening act, he / she shall be punished by life imprisonment with hard labor.
3. The same penalties shall apply if the assault was directed to Her Majesty the queen or the crown prince or one of the thrown regents.

#### Article (136)

Whoever unlawfully works on changing the State's constitution shall be punished by the death penalty.

#### Article (137)

1. Any act committed in order to provoke armed rebellion against the constitutional authorities shall be punished by the death penalty.
2. If the rebellion takes place, the inciter and the rest of the rebels shall be punished by the death penalty.

#### Article (138)

Any assault that aims at preventing the existing authorities from carrying on its constitutional functions shall be punished by life imprisonment with hard labor.

#### Article (139)

The conspiracy to commit any of the crimes stated in the articles of this chapter shall be punished with the same penalty stipulated for committing the crime.

##### **(2) Unlawful Seizer of a Political or Civil Authority or a Military Command**

#### Article (140)

Any person who committed one of the following offences shall be punished by temporary detention for no less than seven years:

1. Whoever unlawfully seizes a political or civil authority or military command..
2. Whoever, despite government's order, retained control over a civil authority or a military command.

3. Any military commander who kept his soldiers mobilized after an order of demobilization or discharge was issued.

Article (141)

Whoever, without the consent of the authority, established armed groups or enlisted or registered armed individuals or equipped such individuals with arms or ammunition, he / she shall be punished by temporary detention for no less than five years.

**(3) Sedition**

Article (142)

Any assault that aims to provoke civil war or sectarian fighting through arming Jordanians or through encouraging them to hold arms against each other or through incitement on killing and looting of a place or places, shall be punished by life imprisonment with hard labor. If the assault took place he / she shall be punished by the death penalty.

Article (143)

Whoever heads an armed mob, or assumes a function or a leadership of any kind in such a mob, with the aim to invade a town, a place or any part of the State's or civilians property for the purpose of attacking or resisting the force working against the perpetrators of such felonies, shall be punished by life imprisonment with hard labor.

Article (144)

1. Members of armed bands who aim at committing one of the felonies stated in the preceding two articles shall be punished by life imprisonment with hard labor.
2. Any person who did not assume a function or service in the band and was not detained at the disturbance place and surrendered with his/her weapon without any resistance and before the issuance of any sentences, shall be relieved from punishment.

Article (145)

Any person who, with the intent to commit or facilitate the commission of one of the aforementioned felonies or any other felony against the state, manufactured or possessed explosive or burning materials or poisonous or blazing products or the components used in manufacturing or composing such materials, he / she shall be punished by temporary imprisonment with hard labor in addition to the harsher penalties the accessories to such felonies deserve if it was committed or there was only an attempt to commit it or such crimes stayed an incomplete ones.

Article (146)

The conspiracy to commit one of the felonies mentioned in the previous articles is punishable by temporary imprisonment with hard labor.

**(4) Terrorism**

Article (147)

1. Terrorism means : the use, or threat of use, of violence - regardless of its motives and aims - by an individual or a group in order to contravene public order or

expose the society's safety and security to danger, provided that such acts frighten people and expose their lives and security to danger, or harm the environment; public or private properties; international facilities; diplomatic missions, or such acts pertain to the occupation of any of such facilities or exposes national resources to danger or suspend the application of the provisions of the constitution and laws.

2. Depositing money at any bank or financial institution which provides banking services in the kingdom or the transfer of such money by such institutions and banks to any other party is considered to constitute a terrorism crime if it was proven that such money is suspicious and is related to terrorist activities. In such case, the following measures have to be applied:
  - a. Precautionary attachment on such money through a decision issued by the Attorney General and ban the use of such money until investigation procedures regarding such money is complete.
  - b. The coordination and cooperation of the Attorney General with the Central Bank and any other relevant national or international body, in investigating the case. If such bank transaction proven to be related to a terrorist activity, the case has to be referred to the concerned court.
  - c. The perpetrator of such crime shall be punished by temporary imprisonment with hard labor. The bank or financial institution official who knowingly performed the transaction shall be punished by imprisonment. The attached money shall be confiscated.

#### Article (148)

1. The conspiracy to commit an act or acts of terrorism is punishable by temporary imprisonment with hard labor.
2. Any act of terrorism is punishable by at least five years of hard labor.
3. Life imprisonment with hard labor shall apply if the act resulted in:
  - a. Causing damages, even partially, to a public or private building or an industrial facility or a ship or aircraft or any transportation mean or facility.
  - b. Obstructing means of communications and computer systems or violating its networks or obstructing transportation means or causing partial or total damage for such means.
4. The death penalty shall be applied in any of the following cases:
  - a. If the act resulted in the death of a person.
  - b. If the act caused total or partial demolishing of a building while a person or more were in such building.
  - c. If the act was committed through the use of materials and products that are explosive, igniting, poisonous, blazing, epidemical, bacterial, chemical or radio active or any similar products.
5. Any person who knowingly manufactured, took possession or transferred any explosive material or any of the materials mentioned in subparagraph 4/c of this article, or any of the ingredients of such materials, in order to commit an act of terrorism or enable it use by another person for such purpose, shall be punished by temporary imprisonment with hard labor

#### Article (149)

1. Any person, who commits any act that might undermine the political regime in the kingdom or incite opposition against it, or who commits an individual or a

collective act in order to change the state's economical or social system, shall be punished by temporary imprisonment with hard labor.

2. The same penalty stipulated in paragraph 1 of this article shall apply to any person who detains or holds a person hostage in order to extort any official or private entity in any way; or to force such entity to perform a certain act or refrain from it. The penalty shall be life imprisonment with hard labor if such act caused any person harm or death.
3. Despite of what is stated in any other legislation, whoever infiltrated or attempted to infiltrate to or from the kingdom or assisted others to do so, shall be punished by imprisonment, if he/she was in possession of an automatic machinegun or any explosive material the penalty shall be temporary imprisonment with hard labor.

## **(5) Crimes Harming National Unity and the Coexistence between the Nation's Elements**

### Article (150)

Any writing or speech aims at or results in stirring sectarian or racial prejudices or the incitement of conflict between different sects or the nation's elements, such act shall be punished by imprisonment for no less than six months and no more than three years and a fine not to exceed five hundred dinars (JD500).

### Article (151)

1. Any person who is member of an association established for the purposes stated in the previous article, shall be punished with the same penalties.
2. Imprisonment shall be of not less than one year and a fine of not less than ten dinars (JD10) if that person has a functional position in the association.
3. In all cases, the association has to be dissolved and its property confiscated.

## **(6) Harming the State's Financial Standing**

### Article (152)

Any person who, through any of the means stated in paragraphs two and three of article (73), disseminates false facts or accusations in order to decrease the value of the national currency or to weaken the trust in the strength of the state's currency or its bonds and all the bonds related to public financial trust, shall be punished by imprisonment from six months to three years and a fine not to exceed one hundred dinars (JD100).

### Article (153)

Penalties stated in the previous article shall apply to any person who uses the same methods in order to incite the public to:

- a. Withdrew money deposited in public banks and funds.
- b. Sell the state's bonds and any other public bond or to refrain from buying it.

## **TITLE TWO**

### **Of Crimes against Public Safety**

#### **Chapter One**

## Of Weapons and Ammunition

### **(1) Definitions**

#### Article (154)

1. All unlawful mobs, gatherings and assemblies are considered to be armed if one or more of the individuals composing such a gathering hold concealed or obvious weapons.
2. The above does not apply to the rest if some were holding concealed weapons without their knowledge.

#### Article (155)

1. For the purpose of applying the before mentioned article, a weapon is any firearm or a cutting or drilling or traumatizing tool and any other tool which endangers public safety.
2. Regular pocket knives with a blade exceeding ten centimeters in length are considered as weapons according to the definition of the word weapon in this chapter; unless such a knife is originally allocated for use by its holder in a profession, industry or a handicraft or for household use. The word knife includes any tool with a blade, whether sharp or not.

### **(2) Carrying and Possessing Weapons and Ammunition without a License**

#### Article (156)

Any person who carries outside his home a banned weapon as defined in the previous article shall be punished by imprisonment for a period not to exceed six months and a fine not to exceed ten dinars (JD10).

## **Chapter Two**

### Of Villain and Unlawful Associations

### **(1) Villain Associations**

#### Article (157)

1. If two or more individuals established an association or concluded an agreement with the intent to commit a felony against persons or property, they shall be punished with temporary imprisonment with hard labor. Imprisonment shall not be less than seven years if the criminals' aim was to assault the lives of others.
2. Any person, who informs about the purpose of the association or the agreement and provides all the information in his /her disposal regarding all the criminals, shall be exempted from punishment.

#### Article (158)

1. Any group of three individuals or more who roam, as an armed gang, public roads and country sides with the intent to rob passersby and assault persons and property; or with the intent to commit any other robbery and theft acts, shall be punished by temporary imprisonment with hard labor for no less than seven years.
2. They shall be punished by life imprisonment with hard labor if they committed one of the offences stated before.

3. Whoever among them commits murder or tortures the victims or uses barbaric acts on them in order to execute one of the felonies stated before, he / she shall be sentenced to death...

## **(2) Unlawful Associations**

### Article (159)

To be considered as an unlawful association any:

1. group of individuals, registered or not , that incite or encourage through its bylaw or through the propaganda it carries out the following illegal acts:
  - a. The overturning of the kingdom's constitution through revolution and sabotage.
  - b. The overturning of the existing constitutional government through use of force and violence.
  - c. Sabotaging and destroying the property of the government in the kingdom.
2. Any group of people required by law to provide its bylaw to the government and did not do so, or it continued to hold its meetings after it has been dissolved according to the related law. This paragraph also includes any branch or center or committee or commission of an unlawful association and any establishment or school administered or under the auspices of such unlawful association.

### Article (160)

Any person who joins an unlawful association or occupies a post or a rank in such an association or performed the functions of an agent for such an association, shall be punished with temporary imprisonment in instances stated in paragraph (1) of the previous article and shall be punished by no less than two years in the instances mentioned in paragraph (2) of the same article.

### Article (161)

Whoever encourages other individuals through speeches or writings or any other mean to commit any of the acts considered unlawful according to article (159) of this law, shall be punished by imprisonment for a period not to exceed two years

### Article (162)

Whoever paid donations or membership fees for an unlawful association or collected donations or membership fees for such an association, shall be punished by imprisonment for no more than six months.

### Article (163)

Whoever printed, published, sold or sent by mail a book, leaflet, an add, a newspaper or a circulation for an unlawful association or for its benefit, shall be punished by imprisonment for no more than six months and a fine not to exceed fifty dinars (JD50).

## **Chapter Three**

### Of Unlawful Gathering and other Types of Crimes Against Public Security

### Article (164)

1. If seven or more individuals gathered with the intent to commit a crime or achieve a common goal or they acted in such a way as to make people around them believe that – within the boundaries of logic - they will violate public security and that by them gathering they incite other persons to violate public security, such gathering shall be considered an unlawful one.
2. If the unlawfully gathered persons started to achieve the purpose and aim of their gathering in violating public security in a manner that frightens the public, such gathering shall be called a riot).

#### Article (165)

1. Whoever participated in an unlawful gathering shall be punished by imprisonment for no more than a year or a fine not to exceed twenty five dinars (JD25) or by both penalties.
2. Whoever participated in a riot shall be punished by imprisonment for no more than a year or a fine not to exceed fifty dinars (JD50) or by both fines.

#### Article (166)

Whoever leaves the gathering before ordered to do so by the representatives of the authority or the security forces or obey such order immediately without using a weapon or committing a felony or a misdemeanor shall be exempted from the punishment stipulated in article (165).

#### Article (167)

1. If people gathered according to the way described in article (164) they shall be warned to disperse by one of the administrative authority representatives or the police chief or the region's commander or any police officer through using a horn or a whistle or any other similar mean or through the use of flair gun.
2. If they continued to crowd with the intent to riot after being notified to disperse using the means described in the pervious paragraph; or after being ordered to disperse; or if they used force to resist dispersion, then any of the offices mentioned in the previous paragraph in addition to the police and or any person who helps them, has the power to take any needed measures to disperse the crowd or to arrest anyone of them. If any of the gathered persons showed any resistance, then any of the officials previously mentioned has the right to use necessary force within the limits of logic to subdue them.

#### Article (168)

1. If the assembled persons only dispersed by force, the penalty would be imprisonment from three months to two years.
2. Any person who used weapons shall be punished by imprisonment from six months to three years in addition to any stricter punishment he/she might deserve.

### **TITLE THREE**

#### **Of Crimes against Public Administration**

##### **General Provisions**

#### Article (169)

A state official according to this chapter means any public official in the administrative or judicial authority and any officer who works in the civil or military authorities or any of its members in addition to any worker or employee of the state or the public administration.

## **Chapter One**

### **Crimes Pertaining the Breach of Public Office Duties**

#### **(1) Bribery**

##### **Article (170)**

Any state official or person seconded to perform a public service either through election or appointment and any other person assigned to perform an official function such as an arbitrator or an expert, seeks or accepts for himself or on behalf of another a gift, a promise or any other benefit to perform his / her duty shall be punished by imprisonment for no less than two years and a fine equal to the value of the item he / she asked for or accepted

##### **Article (171)**

1. Any of the persons stipulated in the pervious article who seeks or accepts for himself or for another a gift or a promise or any other benefit in order carry out an act that dose not fall within the duties of hi s/ her office; or to refrain from carrying out an act that falls under the duties of his / her office, shall be punished by temporary imprisonment with hard labor and a fine equal the whatever amount he / she sought or accepted.
2. The attorney who commits the same acts shall be punished with the same penalties.

##### **Article (172)**

1. The person offering the bribe shall be punished by the same penalties stipulated in the pervious two articles.
2. The person who offered the bribe as well as the intermediary shall be exempted from punishment if they informed the related authority of the act or confessed to it before the case is referred to the court.

##### **Article (173)**

Whoever offered one of the persons stipulated in article (170), a gift or another benefit or promised him/her of such things in order to carry out an act that dose not fall within the duties of his/her office or in order to refrain from performing an act that do fall within the duties of his/her office, shall be punished - if the offer was not accepted - by imprisonment for no less than three months and a fine from ten to two hundred dinars (JD10-200).

#### **(2) Embezzlement and Misuse of Public Office**

##### **Article (174)**

1. Any public official who take ownership of what he/she is supposed to control or administer or collect or keep of state or private persons money and other property,



shall be punished by temporary imprisonment with hard labor and a fine equal to the amount he / she embezzled.

2. Whoever embezzles money which belongs to banks or specialized lending institutions or public shareholding companies and was an employee of one of such institutions shall be punished by the penalty stipulated in the previous paragraph.
3. If the act stipulated in the previous two paragraphs was committed through the forging of cheques or bonds or through inserting incorrect writings into books and registrars or through the falsification or erasing or destroying of accounts or papers or other documents and generally through any deceptive act which aims at preventing the discovery of embezzlement, the perpetrator shall be punished by temporary imprisonment with hard labor for a period no less than five years and a fine equal to what has been embezzled.
4. The perpetrator partner and the accessory shall be punished by the same penalty.

#### Article (175)

Whoever is entrusted with selling or buying or administrating movable or immovable property for the benefit of the state or a public administration and he/she committed a fraud while performing one of these functions or violated the rules governing such function either to obtain benefits for himself or to benefit or harm one of the parties involved or to harm the administration, shall be punished with temporary imprisonment with hard labor and a fine equals the amount of harm caused.

#### Article (176)

The following persons shall be punished by imprisonment from six months to two years and a fine no less than ten dinars (JD10):

1. Any public official who gained a personal benefit from one of the transactions related to the administration he/she is employed by, whether he / she did this directly or through an imposter or through the use of forged documents.
2. All public administration representatives, police officers, and other public police personnel who publicly, or through the use of forged documents or through the use of an impostor, traded in grains or other basic necessity items in the area of their official post, provided that such materials are not the product of their personal properties.

#### Article (177)

1. The penalties stipulated in article (174) shall be reduced by half if the harm caused or the benefit gained by the perpetrator was very minimal or if he/she fully reimbursed the harm before the case is referred to the court.
2. If the payback and reimbursement happened during the trial and before a judgment is issued, even if it was not a final judgment, then the penalty has to be reduced by one fourth.
3. In all the before mentioned crimes stipulated in this chapter if the court took into consideration the discretionary mitigating factors, it has no power to reduce the penalty by more than half.

### **(3) Assaults on Freedom**

#### Article (178)

Any public official, who arrests or imprisons a person in circumstances other than those stipulated by law, shall be punished by imprisonment from three months to one year.

Article (179)

If the wardens and guards of prisons and rehabilitation institutions and whoever perform their duties from among the public officials, accepted a person without a judicial warrant or decision or they kept him/her detained after the expiration of his/her detention term, shall be punished by imprisonment from one month to one year.

Article (180)

The previously mentioned public officials, officers and personnel of the police and any other administrative officials who refuses or delays to bring a detainee or a prisoner before the related court or the judge who requests them to do so , shall be punished by imprisonment for a period not to exceed six months or a fine not to exceed fifty dinars (JD50).

Article (181)

1. Any public official who enters in his/ her capacity as a public official the residence of another person or the attachments of such residence in circumstances other than those permitted by the law , shall be punished by imprisonment from three months to two years and a fine from twenty to one hundred dinars (JD20-100).
2. If his / her act was combined with surveying the place or any other act contrary to law, the penalty shall be not less than six months.
3. If the public official committed the previously mentioned act without regard to the procedures imposed by the law, he / she shall be punished by imprisonment from one month to one year and a fine from five to twenty dinars (JD5-20).
4. Any public official who enters in his / her capacity as a public official one of the private places such as the place where a person performs his / her commercial activities in circumstances other than those permitted by the law or without regard to the procedures imposed by the law, shall be punished by imprisonment not to exceed six months and a fine not to exceed fifty dinars (JD50).

**(4) Abuse of Power and Breach of Public Office Duties**

Article (182)

1. Any public official who uses his/her office powers directly or indirectly in order to obstruct or delay the implementation of the law provisions or the applicable regulations or the collection of fees and taxes provided for in the law or the execution of judicial decisions or any order issued by a competent authority, shall be punished by imprisonment from on month to two years.
2. If the person who used his / her power and authority is not a public official, he / she shall be punished by imprisonment from one week to one year.

Article (183)

1. Any public official who, without a lawful reason, is remiss in carrying out the duties of his / her post and executing the orders of his / her superior that are issued

per the rules of the law, shall be punished by a fine from ten to fifty dinars (JD10-50) or by imprisonment from one week to three months.

2. If such negligence caused harm to state's interest, the public official shall be punished with imprisonment from one month to one year and shall compensate the value of the harm caused.

#### Article (184)

Any officer or member of the police, who refrains from responding to a legal request made by the judicial or administrative authority, shall be punished by imprisonment from one week to one year and a fine from five to fifty dinars (JD5-50) or with both penalties.

## **Chapter Two**

### Of Crimes against Public Authority

#### **(1) Resisting Public Officials**

##### Article (185)

1. Whoever attacks or violently resists a public official while executing the applicable laws or regulations or while collecting the fees and taxes stated in the law or while executing a judicial decision or order or any other order issued by a competent authority, shall be punished by imprisonment for a period no less than six months, if armed, and for three months to one year if unarmed.
2. The penalty shall be doubled if the perpetrators were three or more individuals.

##### Article (186)

Any positive or negative resistance which halts a lawful act carried out by one of the persons described in the previous article shall be punished by imprisonment from one month to six months or by fine from ten to fifty dinars (JD10-50).

#### **(2) Acts of Violence**

##### Article (187)

1. Any person who hits or assaults a public official because of an external effect or treated him/her violently or harshly or threatened him/her or draws a weapon in his/her face while performing the duties of his/her post or because of actions taken while performing his/her duties, shall be punished from six months to two years.
2. If the act was directed against a judge, the penalty shall be from one to three years.
3. The penalties stipulated in the previous paragraphs, shall be increased by one third to one half if the acts of violence were premeditated or were committed by more than one person or resulted in an injury or sickness.

#### **(3) Of Defamation, Insult and Abasement**

##### Article (188)

1. Defamation is the imputation of a certain matter to a person – even if it was done with doubt – which might negatively affect his/her honor, dignity and exposes him / her to the hate and scolding of society regardless if such matter is punishable by law or not.

2. Insult: is assaulting the dignity and honor of another person or his/her reputation – even if it was done with doubt – without accusing him/her with a specific matter.
3. If the name of the victim was not mentioned when the crimes of defamation and insult were committed , or the accusation were ambiguous but there were evidence which leaves no doubt in linking the matter to the victim , the perpetrator of the defamation or insult shall be considered as if he / she mentioned the name of the victim.

#### Article (189)

In order for defamation and insult to be punishable it has to be committed according to one of the following:

1. In person (face to face) defamation and insult which is required to have taken place:
  - a. In a gathering while facing the victim.
  - b. In a place where other people can hear regardless of their number.
2. In absentia Defamation and insult: it have to tale place while meeting with a number of individuals either together or separately.
3. Written defamation and insult:
  - a. Through the use of what is published and disseminated among people or distributed among a group, whether it writings, drawings, comic drawings or draft drawings (drawings before being colored and decorated).
  - b. Through the mailing of open letters (not sealed) and postcards to the victim.
4. Defamation and insult through publications, which is required to take place as follows:
  - a. Through the use of daily or periodic newspapers.
  - b. Through the use of any type of publications or publication means.

#### Article (190)

Humiliation: it is every humiliation or cursing – besides defamation and insult – which is directed to the victim though the use of words or gestures or writings or drawings that are not made public, or through a phone call or a cable or harsh treatment.

#### Article (191)

Defamation shall be punishable by imprisonment from three months to two years if it is directed to Parliament or one of its members during his/her work, or as a result of what such member has done as part of his/her work or, if it is directed to an official body, the courts, the army, public administrations or to any public official while carrying out his/her duties or as a result of what he/she had done in the course of his / her duty.

#### Article (192)

1. If the detractor requested permission to prove the truthfulness of what he / she attributed to the public official, his / her request shall not be granted unless what was attributed to the public official related to the duties of his/her post and constitutes a crime punishable by law.

2. If the defamation was related to the duties of the public official and was proved to be truthful, the perpetrator shall be announced innocent, if found otherwise, he/she shall be sentenced with the penalty stipulated for defamation.
3. If the subject of the defamation is the commission of a crime and the defamed official was proven innocent from committing such a crime despite this but the perpetrator knowingly accused him / her of committing the crime then defamation shall be considered as slander and the legal articles related to slander shall be imposed.

Article (193)

Insult is punishable by imprisonment from one to six months or by a fine from ten to fifty dinars (JD10-50) if it was directed to the persons mentioned in article (191).

Article (194)

If the person who directed the insult requested permission to prove the truthfulness of what he / she attributed the public official with, his/her request shall not be granted unless what he/she attributed the public official with relates to the duties of the official's post, the perpetrator shall be treated similar to the perpetrator of defamation by changing the term insult to a specific attribute.

Article (195)

1. Whoever commits one of the following offences shall be punished by imprisonment from one to three years:
  - a. Dared to insult His Majesty the King
  - b. Sent a written or an oral message or a picture or a comic drawing to His Majesty the king or posted such message, picture or drawing in a way that would undermine the dignity of His Majesty. The same penalty shall apply if he/she incited another person to any such act.
  - c. Broadcasted in any way what is stipulated in subparagraph (1/b) of this article and disseminated it among the people.
  - d. Falsely accused His Majesty of an act or a say or circulated such accusations among the people.
2. Whoever commits one of the offences stated above against Her Majesty the Queen or the Crown Prince or one of the Crown Trustees , he / she shall be punished with the penalties stated in paragraph ( 1) of this article.

Article (196)

Abasement is punishable by:

1. Imprisonment from two weeks to six months or a fine from five to thirty dinars (JD5-30) or by both penalties if it was directed to a public official while carrying out the duties of his/her post or as a result actions taken by the official in the course of duty.
2. If the abased public official was one of the officials with executive powers, the penalty shall be from one month to one year.
3. If abasement was committed through words or threatening gestures against a judge while adjudicating a case, the penalty shall be from three months to two years.

Article (197)

Any person who, publicly, tore or abased the flag or the national emblem or the flag of the Arab League shall be punished with imprisonment from six months to three years.

#### Article (198)

With regard to this section, the publication of any material which constitutes a defamation or an insult is considered illegal unless:

1. The subject of the defamation or insult is true and its publication serves public interest.
2. If the subject of defamation or insult is exempted from punishment for one of the following reasons:
  - a. If the subject of defamation or insult was published by the government or the parliament or in any official document or minutes , or;
  - b. If the subject of defamation or insult attributed to the conduct of a person under the authority of the military or police order was published and the publication was done by a person who has authority over him/her in matters related to his/her conduct, or;
  - c. If the subject of defamation or insult was published during judicial proceedings by a person who participated in such proceedings in the capacity of a judge or a lawyer, or a witness or a party , or;
  - d. If the subject of defamation or insult is in fact the true reflection of what has been said or done or broadcasted in parliament, or;
  - e. If the subject of defamation or insult is in fact a true reflection of what has been said or done or exhibited during judicial proceedings taking place before any court provided that the court did not ban its publication, or the trial during which such procedures took place was in camera, or;
  - f. If the subject of defamation or insult was a true copy or summary of a material that was previously published and the publication of such subject is exempted from liability according to this article.
3. If the publication of such materials is exempted from legal liability it dose not matter if the published material was false or true or if it was published with good or bad intentions.

The provisions of this article shall not exempt any person from punishment stipulated in any other section of this law or any other law.

#### Article (199)

The publication of the subject which constitutes the defamation and insult is exempted from legal liability, provided that it was done with good intentions, if the relation between the publisher and the person who has the interest in publishing could made the publisher feels that he / she is under a legal obligation to publish the material or if the publisher has a personal lawful interest in publishing the related material provided that the publication dose not exceed the regular limits required by the occasion.

### **(4) Tearing Official Announcements**

#### Article (200)

1. Any person who purposely tore, maimed or destroyed an announcement or a document which is attached or is to be attached on a building or a public place according to the provisions of any legislation or the order of a public official, he/she shall be punished by a fine not to exceed ten dinars (JD10).
2. If the act was committed in contempt or protest of authority or one of its actions, the punishment shall be imprisonment from one week to one month.

#### **(5) Assumption of Official Positions and Impersonation**

##### Article (201)

1. Whoever publicly and without the right to do so wears an official uniform or what is designated for a higher rank than his/her rank, he / she shall be punished by imprisonment for a period not to exceed one year.
2. Whoever publicly and without the right to do so wears a medal or a decoration or a uniform or state's badges, he / she shall be punished by a fine not to exceed fifty dinars (JD50).
3. Any Jordanian who publicly wears without the right to do so or without the permission of His Majesty the king a foreign medal, he / she shall be punished by a fine not to exceed ten dinars (JD10).

##### Article (202)

1. Whoever commits one of the following acts shall be punished by imprisonment from one month to one year:
  - a. Impersonates an officer in the public civil or military service at an event at which said officer was to attend, as part of his / her duty, or was to perform a task at such event, or;
  - b. Pretends without the right to do so that he/she is an official in the military or civil public service and claims that he/she has the right to do any of the actions or report to a places in order to carry out any function according to his/her post
2. The perpetrator shall be punished by imprisonment from three months to two years if he/she committed one of the acts stipulated in the previous two paragraphs while wearing a public official uniform or badge.

#### **(6) Breaking of Seals and Removal of Papers and Documents**

##### Article (203)

1. Whoever intentionally breaks or renders useless a seal, which is placed according to an order by the public authority or the court or one of its departments in order to preserve a place or money or other things or documents, he / she shall be punished by imprisonment from one week to one year.
2. If the act was committed with the use of violence, the imprisonment shall not be less than three months.
3. Whoever dares to steal through breaking the seal or removing it, he / she shall be punished with the same penalty prescribed for whoever dares to steal through breaking the locks of a locked and preserved place, if the perpetrator is the responsible public official, he / she shall be punished with the same penalty.

##### Article (204)

1. Any person who, completely or partially, takes or removes or destroys any documents which are filed in vaults or in courts' clerks offices or public warehouses or which were given to a custodian , he / she shall be punished with imprisonment from six months to three years.
2. If the act was committed through breaking the seals or through dismembering or clamping or through the acts of violence against persons, he / she shall be punished by temporary imprisonment with hard labor.

#### Article (205)

Whoever burns or destroys, even partially, the registers or the drafts or originals of public authority documents, he / she is eligible for the penalties prescribed in the pervious article.

### **Title Four**

Crimes against the Administration of Justice

#### **Chapter One**

Of Crimes against the Due Process of Law

##### **(1) Concealing Felonies and Misdemeanors**

#### Article (206)

1. Whoever is aware of the existence of a criminal conspiracy to commit one of the crimes stipulated in articles (135,136,138,142,143,145,148) of this law and did not inform the public authorities in a timely manner, he / she shall be punished by imprisonment from one month to one year.
2. The rule stated in this article dose not apply to the spouse of any person who is involved in such conspiracy or to any of his / her ancestors or decedents.

#### Article (207)

1. Any public official charged with investigating and pursuing crimes and neglects or delays informing the authorities about a crime he is aware off shall be punished by imprisonment from one week to one year and a fine from five to twenty dinars (JD5-20).
2. Any public official who neglects or delays informing the competent authority about a misdemeanor or a felony which he / she was made aware of during the execution of his / her official duties shall be punished by imprisonment from one week to three months and a fine from five to twenty dinars JD5-20).
3. Any person who, while performing one of the medical professions, treated a person who appear to be the victim of a felony or a misdemeanor and did not inform the competent authority, shall be punished by the penalties described in paragraph two.
4. Crimes that require a complaint in order to be pursued are exempted from the application of this article.

##### **(2) Extraction of Confessions and Information**

#### Article (208)



1. Whoever inflicted any form of violence and force, not allowable by law, in order to obtain a confession for committing a crime or information regarding such a crime, he/she shall be punished by imprisonment from three months to three years.
2. If the acts of violence and force resulted in a sickness or an injury, penalty shall be from six months to three years unless such acts are punishable by a harsher penalty.

### **(3) Fabrication of Crimes and False Accusation**

#### Article (209)

Whoever informs the judicial authority, or any other competent authority which has an obligation to notify the judicial authority, of a crime he / she knows was never committed, or; whoever was the cause of the initiation of a primary or a judicial investigation through the fabrication of physical evidences, he / she shall be punished by imprisonment for a period not to exceed six months and a fine not to exceed ten dinars (JD10) or with both penalties.

#### Article (210)

1. whoever submitted a written complaint or information to the judicial authority, or any other authority, which has an obligation to notify the judicial authority, accusing a person of committing a misdemeanor or an infraction while he / she knows that the accused is innocent, or; if he / she fabricated physical evidences against such a person, he / she shall be punished by imprisonment from one week to three years according to the importance seriousness of such falsification.
2. If the falsely accused act constitutes a felony, the accuser shall be punished with temporary imprisonment with hard labor.

#### Article (211)

If the accuser retracted hi / her false accusation before any action is taken, he / she shall be punished with one sixth of the penalty prescribed in the two previous articles. If his / her retraction took place after the start of legal actions, two thirds of the penalty prescribed in the two previous articles shall be reduced.

### **(4) False Identity**

#### Article (212)

Any person asked by a judge or a police officer or any judicial public official about his identity and gave a false name or a false capacity which he / she dose not possess; or gave a false affidavit about his / her identity or place of residence or domicile or the identity or domicile or place of residence of another person, he / she shall be punished by imprisonment for a period not to exceed on month and a fine from one to ten dinars (JD1-10).

#### Article (213)

Any person who falsely uses the name of another person during a judicial investigation or judicial trial, he / she shall be punished by imprisonment from one month to one year.

### **(5) False Testimony**

Article (214)

1. Whoever gives false testimony before a judicial authority or an official or a commission which has the power to hear witnesses under oath and he/she denied the truth or concealed some or all facts of the case he / she is being asked about, he / she shall be punished by imprisonment from three months to three years. The previous rule is applicable regardless if he / she is a person whose testimony is acceptable or not or his / her testimony was accepted or not.
2. If he / she commits such an act in the course of a felony investigation or trial , he / she shall be punished by temporary imprisonment and if the false testimony results in a death or life sentence then the penalty shall not be less than ten years of imprisonment with hard labor.
3. If the testimony is given without the witness taking the oath , then the penalty shall be reduced by half .

Article (215)

The following persons shall be exempted from penalty:

1. The witness who gave a testimony during a criminal investigation and retracted his / her false statements before the conclusion of the investigation and before a complaint against him / her has been initiated.
2. The witness who gave testimony before any court and retracted his / her false testimony before any judgment concerning the subject matter of the case was issued even if such a judgment is not a final one.

Article (216)

1. The following person shall be exempted from penalty:
  - a. The witness who might suffer - if he / she tells the truth - a grave harm which affects his / her liberty or honor or might expose his / her spouse, even if divorced, or one of his / her ancestors or descendants or siblings or in-laws to such harm.
  - b. The person who gave his/her name, title and family name before the court and was not under a legal obligation to be heard as a witness; or the court was under an obligation to notify him / her that he / she has the right to not testify and did not do so.
2. In the previous two instances if the false testimony exposed another person to legal action or to a judgment the penalty has to be reduced by one third.

Article (217)

Half of the penalty has to be reduced when the person who the false testimony was given based on his/her incitement, would certainly be exposed, or one of his / her relatives, to a harm like the one identified in paragraph one of the previous article if the witness tells the truth.

**(6) False Reports and Translations**

Article (218)

1. The expert who is appointed in a criminal or civil case by the judicial authority and gives an opinion which, knowingly contradicts the truth or interpret the facts

incorrectly, he / she has to be punished by imprisonment from three months to three years and banned from serving as an expert in the future.

2. If the expert's task is related to a criminal case he / she has to be sentenced to temporary imprisonment with hard labor.

Article (219)

The translator who intentionally provides incorrect translation in a criminal or civil case has to be punished by the same penalties stipulated in the previous article.

Article (220)

The rules stated in article (216) are applicable to the expert and the translator.

### **(7) Perjury**

Article (221)

1. Whoever falsely swears – in his/her capacity as a plaintiff or a defendant- in a civil lawsuit, he/she shall be punished by imprisonment from six months to three years and a fine from five to fifty dinars (JD5-50).
2. He / she shall be exempted from penalty if he / she tells the truth before the case has been concluded by a judgment, even if it is not a final one.

### **(8) Acts Obstructing the Process of Justice**

Article (222)

Any person who intentionally conceals or destroys a document or any other paper regardless of its type; or marred it to the extent it is rendered illegible or made knowledge of truth not possible through it, and if he / she did so knowing that such document is necessary in any judicial proceeding aiming at banning the use of such document as an evidence, he / she shall be punished by imprisonment not to exceed one year or a fine not to exceed fifty dinars (JD50) or both penalties.

Article (223)

Whoever directed a petition, whether written or oral, to a judge trying to unlawfully influence the outcome of a judicial proceeding, he / she shall be punished by imprisonment for a period not to exceed one month or a fine not to exceed ten dinars (JD10) or by both penalties.

Article (224)

Any person who publishes any news or information or criticism which might influence any judge or witness or prevent any person from providing the information he / she should provide to the competent authorities, he / she shall be punished by imprisonment for a period no to exceed three months or a fine not to exceed fifty dinars (JD50).

### **(9) What is Banned from Publishing**

Article (225)

Any person, who publishes one of the following, shall be punished by a fine from five to twenty five dinars (JD5-25):

1. One of the criminal investigation documents before it is read in a public hearing, regardless if the crime concerned was a felony or a misdemeanor.
2. In camera (secret) trial hearings.
3. Trials of defamation cases.
4. Any trial the court banned its publication.

#### Article (226)

Any person who opens a public offering or advertises such offering in any means of publication in order to compensate the fines, fees and damages ordered to be paid by a criminal court, he / she shall be punished by imprisonment not to exceed three months or a fine not to exceed ten dinars (JD10) or by both penalties.

## **Chapter Two**

Of what Obstructs the Execution of Judicial Decisions

### **(1) Crimes Affecting the Strength of Judicial Decisions**

#### Article (227)

1. Any person who commits one of the following crimes shall be punished by imprisonment from one month to one year or with a fine from ten to fifty dinars (JD10-50):
  - a. Whoever lays his / her hand on a real state which he / she was legally evicted from.
  - b. Whoever violated measures taken by the court in order to preserve ownership and possession.
2. If the act was accompanied with violence then the imprisonment would be from three months to two years.

### **(2) Escape of Prisoners**

#### Article (228)

1. Whoever was legally detained for the commission of a crime and escaped, he / she shall be punished by imprisonment for a period not to exceed three years if he / she was detained for the commission of a felony and for a period not to exceed one year and a fine not to exceed fifty dinars (JD50) if he / she was detained for the commission of a misdemeanor.
2. Whoever was sentenced to a temporary imprisonment for the commission of a felony or a misdemeanor and escaped, his / her original penalty shall be increased by no more than half unless the law provided otherwise.

#### Article (229)

1. Any person who enables or facilitates the escape of a person who is detained or imprisoned in accordance with the law for the commission of a misdemeanor, he / she shall be punished by imprisonment for no more than six months.
2. If the escapee is detained or imprisoned for the commission of a felony, punishable by a felony punishment other than the death penalty or life imprisonment with hard labor, the criminal shall be punished by imprisonment from one to three years.

3. If the punishment of the felony is the death penalty or life imprisonment with hard labor, then the criminal shall be punished with no more than seven years with hard labor.

#### Article (230)

1. Whoever is entrusted to guard a person who is detained or imprisoned in accordance with the law, and who subsequently enables such person to escape or facilitates such escape, he / she shall be punished by imprisonment from three months to one year if paragraph one of the previous article is applicable, and by imprisonment from three to five years with hard labor if paragraph two is applicable, and by imprisonment from five to ten years with hard labor if the third paragraph is applicable.
2. If the escape happens as a result of the guard's negligence, he / she shall be punished by imprisonment from one month to one year if the first paragraph of the previous article is applicable, and by imprisonment from six months to two years if the second paragraph is applicable and by imprisonment from one year to three years if the third paragraph is applicable.

#### Article (231)

1. Whoever is entrusted with guarding a detainee or a prisoner and supplied him / her with weapons or other tools which enable him / her to escape by use of force, such person shall be punished for such act alone by temporary imprisonment with hard labor.
2. If the perpetrator is a person who is not entrusted with guarding the detainee or prisoner, he / she shall be punished by imprisonment for no less than two years.

#### Article (232)

Half the penalty shall be reduced if the perpetrator secured the arrest of the escapee or made him / her surrender during three months of his / her escape provided that the escapee did not commit any other crime which is described as a felony or a misdemeanor.

### **Chapter Three: Of taking justice into one's hand**

#### Article (233)

Whoever took justice into his / her hands and was able to immediately report to the competent authority, shall be punished by a fine not to exceed ten dinars (JD10).

#### Article (234)

If the act mentioned in the previous article is accompanied by violence, the perpetrator shall be punished by imprisonment for a period not to exceed six months or a fine not to exceed twenty five dinars (JD25).

#### Article (235)

Pursuing such crimes shall be based on the complaint of the injured party unless the mentioned felony is coupled with another crime that could be pursued without a complaint.

## **Titel Five**

### Of Crimes against Public Confidence

#### **Chapter One**

##### Of Counterfeiting of State's Seals, Official Marks, Banknotes and Stamps

###### Article (236)

1. Whoever counterfeits the state's seal or His Majesty the King's seal or signature or knowingly used such counterfeited seal, he / she shall be punished by no less than seven years of temporary imprisonment.
2. Whoever unlawfully uses the state's seal or counterfeits its seal stamp, he / she shall be punished by temporary imprisonment with hard labor.

###### Article (237)

1. Whoever counterfeits a seal or a mark or stamp which is related to a Jordanian public administration; or counterfeited the stamp of such tools or the seal or signature or the mark of one of the state's officials.
2. Whoever illegitimately uses any of the marks mentioned in the pervious article, whether such marks were genuine or counterfeited, he / she shall be punished with imprisonment from one to three years and a fine from ten to twenty dinars (JD10-20).

###### Article (238)

Whoever commits the counterfeiting stipulated in the two previous articles, he / she shall be exempted from punishment if he / she destroys such tools before using it or before the initiation of any legal action.

#### **(2) Counterfeiting of Banknotes**

###### Article (239)

The term banknote stated in this section includes:

1. Jordanian banknotes issued pursuant to its relevant law.
2. Financial documents, treasury bonds, debt notes issued by the state and public institutions, whether such instruments were registered or for its bearer or traveler's cheques.
3. Any bank policy issued by a bank in the kingdom or issued by any registered company which deals in money exchange in the kingdom or in any part of the world.
4. Any financial note (regardless of what such paper is called) if it is considered as a legal currency in its country of issuance.

###### Article (240)

Whoever commits one of the following crimes shall be punished by temporary imprisonment for no less than five years:

1. Whoever counterfeited a banknote in order to commit fraud, or amended such a banknote or traded with a banknote which its appearance clearly shows it is a counterfeited one and he / she knows such a fact.

2. Whoever entered to Jordan a counterfeited or amended currency which its appearance shows that it is counterfeited and he / she is aware of such fact.
3. Whoever possesses a banknote which its appearance shows that it is a counterfeit or amended while he / she is aware of such fact, he / she shall be punished by imprisonment from one month to three years.

Article (241)

Whoever imitates or causes to be imitated, any document purporting to be or in any way resembling or so nearly resembling as to be calculated to deceive any banknote or any part thereof, or knowingly trades in such banknote, he / she shall be punished by temporary imprisonment with hard labor.

Article (242)

Whoever commits any of the following acts without the authorization of the competent authorities, he / she shall be punished by temporary imprisonment with hard labor a period not to exceed five years:

1. Makes or uses or sells or exposes for sale or knowingly has / her in his custody or possession any paper pretending to resemble and pass as special paper, such as is provided and used for making any banknote;
2. Makes, uses or knowingly has in his / her custody or possession any frame, mould or instrument for making such paper or for producing in or on such paper any words , figures, device or distinction peculiar to and appearing in the substance of such paper, or;
3. By any art or contrivance causes any such words, device or distinction or any words, device or distinction intended to resemble and pass for the same, to appear visibly in substances of any paper.
4. Engraves or in any wise makes upon any plate whatsoever or on any material , any not purporting to be a banknote or part of a banknote or any name, word, name , number , figure , device , character , or ornament resembling or apparently intended to resemble any signature to a banknote, or;
5. Uses or knowingly has in his custody or possession such plat or other material, instrument or device for the making of printing of banknote.

Article (243)

Whoever issues or is a party to issuing any banknote without lawful authority, he / she shall be punished by temporary imprisonment with hard labor for a period not to exceed five years.

Article (244)

The government shall impound any banknote without compensation to the holder thereof any banknote which found to be forged or counterfeit and such banknote shall be confiscated. The confiscated forged banknotes shall be destroyed according to the consent of the Minister of Finance or the Prime Minister, the tools and materials used in making or counterfeiting the paper used shall be dealt with in the same way.

### **(3) Crimes Related to Coins**

Article (245)

In this chapter:

The word (coin) includes coin of any of the kinds and denominations and of any metals or mixed metals lawfully current in the kingdom or in any other country.

(Metal) includes any mixture of alloy of metals.

(Counterfeit coin) means coins not genuine but resembling or apparently intended to resemble or pass for genuine coin and includes genuine coin which has been prepared or altered so as to resemble or to be apparently intended to resemble or pass for coin of a higher denomination and also genuine coin which has been clipped or filed or the size or weight of which has been otherwise diminished and which has been prepared or altered so as to conceal such clipping or filing or diminution and it includes any such coin whether it is or is not in a fit state or be uttered and whether the process of preparation or alteration is or is not complete.

(Gild) and (silver) applied to coin include producing the appearance of gold or silver respectively by any means whatever.

#### Article (246)

Whoever makes or begins to make any counterfeit gold or silver, he / she shall be punished by imprisonment with hard labor for a period not less than five years.

#### Article (247)

Whoever commits one of the following acts, he / she shall be punished by imprisonment with hard labor for a period not less than five years:

1. Gilds or silver any piece of metal of a fit size or figure to be coined with intent that it shall be coined into counterfeit gold or silver coin , or;
2. makes any piece of metal into a fit size or figure to facilitate the coining from it of any counterfeit gold or silver coin , with intent that such counterfeit coin shall be made from it , or;
3. Knowingly brings into the kingdom counterfeited gild or silver coins, or;
4. Makes or mend any stamp or mould which is adapted to make the resemblance of both or either of the sides of any gold or silver coin or any part of either side thereof , or;
5. Makes or mends any tool, instrument or machine which is adapted or intended to be used for marking coins or round the edges with marks or figures apparently resembling those on the edges of any gold or silver coin;
6. Makes or mends any tool, instrument or machine which is adapted for cutting round blanks out of gold or silver or any metal in order to press it.

#### Article (248)

1. Whoever deals with any gold or silver coin in such a manner as to diminish its weight with intent that, when so dealt with, it may pass as gold or silver coin, he / she shall be punished by imprisonment with hard labor for a period not less than five years.
2. Whoever unlawfully has in his / her possession or disposes of any filings or clippings or gold or silver or any gold or silver in bullion dust, solution or any other state, obtained by dealing with gold or silver coin in such a manner as to diminish its weight, knowing the same to have been so obtained, he / she shall be punished by imprisonment for no more than three years.

#### Article (249)



Whoever trades in any counterfeit gold or silver coin knowing it to be counterfeit, he / she shall be punished by imprisonment for no more than two years.

#### Article (250)

Any person who:

1. trades in any counterfeit gold or silver coin, knowing it to be counterfeit and at the time of such trading has in his / her possession any other counterfeit gold or silver coin, or;
2. trades in any counterfeit gold or silver coin knowing it to be counterfeit and wither on the same day or on any of the ten days next ensuing, trades any other counterfeit gold or silver coin, knowing it to be counterfeit, or;
3. has in his / her possession three or more pieces of counterfeit gold or silver coin, knowing them to be counterfeit, and with intent to trade in any of them.

He / she shall be punished by imprisonment up to three years.

#### Article (251)

Whoever commits any of the crimes defined in the last two preceding articles after having been previously convicted of any of those offences, he / she shall be punished by imprisonment with hard labor for a period not to exceed five years.

#### Article (252)

Any person who:

1. makes any counterfeit coin other than gold or silver coin, or;
2. without a lawful authority or excuse, knowingly makes or mends any tool or instrument or machine which is adapted and intended fro making any counterfeit coin other than gold or silver coin, or;
3. buys, sells, receives, or disposes of any counterfeit coin other than gold or silver coin at the lower rate of value than it imports or was apparently intended to import or offers to do any such act,

He / she shall be punished by imprisonment with hard labor for no more than seven years.

#### Article (253)

Any person who:

1. knowingly utters any counterfeit coin other than gold or silver , or;
2. Possess three coins or more of such counterfeit coins for uttering purposes, he / she shall be punished by imprisonment for no more than one year.

#### Article (254)

Whoever commits one of the following acts, he / she shall be punished by a fine for no more than twenty five dinars (JD25):

1. Received with good intent any counterfeit or forged coins or banknote and knowingly traded in it.
2. Knowingly traded in any cancelled coins or banknotes.

#### Article (255)

Whoever refuses to take at its face value any coin or note which is legal to tender in the kingdom, he / she shall be punished by a fine not to exceed ten dinars (JD10).

#### **(4) Counterfeiting of Stamps**

##### Article (256)

Whoever commits one of the following acts, he / she shall be punished by temporary imprisonment for no more than ten years:

1. Counterfeited or forged any print or revenue stamps or the state's postal stamps or any other stamps which the state decided upon its use.
2. Knowingly makes or possess a die or tool which can be used in order to produce the print of the stamp.

##### Article (257)

Whoever commits one of the following actions, he / she shall be punished by temporary imprisonment for no more than ten years:

1. Makes or mends any die, plate or instrument capable of making an impression resembling that made by any die, plate or instrument used for the purpose of making any stamp, whether impressed or adhesive, in the kingdom or in any foreign country, or capable of producing any words figures, letters, marks or lines resembling any words, figures, letters, marks or lines used in or on any paper specially provided by the proper authority for any such purpose, or;
2. Knowingly has in his / her possession or disposes of any paper or other material which has on it the impression of any such die, plate or instrument or any paper which has on it or in it any such words figures , letters, marks or lines as aforesaid.

##### Article (258)

1. Whoever knowingly uses any of the counterfeited or forged stamps, he / she shall be punished by imprisonment for no more than one year or by a fine not to exceed fifty dinars (JD50) or with both penalties.
2. Whoever knowingly uses a used stamp, he / she shall be punished by imprisonment for no more than one month or by a fine not to exceed twenty dinars (JD20) or with both penalties.

#### **General Provisions**

##### Article (259)

1. Any person who participated in any misdemeanor stated in articles (236 – 257) and informed the government prior to its completion, he / she shall be exempted from penalty.
2. The defendant who makes it possible to apprehend – even after the start of the pursuits – all the criminals, his / her punishment shall be reduced according to what is stated by article (97) of this law.

#### **Chapter Two**

##### Of Forgery (falsification)

##### Article (260)

Forgery is the intentional alteration of the truth in the facts, which is meant to be proved by a document or certificate, thereby causing physical or mental or social harm.

#### Article (261)

Whoever knowingly uses the forged document, he / she shall be punished with the same penalty as the forger, unless the law provides for a special penalty.

### **(1) Of Criminal Forgery**

#### Article (262)

1. Any public official who commits physical forgery while executing his / her official duties, whether through the misuse of a signature or stamp or finger print or through him / her signing a forged signature or through making a document or certificate or with what he / she adds or omits in the content of a document or a certificate, such public official shall be punished by temporary imprisonment for no less than five years.
2. The penalty shall not be less than seven years if such a forged document is of the type to be used until there is a claim that it is a forged one.
3. The provisions of this article shall be applicable when wholly or partially destroying the document.

#### Article (263)

Whoever commits one of the following acts, he / she shall be punished by the penalties prescribed in the previous article:

1. A public official who drafts a document which lays under his / her power and makes confusion regarding the subject matter or circumstances of such document through the misuse of a signature he / she is entrusted with, or through the recording of writings or words other than those which were said or drafted by the contracting parties or through proving false facts and record it as true ones or unrecognized facts as recognized ones or through the falsification and alteration of any other fact .
2. A public official who is entrusted by law to seize and supervise a registrar and knowingly allows the entry of false substantive data to such registrar.

#### Article (264)

Whoever is given the power to certify the originality of a document or signature or stamp, he / she shall be treated as a public official for the purposes of applying the previous articles.

#### Article (265)

All persons who commit forgery in relation to official documents through one of the ways mentioned in the pervious article, they shall be punished by temporary imprisonment with hard labor or by detention when the law dose not provide otherwise.

### **(2) False Certificates**

#### Article (266)

1. Any person who, during the execution of a public or medical service or the duties of a public office, issues a false certificate to be submitted to the public authorities or a certificate that might bring him / her an unlawful gain or might harm the interest of a person, he / she shall be punished by imprisonment from one month

to one year. The same is applicable to whoever impersonates one of the mentioned individuals or forged or used such certificate.

2. If the false certificate is meant to be submitted before the judiciary or to justify the exemption of any public service, the imprisonment shall not be less than three months.

#### Article (267)

All notification papers drafted by notifiers and the rest of the state's officials in addition to the minutes and reports drafted by the personnel of the judicial police shall be considered as certificates for the purpose of applying the criminal law.

#### Article (268)

Whoever committed one of the following acts, he / she shall be punished by imprisonment from one month to three years:

1. Uses a good behavior certificate which was issued for another person in order to obtain a job.
2. Gives, sells or lends the good behavior certificate which was issued for him / her to another person in order for the latter to use it to obtain a job.

### **(3) Impersonation**

#### Article (269)

Whoever submitted, before a public authority, a false identity in order to benefit him / herself or another person or in order to harm another person, he / she shall be punished by imprisonment from one month to one year.

#### Article (270)

The same penalty shall be applied to anyone who knowingly confirms the false identity of a person before the public authorities.

### **(4) Forging Private Documents**

#### Article (271)

Whoever forged a private paper or document using the methods mentioned in articles (262 and 263), he / she shall be punished by imprisonment from one to three years.

#### Article (272)

Whoever commits one of the following acts, he / she shall be punished by imprisonment from one to three years an fine not less than fifty dinars (JD50):

1. obliterates , adds to or alters the crossing on a cheque, or;
2. Knowingly utters a crossed cheque the crossing of which has been obliterated, added to or altered.

## **Title Six**

Of Crimes Relating to Religion and Family

### **Chapter One**

Of Crimes Relating to Religion and the Desecration of the Dead

Article (273)

Whoever dares to publicly scorn or curse any of the prophets, he / she shall be punished by imprisonment from one to three years.

Article (274)

Whoever publicly violates fasting in the month of Ramadan, he / she shall be punished by imprisonment up to one month or a fine up to twenty five dinars (JD25).

Article (275)

Whoever destroys, damages or defiles any place of worship or any Object which is held sacred by any class of persons with the intention to thereby insulting the religion of any class of persons or with the knowledge that any class of persons is likely to consider such destruction, damage or defilement as an insult to their religion, he / she shall be punished by imprisonment from one month to two years or by a fine from five to fifty dinars (JD5-50).

Article (276)

Whoever willfully and without a lawful justification or excuse disturbs any meeting of persons lawfully assembled for religious worship, or assaults any person lawfully officiating at any such meeting or any of the persons there assembled, he / she shall be punished by imprisonment for up to three months or a fine up to twenty dinars.

Article (277)

Whoever with the intention of hurting the feelings of any person and of insulting the religion of any person or with the knowledge that the feelings of any person are likely to be hurt thereby, commits any trespass in any place of worship or in any place of sepulture or in any place set apart for the performance of funeral rites or as a depository for the remains of the dead or offers any indignity to any human corpse or causes disturbance to any persons assembled for the purpose of unreal ceremonies , he/she shall be punished by imprisonment for a period not to exceed three months or by a fine not to exceed twenty dinars (JD20).

Article (278)

Whoever commits one of the following acts, he / she shall be punished by imprisonment for a period not to exceed three months or a fine not to exceed twenty dinars (JD20):

1. Publishes any print, writing, picture or effigy calculated or tending to outrage the religious feelings or belief of other persons , or;
2. Utters in a public place and in the hearing of another person any word or sound calculated or tending to outrage the religious feelings or belief of such person.

## **Chapter Two**

### **Of Crimes Related to the Family'**

#### **(1) Crimes Related to Marriage**

Article (279)

Whoever commits one of the following acts, he / she shall be punished by imprisonment from one to six months:

1. Knowingly celebrates or is a party to celebration of a marriage otherwise than in accordance with the law of family rights or any other law or religion applicable to the parties to such marriage, or;
2. Marries, celebrates or in any capacity assists at or in holding the celebration of a marriage of a female who is under the age of fifteen years old, or;
3. Marries, celebrates or in any capacity assists at or in connection with the marriage of a female who is under the age of eighteen years that completed without having first ascertained that the parents or guardians of such female have consented thereto.

#### Article (280)

1. Any person, whether a male or a female, who marries while his / her husband / wife is still living in any case in which such marriage is void or can or cannot be nullified, he / she shall be punished by imprisonment from six months to three years unless it is proven that:
  - a. The former marriage has been declared void by a court with competent jurisdiction or by a competent ecclesiastical authority , or;
  - b. The canons related to the marriage which are applicable to the husband – at the time of the former or subsequent marriage – allow the husband to marry more than one wife.'
2. Whoever carries out the marriage celebrations mentioned in the previous paragraph, he / she shall be punished with the same penalty.

#### Article (281)

Whoever divorces his wife and did not report it to the judge or whoever fills in for the judge within fifteen days requesting the registration of the divorce according to the family rights law, he / she shall be punished by imprisonment for a period not to exceed one month or a fine not to exceed fifteen dinars (JD15).

### **(2) Misdemeanors Relating to Family Norms and Morals**

#### Article (282)

1. Whoever willingly commits adultery - whether male or female - he / she shall be punished by imprisonment from one to three years.
2. The penalty shall not be less than two years if the person - male or female- is a married one.
3. If the act of adultery takes place in the conjugal home, the penalty for both shall be imprisonment for a period of three years.

#### Article (283)

The evidences which are accepted and can be used as proof in order to prove the crime of adultery are catching the male and female while in action or the judicial confession or the existence of inclusive documents which prove that the crime was committed.

#### Article (284)

1. Pursuing the male and female who commit adultery can only be done according to a complaint submitted by the husband or wife, provided that the marriage bond still exists, and also based on a complaint by the female's guardian. When there is

a complaint against one or both perpetrators, both of them shall be pursued in addition to the inciter and accomplice to the action of adultery.

2. The complaint will not be accepted after three months from the day when the complainant first became aware of the offence and the complaint will not be accepted in any instance after the passage of a year from the day the crime was committed.

#### Article (285)

1. Sexual intercourse between descendents and ancestors, whether they are legitimate or not, and between brothers and sisters , and half brothers and half sisters or whoever on their level of in-laws, whoever commits such acts, he / she shall be punished by temporary imprisonment with hard labor for a period no less than seven years.
2. Sexual intercourse between a person and another person who is under his / her legal or religious or actual authority shall be punished by temporary imprisonment for a period not less than five years.

#### Article (286)

The sexual intercourse described in the previous two articles shall be pursued upon a complaint by a relative or an in-law of one of the perpetrators till the fourth degree.

### **(3) Crimes Related to Children and Handicapped Persons**

#### Article (287)

1. Whoever kidnaps or hides a child who is under seven years old or replaced him / her with another one or falsely attributes him / her to a woman, he / she shall be punished by imprisonment from three months to three years.
2. The penalty shall not be less than six months if the aim or the result of the crime is the falsification or alteration of the information related to the child's personal status or the registration of false personal status information at the official registrars.

#### Article (288)

Whoever hands in a child to the illegitimate children shelter and conceals his / her identity while such a child is registered in the personal status registrars, whether a legitimate or an illegitimate child, he / she shall be punished by imprisonment from two months to two years.

#### Article (289)

Whoever unlawfully abandons or exposes any child under the age of two years whereby the life of the child is endangered or its health has been or is likely to be permanently injured, he / she shall be punished by imprisonment from one to three years.

#### Article (290)

The following shall be punished by imprisonment from one month to one year:

1. Any person who being the parent or guardian or any other person having the lawful care or charge of any child of tender years and unable to provide for itself, refuses or neglects (being able to do so) to provide sufficient food,

clothes, bedding and other necessities for such child, so as thereby injure the health of such child.

2. Any person who being the parent or guardian or any other person having the lawful care or charge of any child under the age of twelve years and willingly abandons – without any reasonable reason - such child despite the fact that he / she is able to provide for it, and left it without any mean of living.

#### **(4) Assaulting the Guardianship of a Minor**

Article (291)

1. Whoever abducts or takes away any minor under fifteen years of age, even with his / her consent, from the keeping of the lawful guardian of such minor, he / she shall be punished by imprisonment from one month to three years and by a fine from five to twenty five dinars (JD5-25).
2. If the minor did not complete twelve years of age or is abducted or taken away through force or deception, the penalty shall be from three months to three years.

### **TITLE SEVEN**

Of Crimes against Morality and Public Ethics

#### **Chapter One**

Of Crimes against Honor

##### **(1) Rape**

Article (292)

1. Whoever has sexual intercourse with a female – other than his wife- against her will by the use of force or threats or trick or deception, he shall be punished with temporary imprisonment with hard labor for a period not less than ten years.
2. Whoever rapes a girl who did not reach fifteen years of age shall be punished by the death penalty.

Article (293)

Whoever has sexual intercourse with a woman –other than his wife - who could not resist because of a physical or emotional or mental limitation, he shall be punished by temporary imprisonment with hard labor for a period not less than ten years.

Article (294)

Whoever has sexual intercourse with a female – other than his wife - who reached fifteen years of age and under eighteen years, he shall be punished by temporary imprisonment for a period not less than five years.

Article (295)

1. Whoever has sexual intercourse with a female who reached fifteen years of age and still under eighteen years, and the perpetrator is one of her legitimate or illegitimate descendents or ancestors; or she was assaulted by one of her blood relatives or any person who is entrusted to take care of her and has a legal authority over such girl, he shall be punished by temporary imprisonment for not less than ten years.



2. The same penalty shall be applicable if the perpetrator is a clergy man or the director of employment office or an employee in such office and committed the act in an abuse of his powers or the facilitation he gets from such power.

## **(2) Indecent Acts**

### Article (296)

1. Whoever commits an indecent act upon a person against his will by the use of force or threats shall be punished by imprisonment for a period not less than four years.
2. The minimum limit of the penalty shall be seven years if the victim did not reach fifteen years of age.

### Article (297)

Whoever commits an indecent act upon a person who is incapable of resisting because of a physical or mental impediment or through the use of deception; or compels such a person to commit an indecent act, he / she shall be punished by temporary imprisonment with hard labor.

### Article (298)

1. Whoever commits an indecent act without the use of force or threat against a person – male or female- who did not reach fifteen years of age or compels such a person to commit such an act, he / she shall be punished by temporary imprisonment.
2. The penalty shall not be less than five years if the adolescent – male or female- did not reach ten years of age.

### Article (299)

Any person who is described in article (295) who commits an indecent act against a person – male or female - who reached fifteen years of age and did not reach eighteen years yet, or compels such a person to commit such act , he / she shall be punished by temporary imprisonment with hard labor.

## **General Provisions**

### Article (300)

The penalty stipulated for the felonies defined in articles (292,293,294,296,298) shall be toughened by adding from one third to one half of it if the accused is one of the persons mentioned in article (295).

### Article (301)

1. The penalty prescribed in the two pervious articles of chapter one shall be toughened through the addition of one third to one half of the original penalty:
  - a. If it is committed by two or more persons in order to overcome the victim's resistance or they assaulted the victim consecutively
  - b. If the victim is infected with a venereal disease or was a virgin and lost her virginity
2. If one of the felonies previously mentioned resulted in the death of the victim without the intention of the perpetrator to do so, the penalty shall not be less than ten years of hard labor.

### **(3) Abduction**

#### Article (302)

Whoever abducts a person – whether a male or a female- through deception or force and fled to a place, he/she shall be punished by the following:

1. Imprisonment of two to three years if the abducted person is a male below the age of fifteen.
2. Temporary imprisonment with hard labor if the abducted person is a female.
3. Temporary imprisonment with hard labor for a period not less than five years if the abducted female is a married one or below fifteen years of age.
4. Temporary imprisonment with hard labor for a period not less than ten years if the abducted person, whether male or female, was assaulted by either rape or indecent acts
5. Temporary imprisonment with hard labor for a period not less than ten years if the abducted female was married and below fifteen years of age and was sexually assaulted.
6. Temporary imprisonment with hard labor for a period not less than seven years if the abducted female was married and above fifteen years of age and was sexually assaulted.

#### Article (303)

The abductor shall be punished by one month to one year if he/she voluntarily returns the abducted person within 48 hours of the offence to a secure place and returns to the victim his/her freedom without violating or harming his/her honor or assaulting him/her with another crime which constitutes a felony or a misdemeanor.

### **(4) Seduction and Violating Women's Quarters**

#### Article (304)

1. Whoever seduces a virgin over fifteen years of age with the promise of marriage and made her lose her virginity shall be punished, if his act does not require a stricter penalty, with imprisonment from three months to one year in addition to compensation for loss of virginity.
2. The evidences applicable in the case of seduction through the promise of marriage are the confession of the accused before the investigation judge or the court or the existence of letters other written papers.
3. Whoever incites a woman, whether married or not, to leave her home in order to follow a man not related to her or to breach of the marital bond, shall be punished by imprisonment of no less than three months

#### Article (305)

Whoever fondles the following persons shall be punished by imprisonment for a period not to exceed one year:

1. A person less than fifteen years of age, whether a male or a female, or;
2. A woman or a girl who is fifteen years of age or above without their consent.

#### Article (306)

Whoever proposes to a male or a female, less than fifteen years of age, an immoral act or directed to them immoral words, shall be punished by a period not to exceed six months or a fine not to exceed twenty five dinars (JD25).

#### Article (307)

Any male who is disguised in a female's dress and enters a place reserved for women only or which cannot be entered by other than women at the time of committing the act; he shall be punished by imprisonment for a period not to exceed six months.

### **General Provisions**

#### Article (308)

1. If a correct marriage contract is concluded between the perpetrator of one of the crimes stipulated in this section and the victim, any pursuit shall be stopped; if a judgment was issued in the case, execution of penalty shall be suspended.
2. The Public Prosecution shall regain its right to reinitiate the legal action and implement the penalty if, before the passage of three years of committing the misdemeanor; or five years of committing the felony, such marriage ended by divorcing the woman without a legitimate cause.

### **Chapter Two**

#### Inciting Immorality Violation of General Ethics and Public Moral Norms

#### **(1) Incitement**

#### Article (309)

For the purpose of this section, any house or room or set of rooms in any house which is occupied or frequented by two or more females for the purpose of prostitution shall be deemed as a brothel.

#### Article (310)

Whoever procures or attempts to procure a female for the following purposes, he/she shall be punished by imprisonment from three months to three years and a fine from five to fifty dinars:

1. Any female under the age of twenty years not being a common prostitute or of known immoral character to have unlawful sexual intercourse either within or without the kingdom , or
2. Any female to become a prostitute in the Kingdom or outside.
3. Any female to leave the kingdom with intent that she may become an inmate of or frequent a brothel elsewhere , or
4. Any female to leave her usual place of abode in the kingdom such place not being a brothel, with intent that she may for the purpose of prostitution become an inmate of or frequent a brothel within or without the kingdom.
5. Any person under the age of fifteen years used for sodomy.

#### Article (311)

Whoever commits one of the following acts shall be punished by imprisonment from one to three years:

1. by threats or intimidation , procures or attempts to procure any female to have unlawful sexual intercourse within or without the Kingdom , or;
2. by false pretences or false representations , procures any female not being a common prostitute or of known immoral character to have any unlawful sexual intercourse either within or without the Kingdom, or;

3. Applies administrative to or causes to be taken by any female any drug matter or thing with intent to stupefy or overpower, so as thereby to enable any person to have unlawful sexual intercourse with such female.

#### Article (312)

Whoever commits one of the following acts shall be punished by imprisonment up to six months or a fine up to a hundred dinars or by both penalties:

1. keeps or manages or acts or assists in the management of a brothel, or;
2. Being the tenant or person in charge of any premises knowingly permits such premises or any part thereof to be used as a brothel or for the purpose of habitual prostitution, or;
3. Being the landlord of any premises or the agent of such landlord, lets the same or any part thereof with the knowledge that such premises or some part thereof are or is to be used as a brothel or is willfully a party to the continued use of such premises or any part thereof as a brothel.

#### Article (313)

1. Upon the conviction of the tenant of any premises for knowingly permitting the premises or any part thereof, to be used as a brothel, the court shall have the power to issue a decision nullifying such leasing contract, eviction of the property and handing it back to the property owner.
2. If the landlord is convicted with one of the charges stipulated in the previous paragraph, the court has the power to order the closure of the premises according to article (35) of this law.

#### Article (314)

Any person having the custody or care of a child between the ages of six and sixteen year who allows the child to reside in or frequent a brothel, he / she shall be punished by imprisonment up to six months or a fine up to twenty dinars (JD20).

#### Article (315)

1. Any male person, who lives wholly or in part on the earnings of a female prostitute, shall be punished by imprisonment from six months to two years.
2. Where a male person is proved to live with or to be habitually in the company of a prostitute or is proved to have exercised control or influence over the movements of a prostitute in such manner as to show that he is aiding, abetting or compelling her prostitution with any other person or generally, he shall, unless he can prove otherwise, be deemed to knowingly living off earnings of a prostitute.

#### Article (316)

Any woman who is proved to have, for the purpose of gain, exercised control, direction or influence over the movements of a prostitute in such manner as to appear that she is aiding, abetting or compelling her prostitution with any person or generally, she shall be punished by imprisonment up to one year or a fine up to fifty dinars.

#### Article (317)

Whoever detains any woman, against her will, in any of the following places, he / she shall be punished by imprisonment from two months to two years:

1. In any premises with the intent that she may have unlawful sexual intercourse with any man whether any particular man or generally, or;
2. In any brothel.

#### Article (318)

When a woman is in or upon any premises for the purpose of having any unlawful sexual intercourse or is in any brothel, a person shall be deemed to detain such woman in or upon such premises or in such brothel if he, withholds from such woman any wearing apparel or other property belonging to her or compelled or induced her to remain in or upon such premises or in such brothel.

### **(2) Violating General Ethics and Public Moral Norms**

#### Article (319)

Whoever commits one of the following acts, he/she shall be punished by imprisonment for a period not to exceed three months or a by a fine not to exceed fifty dinars:

1. Sells or has in his / her possession for sale, or distribution any obscene printed or written matter, or any obscene picture , photograph, drawing or mode or any other object tending to corrupt morals, or;
2. Displays or distributes in a public place any obscene picture, photograph, drawing or model or any other object tending to corrupt morals, or;
3. Operates or takes part in any business for the sale or publication or exhibition of any obscene printed or written matter or picture , photograph , drawing or model or other object tending to corrupt morals , or;
4. Advertises or makes known by any means whatsoever that a person is engaged in the sale, printing, reproduction, exhibition or distribution of any such obscene matter or thing.

#### Article (320)

Whoever commits an indecent act or makes an indecent gesture in a public place or community in such a way that could be seen by any person in a public place, shall be punished by imprisonment for a period not to exceed six months or a fine not to exceed fifty dinars (JD50).

### **Chapter Three**

#### **Of Abortion**

#### Article (321)

Any woman who causes her own miscarriage using whatever means to do so or allows anybody else to use such means; she shall be punished by imprisonment from six months to three years.

#### Article (322)

1. Any person who, by any means, causes the miscarriage of a woman with her consent; he/she shall be punished by imprisonment from one year to three years.
2. If the miscarriage or the means used in order to achieve it leads to the death of the woman, the perpetrator shall be punished by temporary imprisonment with hard labor for a period not less than five years.

Article (323)

1. Whoever intentionally causes the miscarriage of a woman without her consent shall be punished by temporary imprisonment for a period not to exceed ten years.
2. If the miscarriage or the means used in order to achieve it leads to the death of the woman, the perpetrator shall be punished by temporary imprisonment with hard labor for a period not less than ten years.

Article (324)

Any woman, who causes her miscarriage in order to protect her honor, shall benefit from a mitigating factor. The person who commits one of the crimes stipulated in articles (322 and 323) in order to protect the honor of one of his decedents or relatives up to the third degree, he/she shall benefit from the mitigating factor.

Article (325)

If the perpetrator of the crimes stipulated in this section is a doctor or a surgeon or a pharmacist or a midwife, the stated penalty shall be increased by one third.

**TITLE EIGHT**

Of felonies and Misdemeanors against Persons

**Chapter One**

Willful and Premeditated Murder

Article (326)

Any person who willfully kills a person shall be punished by imprisonment for fifteen years with hard labor.

Article (327)

Willful murder shall be punished by life imprisonment with hard labor if committed:

1. As a prelude to the commission of a misdemeanor or in order to facilitate the escape of the inciters or perpetrator or abettors of such a misdemeanor or in order to prevent their punishment.
2. Against a public official while in the course of executing the duties of his/her office or if he/she is killed as a consequence of such duty.
3. Against more than one person.
4. with torturing the victim viciously before killing him/him

Article (328)

Willful murder shall be punished by the death penalty if committed:

1. With premeditation, then it is called premeditated murder.
2. As a prelude to the commission of a felony or in order to facilitate the escape of the inciters or perpetrators or abettors of such felony or in order to prevent their punishment.
3. Against one of the perpetrator's ancestors.

Article (329)

Premeditation is the insisted upon intent before the action in order to commit a felony or a misdemeanor the aim of its perpetrator is to harm a certain person or any person

who is not identified and found by him/her even if the intent is conditioned on the happening of a certain matter or on a condition.

Article (330)

Whoever assaults any person by striking or injuring him/her using a tool that should not cause death or gives him/her harmful substance and dose not intend to kill him/her, although the victim died as a result of such assault, the perpetrator shall be punished by imprisonment with hard labor for a period not less than five years.

Article (331)

If a woman causes the death of her child who did not reach one year of age through an intentional act or omission in a way that she should be punished by the death penalty, but the court is convinced that when she caused the death she did not fully regain her conscious as a result of her giving berth or breast feeding the child, if such a case exists the court shall replace the death penalty with detention for a period not less than five years.

Article (332)

A woman who gives birth to a child and causes – in order to avoid shame- through an intentional act or omission the death of such child who was born as a result of fornication after his/her birth, she shall be punished by detention for no less than five years.

## **(2) Harming Persons**

Article (333)

Whoever intentionally assaults a person through beating or injuring or harming him/her by any effective act of violence, and the assault resulted in an illness or that the victim is prevented from carrying out the duties of his/her work for a period more than twenty days, he/she shall be punished by imprisonment from three months to three years.

Article (334)

1. If the acts stipulated in the pervious articles did not result in any illness or work prevention or resulted in an illness or a work prevention for a period not more than twenty days, the perpetrator shall be punished by imprisonment for a period not to exceed one yare or a fine not to exceed twenty five dinars or by both penalties.
2. If the acts stipulated in the pervious articles did not result in any illness or work prevention exceeding ten days, a legal action can only be taken based on a written or oral complaint by the victim, in such a case the complainant has the right to drop his/her complaint as long as there is no final judgment issued in the case.

Article (335)

If the act results in the severance or amputation of a limb or the loss of the benefit of such a limb or the loss of one of the senses or caused bodily disfigurement which is permanent or has a permanent appearance, the perpetrator shall be punished b y temporary imprisonment with hard labor for a period not to exceed ten years.

Article (336)

Any person who knowingly causes, through a mean of violence or assault stipulated in article (333), the miscarriage of a pregnant woman, he/she shall be punished by temporary imprisonment with hard labor for a period not to exceed ten years.

Article (337)

The penalties stipulated in article 333 , 334, and 335 shall be toughened through increasing it by adding from one third to half of the penalty if the act is committed in one of the instances stipulated in articles 327 and 328.

Article (338)

If a group of persons participated in a brawl which resulted in murder or injury or harm to a person and the perpetrator could not be identified in person, every participant in the commission of the acts which resulted in the death or injury or harm shall be punished by the penalty provided for the committed crime after being reduced by half. If the crime committed is punishable by the death penalty or by life imprisonment with hard labor then whoever participated in the commission of the acts which constitute such crime shall be punished by imprisonment with hard labor for no less than ten years.

Article (339)

- a. Whoever incites a person to commit suicide or assists him/her in any of the ways stipulated in article (80), he/she shall be punished by temporary detention.
- b. If the person does not commit suicide but attempts to do so, then the penalty shall be imprisonment from three months to two years and up to three years if it results in a permanent disability or harm.

**(3) Excuses in Murder**

Article (340)

1. Whoever surprises his wife or one of his female decedents or ancestors or sisters in the act of adultery or in illegitimate bed and murders her immediately or her lover or both of them or assaulted her or both of them and the assault resulted in death or injury or harm or permanent disfiguration, he/she shall benefit from a mitigation excuse.
2. The wife who surprises her husband in the act of adultery or in an illegitimate bed in their home and murders him or his lover or both of them immediate or assaulted him or both of them and the assault resulted in death or injury or harm or permanent disfiguration, she shall benefit from the same excuse mentioned in the paragraph above.
3. The right to self-defense shall not be used against who benefits from this excuse and the provisions of aggravating factors or circumstances shall not apply against such person.

Article (341)

The following acts are considered as lawful defense:

1. Whoever murders another person or injures him/her in self defense or in defense of his/her honor or in defense of the life or honor of another person provided that:
  - a. The defense shall take place at the same time as the assault.



- b. The assault has to be an unlawful one.
  - c. The victim can only escape the assault through murder, injury or effective act.
2. Whoever murders another person or injures him / her in order to defend his / her property or the property of other which is under his / her care provided that:
- a. The defense has to take place during the robbery or theft which are accompanied with violence ,or;
  - b. The theft would cause a very grave harm which would affect the will of the victim and his/her choice even if it was not accompanied with violence.

Moreover, it is impossible in both instances mentioned above to stop the robbers or thieves and return the property without the killing or injury or the effective act.

#### Article (342)

1. It is considered to be a lawful defense whenever a person murders or injures another person who enters or tries to enter at night to an inhabited house or to a residence as defined in article two through the clamping of fences or walls or entrances or through digging or breaking it or through the use of forged keys or the use of especial tools, if the act is committed during the day the perpetrator shall only benefit from a mitigating excuse.
2. If one of the acts listed in paragraph (1) of this article were committed, the competent authority shall interrogate the person who committed the act without holding or detaining him / her and shall refer the investigation file to the competent public prosecutor in order to complete the investigation and take the final decision as to the result of the investigation, if the act is considered to constitute a lawful defense, the prosecutor shall decide to stop the legal pursuit and pan the trial in addition to closing the file related to this case despite any provision mentioned in this law or any other legislation.

#### **(4) Involuntary Murder and Harm**

##### Article (343)

Whoever causes the death of a person due to negligence or lack of due care or regard for laws or regulations, he / she shall be punished by imprisonment from six months to three years.

##### Article (344)

1. If the perpetrator's fault only caused injury as the one stipulated in articles 333 and 334 the punishment shall be imprisonment from one month to one year or a fine from five to fifty dinars (JD5-50).
2. Any other involuntary harm shall be punished by imprisonment for a period not to exceed six months or a fine not to exceed ten dinars (JD10).
3. The pursuance of other case shall be based upon the victim's complaint if no illness or work prevention which exceeds ten days resulted from the harm. The complainant dismissal of the case shall have the same effects stipulated in Article (334).

## **(5) Murder and Harm Resulting from Various Causes**

Article (345)

If the willfully committed death or injury were the result of previous causes not known for the perpetrator and were independent from his/her acts, he/she shall be punished as follows:

1. Imprisonment with hard labor for a period not less than ten years if his / her action requires the death penalty or life imprisonment with hard labor.
2. The reduction of any penalty by half if his / her action requires a penalty other than the death penalty or life imprisonment with hard labor.

## **Chapter Two**

Of Crimes against Honor and Liberty

### **(1) Deprivation of liberty**

Article (346)

Whoever unlawfully detains and deprives a person of his liberty, he/she shall be punished by imprisonment for a period not to exceed one year or by a fine not to exceed fifty dinars, if the perpetrator does so by falsely claiming that he/she is a public official and has a legal detention warrant, then the punishment shall be from six months to two years. If these acts were directed against a public official while in the course of executing the duties of his/her office or if he/she is killed as a consequence of such duty.

### **(2) Violation of the Sanctity of the Home**

Article (347)

1. Whoever enters somebody else's place of residence, or the attachments of such, place against the will of such person; also, whoever stays in the before mentioned places against the will of the person who has the right to eject him / her from it, he / she shall be punished by imprisonment for no more than six months.
2. If the act was done during the night or with violence against persons or through breakage or the use of weapons or if it was done by a group of gathered persons, the penalty shall be from one month to one year.
3. The legal pursuit cannot be initiated in instance stipulated in paragraph one unless based on a complaint by the victim.

Article (348)

1. Whoever sneaks through breakage or violence against persons or to any other place other than the ones stipulated in the previous article that is owned by a person other than him / her and not open for the public, or stayed in such places against the will of the person who has the right to eject him / her from it, he / she shall be punished by imprisonment for a period not to exceed one week or a fine not to exceed ten dinars.
2. The perpetrator can only be prosecuted based on complaint by the harmed party.

### **(3) Threats**

Article (349)

1. Whoever threatens a person by pulling out weapon, he / she shall be punished by imprisonment for a period not to exceed six months.

2. If the weapon is a firearm and the perpetrator used it, the punishment shall be imprisonment from two months to one year.

Article (350)

Whoever threatens a person with the commission of a felony punishable by the death penalty or live with hard labor or temporary imprisonment for fifteen years either through a sealed letter or a third person, he/she shall be punished by imprisonment from six months to three years if the threat included the commission or omission of an act even if it is a lawful one.

Article (351)

If the threat of committing one of the felonies prescribed above did not include an order or it included an order but the threat was done orally without the use of a third person, the punishment shall be imprisonment from one month to two years.

Article (352)

Threatening with the commission of a felony, which is less serious than the ones stipulated in article (350), if it is done by one of the means stipulated in the same article, is punishable by imprisonment up to one year.

Article (353)

Threatening with the commission of a misdemeanor, which includes an order, that is done by writing or through a third person, is punishable by imprisonment for a period not to exceed six months.

Article (354)

Any other threat which includes the infliction of unlawful harm, whether done verbally or by one of the means stipulated in article (73), and it severely affected the victim's mental status, such threat shall be punishable upon a complaint by imprisonment up to one week or by a fine which dose not exceed five dinars (JD5).

Article (355)

Whoever commits one of the following acts shall be punished by imprisonment for a period not to exceed three years:

1. by reason of his/her profession or ex officio obtains official secrets and discloses it to a person/s who is not entitled to view such secrets or to who the nature of his work dose not require him / her to view such secrets according to the public interest.
2. Used to hold an official post or perform a public service and kept in his / her possession secret documents or drawings or blueprints or forms or copy of such documents without having the right to keep them or without being entitled to do so by the nature of his/her job.
3. Because of his / her profession had the privilege to obtain a secret and disclose it without a lawful reason.

Article (356)

1. Any person who works for the cable or postal services and misuse the duties of his/her job by viewing sealed letters or destroying or embezzles a letter or reveals its content to another person other then the addressee, he/she shall be punished by imprisonment from one month to one year.

2. Any person who works for the telecommunications services and by reason of his / her office reveals the content of a phone call; he / she shall be punished by imprisonment for six months or a fine up to twenty dinars (JD20).

Article (357)

Whoever willfully destroys or opens a letter or a cable, which is not addressed to him / her, he / she shall be punished by a fine not to exceed five dinars (JD5).

### **(5) Defamation, Slander and Humiliation**

Article (358)

Whoever defames another person using one of the means stipulated in article (188), he / she shall be punished by imprisonment from two months to one year.

Article (359)

Slander directed to a person through the use of one of the means stipulated in articles (188 and 189); and humiliation committed through the use of one of the means stipulated in article (190), shall be punished by imprisonment from one week to three months or by fine from five to twenty five dinars (JD5-25).

Article (360)

Whoever humiliates any person in a way that does not constitute defamation or slander, and does this orally or through a letter addressed to such person or through gestures or through harsh treatment, he/she shall be punished by a period not to exceed one month or by a fine not to exceed ten dinars (JD10).

Article (361)

Whoever throws or whatever substance of the same nature of impurity on a person, he/she shall be punished by imprisonment from six months to one year and a fine from twenty to fifty dinars.

### **General Provisions**

Article (362)

Whoever defames or insults another person shall not be permitted, in order to justify his/her acts, to establish that the subject of the defamation or slander is true or that it is a well known fact unless the defamation subject is a crime or the subject of the slander is legally considered as a crime and the perpetrator of the slander is treated as the perpetrator of defamation.

Article (363)

If the victim brought such defamation, slander or humiliation to him/herself through the commission of an unlawful act or defamed the offender or was given the choice and accepted such defamation or slander or humiliation, the court has the power to reduce the punishment of both parties or of one party from one to two thirds or drop it all.

Article (364)

The victim in the defamation, slander and humiliation cases has to bring a civil lawsuit in order to initiate a criminal action.

Article (365)

The Civil Complainant has the right to request, through his/her lawsuit, a compensation for the material damages he / she incurred because of the defamation, slander and humiliation in addition to compensation for the mental and moral damages. The court has to estimate such compensation according to the nature of the crime, the level of impact it had on the victim and on his / her social status.

Article (366)

If defamation or slander is directed to a deceased person, then only his / her heirs can bring a legal action.

Article (367)

Instances in which the defamation, slander and humiliation crime is proven to have taken place and the punishment is dropped according to article (363), the compensation case shall be rejected.

**Title Nine**

Of Felonies which Constitute General Danger

**Chapter One**

Of Arson

Article (368)

1. Whoever willfully sets fire in buildings or factories or workshops or warehouses or in any inhabited or uninhabited buildings whether located in cities or towns or;
2. in any railway wagon or wagons which transport a person or more other than the perpetrator or a wagon which is connected to a train and occupied by a person or more or;
3. In sailing ships or ships which are anchored in a sea port, or;
4. In flying or landing airplanes whether the perpetrator is the owner of such airplanes or not, or;
5. In inhabited buildings or building which are prepared to be inhabited and is located outside inhabited areas whether such buildings are owned by the perpetrator or not.

Article (369)

Any person who willfully sets fire on the following shall be punished by temporary imprisonment with hard labor:

1. Others forests or woodland or gardens or corps before it has been harvested.
2. His/her own forests or woodland or gardens or corpses and the property of any other person caught fire because of his/her action.

Article (370)

Whoever willfully sets fire on uninhabited or unused buildings which are located outside inhabited areas or corpses or left in its place stacks of hay or stacks of any harvested crops or staked woods Whether the perpetrator dose not own these materials or he/she owns it and the fire extended to the property of others and caused harm.

#### Article (371)

Any arson, other than what has been mentioned, which is committed with the intention to cause material harm to others or to unlawfully benefit the perpetrator or any other person; such act shall be punished by imprisonment and fine.

#### Article (372)

If the fire resulted in the death of a human being, the perpetrator shall be punished by the death penalty in the instances stipulated in articles (368 and 369) and by life imprisonment with hard labor in the instances stipulated in articles (370 and 371).

#### Article (373)

The previous provisions shall be applied with the same conditions on any persons who destroy, even partially, one of the things mentioned in these provisions through the use of an explosive material.

#### Article (374)

Whoever causes an item owned by another person to catch fire, due to negligence, lack of due care or lack of regard for laws and regulations, he / she shall be punished by imprisonment up to one year and a fine up to fifty dinars (JD50).

#### Article (375)

1. Whoever removes a fire extinguisher or relocates it or renders it unusable shall be punished by imprisonment from one week to one year or a fine not to exceed fifty dinars (JD50).
2. The same penalty shall be applicable to any person who is obliged by the law to own a fire extinguisher and did possess one or did not keep it fit for use.

## **Chapter Two**

Of assaults on public roads, transportation Means and Industrial Works

### **(1) Transportation Roads**

#### Article (376)

Whoever willfully causes any disruption or harm in a public road or bridge or one of the public facilities, he / she shall be punished by imprisonment up to one year and if his/her act caused danger to traffic safety, he / she shall be punished by imprisonment from one month to two years.

#### Article (377)

Whoever breaks down a railway line or the signals or traffic machines of such line or placed any item which would impede its function or used any means to cause collisions between trains or its derailling, he / she shall be punished by temporary imprisonment with hard labor.

#### Article (378)

1. Whoever destroys or breaks down the signal machines or used faulty signals or any other mean in order to sink a ship or to down an airplane, he / she shall be punished by temporary imprisonment with hard labor.

2. If the act results in the actual sinking of the ship or downing of the airplane, the punishment shall be not less than ten years.

#### Article (379)

1. Whoever willfully disrupts cable or phone lines or radio waves, whether through the destruction of equipment and cords or through any other mean, he / she shall be punished by imprisonment from three months to two years.
2. If the actions result in any danger to public safety, the offender shall be punished by imprisonment from six months to two years.

#### Article (380)

Whoever commits any of the following acts, he/she shall be punished by temporary imprisonment with hard labor:

1. Destroys, during sedition or armed disobedience or which takes place in the kingdom, one or more of the phone or cable lines or the broadcasting equipment or renders it in any way unusable or takes control of it either through force or other means, and these actions result in the disruption of communications between the public officials or the ordinary persons and breaking down of the radio stations.
2. Through the use of force impedes the repair of phone and cable lines and broadcasting equipments.

#### Article (381)

The penalties stated in the previous articles shall be increased by half if any person is permanently disfigured; and the penalty shall be the death penalty if the action led to the death of a person.

#### Article (382)

Whoever negligently causes the sabotage or destruction and all the actions mentioned in the pervious articles, he / she shall be punished by imprisonment for a period not to exceed six months or a fine not to exceed fifty dinars.

## **(2) Industrial Works**

#### Article (383)

Any workshop or factory Forman who forgot or neglected the placement of equipment or signals to be used during emergency; or did not keep such equipment in a usable shape for such purpose, he / she shall be punished by imprisonment for a period not less than three months and not to exceed two years or by a fine not less than one hundred dinars and not to exceed two hundred dinars or with both penalties.

#### Article (384)

Whoever through lack of due care or negligence or lack of regard to laws and regulations causes the break down of equipment and signals stated in article (383) of this law, he / she shall be punished by imprisonment for a period not less than six months and not more than one year and by a fine not less than twenty dinars and not more than fifty dinars.

#### Article (385)

1. Whoever willfully removes one of these tools or renders it unusable, he / she shall be punished by imprisonment from three months to two years.
2. If the act results in a major accident, the penalty shall be temporary imprisonment with hard labor and it shall be the death penalty if it results in the death of a person.

### **Chapter Three**

#### **Cheating**

##### Article (386)

1. Whoever committed one of the following acts shall be punished by imprisonment from one month to one year and by a fine from five to fifty dinars:
  - a. Any person who cheats in materials allocated for human or animal consumption or in medicines or drinks or industrial, agricultural, or natural products, which is prepared for sale.
  - b. Any person who knowingly exhibits or offers for sale or sold any of the previously mentioned products or materials.
  - c. Any person who incites in any of the means stated in article (80) on the use of the previously mentioned products and materials.
2. In case of repeating the offence the criminal shall be barred from performing the same job he/she uses in order to commit the crime.

##### Article (387)

If the cheated or corrupted products or materials cause harm to the human or animal health, the penalty shall be from three months to two years in addition to a fine from five to fifty dinars. The penalty shall be imposed even if the buyer knows of the harmful nature of the products.

##### Article (388)

Whoever unlawfully keeps in his / her custody any food or drink product after it becomes harmful to the health or after it becomes unfit for human consumption, he / she shall be punished by a fine not to exceed ten dinars and by imprisonment for a period not to exceed three months or by both penalties.

### **Title Ten**

#### **Of Begging, Drunkenness, and Gambling Crimes**

### **Chapter One**

#### **Of Beggars**

##### Article (389)

1. Whoever behaves in a disorderly or indecent manner in a public place;
2. is found wondering or placing him/herself in any public place to beg or gather alms, whether by the exposure of wounds or deformation or by any other means whatsoever or causing procuring or encouraging any child under the age of sixteen years to do so;



3. is found going about as a gatherer or collector of alms , or endeavoring to procure charitable contributions of any nature or kind under any false or fraudulent pretence.
4. in any public place conducts him in a manner likely to cause a breach of peace.
5. is found wandering in or upon or near any premises or in any road or highway or any place adjacent hereto, or in any public place at such time and under such circumstances as to lead to the conclusion that he is there for an illegal or disorderly purpose.

the first time, he / she shall be punished for a period not to exceed three months or the court may decide to refer him / her to any institution designated by the Minister of Social Affairs and which provide care for beggars for a period not less than year and not more than three years.

## **Chapter Two**

Of the abuse of alcohol and drugs

### Article (390)

Whoever is found in a public place, or a place which is open to the public, in a state of intoxication and causes troubles or disturbance to others, he/she shall be punished by fine not to exceed ten dinars or by imprisonment for one week.

### Article (391)

Whoever provides intoxicating liquor to a person who appears to be intoxicated or to a person who is under the age of eighteen years; he/she shall be punished by a fine up to ten dinars.

### Article (392)

1. If the person who provides the intoxicating liquor is the owner of a tavern or an employee in such a place, he/she shall be punished by imprisonment up to one month or a fine up to ten dinars.
2. If such act is repeated, the court has the power to close the place for the period it deems appropriate.

## **Chapter Three**

Of Gambling

### Article (393)

1. Any person who owns, occupies or has the right to use a any house, room or place who shall open, keep or use the same for the purpose of unlawful gaming being carried on herein, and any person who being the owner or occupier of any hose room or place shall knowingly and willfully permit the same to be opened, kept or used by any other person for the purpose aforesaid, and any person having the care and management of or in any manner assisting in conducting the business of any house room or place opened, kept or used for the purpose aforesaid, is said to keep a common gaming house.
2. In this article the word (unlawful gaming) includes every game of cards which is not a game of skill, and any game the chances of which are not alike favorable to

all the players, including the banker or the other person or the persons by whom the game is managed or against whom the other players stake, play or bet.

Article (394)

Whoever keeps a common gaming house, he/she shall be punished by imprisonment up to six months and by a fine up to fifty dinars.

Article (395)

Whoever other than the persons mentioned in paragraph (1) of article (393) ,is found in a common gaming house shall be deemed, unless the contrary is proved, to be there for the purpose of unlawful gaming he/she shall be punished by a fine not to exceed five dinars for the first offence and for the second offence by a fine not to exceed ten dinars and for any subsequent offence by a fine not to exceed ten dinars and by imprisonment for a period not to exceed three months or by both penalties.

Article (396)

Any device , machine or item used or seemed to be used or intended to be used fro the purpose of unlawful gaming found in or upon any house , room or place kept, or alleged to be kept, or used for the purpose of unlawful gaming , may be seized by a police officer and upon the trial of any person in connection with the keeping or use of such house , room or place , contrary to the provisions of this law , the court may make such order as to the forfeiture , destruction or return of any device , machine or item as the court deems just.

Article (397)

1. Whoever opens, manages or uses any place for any kind of lottery business shall be punished by imprisonment of up to six months or a fine of up to fifty dinars (JD50).
2. Whoever prints or publishes or causes the printing or publishing of any advertisement or other notice of or relating to any lottery or of or relating to the sale of any ticket or chance or of any share in any ticket or chance in any lottery, or sells or offers for sale any such ticket or chance, he/she shall be punished by a fine not to exceed fifty dinars.
3. In this article the term (lottery) includes any scheme or devise for the sale, gift, disposal or distribution of any property depending upon or to be determined by lot or chance whether by the drawing or casting of dice or by the drawing of tickets, cards lots, numbers or figures or by means of a wheel or trained animal or otherwise.

Article (398)

Whoever appears, acts or behaves as master or mistress or as the person managing or entrusted with such house, room, set of rooms or place as mentioned in articles (393 and 397) of this law is to be taken to be the keeper thereof; whether he/she is or is not the real keeper.

Article (399)

1. Theft is taking away the moveable property belonging to another without his/her consent.

2. The phrase "taking away property" means eliminating the owner's powers over the property through moving it from its original place; if it was attached to an immovable property it happens through severing it completely and moving it.

#### Article (400)

Whoever commits a theft act which includes the following five circumstances shall be punished with life imprisonment with hard labor or by temporary imprisonment for a period not less than fifteen years:

1. If theft is committed during night
2. If theft is committed by two or more persons.
3. If theft is committed in a place of residence or a place set aside for that purpose or part thereof according to the definition of article (2).
4. If entry is gained by climbing a wall, forcing a door or other such method or by the use of counterfeit key or by impersonating a public official or wearing his/her uniform or badges or claiming to have an official order.
5. If all the perpetrators or one of them threatens other persons with weapons or use violence against person in order to facilitate the commission of the felony or secure the escape of the perpetrators or in order to gain control over the stolen property.

#### Article (401)

1. Whoever commits theft under one of the following circumstances shall be punished by temporary imprisonment with hard labor for not less than five years:
  - a. If theft is committed during night
  - b. If theft is committed by two or more persons.
  - c. If all or one of the perpetrators threatens other persons with weapons or use of violence in order to facilitate the commission of the felony or secure the escape of the perpetrators or in order to gain control over the stolen property. The perpetrator shall be punished by temporary imprisonment for a period not less than ten years if the violence resulted in injuries and bruises.
2. If theft is committed during day light or by one person, he/she shall be punished by temporary imprisonment with hard labor; if the violence used resulted in injuries and bruises, he/she shall be punished by temporary imprisonment with hard labor for no less than five year; if the circumstances stated in paragraph 1 of this article were present he/she shall be punished by imprisonment of not less than ten years.

#### Article (402)

Persons who commit robbery on public roads shall be punished as follows:

1. By temporary imprisonment with hard labor for a period not less than five years if the robbery offence is committed during day light by two or more persons and included the use of violence.
2. By temporary imprisonment for no less than ten years, if the robbery offence is committed during the night by two or more persons and with the use of violence or all of the perpetrators or one of them is armed.
3. By life, imprisonment with hard labor if the robbery act was carried out in the manner described in paragraph 2 of this article and the violence resulted in injuries and bruises.

Article (403)

1. If the robbery offence is carried out by the use of violence against persons in order to facilitate the commission of the crime or secure the escape of the perpetrators or to gain control over the stolen property, the perpetrator shall be punished by temporary imprisonment for a period not less than five years.
2. If the robbery offence is committed by one person either during the day or night, the perpetrator shall be punished by temporary imprisonment with hard labor.

Article (404)

Theft offences committed according to one of the two circumstances shall be punishable by temporary imprisonment with hard labor:

1. If it takes place in closed places (which is preserved by walls whether such places are inhabited or not , or attached to an inhabited place or not) , through digging or climbing such walls or forcing its door or window or by opening it through the use of counterfeit keys or with a special tool, or;
2. If it takes place by forcing the doors of locked rooms or safe boxes which are located in an inhabited or uninhabited place or through opening it by the use of a special tool or a counterfeit key even if the perpetrator reached such items without the climbing or digging of a wall or through opening the doors by a special tool or a counterfeit key.

Article (405)

Whoever commits a theft offence during a time of disobedience or unrest or war or fire or the sinking of a ship or any other catastrophe shall be punished by hard labor.

Article (406)

Theft offences which take place under one of the following circumstances shall be punished by imprisonment from one year to three years:

- 1.a During the night and there are two or more perpetrators.
  - b. During the night and there is only one perpetrator and the offence happens in an inhabited place or a place of worship.
  - c. During day light and there are two or more perpetrators and the offence happens in an inhabited place or a place of worship
2. If the perpetrator is openly carrying a weapon or carrying a concealed weapon even if the place where theft is committed was an uninhabited place and did into take place during the night or the perpetrators are more than one person.
3. a. If the perpetrator is a servant and steals the property of his/her employer or the property of any person who comes to his/her employer's home or the property of the homeowner who he/she goes to visit with his/her employer.
  - b. If the perpetrator is an employee or a worker or a student in an industry and steals from the home or the store of his / her trainer, teacher or employer.
  - c. If a person repeatedly steals from the place he/she works in.
4. If the perpetrator is the owner of a hotel or a motel or he/she is a coachman, a boatman, or a driver of a vehicle or any other person with similar profession and he / she steals all or part of what he/she is entrusted with.

Article (407)

1. Whoever commits a theft offence other than the ones prescribed in this section such as pocket lifting shall be punished by imprisonment from three months to one year.
2. If a car was the subject of a theft offence then the penalty shall not be less than the minimum limit stipulated in paragraph 1 of this article and it is not permissible to replace this penalty by a fine.

#### Article (408)

Whoever steals horses or animals which are prepared for carrying or pulling or the rest of cattle whether such cattle are big or small and he/she steals such animals from unpreserved and attended places where such cattle is left because of necessity, he/she shall be punished by imprisonment from one to three years

#### Article (409)

Whoever steals agriculture equipment and tools or whatever is prepared to be sold whether it is wood or stones or fish or pees or birds, he/she shall be punished by imprisonment up to one year.

#### Article (410)

1. Whoever steals whatever harvested or collected crops or agricultural products or any of cereal stacks which can be benefited from, he / she shall be punished by imprisonment up to one year.
2. If the perpetrator is more than one person and the theft offence is committed during the night and the stolen products were lifted and transported on cattle or wagons, the penalty shall be imprisonment from six months to one year.
3. If the products and other crops which can be benefited from were not harvested yet and it was stolen from the field by scuttles or sacks or whatever similar containers or it was transported by cattle or wagons or whatever similar mean or it was stolen during the night by more than one person, the penalty shall be imprisonment up to six months.

#### Article (411)

The penalty shall include the attempt to commit any of the misdemeanors provided for in this section.

#### Article (412)

1. Whoever knowingly buys or sells a stolen property or is an intermediate in the buying or selling of such preempts, shall be punished by imprisonment of up to six months.
2. If the stolen property is one of the animals stipulated in article (408) the penalty shall be not less than one month.
3. If the stolen property was acquired through the commission of a felony and the perpetrator knows such a fact, the penalty shall be not less than six months imprisonment.

#### Article (413)

1. Whoever commits the crime of concealing stolen property or hiding perpetrators who participated in theft offences stipulated in articles (83 and 84), he / she shall be exempted from punishment provided that he/she informs the authority about

the offenders before the initiation of any pursuit, or makes it possible to apprehend them even after the start of the pursuit.

2. The provisions of this act do not apply to repeat offenders.

#### Article (414)

Whoever uses violence or threats in order to obtain an unlawful benefit for him / herself or for another person and commits any of the following acts, shall be punished by imprisonment for no less than three months and a fine of no less than ten dinars (JD10):

1. To obtain a signature or any other document by force which contains an undertaking or a remission from debt or transfer such document or to amend or destroy such document.
2. Draft or prepare a fingerprint, a stamp, or any other mark on a document so it could be transferred or amended or used as a document of value in the future. If the perpetrator is carrying weapon and threatens the victim, he/she shall be punished by temporary imprisonment.

#### Article (415)

Whoever threatens another person to reveal his / her secrets which would affect the reputation or honor of such person or the reputation or honor of one of his / her relatives, to compel the victim to bring an unlawful benefit for him / her, shall be punished by imprisonment from one week to two years and by a fine from five to fifty dinars (JD5-50).

### **(3) Unlawful Use of Others' Property**

#### Article (416)

1. Whoever unlawfully uses any item belonging to another in a way that would cause such person harm, without the intent to embezzle such item, shall be punished by imprisonment of up to six months and a fine of up to twenty dinars or by either penalty.
2. If the act was committed through the use of another person's car as described in paragraph 1 of this article, the penalty shall not be less than three months and a fine less than a hundred dinars (JD100). The imprisonment shall not be replaced by a fine.

## **Chapter Two**

### **Of Deception and other Forms of Fraud**

#### **(1) Deception**

##### Article (417)

1. Whoever makes another person deliver to him/her any moveable or immovable property or any documents which includes an undertaking or a remission from debt and he/she takes control of it through deception:
  - a. Through the use of deceptive means which makes the victim falsely believe the existence of a false project or instance or to raise the victim's hopes that he/she will gain profits or that he/she will retrieve

the amount of money taken from him/her, or the existence of a dep't bond.

- b. Through the disposition of a moveable or immovable property while knowing that he/she has no capacity to do so.
- c. Through the use of false name or a wrong capacity.

The perpetrator shall be punished by imprisonment from three months to three years and by a fine from one hundred to two hundred dinars (JD100-200).

2. The penalty shall be doubled if the crime is committed in one of the two following instances:
  - a. If the perpetrator is a person who is entitled to issue shares and bonds or any other financial papers related to a company or a project or any industrial or commercial establishment.
  - b. If the act is committed based on the promise to secure an employment or work in a public administration.
3. The same penalty shall be applicable on attempts to commit any of the misdemeanors stipulated in this article.

#### Article (418)

Whoever takes advantage of the needs or the vulnerability of a person below eighteen years of age or an emotionally or mentally distressed, or exploits an obsession he/she has, and obtains, contrary to the interest of such person, any promissory note, receipt or the annulment or amendment of such document, he/she shall be punished - regardless of the deception method used - by imprisonment from six months to two years and by a fine from one hundred to two hundred dinars (JD100-200).

#### Article (419)

Whoever commits one of the following acts shall be punished by imprisonment of up to one year:

1. Donated or deposited, as security, his / her properties or caused such things in order to deceive his / her creditors, or;
2. Sold or transferred any part of his/her property after the issuance of a decision or a judgment compelling him/her to pay an amount of money and before the execution of such judgment or during the two months before the issuance of such decision or judgment with the intent to deceive his/her creditors.

#### Article (420)

Whoever sells or deposits, as a security, of any property or is the lawyer or agent of any such seller or mortgagor, shall be punished by imprisonment from up to one year if he / she:

1. Conceals from the purchaser or mortgagee any instrument material to the title or;
2. Falsifies any certificate on which ownership is based on.

#### Article (421)

1. Any person who maliciously commits one of the following acts, shall be punished by imprisonment for a period not to be less than one year and not to exceed two years and a fine not less than one hundred dinars and not to exceed two hundred dinars (JD100-200):

- a. Issued a cheque without having sufficient deposited funds to cover such cheque
  - b. Withdraws, after issuing the cheque, all or part of the funds so that the balance does not cover the value of the cheque.
  - c. Orders the drawee to withhold payment in instances other than those allowed by the law.
  - d. Endorses or delivers a payable to bearer cheque to another person knowing that such cheque has not sufficient funds to cover the full amount or that such cheque cannot be cashed.
  - e. Issues or signs a cheque in such a way as to prevent its processing.
2. With respect to what is mentioned in paragraph 3 of this article, the court when taking into consideration the mitigating factors in any of the instances stipulated in paragraph A of this article should not reduce the imprisonment penalty to less than three months and the fine to less than fifty dinars.
  3. Despite of what is stipulated in paragraph 2 of this article, if the complainant drops his / her personal right and the perpetrator pays the cheque amount, the court has to order the payment of a fine equivalent to 5% of the cheque amount provided that such fine is not less than one hundred dinars, even after the issuance of the final judgment.
  4. The provisions of paragraph 3 of this article shall apply to the final judgments which were issued before the enactment of this law. The decisions to this end shall be issued by the same court that issued the judgment.

### **Chapter Three**

#### **Of Breach of Trust and Embezzlement**

##### **Article (422)**

Whoever receives any property, item or document which includes an undertaking or release of debt, based on a trust and to be used and returned, or to be kept or to perform a certain work – paid or unpaid - and he/she denies receiving such item or replaces or consumes or refuses to hand it over, he/she shall be punished by imprisonment from two months to two years and by a fine from ten to one hundred dinars (JD10-100).

##### **Article (423)**

1. If the perpetrator of the acts stipulated in the pervious article is a servant or a student in a certain industry or a clerk and the harm resulting from such acts is directed to his/her employer, then the imprisonment penalty shall not be for less than one year.
2. The penalty shall not be less than three months if the perpetrator of the stipulated acts is one of the following persons:
  - a) The director of any charitable institution or the person in charge of such institution.
  - b) The guardian of any incompetent or minor persons.
  - c) The executer of the will in a marriage contract.
  - d) Any lawyer or notary public.
  - e) Any person who is entrusted by the public authority to manage or safeguard property whether owned by the authority or individuals.



#### Article (424)

Whoever acts as the owner in relation to any moveable item which becomes under his/her possession by the owner's mistake with his / her knowledge and he/she hides such item and refuses to return it, shall be punished by imprisonment of up to one year and a fine of up to fifty dinars (JD50).

#### Article (425)

1. The perpetrators of the crimes stipulated in the previous three sections shall be exempted from penalty if damages incurred by the victim are between the ancestors and descendents, between spouses who are not legally separated, or between stepdaughters and sons and their stepmothers and fathers.
2. If the perpetrator, within three years, repeats the offence, he / she – based on the victim's complaint – shall be punished with the same penalty stipulated by the law after being reduced by two thirds.

#### Article (426)

1. Misdemeanors stipulated in articles 415,416,422 and 425, can only be prosecuted based on the victim's complaint unless the victim was unknown.
2. Breach of trust, which is punishable according to article (422), shall be persecuted directly without the need of a complaint if it is accompanied by one of the aggravating circumstances stipulated in article (423).

#### Article (427)

1. The penalty shall be reduced by half in all misdemeanors mentioned in chapters one , two and three, if the damage resulted from such offence or the benefit the perpetrator aimed at getting were very minimal or if the damage was completely eliminated before the case was referred to court.
2. If the damage was eliminated and the property was returned during trial and before the judgment then the penalty shall be reduced by one fourth.

### **Chapter Four**

#### Deception in Transactions

#### **(1) Of Unlawful Scales and Measurements and Deception Related to the quantity of Goods**

#### Article (428)

Whoever uses or possesses at his/her shop, store, vending wagon or other trade locations, any scales, measurements, or other scaling tools, which are different from the scales and measurements assigned by law, or which are not hallmarked, shall be punished by imprisonment of up to a week and a fine of up to fifty dinars (JD50) or by one of these two penalties.

#### Article (429)

Whoever possesses at the aforementioned locations fraudulent or unbalanced scales, measurements, or other scaling tools, shall be punished by imprisonment of not more than a week or a fine up to ten dinars (JD10).

#### Article (430)

Whoever deceits a contract party with regard to the quantity of deliverables, knowingly using fraudulent or unbalanced scales, measurements, or other scaling tools, shall be punished by imprisonment from three months to two years and a fine from ten to fifty dinars (JD10-50).

Article (431)

Whoever deceits a contract party with regard to the quantity or nature of deliverables shall be punished by imprisonment from three months to two years and a fine from ten to fifty dinars (JD10-50) where the nature of deliverables was the motivating force behind closing the deal.

Article (432)

Fraudulent scales, measurements, or other scaling tools, or those which are different from measurements and scales assigned by law, shall be confiscated according to Article (31) of this law.

## (2) Deception in the Nature of Goods

Article (433)

Whoever knowingly deceits a contract party, whether with regard to the nature, primary characteristics, composition, quantity of goods; or quantity, category, or source of valuable elements in cases where the identification of type and source is the main cause for the contract as identified by agreement or customs; shall be punished by imprisonment from a month to a year and a fine from five to fifty dinars (JD5-50), or by one of these two penalties.

## (3) Obstruction of Auctions

Article (434)

Whoever obstructs or hinders the freedom of public auctioning with regard to selling, buying, or renting of goods; or the freedom of obligations and pledges made through coercion, violence, lies, taking out bidders or obligators in exchange for money, grants, assurances, or any other way, shall be punished by imprisonment from a month to six months and a fine from ten to fifty dinars (JD10-50).

## (4) Illegal Manipulations

Article (435)

Whoever, through deception, causes the reduction or escalation of the prices of public or private goods and stocks tendered at the stock market shall be punished by imprisonment for not more than a year and a fine not more than a hundred dinars (JD100); in particular through:

1. Announcement of false facts or allegations, or;
2. Making offers of buying or selling with the intention of rigging the market, or;
3. Any other act which disrupts market supply and demand.

Article (436)

The penalty is doubled where the reduction or escalation of prices is made on granary, flour, gas, sugar, oil, meat, or other food sources.

## **General Provisions**

Article (437)

Penalties mentioned in articles 430 onwards of Section Four are applied in attempts of mentioned crimes.

## **Chapter Five**

### **(1) Bankruptcy and Deception of Creditors**

Article (438)

1. Fraudulent bankrupts according to bankruptcy provisions, and those who, according to relevant provisions, appear to be the bankrupt's partners in crime, shall be punished by temporary imprisonment.
2. Any persons considered a delinquent bankrupt shall be punished by imprisonment for not more than two years.

Article (439)

In addition to collective partners and active partners at dormant partner companies, when a business company is declared bankrupt the following shall be punished according to Article 438 paragraph 1:

- a. Active Partners who usually interfered in company business.
- b. Managers of limited liability and joint stock companies.
- c. Managers, board members, mandated agents, members of inspection boards, commissioned accountants, company employees, and bond holders where they commit, make easy, or intentionally permit any act of fraudulent bankruptcy, publish false budgets, or distribute fake shares.

Article (440)

Where a business company is declared bankrupt, company administrators and persons working for the company mentioned above, shall be punished with the penalty of fraudulent bankruptcy for committing any of the crimes mentioned in Article (438) paragraph 2.

### **(2) Deception of Creditors**

Article (441)

A debtor who performs an act which decreases his/her property in any form, with the intention of exhausting rights of creditors or preventing execution over his/her property; particularly through signature of false bonds, false declaration of existence or denial of rights, partially or entirely; or through withholding, selling, smuggling, damaging or spoiling some of his/her property; shall be punished by imprisonment from a month to six months and a fine from ten to fifty dinars (JD10-50).

Article (442)

Where the crime is committed in the name of a company, or for its benefit, the company shall be subject to precautionary measures. Persons, who hold positions in such a company, who contribute, intentionally make possible, or intentionally facilitate such acts shall be subject to penalties mentioned in the previous article.

## **Chapter Six**

### **Damages Made to State and Individual Property**

#### Article (443)

Whoever intentionally demolishes or sabotages buildings, memorials, sculptures, other constructions made for the public benefit or public decoration, or any other movable or immovable property with historic value; shall be punished by imprisonment from three to six months and a fine from five to ten dinars (JD5-10).

#### Article (444)

1. Whoever intentionally demolishes, in whole or in part, a building belonging to another, shall be punished by imprisonment from three months to two years, and a fine from five to twenty five dinars (JD5-25).
2. Where the debris falls, even partially, on cabins, non-mudded walls, or non-mudded stone walls, the penalty shall be imprisonment of up to six months or a fine up to twenty dinars (JD20).

#### Article (445)

1. Whoever willingly inflicts damage to immovable property of others shall be punished, upon a complaint by the injured, by imprisonment up to a year and a fine from five to fifty dinars, or by one of these two penalties.
2. Where the complainant drops his/her complaint, the legal action shall be discharged.

### **(2) Removal of Boundary Marks and Usurpation of Real Property**

#### Article (446)

Any person who, albeit partially, dumps a hole, demolishes a fence regardless of its building material, cuts or removes a partition, whether made of building materials or green plants; or demolishes, sabotages, or moves boundary indicating marks; shall be punished by imprisonment for not more than six months, or a fine not exceeding twenty dinars (JD20).

#### Article (447)

Where the mentioned crime is made in facilitation of usurpation of land, or threats or violence incurred on others, the perpetrator shall be punished by imprisonment from a month to a year, or a fine from five to twenty five dinars (JD5-25).

#### Article (448)

1. Any person does not possess official proof of ownership or control, and takes over – in whole or in part - an estate possessed by others, without their consent, shall be punished by imprisonment of up to six months..
2. Imprisonment shall be from a month to a year where threats or violence accompanies the criminal act, and from three months to three years where a group of people commit the crime including two armed persons at least.
3. The same punishment is applied for the attempt to carryout any of the crimes mentioned in paragraph two.

### **(3) Trespassing on Cultivation, Animals and Agriculture Machines**

Article (449)

1. Whoever cuts or spoils existing cultivation, trees, naturally existing or man-planted shrubs, or other non-fruitful plants; whoever intentionally releases animals on such plants with the intention of destruction; shall be punished by imprisonment from a week to three months and a fine from five to twenty five dinars (JD5-25), or by one of these two penalties.
2. Where the action of cutting or spoiling occurs on feeding material, fruitful trees, their buds, or any other commercially, agriculturally, or industrially valuable tree; the perpetrator shall be punished by imprisonment from one month to two years and a fine of one dinar (JD1) for every animal spoiled.

Article (450)

Whoever releases or grazed cattle and other animals in land belonging to others, whether fenced, tree-cultivated, planted, or cropped; or due to negligence or recklessness resulted animals entering such lands, shall be punished by imprisonment from a week to two months, or a fine from five to twenty dinars (JD5-20). The herd owner shall be responsible for damages incurred and may have remedy over the shepherd.

Article (451)

Where the criminal act is only limited to crop, tree, or trimming of buds or trees, the penalty shall be reduced to half.

Article (452)

1. Any person who, under no necessity, intentionally kills a cargo-moving animal, mounted animals, livestock, or other animals of different types belonging to others, shall be punished according to the following:
  - a. Where the crime occurs at a location under the control of the animal owner, or under his/her possession, the perpetrator shall be imprisoned for not more than two years.
  - b. Where the crime occurs at a location under the control of the perpetrator, he/she shall be imprisoned for not more than six months.
  - c. Where the crime occurs at other locations, the perpetrator shall be imprisoned for not more than a year.
  - d. Where the criminal act is done using toxins, the penalty shall be imprisonment from two months to two years.
2. Any person, under no necessity, intentionally kills a domestic animal or a pet, shall be punished by imprisonment up to three months, or a fine not more than fifty dinars (JD50).
3. Any person, under no necessity, beats or injures such animals resulting in severe damage or hindering it from work, he/she shall be punished by imprisonment up to a month, or a fine not more than twenty dinars (JD20).
4. Any person, under no necessity, causes death of such animals through release of predators, or any other mean, he/she shall be punished by the penalty mentioned in paragraph 3.

Article (453)

Whoever intentionally ruins or breaks agriculture tools shall be punished by imprisonment up to a year, or a fine not more than one hundred dinars (JD100).

Article (454)

Where an armed gang, of not less than five members, publicly sabotages property or crops of others, all perpetrators shall be punished by temporary imprisonment.

**Chapter Seven**

Crimes Related to System of Irrigation

Article (455)

Any person, who, without permission, commits the following, shall be punished by a penalty of imprisonment for not more than a year and a fine not more than twenty five dinars (JD25), or one of these two penalties:

1. Digs for, or collects, underground water or spring-water, excluding the act of digging non-spring-water wells in private property.
2. Digs within a distance less than tree meters or the depth of excavations from river banks, water tunnels, irrigation tunnels, vaporizing or draining channels.
3. Takes away stones, soil, sand, trees, bushes or herbs from such banks, temporary or permanent water reservoirs, lakes, pools, swamps, or springs.
4. Trespass in any form on spring banks, temporary or permanent water reservoirs, lakes, pools, swamps, springs, borders of irrigation and draining channels,
5. Prevents the free flow of public water
6. Commits any permanent or provisional action which influences the quantity and flow of public water.

Article (456)

Whoever, fully or partially, demolishes, vandalizes, or turns over constructions made for use and preservation of public water, or made for protection from water, including dams, bridges, blockades, switching equipment, draining and vaporization channels, buried or surface water tanks; regardless whether he/she was given a water concession, shall be punished by a penalty of imprisonment for not more than a year and a fine not more than twenty five dinars (JD25).

Article (457)

Whoever commits one of the following acts, shall be punished by imprisonment of not more than one year and a fine not more than twenty dinars (JD25):

1. Leaks, pours, or throws to public water, whether under concession or not, materials or liquids dangerous to public health or convenience, or which prevents reasonable use of such water.
2. Throws animal fertilizers or places dirt in lands within the range set by the authority to protect a public-benefit spring.
3. Conducts any action which may pollute a spring or drinking water used by others.

Article (458)

Whoever intentionally pollutes a river or drinking waters of others shall be punished by a penalty of imprisonment from a year to three years and a fine not more than fifty dinars (JD50).

## **Title Twelve**

### **Misdemeanors**

#### **Chapter One**

##### **Protection of Roads, Public Sites and Property**

###### **Article (459)**

Whoever causes the following shall be punished by a penalty of imprisonment up to a week or a fine not more than five dinars (JD5):

1. Sabotages public roads and plazas.
2. Plows, farms, or seeds lands within seventy five cm off the edge of public roads, with no proper authorization.
3. Removes or vandalizes plates and numbers placed on road curves, blocks, or mileage signs.

###### **Article (460)**

Whoever commits the following shall be punished by a fine of up to five dinars (JD5):

1. Plunges public road, or roads belonging to others, by raising water flow above the level determined by regulations, or through any other mistake.
2. Needlessly traffics public roads by placing or leaving any object which prevents or restricts the free flow of traffic, or by digging a hole into the road; without permission from the authority.
3. Overlooks daylight warnings, or night-lighting in front of permissible constructions at public plazas and public roads.
4. Removes, turns off, or sabotages a warning light indicating a hole in such places or the presence of an object placed there.
5. Throws or places dirt, or any other object, on public roads.
6. Negligently throws at a person dirt, or other harmful objects.
7. Places advertisements on historical monuments, public buildings, cemeteries, or places of worship. The advertisements or road trafficking objects shall be removed at the expense of the perpetrator.

###### **Article (461)**

1. Whoever commits the following at populated places shall be punished by a fine of not more than five dinars (JD5):
  - a. Releases or sprints livestock animals.
  - b. Needlessly shoots fire arms or other explosive materials.
  - c. Shoots fire-arrows in places endangering other persons or things.
2. The firearms and arrows shall be confiscated.
3. In the case referred to in paragraph (b), the perpetrator shall be punished by a penalty of imprisonment of up to a week.

###### **Article (462)**

Negligence on the part of owners of hotels, pubs, and furnished rooms available for rent to duly keep serial records noting the name, occupation, place and date of birth, and date of checking in and out for persons staying overnight in such inns, and does not present such records upon demand of competent authorities, shall be punished by a fine up to five dinars (JD5).

Article (463)

In the case of negligence on the part of the persons mentioned in the previous article and managers of theaters and cinemas and other public places to maintain the cleanliness of the facility, they will be punished by a fine not to exceed five dinars (JD5).

Article (464)

Whoever neglects taking care, cleaning, or repairing of furnaces, chimneys of bakeries and factories, or other places where fire is used, shall be punished by a fine of not more than five dinars (JD5).

Article (465)

Whoever trespasses on unplanted, unfenced lands of others, or lands which are not prepared for cultivation, without having the right to enter or pass through such lands, shall be punished by a fine not more than five dinars (JD5).

## **Chapter Two**

Misdemeanors against Public Morality, Public Calm, and Public Trust

Article (466)

Whoever bathes in public, in a manner opposed to decency; or appears in a public place, or a place open to public in such a state; shall be punished by imprisonment of not more than a week and by a fine not to exceed five dinars (JD5).

Article (467)

Whoever commits the following shall be punished by a fine not to exceed five dinars (JD5):

1. With no necessity makes noise or clatter in a way disturbing the calm of inhabitants.
2. With no necessity throws stones, other solid objects, or dirt at cars, buildings, fences, gardens, and pools of others.
3. Releases a harmful animal, or an insane, under his/her guardianship.
4. Orders his/her dog to attack or follow pedestrians, or not holding it from such actions; even if no harm or damage is made.

Article (468)

Whoever sells, prints, or offers for sale pictures, drawings, or carvings which presents a false image of Jordanians, undermining their dignity and standing, he/she shall be punished by imprisonment not more than a week and by a fine not more than five dinars (JD5). The drawings, pictures and carvings shall be confiscated.

Article (469)

Whoever sells any goods or other materials, or asks for a price exceeding the price set by the competent authority, shall be punished by imprisonment not more than a week and by a fine not more than five dinars (JD5), unless the law stipulates a stricter penalty.

Article (470)



Whoever refuses to accept Jordanian legal tender in assigned [exchange] value; shall be punished by imprisonment not more than a month and by a fine not more than ten dinars (JD10).

Article (471)

1. Whoever, with the intention of profit-making, [pretends to] deal with spirits, hypnosis, fortune-telling, palm-reading, deck-card reading, and all which is related to astrology, shall be punished by the penalty of a misdemeanor.
2. The repeater shall be punished by imprisonment not exceeding six months and by a fine not exceeding twenty dinars (JD20). In the event the perpetrator is a foreigner, he/she may be deported.

### **Chapter Three**

#### Mistreating animals

Article (472)

Whoever commits the following shall be punished by imprisonment of not more than a week and a fine not exceeding five dinars (JD5):

1. Leaves a domestic pet he/she owns with no food, or severely neglects such animal.
2. Fiercely beats, tortures, or overloads a pet or domestic animal.
3. Operates an animal incapable of work due to illness, age, or injury creating a wound or handicap.

### **Chapter Four**

#### Breaching Official Procedures

Article (473)

1. Whoever refrains from executing a ruling issued by a regular court ordering an action or a refrain from action, shall be punished by imprisonment not more than a week and a fine not more than five dinars, or any of the two penalties. Whoever materially prevents the construction of buildings licensed by the competent authority shall be punished with the same penalty.
2. Whoever neglects or refuses to obey orders issued by the administrative authority to demolish or repair falling buildings, he/she shall be punished by a fine not more than five dinars.

Article (474)

Any person, whether a technician, a professional, or not, who refrains, with no excuse, from relieving, serving, taking action, or from providing a service when an accident, a drowning, a flood, fire, or any other incident occurs; or when witnessing a robbery, crimes, cries for help, or execution of judicial rulings; shall be punished by imprisonment not more than a month and a fine not more than five dinars (JD5).

### **Provisions Not in Force**

Article (475)

The following laws shall be annulled:

1. The Ottoman penal law and all its annexes and amendments.

2. The law on brothels, published at the Official Gazette, number 165 issued at September 1, 1927.
3. The penal law number 74 for 1936, published at the Palestine Gazette, number 652 issued at December 12, 1936
4. The amended penal law number 37 for 1937, published at the Palestine Gazette, number 740 issued at November 25, 1937.
5. The amended penal law number 59 for 1939, published at the Palestine Gazette, number 973 issued at December 28, 1939.
6. The amended penal law number 21 for 1944, published at the Palestine Gazette, number 1344 issued at June 29, 1944.
7. The amended penal law, version 2, number 41 for 1944, published at the Palestine Gazette, number 1380 issued at December 28, 1944.
8. The amended penal law number 30 for 1945, published at the Palestine Gazette, number 1436 issued at September 4, 1945.
9. The amended penal law number 57 for 1946, published at the Palestine Gazette, number 1536 issued at November 20, 1946.
10. The amended penal law number 1 for 1947, published at the Palestine Gazette, number 1563 issued at March 15, 1947.
11. The law on court contempt, Chapter 23 of the Palestinian Collection of Laws.
12. Law number 89 for 1951 amending penal law number 85 for 1951, published at the Official Gazette, number 1080 issued at August 1, 1951.
13. Law number 4 for 1954 amending penal law number 85 for 1951, published at the Official Gazette, number 1169 issued at February 1, 1954.
14. Law number 31 for 1958 amending penal law number 85 for 1951, published at the Official Gazette, number 1392 issued at July 22, 1958.
15. Jordanian and Palestinian legislation issued prior to the enactment of this law, to the extent such legislation would be at variance with the provisions of this law.

Article (476)

The Prime Minister and Minister of Justice are charged with executing the provisions of this law.