

Law No. (2) of 1979 on Economic Crimes

General Secretariat of the General People's Congress,

In implementation of the decisions of the People's Congresses in their third regular session on 21 Dhul Qi'dah – 20 Dhu al-Hijjah 1398 AH. Corresponding to October 21 - November 20, 1978 AD. Drafted by the General People's Congress in its fourth regular session of the year 1399 AH. Corresponding to 1978 AD. regarding economic crimes.

Forms of the following law

chapter one

Definitions

Article(1)

Public funds are inviolable, and their protection is the duty of every citizen.

Article (2)

In the application of the provisions of this law, a public employee means anyone who is entrusted with a public task in committees, conferences, secretariats, municipalities, local administration units, public bodies or institutions, federations, unions, associations, associations, private bodies of public interest, companies or establishments that These entities, as well as the establishments in which the statement "partners without wages" has been applied, contribute to its capital, whether it is a member, employee, producer or worker, permanent or temporary, with or without consideration. This includes contract editors, arbitrators, experts, translators and witnesses while carrying out their duties.

Article (3)

Public funds, in the application of the provisions of this law, mean funds owned or subject to the management and supervision of one of the bodies mentioned in the previous article, or any other body whose funds the law stipulates to be considered public funds.

Chapter II

Crimes affecting the national economy

Article (4)

Anyone who intentionally destroys, by any means, an oil installation or one of its annexes, or any public facility, or a warehouse for raw materials, products or consumer goods shall be punished with death or life imprisonment.

Article (5)

Without prejudice to the provisions of Law No. 97 of 1976 AD. In the matter of combating the smuggling of goods, whoever flees abroad in cash, monetary values, bullion, gold jewelry, or precious stones, if the value of the smuggled items exceeds one thousand dinars, shall be punished with imprisonment.

If the offender repeats the acts stipulated in the previous paragraph, the provisions of Law No. 97 of 1976 shall not apply. The aforementioned and the penalty stipulated in the aforementioned paragraph shall be applied, even if the value of the smuggled items is one thousand dinars or less.

The penalty shall be life imprisonment if the value of the smuggled items exceeds five thousand dinars, or if the offender is part of a smuggling gang.

Article (6)

Every public employee who intervenes for himself or others in contracting, procurement, auctions, tenders, or other operations related to one of the bodies stipulated in Article Two of this Law shall be punished with imprisonment for no less than five years.

Article (7)

Whoever causes the spread of a plant or animal disease that is dangerous to the agricultural economy or the national livestock, shall be punished with imprisonment for no less than five years.

If the spread of the pest resulted from the fault of the perpetrator, the penalty shall be imprisonment or a fine of no less than one hundred dinars.

Article (8)

A public official shall be punished with imprisonment if he breaches his duties or slackens in carrying them out, and as a result, the facility or warehouse provided for in Article 4 is vandalized.

Article (9)

Anyone who intentionally causes serious harm to public funds or public interest shall be punished by imprisonment and a fine of no less than one thousand dinars and not more than the value of the damage, and compensation for the resulting damages.

Article (10)

Shall be punished by imprisonment and a fine of no less than five hundred dinars, and a refund of the value of the damages caused by every public official who, by his grave mistake, caused the damage stipulated in the previous article, if this resulted from negligence in the performance of his job, breach of its duties, or abuse of authority.

A criminal case may not be filed or actions taken in it except upon the permission of the Public Prosecutor.

Article (11)

Anyone who causes serious harm to national production or a clear shortage in goods of general consumption or that are widely consumed by destroying production tools, raw materials, agricultural or industrial products, or obstructing production in any of the Facilities.

The same penalty shall be imposed on whoever causes serious harm to agricultural projects, forests, pastures, or water sources, or cuts down trees, damages crops, erects buildings, makes divisions, or digs wells inside agricultural lands without obtaining permission to do so from the competent authorities. The damage results from negligence or negligence, and the penalty shall be imprisonment for no less than one year and a fine of no less than five hundred dinars.

The penalty shall be imprisonment for no less than six years and a fine of no less than two thousand dinars if the act is of special danger.

In all cases, a judgment shall be passed to remove the traces of the crime and to confiscate the tools used in its commission.

Article (12)

Any secretary, member of a popular committee, chairman, member of the board of directors, manager, commissioner, liquidator or auditor in companies owned or contributed by the entities stipulated in Article 2 of this law, who intentionally mentions incorrect data in the budgets, final accounts, or reports, or deliberately not mentioning material data in them, or divulging what he obtains by his work from the company's secrets, or exploiting these secrets to bring private benefit to himself or others.

Article (13)

Anyone who publishes or broadcasts false news that may stir up a disturbance in the local markets, or who resorts to other methods that lead to the withdrawal of funds deposited in banks or the rise or fall of the prices of goods, real estate, securities, or financial bonds circulating in the markets, shall be punished by imprisonment.

Article (13) bis:

Anyone who gives a check of a value of one thousand dinars or less shall be punished by imprisonment for not less than six months and a fine of not less than five hundred dinars and not more than one thousand dinars, and not matched by an existing withdrawable balance, or the balance is less than the value of the check or withdraws after giving the check the whole or part of the balance so that The rest does not meet the value of the check, or the drawee is ordered not to pay, and the penalty will be imprisonment for no less than one year and a fine of no less than one thousand dinars and not more
For five thousand dinars if the value of the instrument exceeds one thousand dinars.

A penalty of imprisonment for no less than three months and a fine of no less than one hundred dinars and not over five hundred dinars shall be inflicted on whoever issued in bad faith a name-free check or from the payment order without restriction, or who mentioned the withdrawn bank or from the date or place of issue or issued it with a false date. , or make himself the drawee, unless the check is drawn on different facilities belonging to the drawer, and the court may not, when ruling by this article, order a stay of execution of the judgment.

Article (14)

Any public employee who uses the public funds entrusted to him by his position for purposes other than those allocated under the economic and social transformation plan, and in a manner that causes harm to the objectives of this plan, shall be punished with imprisonment.

Article (15)

A public official charged with preserving or maintaining public money shall be punished with imprisonment if he fails to preserve or maintain such money.

The court may rule to compel the convict to pay the value of the damages incurred by the public money that he failed to preserve and maintain.

Article (16)

Imprisonment shall be imposed on any public employee involved in the administration, control , or supervision of the production or marketing of a commodity, who orders or permits the production, export,t or sale of a commodity of poor quality or that does not conform to the prescribed forms or conditions when the quantity of inferior commodities exceeds the permissible amount in industry or trade.

Article (17)

Anyone who engages in a commercial, industrial or agricultural activity in cases other than those authorized by law, which laws and regulations stipulate that one of the bodies stipulated in Article 2 of this law can only undertake it, shall be punished with imprisonment.

() Whoever stops or causes the cessation of an economic activity licensed to engage in or was responsible for its conduct, unless there is a reason or prior permission to do so, shall be punished by imprisonment for no less than one year and a fine of no less than one thousand dinars and not more than five thousand dinars. By the rules and procedures determined by a decision of the General People's Committee.

Article (17) bis: (3)

Any public employee who, due to the performance of his job duties, imports materials or goods whose import is prohibited, or whose import is restricted to someone other than the entity in which he works, or who imported materials or goods subject to the licensing system without obtaining prior permission from the competent authority, shall be punished with imprisonment and dismissal from his job.

The same penalty shall also be imposed on every public employee who takes any measure to facilitate or assist in the import or entry of imported materials in violation of the first paragraph, and this includes opening credits with them or transferring their prices abroad.

The court may not, when ruling under this article, order a stay of execution of the penalty. In applying the provisions of this article, the General People's Committee is exclusively concerned with issuing and amending decisions that specify goods and materials that are restricted to be imported to certain destinations and specifying these bodies.

The Secretary of the General People's Committee for Economics is also exclusively concerned with granting import licenses for goods and materials subject to the import licensing system.

The materials and goods that are imported in violation of the provisions of this Article shall be confiscated by a decision of the Secretary of the General People's Committee for Economics and sold for the benefit of the public treasury.

Article (18)

Whoever uses force, violence, terrorism, or threats, or commits illegal acts with the intent of forcing others to refrain from work, shall be punished with imprisonment for no less than one year.

The penalty shall be imprisonment if the offender intends to harm national production or obstruct the transformation plan.

Article (19)

Every public employee in a cooperative or commercial establishment who unlawfully withholds goods that he is entrusted to sell to the public, refuses to sell them, hides or delivers them to

belong to a certain person or persons in quantities that exceed their normal needs shall be punished by imprisonment for no less than two years and a fine equivalent to the value of the goods he withheld or refused to sell or Hide it or hand it over.

Article (20)

A public employee who discloses, in any way, without permission from the competent authority, information which, given its importance, is considered a secret related to the industry or other aspects of economic activity, shall be punished by imprisonment.

Chapter III

bribery crimes

Article (21)

Any public servant who requests for himself or others or accepts or takes a gift or promise of something he has no right to, whether in cash or any other benefit, to force him to refrain from any act of his office, or mistakenly believes or claims that it is from the work of his job or to breach its duties, even if it was It means not doing the work, not refraining from doing it, or not violating the duties of his job, or if the public employee accepts the gift for an act of his job that has been done.

The same penalty shall be applied to the briber and to anyone who deliberately mediates between the briber and the bribed.

Article (22)

Whoever offers a public official without his offer being accepted as a gift or promise of something he has no right to, whether in cash or any other benefit, to force him to perform an act of his job or to do something contrary to his duties, or to refrain from or delay it, shall be punished with imprisonment.

Article (23)

If the purpose of the bribery is to commit an act that is punishable by law with a penalty more severe than the penalty prescribed for bribery, he shall be punished with the penalty prescribed for the act along with the fine prescribed for the bribery.

Article (24)

The briber or the mediator shall be exempted from the penalty if he informs the authorities of the crime before taking action in it.

Article (25)

If the performance or omission of the work indicated in Articles 21 and 22 is a right, the penalties shall be reduced by half for the briber and the mediator.

Article (26)

Every person who makes or accepts a gift or interest with the intent of communicating it to others with his knowledge of that reason shall be punished by imprisonment for no less than one year and a fine not exceeding three thousand dinars, if he did not mediate in the bribery.

the fourth chapter

Crimes of embezzlement and abuse

Authority

Article (27)

Any public employee who embezzles public funds or people's funds delivered to him by his position, or claims ownership or ownership of another person, shall be punished with imprisonment for no less than five years. The penalty shall be the limit of theft if his conditions are met.

Article (28)

Every public official who unlawfully seizes public funds shall be punished with imprisonment.

If the act occurs unaccompanied with the intention of possession, the penalty shall be imprisonment and a fine not exceeding one thousand dinars, or one of these two penalties For five thousand dinars if the value of the instrument exceeds one thousand dinars.

A penalty of imprisonment for no less than three months and a fine of no less than one hundred dinars and not over five hundred dinars shall be inflicted on whoever issued in bad faith a name-free check or from the payment order without restriction, or who mentioned the withdrawn bank or from the date or place of issue or issued it with a false date. , or make himself the drawee, unless the check is drawn on different facilities belonging to the drawer, and the court may not, when ruling by this article, order a stay of execution of the judgment.

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Article (29)

Any public servant who requests for himself or others or accepts or takes a gift or promise of something to which he has no right, in cash or any other interest to use real influence or

Allegedly obtaining or attempting to obtain from any public authority or anybody subject to its supervision a business, obligation, contract, supply agreement, license, orders, decisions, judgments, position, service, rank, honors, or any reward or advantage of any kind.

Article (30)

Every public official who misuses his position or functions and forces another or forces him to give him or promise to give him or others money or another benefit in which he is later entitled to receive shall be punished with imprisonment for no less than ten years.

The penalty shall be imprisonment for no less than two years if the public employee receives the undeserved thing, taking advantage of the mistake of others only.

Article (31)

Whoever claims to influence a public official and takes for himself or others, or induces others to pay him or others money or another benefit, or obtains a promoter benefit in return for his mediation with the public servant, shall be punished by imprisonment for a period not exceeding five years.

The same penalty shall apply to anyone who takes money or other benefit for himself or others, or obtains a promise to do so, on the pretext that the money or benefit must be used to win the public servant's sympathy and reward him.

Article (32)

Whoever embezzles electric power or water from public utility networks shall be punished by imprisonment for no less than six months.

Article (33)

Any public employee who obtains for himself, whether directly or through others, or through various acts, an unlawful benefit from any of the administration's work in which he exercises his job, shall be punished by imprisonment for no less than two years.

Article (34)

Any public employee who abuses the powers of his position for the benefit or harm of others shall be punished by imprisonment for no less than six months if another criminal provision in the law does not apply to his act.

Chapter V

General Provisions

Article (35)

In all cases outlined in Articles 5, 21, 22, 27, 28, 29, 30, 31, 32, 33, the offender shall be sentenced to a fine equal to twice what he fled, embezzled, requested, accepted, promised, offered, obtained, or seized. him or force others to give him and confiscate or return the sums he obtained due to his perpetration of the crimes outlined in the articles referred to in this article.

Article (35) bis

As an exception to the enforcement procedures stipulated in the Civil and Commercial Procedures Law, the Criminal Procedures Law, and the Judicial Fees Law, the People's Prosecution Office shall execute judgments issued for compensation or restitution by the provisions of this Law.

Article (36)

A prison sentence in implementation of the provisions of this law entails employing the convict and depriving him of civil rights by the provisions of the Penal Code.

Article (37)

The provisions of this law shall not prejudice any severer penalty stipulated in the Penal Code or any other law.

The provisions of this law also do not prejudice the disciplinary accountability of the public servant and his punishment with one of the penalties stipulated in the Civil Service Law or any other law.

Article (38)

Every citizen has the right to report to the competent authorities any crime in violation of the provisions of this law.

Article (39)

Law No. 73 of 1975 AD is repealed. Amending some provisions of the Penal Code, and repealing any provision that contradicts the provisions of this law.

Article (40)

This law shall be published in the Official Gazette, and shall come into force as of 20 Dhu al-Hijjah 1398 AH. corresponding to November 20, 1978 AD.

It is the date of its drafting at the General People's Congress

General Secretariat of the General People's Congress

Issued on: 1 / Jumada al-Thani 1388 from the death of the Prophet.

Corresponding to April 29, 1979 AD.