

Type: CODE

Source: STAATSBLAD YEAR 1915 NUMBER 732 JUNCTIS STAATSBLAD YEAR 1917 NUMBER 497, 645, EFFECTIVE SINCE 1 JANUARY 1918.

Title: CRIMINAL CODE (WETBOEK VAN STRAFRECHT)

Book: I. First. GENERAL PROVISIONS

Chapter: I. EXTENT OF OPERATION OF THE STATUTORY PENAL PROVISIONS

Article: 1-9

Article 1

- (1) No act is punishable unless by virtue of a prior statutory penal provision.
- (2) In case of a revision in the legislation after the point of time when the act has been committed, the most favorable provisions for the defendant shall then be applicable.

Article 2

The Indonesian statutory penal provisions are applicable to any person who is guilty of a punishable act within Indonesia.

Article 3 (amended by Law 1/1976)

The Indonesian statutory penal provisions are applicable to any person who is guilty of a punishable act committed outside the territory of Indonesia on board of an Indonesian vessel or aircraft.

Article 4

The Indonesian statutory penal provisions are applicable to any person who outside Indonesia is guilty of:

1. one of the crimes described in articles 104-106, 107, 108 and 131;
2. any crime with respect to mint-species, coin or banknote-money, or with respect to seals or marks issued or placed on behalf of the Indonesian Government;
3. forgery of debentures or debt certificates chargeable to Indonesia, of a region or part of a region, including the counterfoils, dividend or interest coupons belonging to these documents, and certificates issued in lieu of these documents, or in respect of making use of such false or forged documents as if they were genuine and un-forged;

4. (amended by law 4/1976) one of the crimes described in articles 438, 444-446 concerning piracy and article 447 concerning the surrender of a vessel into the command of pirates, and article 479 j concerning an unlawful command of an aircraft, article 479 l, m, n and o, concerning crimes which endanger the safety of civil aviation.

Article 5

- (1) The Indonesian statutory penal provisions are applicable to an Indonesian National who outside Indonesia is guilty of:
1. one of the crimes as described in Chapters I and II of the second Book, and in articles 160, 161, 240, 279, 450 and 451;
 2. an act that by the Indonesian statutory penal provisions is considered as a crime and upon which punishment is imposed by the law of the country where it has been committed.
- (2) Prosecution pertinent to an act as referred to under secondly may also be instituted if the accused becomes an Indonesian National after committing the act.

Article 6

The applicability of article 5 paragraph (1), sub paragraph 2 is thus far limited, that the capital punishment cannot be imposed on account of an act upon which the capital punishment is not provided for by the law of the country where the act has been committed.

Article 7

The Indonesian statutory penal provisions are applicable to the Indonesian official who outside Indonesia is guilty of one of the crimes described in Chapter XXVII of Book II.

Article 8

The Indonesian statutory penal provisions are applicable to the skipper, passengers and crew of an Indonesian vessel who outside Indonesia, also when not on board, are guilty of one of the punishable acts, described in Chapter XXIX of Book II and Chapter IX of Book III, including the general regulations on certificates of registry and ship-passes in Indonesia and in the "Schepen Ordonnantie 1927" (Ships Ordinance 1927).

Article 9

The applicability of articles 2-5, 7 and 8 is restricted by the exceptions recognized in international law.

Book: I. First. GENERAL PROVISIONS

Chapter: II. PUNISHMENTS

Article: 10-43

Article 10

The punishments are:

a. principal punishments:

1. capital punishment,
2. imprisonment,
3. detainment,
4. fine;
5. substitute punishment

b. additional punishments:

1. deprivation of certain rights,
2. forfeiture of certain objects,
3. publication of the judicial verdict.

Article 11

The capital punishment shall be executed by a hangman on a scaffold by fastening a halter around the sentenced person's neck to a gallows and letting a trap-door fall away from under his feet.

The capital punishment shall be executed by shooting the sentenced person to death (As amended by article 1 of Act No. 2/Pnps/1964).

Article 12

- (1) Imprisonment shall be for life or temporary.
- (2) The term of temporary imprisonment shall not be less than one day and not more than fifteen consecutive years.
- (3) Temporary imprisonment may be imposed for not more than twenty consecutive years in cases where the crime is punishable either with a death-penalty, life-long and temporary imprisonment, or life- long and temporary imprisonment at the discretion of the judge, and in such cases where an increased sentence is imposed because of a concurrence of crimes, a recurrence of crime or as stipulated in article 52, and 52a, the time-period of fifteen years shall be exceeded.
- (4) Under no circumstances shall the term be more than twenty years.

Article 13

The persons sentenced to imprisonment are classified into categories.

Article 14

The person sentenced to imprisonment shall be obliged to carry out labor-work as ordered to him in accordance with the regulations laid down for an implementation of article 29.

Article 14a

- (1) In the event of an imprisonment sentence of not more than one year and in the event of a detainment sentence, with an exclusion of substitutive detainment, the judge may then also issue an order for non-execution of the punishment, unless when later on a judicial verdict may order otherwise for the reason that the sentenced person, before termination of a by order determined probation period, has committed a punishable act or during said probation period has not fulfilled a particular condition which may have been stipulated by the order.
- (2) The sentencing judge has this same authority, except in matters concerning State's resources and leases, in case of a sentence to a fine, but only if it is evident to him that the payment of the fine or an at the same time pronounced forfeiture shall produce severe difficulties to the sentenced person. Crimes and misdemeanors concerning opium are regarded as being applicable to this paragraph only when they are relevant to State's resources, as long as in that connection it has been decided that for the sentence to a fine the provisions of article 30 paragraph (2) shall not apply.
- (3) The order concerning principal punishments also covers, as far as not determined otherwise by the judge, the imposed additional punishments.
- (4) The order shall not be issued, unless that after close examination the judge has become convinced that adequate supervision can be exercised on an observance of the general condition, that the sentenced person shall not commit a punishable act, and an observance of the special conditions if these were imposed.
- (5) The verdict, containing the order referred to in the paragraph (1), shall incorporate the causal facts or circumstances on which it is based.

Article 14b

- (1) The probation period for crimes and misdemeanors as described in articles 492, 504, 505, 506 and 536 shall not be more than three years, for other misdemeanors shall not more than two years.
- (2) The probation period becomes effective immediately after that the verdict has become irrevocable and has in a legal manner been notified to the sentenced person.
- (3) The probation period cannot be passed during the time that the sentenced person is judicially deprived of his freedom.

Article 14c

- (1) With the order referred to in article 14a, the judge may, except in case of sentence to a fine, apart from the general condition that the sentenced person shall not commit a punishable act, determine a specific condition that the sentenced person shall compensate the damages caused by the punishable act, wholly or for a thereby determined part, within a thereby set period of time, shorter than the probation period.
- (2) In case of sentence either to an imprisonment for more than three months, or to a detainment imposed on account of one of the misdemeanors described in articles 492, 501, 505, 506 and 536, the sentencing judge shall have the authority to also set other specific conditions in his order, concerning the behavior of the sentenced person, which must be adhered by him during the probation period or a thereby determined part thereof.
- (3) Those conditions may not restrict the religious and political freedom of the sentenced person.

Article 14d

- (1) Supervision on an adherence of the conditions shall be entrusted to the court officer who, when later an instruction for execution may be issued, shall cause the sentence to be executed.
- (2) The sentencing judge may, if he finds grounds for this, by his order give instructions to an in Indonesia domiciled person, incorporated institution, to the keeper of a there domiciled organization, or to an extraordinary civil servant, to provide help and assistance to the sentenced person in adhering the specific conditions.
- (3) Instructions for a further regulation of such supervision and assistance and for a further appointment of the institutions and keepers of organizations, who may be entrusted with the duty of providing such assistance, shall be determined with an ordinance.

Article 14e

The judge who has sentenced in first instance, may, either upon receiving a proposal from the court officer mentioned in the paragraph (1) of article 14d, or at the request of the sentenced person, during the probation period stated in the specific conditions or during the term within which an operation of the probation period is being limited by these specific conditions, make alterations, give an instruction that the rendering of assistance shall be assigned to an other party than the one who was previously appointed for this, or for a one time extension of the probation period. Such an extension shall be for not more than half of the longest period at which the probation period could have been determined.

Article 14f

- (1) Without prejudice to what has been determined by the previous article, the judge who has sentenced in first instance may, upon receiving a proposal from the court officer mentioned in the paragraph (1) of article 14d, in the event that the sentenced person has committed a punishable act during the probation period and for that reason has been irrevocably sentenced, or if one of the other conditions has not been adhered to, or also if the sentenced person before termination of the probation period has been irrevocably sentenced on account of a punishable act committed before said probation period, issue an order for execution or determine whether the sentenced person shall for his sake be served with a warning.

In the latter case he shall also determine the manner in which the warning shall be served.

- (2) The order for execution can no longer be issued after an expiration of the probation period, unless when the sentenced person before the termination thereof is prosecuted on account of a punishable act that has been committed during the probation period and the prosecution ends with an irrevocable verdict. The order for an execution pertinent to the committance of that act may then still be issued within two months after that the sentence has become irrevocable.

Conditional Release

Article 15

- (1) The person sentenced to imprisonment may, when two thirds of his actual term of imprisonment and also not less than nine months thereof have elapsed, be conditionally released.

In the event that the sentenced person must consecutively serve more imprisonment terms, these shall then be considered as one sentence.

- (2) With this conditional release a probation period shall also be determined for the sentenced person together with the conditions that must be complied with by him during the probation period.
- (3) The probation period shall last one year longer than the remaining part of the actual term of imprisonment of the sentenced person. It does not include the time that the sentenced person is lawfully deprived of his freedom.

Article 15a

- (1) The conditional release shall be connected to the general condition that the sentenced person shall not commit any punishable act, nor misbehave himself otherwise.
- (2) The conditional release may also be connected to specific conditions concerning the behaviors of the sentenced person, provided that these conditions shall not restrict his religious or political freedom.
- (3) The supervision on an adherence of these conditions is assigned to the court officer mentioned in the paragraph (1) of article 14d.

- (4) For an adherence of the set conditions a special supervision may also be instituted, which may only be directed towards providing help and assistance to the sentenced person.
- (5) During the probation period the conditions can be amended or discontinued, or specific conditions can as yet be imposed, a special supervision can as yet be instituted and the special supervision can be commissioned to a body or person other than the previously assigned body or person.
- (6) The conditionally released person shall be given a leave-permit in which all the conditions imposed upon him are stipulated. In the event of an applicability of the foregoing paragraph, he shall then be given a new leave-permit.

Article 15b

- (1) The conditional release can be withdrawn if the sentenced person during the probation period acts contrarily to the stipulated conditions in his leave-permit. It can, if a serious suspicion of such acts exists, be suspended by the Minister of Justice.
- (2) The time that has elapsed between a release and a resumption of an execution of the sentence shall not be included in the term of the punishment.
- (3) The withdrawal can no longer occur when, after an expiration of the probation period, a time of three months has elapsed, unless when the sentenced person before an ending thereof is being prosecuted on the ground of a punishable act that he has committed during the probation period and that the prosecution ends with an irrevocable condemnation. The conditional release may then on the ground of that committed act still be withdrawn within three months, after that the condemnation has become irrevocable.

Article 16

- (1) The decisions for a conditional release shall, upon the proposal of or after gathering information from the manager of the prison where the sentenced person is kept, be taken by the Minister of Justice after receiving a notification from the Public Prosecutor of the region where the sentenced person comes from. These decisions shall not be taken unless that the Central Board for Reinstatement, whose tasks are regulated by the Head of State, has been heard on the matter.
- (2) The decisions for a withdrawal of the conditional release as well as those, which result from an application of what is determined by article 15a paragraph (5), are taken by the Minister of Justice after a proposal or obtained information at the order of the Public Prosecutor of the region where the sentenced person comes from. Such decisions shall not be taken unless that the Central Board for Reinstatement has been heard on the matter.

- (3) As long as there is an authority to withdraw the conditional release, the conditionally released person, concerning whom there is a reason for suspicion that during the probation period he has acted contrarily to the conditions stipulated in his leave-permit, may, for the purpose of keeping public order, be detained upon an order of the Public Prosecutor of the region where the sentenced person is, with the obligation to immediately give notice thereof to the Minister of Justice.
- (4) The detention shall be valid for not more than sixty days.
- If the detention is followed by a suspension or a withdrawal of the conditional release, the execution of the sentence shall then be considered as having been resumed on the day of the detention.

Article 17

The form for the leave-permits and the further instructions for the implementation of articles 15, 15a and 16 shall be determined by Law.

Article 18

- (1) The duration of the detainment shall not be less than one day and at not be more than one year.
- (2) It can be imposed for not more than one year and four months in cases where, because of a penalty-increase pertinent to a concurrence of crimes, a recurrence of crime or what is stipulated by article 52, the period of one year is exceeded.
- (3) It may under no circumstances exceed the term of one year and four months.

Article 19

- (1) The to a detainment sentenced person shall be obliged to carry out the work that he is assigned to do, in accordance with the set regulations for an implementation of article 29.
- (2) He shall be assigned to lighter work than to an imprisonment-sentenced person.

Article 20

- (1) In the judicial verdict it can be determined, that the person sentenced to an imprisonment or detainment of not more than one month, can be permitted by the Public Prosecutor to freely spend the hours outside working time.
- (2) If the sentenced person with respect to whom such decision has been made, whether or not for reasons other than of his own will, is not present at the stipulated time and the indicated place to carry out the duties as instructed to him, he shall then further serve his sentence in the usual manner.
- (3) The stipulation in the paragraph (1) shall not be applicable, in the event that from the time of a commission of the act no two years have yet elapsed, since the offender has served an imprisonment or custody.

Article 21

Detainment shall be served in the region (or district) where at the time of the execution of the judicial verdict the sentenced person is living or, in the event of an absence of a place of domicile, is staying, unless that at his request the Minister of Justice has rendered him permission to serve the sentence elsewhere.

Article 22

- (1) Detainment which must be served by a convicted person who is undergoing a sentence of being under guard in an institution, intended for the execution of imprisonment, detainment or both, may at his request, immediately after an expiration of the sentence of being under guard, be served in that same institution.
- (2) Detainment which is hence served in an institution exclusively, intended for imprisonment shall by that not change in nature.

Article 23

The to a detainment sentenced person may at his own costs provide himself with some matters to improve his lot in accordance with regulations that shall be determined with a decree.

Article 24

Persons sentenced to imprisonment and detainment may be obliged to carry out work both within or outside the walls of an institution intended to take in convicts.

Article 25

Work outside the walls of such an institution shall not be assigned to:

1. persons sentenced to life imprisonment;
2. women;
3. sentenced persons who after a medical examination appear to be unfit for such work.

Article 26

When in the opinion of the judge on account of personal or social circumstances there are grounds for this, it shall then by judicial verdict be determined that no work outside the walls of an institution intended for an intake of convicts shall be assigned to the sentenced person.

Article 27

The duration of the temporary imprisonment and the detainment shall in the judicial verdict be indicated in days, weeks, months and years, not in parts thereof.

Article 28

Imprisonment and detainment can be served in the same institution, provided that these are served in separate sections.

Article 29

- (1) The designation of the institutions, where either imprisonment or detainment, or both are served, as well as an arrangement of the structure and management of these institutions, of the division of prisoners into categories, of the labor-work, of the compensations for labor-work, of the accommodation of sentenced persons staying outside prison, of the education, of the religious prayer-meetings, of the discipline, of the lay-out, of the food and of the clothing shall take place in conformity with this code of law with an ordinance.
- (2) Household regulations for such institutions shall, if necessary, be determined by the Minister of Justice.

Article 30

- (1) The amount of the fine shall not be at less than three rupiah and seventy five cents.
- (2) With a sentence to fine-payment, this fine shall, with a failure in payment, be substituted with a detainment.
- (3) The duration of the substitutive detainment shall not be less than one day and not be more than six months.
- (4) The duration of the substitutive detainment shall be determined in the judicial verdict, so that for an imposed fine of seven rupiah fifty cents or less this shall be one day, for an imposed fine of a higher amount the replacement shall be not more than one day for each seven rupiah fifty cents of the imposed fine and for the remaining part thereof;
- (5) Detainment may be imposed for at not more than eight months in cases where because of a concurrence of crimes, a recurrence of the crime or the stipulation in article 52, the maximum fine payment is increased.
- (6) The time of the detainment shall under no circumstances be more than eight months.

Article 31

- (1) The person sentenced to fine may serve the substitutive detainment without awaiting an expiration of the time for payment.
- (2) He shall always have the right to be free himself from the substitutive detainment by paying the fine.
- (3) Payment of part of the fine, either before an execution of the detainment or after it has commenced, shall free the sentenced person from the execution of a proportional part of the substitutive punishment.

Article 32

- (1) The imprisonment and detainment shall, as far as each of the punishments concerns, commence: with respect to sentenced persons who already are being temporarily securely detained, on the day upon which the judicial verdict has been absolutely entered, and with respect to other sentenced persons on the day of the execution of the judicial verdict.
- (2) If by the same judicial verdict an imprisonment and a detainment are imposed on account of acts, for which or for one of which the sentenced person already is being temporarily detained, and if this verdict has for all convictions at the same moment acquired an admission for legality, the imprisonment shall then take effect from that time on and the detainment immediately after termination of the imprisonment.

Article 33

- (1) With the judicial verdict it can be determined that the time, which the sentenced person has spent in temporary secure custody before the day upon which the verdict shall have been absolutely entered, shall with an execution of the upon him imposed temporary imprisonment, detainment or fine be fully or partly deducted; as for the fine in accordance with the stipulated standard in the paragraph (3) of article 31.
- (2) The time, during which a defendant has been detained without a written warrant, shall not be deducted unless specifically so determined in the verdict.
- (3) The stipulations of this article shall also be applicable in the event that, with a simultaneous prosecution because of more punishable acts, the verdict is pronounced on account of another act than the one for which the sentenced person is temporarily being kept in secure custody.

Article 33a

If by a person sentenced to imprisonment or detainment, who is temporarily being securely detained, or by a third party with the consent of such a sentenced person a request for pardon is submitted, the time that shall elapse between the day of submission of said request and the day upon which the President shall take a decision on the matter, shall then not be considered as sentence time, unless when the President, by taking the circumstances of the case into consideration, shall in his decision determine that such time shall fully or partly be included in the sentence time.

Article 34

With an escape of a convict whilst serving his sentence, the time that as a consequence thereof is spent outside the place where he must serve his sentence, shall not be counted as served sentence time.

Article 35

- (1) The rights of which the offender, in cases as determined by this code of law or by an other general regulation, can by judicial verdict be deprived are:
 1. to occupy official posts or certain official posts;

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2. to serve with the armed forces;
 3. to vote and be voted for in elections that are held on the basis of general regulations;
 4. to be a counselor or a legal administrator and to be a guardian, co-guardian, curator or co-curator over other children than his own;
 5. the paternal authority, the guardianship and the curatorship over one's own children;
 6. the practice of certain professions.
- (2) The competence of the judge to dismiss a public servant from a certain post shall not exist when under a general regulation another authority has exclusively been designated for such a dismissal.

Article 36

Deprivation from the right to occupy official posts or certain official posts and to serve with the armed forces can, except in such cases as described in the Second Book, be pronounced by verdict on account of an abuse of power or on account of a crime whereby the guilty person has transgressed a special official duty or whereby he has made use of the authority, opportunity or means that have been conferred upon him by his official post.

Article 37

- (1) Deprivation from the paternal authority and from the guardianship, the co-guardianship, the curatorship and the co-curatorship, both over one's own children as well as over others, can, except in cases as described in the Second Book, be pronounced in the conviction of:
1. parents or guardians who deliberately together with a minor who has been submitted to their authority have taken part in the commission of a crime;
 2. parents or guardians who have committed a crime against a minor who has been submitted to their authority, as described in Chapters XIII, XIV, XV, XVIII, XIX and XX of the Second Book.
- (2) The deprivation referred to in the foregoing paragraph cannot be pronounced by the sentencing judge against such persons to whom the provisions contained in the Civil Code on deprivation of parental authority, guardianship and curatorship are applicable.

Article 38

- (1) When a deprivation of rights is pronounced, the judge shall determine the duration thereof as follows:
1. with a verdict to the capital punishment or to life-long imprisonment, for life;
 2. with a verdict to temporary imprisonment or to detainment, for a time duration of the principal punishment not less than two and not more than five years;

3. with a verdict to fine-payment, for a time of not less than two and not more than five years.
- (2) The punishment takes effect on the day upon which the judicial verdict can be executed.

Article 39

- (1) Objects, belonging to the sentenced person, acquired by means of commission of a crime or with which a crime has deliberately been committed, can be forfeited.
- (2) With a verdict on account of a crime not intentionally committed, or on account of a misdemeanor, a similar forfeiture may be pronounced in cases as determined by statutory regulations.
- (3) Forfeiture may be pronounced at the expense of the guilty person who has been placed at the disposal of the Government, however only for goods which have duly been confiscated.

Article 40

With a possession, importation or transportation of goods in violation of the regulations concerning State utilities and tenancies, of those regulating the supervision on shipping in certain parts of Indonesia and of those prohibiting the importation, exportation and transit of goods, by a person under the age of sixteen years, the judge may, also when the guilty person without an application of any punishment shall be returned to his parents, his guardian or his fosterer, pronounce the forfeiture of goods referred to.

Article 41

- (1) Forfeiture of not confiscated objects shall, in the event that such objects are not surrendered or the money value at which they are estimated is not paid, be substituted by a light imprisonment detainment.
- (2) The duration of this substitutive detainment shall not be less than one day and not more than six months.
- (3) This duration shall be determined in the judicial verdict, so that the replacement for an amount of money of seven rupiah fifty cents or less shall be one day, for a higher amount not more than one day for each seven rupiah fifty cents and for the remaining part thereof.
- (4) Article 31 shall be applicable for this substitutive detainment.
- (5) The surrender of the objects shall also release one from detainment.

Article 42

All costs of imprisonment and detainment shall be borne by the State, all revenues from fines and forfeitures shall be for the benefit of the State.

Article 43

In cases where the judge by virtue of this code of law or another general regulation shall order the publication of his verdict, he shall also determine the manner in which the order shall be executed at the expense of the sentenced person.

Book: I. First. GENERAL PROVISIONS

Chapter: III. EXCLUSION, MITIGATION AND INCREMENT OF PENALIZATION

Article: 44-52a

Article 44

- (1) Not punishable shall be the one who commits a deed that because of the defective development or sickly disorder of his mental capacities cannot be held liable.
- (2) If it is evident that he cannot be held liable for the committed deed because of the defective development or sickly disorder of his mental capacities, the judge may issue an order that he shall be placed in a lunatic asylum during a probation time, for the term of not more than one year.
- (3) The stipulation in the foregoing paragraph shall only be applicable to the Supreme Court, the High Court and the District Courts.

Article 45

Revoked by Law Number 3 Year 1997.

Article 46

Revoked by Law Number 3 Year 1997.

Article 47

Revoked by Law Number 3 Year 1997.

Article 48

Not punishable shall be the person who commits a deed to which he is driven by being overpowered.

Article 49

- (1) Not punishable shall be the person who commits a deed, commanded by the necessity to defend his own or another person's body, virtue or belongings against an instant or immediate threatening, unlawful assault.
- (2) Not punishable shall be the going beyond limits for a necessary defense, if this has been the immediate result of a severe emotional commotion caused by the assault.

Article 50

Not punishable shall be the person who commits a deed for the execution of a statutory regulation.

Article 51

- (1) Not punishable shall be the person who commits a deed for the execution of an official order, issued by the appropriate competent authority.
- (2) An incompetently issued official order shall not rescind the punishment, unless that it is considered as having in good faith competently been issued by the subordinate and an observance thereof remained within the circles of his subordination.

Article 52

If an official through committing a punishable deed shall violate a specific official duty or in the commission of a punishable deed shall make use of the power, opportunity or means conferred upon him by his function, the punishment may then be increased with one third.

Article 52a

If during the commission of a crime the national flag of the Republic of Indonesia is used, the punishment imposed upon said crime may be increased with one third.

Book: I. First. GENERAL PROVISIONS

Chapter: IV. ATTEMPT

Article: 53-54

Article 53

- (1) Attempt to commit a crime is punishable when the intention of the offenders has revealed itself by a start of the performance and only because of circumstances independent of their will the performance is not completed.
- (2) The maximum of the principal punishments imposed on the crime shall for an attempt be reduced with one third.
- (3) If it concerns a crime upon which the capital punishment or a crime upon which life imprisonment is imposed, an imprisonment of not more than fifteen years shall then be imposed.
- (4) The additional punishments for an attempt are the same as for the completed crime.

Article 54

Attempt to commit a misdemeanor shall not be punishable.

Book: I. First. GENERAL PROVISIONS
Chapter: V. PARTICIPATION IN PUNISHABLE ACTS
Article: 55-62

Article 55

- (1) As performers of a punishable deed shall be punished:
1. those who commit, cause to commit, or partake in the commission of the deed;
 2. those who through gifts, promises, abuse of power or of respect, force, threat or deception or by providing an opportunity, means or information intentionally elicit the deed.
- (2) With regard to the latter, only such acts which have been intentionally been elicited and their consequences shall be taken into consideration.

Article 56

As accessories to a crime shall be punished:

1. those who are deliberately being helpful in the commission of the crime;
2. those who are deliberately providing the opportunity, means or information for the commission of the crime.

Article 57

- (1) The maximum of the principal punishments imposed upon the crime shall with an accessory thereto be reduced with one third.
- (2) If it concerns a crime upon which the capital punishment or a crime upon which life imprisonment is imposed, an imprisonment of not more than fifteen years shall then be imposed.
- (3) The additional punishments for complicity shall be the same as for the crime itself.
- (4) In determining the punishment only such acts shall be taken into consideration which the accessory has deliberately facilitated or stimulated, along with their consequences.

Article 58

The personal circumstances whereby the liability to punishment is excluded, reduced or increased shall with the application of the penal law only be taken into consideration with regard to the offender or accessory to whom these are personally related to.

Article 59

In cases where because of a misdemeanor a punishment is determined against rulers, members of an administration or commissioners, no punishment shall be pronounced against the ruler or commissioner of whom it is evident that the misdemeanor has been committed outside his doing.

Article 60

Accessory to a misdemeanor shall not be punishable.

Article 61

- (1) In crimes committed by means of the press the publisher shall as such not be prosecuted, in the event that the printed document mentions his name and place of domicile and the perpetrator is known or at the first warning after the committal for trial has been made known by the publisher.
- (2) This regulation shall not be applicable, in the event that the perpetrator at the point of time of the issuance not criminally prosecutable was or was domiciled outside Indonesia.

Article 62

- (1) In crimes committed by means of the press, the printer shall as such not be prosecuted, in the event that the printed document mentions his name and place of domicile and the person, at whose order the document has been printed, is known or at the first warning after the committal for trial has been made known by the printer.
- (2) This regulation shall not be applicable, in the event that the person at whose order the document has been printed, at the point of time of printing not criminally prosecutable was or was domiciled outside Indonesia.

Book: I. First. GENERAL PROVISIONS

Chapter: VI. CONCURRENCE OF PUNISHABLE ACTS

Article: 63-71

Article 63

- (1) If a deed falls within more than one penal clause, only one of those clauses shall then be applied whereby, in case of a difference, the most severe principal punishment shall be imposed.
- (2) In the event that for a deed falling within a general penal provision there exists a specific penal clause, only this special penal clause shall then be considered.

Article 64

- (1) Are more deeds, though each in itself forming a crime or misdemeanor, connected in such a way that they must be considered as one continuing act, then only one penal provision shall applied whereby, in case of a difference, the most severe principal punishment shall be imposed.
- (2) Likewise only one penal clause shall be applied in a verdict of forgery or coinage violation and the use of the object in respect of which the forgery or coinage violation has been committed.
- (3) If, however, the crimes described in articles 364, 373, 379 and the paragraph (1) of article 407 are committed in a continuing act, and if the total value of the by that continuing act caused capital loss shall be more than three hundred seventy five rupiahs, the penal clauses of articles 362, 372, 378 and 406 shall then be applied separately.

Article 65

- (1) With a concurrence of more deeds which in themselves must be considered as being separate acts and are resulting more crimes upon which similar principal punishments are imposed, one punishment shall be pronounced.
- (2) The maximum of this punishment is the collective total of the maximum punishments imposed on the deeds, however not more than one third over the heaviest maximum.

Article 66

- (1) With a concurrence of more deeds which in themselves must be considered as separate acts and are resulting more crimes upon which dissimilar principal punishments are imposed, each of these punishments shall then be pronounced, but they may together in duration not exceed the longest term with more than one third of its time-length.

- (2) Fines shall thereby be calculated in proportion to the duration of the maximum substitutive detainment that is imposed for the deed.

Article 67

With a verdict to capital punishment or to life imprisonment no other punishments can over and above that be imposed, other than deprivation of certain rights, forfeiture of duly confiscated objects, and publication of the judicial judgment.

Article 68

- (1) In cases of articles 65 and 66 the following stipulations shall be applicable regarding additional punishments:
1. the punishments of deprivation of the same rights shall be dissolved into one punishment, in duration the imposed principal punishment or principal punishments exceeding not less than two and not more than five years, or in the event that no other principal punishment than a fine-payment has been imposed, into one punishment of not less than two and not more than five years;
 2. the punishments of deprivation of different rights shall for each crime be imposed separately and without diminution;
 3. the punishments of forfeiture of certain objects shall, like the substitutive detainment with a non-handing-over of such objects, for each crime be imposed separately and without diminution.
- (2) The punishments of substitutive detainment may together in time-duration not be more than eight months.

Article 69

- (1) The comparative severity of dissimilar principal punishments shall be determined by the sequence of article 10.
- (2) Where the judge is left with the option between more principal punishments, only the most severe of these punishments shall with a comparison thereof be taken into consideration.
- (3) The comparative severity of similar principal punishments shall be determined by the maximum.
- (4) The comparative duration of both the dissimilar as well as the similar principal punishments shall also be determined by the maximum punishment.

Article 70

- (1) With a concurrence in the manner mentioned in articles 65 and 66, either of misdemeanors with crimes or of misdemeanors with one another, punishment shall be imposed for each misdemeanor without diminution.

- (2) For misdemeanors, the punishments of detainment and substitutive detainment together the time may not be more than one year and four months, those of substitutive detainments together the time may not be more than eight months.

Article 70 bis

With regard to the application of articles 65, 66 and 70, the crimes described in the articles 302, paragraph (1), 352, 364, 373, 379 and 482 shall be considered as misdemeanors, with the understanding that as far as imprisonments are imposed, these may, for such crimes together, not be more than the time of eight months.

Article 71

- (1) If a person, after having been sentenced to punishment, shall again be convicted of a crime or misdemeanor committed prior to that sentence, the earlier punishment shall be taken into account, with application of the provisions of this chapter in the event of a simultaneous trial, subject to the stipulation in the following paragraph.
- (2) If a person, after having been sentenced to lifelong imprisonment, shall again be convicted of a crime, prior to that sentence and against which the capital punishment is threatened, the capital punishment may then be imposed.

Book: I. First. GENERAL PROVISIONS

Chapter: VII. FILING AND WITHDRAWAL OF THE COMPLAINT IN CRIMES ONLY
PROSECUTABLE UPON COMPLAINT

Article: 72-75

Article 72

- (1) As long as the person, against whom a crime has been committed that is only prosecutable upon complaint, has not yet reached the age of sixteen years and is also under age, or as long as the person, other than for the reason of prodigality, has been placed under guardianship, his legal representative in civil matters shall then be the authorized person to file a complaint.
- (2) In the absence of a legal representative, or if he is the person against whom the complaint should be made, the prosecution may then take place upon complaint of the co-guardian or co-curator, or of the board entrusted with the supervisory guardianship or supervisory curatorship, of the spouse, of a blood relative in the direct line, or in the absence of these, upon complaint of a blood relative in the side-line including to the third degree.

Article 73

In the event that the person, against whom the crime has been committed, dies within the term specified in the following article, the prosecution may then, without an extension of this term, take place upon complaint of the parents, of the children or of the surviving spouse, unless it may have become evident that the deceased had no desire for a prosecution.

Article 74

- (1) The complaint can only be filed within six months after that the person authorized to file the complaint has taken knowledge of the committed act, if he is domiciled within Indonesia, or within nine months after he has taken knowledge of it, if he is domiciled outside Indonesia.
- (2) In the event that at the point of time, upon which the person, against whom the crime has been committed, has had the right to file a complaint, the term stated in the paragraph (1) has not yet expired, he shall then from that point of time until the filing of the complaint only be entitled to so much time as is still left from that term.

Article 75

The person who files the complaint remains entitled to withdraw the complaint during three months after the day of filing.

Book: I. First. GENERAL PROVISIONS

Chapter: VIII. LAPSING OF THE RIGHT TO PROSECUTE AND OF THE PUNISHMENT

Article: 76-85

Article 76

- (1) Except for the cases where judicial verdicts are subject to revision, no person can again be prosecuted because of a deed about which in respect of him an Indonesian judge has made an absolute pronouncement. By an Indonesian judge shall be understood the judges in regions where the right of self-government has been left to Indonesian rulers and ethnic groups, also where the Indonesian people are left to enjoy their own judicature. (Adat Law tribunals at places where such tribunals exist.)
- (2) If the absolute pronouncement has come from another judge, no prosecution shall take place against the same person because of the same act in case of:
 1. acquittal or release from prosecution;
 2. sentence followed by a full-time execution, pardon or a lapse of time of the punishment.

Article 77

The right to prosecute shall become void through the death of the suspected person.

Article 78

- (1) The right to prosecute shall expire through lapse of time:
 1. in one year for all misdemeanors and for the crimes that have been committed by means of the printing-press;
 2. in six years for the crimes upon which a fine-payment, confinement or imprisonment of not more than three years is imposed;
 3. in twelve years for all crimes upon which temporary imprisonment for more than three years is imposed;
 4. in eighteen years for all crimes upon which the death-penalty or life imprisonment is imposed.
- (2) With regard to a person who, before commission of the deed has not yet reached the age of eighteen years, each of the above mentioned periods of limitation shall be reduced with one third.

Article 79

The period of limitation commences on the day after the day when the deed has been committed, except in the following cases:

1. in forgery or coinage violation the period commences on the day after the day when use has been made of the object with respect to which the forgery or coinage violation has been committed;
2. in the crimes described in articles 328, 329, 330 and 333 on the day after the day of the release, or of the death of the person against whom the crime has immediately been committed;
3. in the misdemeanors described in articles 556 through 558a, on the day after the day upon which the transfer of the registers, from which the misdemeanor is evident, has taken place; this in compliance with the stipulations of general regulations ordering that registers of the Civil Registration Service shall be transferred to the registrar's office of a judicial council.

Article 80

- (1) Each act of prosecution shall stop the lapse of time, provided that the act is known to the accused or has been made known to him in the manner as stipulated by general regulations.
- (2) After the stopping a new period of limitation shall start.

Article 81

The suspension of a penal prosecution pertinent to a prejudicial dispute shall suspend the lapse of time.

Article 82

- (1) The right to prosecute because of misdemeanors upon which no other principal punishment has been imposed than a fine-payment, shall lapse by a voluntary payment of the maximum fine-amount, and of the costs if prosecution has already taken place, upon authorization of the thereto by general regulations designated official within the period that shall be determined by him.
- (2) If besides a fine-payment forfeiture is imposed for the deed, the objects subjected to the forfeiture must then also be surrendered or the value at which they are estimated by the official referred to in the paragraph (1), be paid for.
- (3) In the cases where the punishment is increased because of a recurrence, such an increase shall then also be applicable, when, according to paragraphs (1) and (2) of this article, the right to prosecute because of the earlier committed misdemeanor has lapsed.
- (4) The stipulations of this article shall not be applicable to a minor who, before committing the deed, has not yet reached the age of sixteen years.

Article 83

The right to execution of the punishment shall lapse through the death of the convicted person.

Article 84

- (1) The right to execution of the punishment shall lapse through lapse of time.
- (2) The period of this time lapse is for misdemeanors two years, for crimes committed by means of the printing-press five years, and for other crimes one third longer than the period of the time lapse of the right for a criminal prosecution.
- (3) Under no circumstances shall the period of the time lapse be shorter than the duration of the imposed punishment.
- (4) The right to an execution of the capital punishment shall not lapse.

Article 85

- (1) The period of the time lapse shall begin upon the day after the day when the judicial pronouncement can be executed.
- (2) With an escape of a convict when undergoing his punishment, a new period of limitation shall begin upon the day after the day of the escape. With a revocation of a conditional release a new period of limitation shall begin upon the day after the day of the revocation.
- (3) The period shall not run during the suspension of the execution ordered by general regulations, neither during the time when the convict, also on account of an other conviction, is being kept in safe custody.

Book: I. First. GENERAL PROVISIONS

Chapter: IX. MEANING OF SOME EXPRESSIONS USED IN THIS CODE OF LAW

Article: 86-103

Article 86

Where of a crime in general or of any specific crime is spoken of, it shall be understood that this also includes a complicity in and an attempt to commit that crime, as far as the contrary thereto shall not ensue from any provision.

Article 87

An "attempt to commit a deed" exists as soon as the intention of the offenders has revealed itself by a beginning of carrying it out, within the meaning of article 53.

Article 88

"Conspiracy" exists as soon as two or more persons have agreed to commit a crime.

Article 88 bis

Under "revolution" is understood the destruction or in an illegal manner changing of the constitutional form of government, the order of a succession to the throne or the legal form of government in Indonesia.

Article 89

An exertion of violence is equaled with bringing a person into a state of unconsciousness or helplessness.

Article 90

Under "heavy bodily harm" is understood:

- illness or injury which does not leave any prospect for a complete recovery or through which danger of life exists;
- continuous incompetence to perform official and professional activities;
- loss of the use of a sense-organ;
- mutilation;
- paralysis;
- disturbance of the intellectual capabilities that has lasted for more than four weeks;
- abortion or death of the fetus of a woman.

Article 91

- (1) Under "paternal or parental authority" is understood the authority of the head of the family.
- (2) Under "parents" is understood the head of the family.
- (3) Under "father" is understood the person who exercises an authority that conforms to the paternal authority.
- (4) Under "child" is understood the person who is subjected to an authority that conforms to the paternal authority.

Article 92

- (1) Under "officials" is understood all persons who have been elected in elections held in accordance with the general regulation, as well as all persons who for an other reason than by virtue of an election are members of a by or in the name of the government established legislative, governing or parliamentary body, furthermore all members of a water management board and all heads of the Indonesian indigenous population and heads of foreign Easterners who exercise legal authority.
- (2) Under "officials" and under "judges" are understood arbitrators, umpires and referees; under "judges" those who exercise administrative legal power, including the chairmen and members of the clerical tribunals.
- (3) All persons belonging to the armed forces shall also be considered as officials.

Article 92 bis

Under "merchant" is understood any person who operates a business.

Article 93

- (1) "Skipper" is every commander of a vessel or the person who substitutes him.
- (2) "Voyagers" are all persons on board a vessel except for the skipper.
- (3) "Ship crew members" are all persons who are on board a vessel as ship officers or sailors.

Article 94

Annulled by Act 1 year 1946.

Article 95

Under "Indonesian ships" are understood those vessels, which, in compliance with the general regulations concerning certificates of registry and ship-passes in Indonesia, must have been provided with certificates of registry and ship-passes or temporary substitutive permits.

Article 95a

- (1) Under "Indonesian aircrafts" are understood aircrafts that are registered in Indonesia.
- (2) "Indonesian aircrafts" include foreign aircrafts that have been chartered without a crew and are being operated by an Indonesian airline company.

Article 95b

Under "in flight" is understood the time from the moment when after an embarkation of the passengers all external doors of the aircraft are closed until the moment when these doors are opened for a disembarkation of the passengers. In the event of an emergency landing the flight shall be considered as still continuing until the moment when the competent authorities shall take over the responsibility for the aircraft and the goods on board thereof.

Article 95c

Under "in service" is understood the time period since the preparation of the aircraft by ground personnel or by the crew for a certain flight until twenty-four hours have elapsed after each landing.

Article 96

- (1) Under "enemy" are included insurgent persons. Under "enemy" shall also be included states or powers with which a war is imminent.
- (2) Under "War" are included hostilities with self-governing regions, as well as civil war.
- (3) Under "time of war" is included the time in which war is imminent. "Time of war" shall also be considered as existing as soon as the mobilization of the army has been ordered and as long as the army remains mobilized.

Article 97

By "day" is understood a period of twenty-four hours, by "month" a time-period of thirty days.

Article 98

By "night" is understood the time between sunset and sunrise.

Article 99

Under "climbing in" is included the entry through an existing not for an entrance intended or through a deliberately dug up opening in the ground, as well as the running beyond boundaries serving as embankments of ditches or canals.

Article 100

Under "false keys" are included all tools not destined to be used as a tool to open the lock.

Article 101

Under "cattle" are understood as being one-hoofed animals, ruminants and pigs.

Article 101 bis

- (1) Under "electricity works" are understood as being works serving to generate, conduct, transform or deliver electrical exertion and the therewith connected safeguarding-, fastening-, supporting- and warning-works.
- (2) Under "electricity works" are not included telegraph- and telephone-works.

Article 102

Revoked with State Gazette 1920 No. 382.

Concluding provision

Article 103

The provisions of the first eight Chapters of this Book are also applicable to deeds upon which by other statutory provisions punishment is imposed, unless that by the law, by a general regulation of the government or with an ordinance it is determined otherwise.

Book: II. CRIMES

Chapter: I. CRIMES AGAINST STATE SECURITY

Article: 104-129

Article 104

Any attempt made with the intent to deprive the President or Vice President of his life or his freedom, or to render him unfit to rule, shall be punished with the capital punishment (death penalty) or life imprisonment, or a temporary imprisonment of not more than twenty years.

Article 105

Revoked by Law Number 1 Year 1946.

Article 106

Any attempt made with the intent to bring the territory of the state entirely or partially under foreign domination, or to separate a part thereof, shall be punished with life imprisonment, or a temporary imprisonment of not more than twenty years.

Article 107

- (1) Any attempt made with the intent to cause a revolution, shall be punished with an imprisonment of not more than fifteen years.
- (2) Leaders and instigators of an attempt as referred to in the first paragraph shall be punished with life imprisonment, or to a temporary imprisonment of not more than twenty years.

Article 107a

Any person who illegally and overtly disseminates or propagates the teachings of communism/Marxism-Leninism in any form and manifestation whatsoever, verbally, in writing and or through any media whatsoever, shall be punished to an imprisonment of not more than 12 (twelve) years.

Article 107b

Any person who illegally and in public verbally, in writing and or through any media whatsoever, declares his intention to eliminate or replace Pancasila as the state philosophy and thus causing riots among the society, or causing fatalities or material loss, shall be punished to an imprisonment of not more than 20 (twenty) years.

Article 107c

Any person who illegally and overtly disseminates or propagates the teachings of communism/Marxism-Leninism verbally, in writing and or through any media whatsoever causing unrest among the society, or causing fatalities or material loss, shall be punished to an imprisonment of not more than 15 (fifteen) years.

Article 107d

Any person who illegally and overtly disseminates or propagates verbally, in writing and or through any media whatsoever the teachings of communism/Marxism-Leninism with the intention of changing or replacing Pancasila as the state philosophy, shall be punished to an imprisonment of not more than 20 (twenty) years.

Article 107e

The following shall be subject to imprisonment of not more than 15 (fifteen) years:

- a. any person establishing organization known or allegedly adhering to the teachings of Communism/Marxism-Leninism in any form and manifestation whatsoever; or
- b. any person engaging in relationship with or providing assistance for organizations, domestic as well as overseas, known to him to be established upon the teachings of Communism/Marxism-Leninism in any form and manifestation whatsoever with the intention of changing the state philosophy or overthrowing the legitimate Government.

Article 107f

The following shall be subject to life imprisonment or imprisonment of not more than 20 (twenty) years for sabotage:

- a. any person who illegally damages, renders useless, destroys, or demolishes state or military installations; or
- b. any person who illegally obstructing or sabotaging the procurement or distribution of basic materials affecting the lives of many people in accordance with Government policies.

Article 108

- (1) Being guilty of rebellion, shall be punished with an imprisonment of not more than fifteen years for:
 1. any person who takes up arms against the government that is constituted in Indonesia;
 2. any person who, with the intent to rebel against the government that is constituted in Indonesia, marches up, or joins up with a troop who takes up arms against that government.
- (2) Leaders and instigators of a rebellion shall be punished with life imprisonment or a temporary imprisonment of not more than twenty years.

Article 109

Revoked in accordance with State Gazette 1930 No. 31.

Article 110

- (1) Conspiracy to commit one of the crimes as described in articles 104, 106, 107 and 108 shall be punished commensurably with the crime.
- (2) The same sentence shall be applicable to any person who, with the intent to prepare or facilitate one of the crimes as described in articles 104, 106, 107 and 108:
 1. tries to induce others to commit the crime, make others to commit or partake in the commission of the crime, to be of assistance therein or to provide the opportunity, means or information for that;
 2. tries to provide himself or others with the opportunity, means or information to commit the crime;
 3. keeps ready-to-use objects of which he knows that they are intended to commit the crime;
 4. gets plans ready or being organized by him for commission of the crime, which are intended to be made known to others;
 5. tries to thwart, to obstruct or to foil any measure taken in the name of the government to prevent or to suppress the commission of the crime.
- (3) The objects as referred to in the foregoing paragraph under number 3., can be forfeited.
- (4) Not punishable is the person, of whom it is evident, that his intent has merely been aimed at the preparation or promotion of political changes in a general sense.
- (5) If in one of the cases as described in paragraph (1) and (2) of this article, the crime really takes place, the punishment may then be doubled. .

Article 111

- (1) Any person who enters into a conspiracy with a foreign power, with the intent to induce them to conduct hostilities or to wage a war against the state, to strengthen them in the thereto conceived intention, thereby promising them assistance or to give assistance in the preparation, shall be with an imprisonment of not more than fifteen years.
- (2) If the hostilities are committed or if war breaks out, the capital punishment (death penalty), or life imprisonment, or a temporary imprisonment of not more than twenty years shall then be imposed.

Article 111 bis

- (1) An imprisonment of not more than six years shall be imposed on:

1. any person who enters into a conspiracy with a person or body domiciled outside Indonesia, with the intent to induce such a person or body to provide support for the preparation, facilitation or the bringing about of a revolution, to strengthen such a person or body in the thereto conceived intention, or thereby promise or provide assistance to such a person or body, or to prepare, to facilitate, or to bring about a revolution;
 2. any person who imports any object that is suitable to provide material support for the preparation, facilitation or the bringing about of a revolution, if he knows or has a serious reason to suspect that it is intended thereto;
 3. any person who possesses any object or makes it into a subject of an agreement, that is suitable to provide material support for the preparation, facilitation or the bringing about of a revolution, if he knows or has a serious reason to suspect that it is intended therefor and that the object or any other object, in replacement thereof, either imported for that purpose, or intended therefor by or on behalf of a person or body domiciled outside Indonesia.
- (2) The objects with which, or in relation to which, the crimes described in the foregoing sub-paragraphs 2 and 3 have been committed, can be forfeited.

Article 112

Any person who deliberately, either publishes documents, news or information concerning any matter of which he knows that state interests order secrecy thereof, or informs or plays these into the hands of a foreign power, shall be punished with an imprisonment of not more than seven years.

Article 113

- (1) Any person who, having secret records, maps, plans, drawings or objects, that are relevant to the defense or the external security of Indonesia in his custody, or having knowledge of the contents of such secret documents, or of the form and the composition of such secret objects, deliberately either publishes these documents or objects, or the contents, the form or the composition thereof wholly or partially, or informs or plays these into the hands of others who are not authorized to be cognizant thereof, shall be punished with an imprisonment of not more than four years.
- (2) In the event that the guilty person has had above mentioned documents or objects in his custody e in virtue of or because of his knowledge obtained through his profession, the punishment can then be increased with one third.

Article 114

Any person who is to be blamed, that the secret documents or objects referred to in article 113, with the custody or storage of which he has been entrusted, and of which their form or their composition have entirely or partially been made known publicly, or have come into the possession or to the knowledge of others who are not authorized to take cognizance thereof, shall be punished with an imprisonment of not more than one year and six months, or a detainment of not more than one year, or a fine-payment of not more than four thousand five hundred rupiahs.

Article 115

Any person who takes an insight or knowledge, makes or causes to make copies or abstracts in any writing or any language, prints (photocopies), pictures or imitations of the secret documents or objects referred to in article 113, of which he knows or reasonably must surmise that they are not intended to be known by him, or does not hand over such documents or objects to a functionary of justice, or police, or of the local government, if he obtains possession thereof, shall be punished with an imprisonment of not more than three years.

Article 116

The conspiracy to commit one of the crimes described in articles 113 and 115 shall be punished with an imprisonment of not more than one year.

Article 117

With an imprisonment of not more than six months, or a fine-payment of not more than four thousand five hundred rupiahs shall be punished any person who, without being authorized thereto:

1. deliberately enters an establishment of the army or navy, or a warship, by a way other than the usual way of entrance;
2. deliberately enters a terrain which, by or on behalf of the President or by military authorities, has been determined as military territory, to which an entrance is prohibited;
3. deliberately produces, collects, possesses, keeps, hides, or transports photographic pictures, hand-drawing pictures also other informatics data or directions concerning a territory as referred to under number 2., including everything that is therein.

Article 118

From Dutch text:

With an imprisonment of not more than two years, or a fine-payment of not more than nine-thousand rupiah shall be punished any person who, without being authorized thereto, intentionally takes measurements or makes a drawing, illustration or description concerning any matter of military interest.

From Indonesian text:

Threatened with an imprisonment of not more than two years or a fine-payment of nine-thousand rupiah, is any person who produces, collects, possesses, keeps, hides, or transports photographic pictures, painted- or hand-drawn pictures, measurements or writings, as well as other informatics data or directions concerning any matter of military interest.

Article 119

With an imprisonment of not more than one year shall be punished:

1. any person who takes in someone, knowing that this person, without being authorized thereto, is intending or trying to acquire knowledge of secret documents or objects as referred to in article 113, or to acquaint himself with the location, the construction , the layout, the furnishing, the armament, the food supplies, the ammunition equipment or the garrison of defense structures, or any other matter of military interest;
2. any person who conceals objects, of which he knows that they must in one way or another be useful in the execution of an intention as referred to under sub paragraph 1.

Article 120

In the event that the commission of one of the crimes described in articles 113, 115, 117, 118 and 119 is accompanied with the use of deceptive means, such as deceit, disguise, the use of false names or attributes, or otherwise accompanied with a presentation or acceptance, visualization or promising of gifts, benefits or rewards, in whatever form it may be, or with force or threatening with force, the punishments of being placed under guard may then be doubled.

Article 121

Any person who on a Government assignment deliberately conducts negotiations with a foreign power, a local ruler, or a community, to the detriment of the state, shall be punished with an imprisonment of not more than twelve years.

Article 122

With an imprisonment of not more than seven years shall be punished:

1. any person who, in the event of a war in which Indonesia is not involved, willfully commits any act by which the state's neutrality is endangered, or willfully violates any specific regulation that has been issued and announced by the Government for a maintenance of neutrality;
2. any person who, in a time of war, willfully violates a regulation that has been issued and announced by the Government in the interest of state security.

Article 123

Any Indonesian subject who voluntarily enters a military service of a foreign power, with the knowledge that this power is at war with Indonesia, or in the prospect of being at war with Indonesia, shall, in the latter case when a war indeed breaks out, be punished with the capital punishment (death penalty), or life imprisonment, or with a temporary imprisonment of not more than fifteen years.

Article 124

- (1) With an imprisonment of not more than fifteen years shall be punished any person who, in a time of war, willfully renders assistance to the enemy or disadvantages the state in favor of the enemy.
- (2) Life imprisonment or a temporary imprisonment of not more than twenty years shall be imposed when the transgressor:
 1. has informed or played into the hands of the enemy any map, plan, drawing or description of military structures, or any information concerning military movements or schemes;
 2. has served the enemy as a spy or has taken in an enemy's spy, has concealed or helped him along.
- (3) The capital punishment (death penalty) or life imprisonment or a temporary imprisonment of not more than twenty years shall be imposed when the transgressor:
 1. has betrayed to the enemy, brought under the enemy's power, destroyed, or rendered useless any fortified or occupied place or post, any means of communication any magazine, any military stores or any war-chest, or even the fleet, or the army, or any part thereof, or has prevented, obstructed or aborted any for the purpose of defense or attack schemed or executed inundation or any other military work.
 2. has instigated or encouraged either a rebellion, or a mutiny, or a desertion under the armed forces;

Article 125

A conspiracy to commit one of the crimes described in article 124 shall be punished with an imprisonment of not more than six years.

Article 126

With an imprisonment of not more than seven years shall be punished any person who, in a time of war, without intent to render assistance to the enemy, or to disadvantage the state in favor of the enemy, willfully:

1. takes in an enemy's spy, conceals or helps him along;
2. brings about or encourages the desertion of a soldier in service of the state.

Article 127

- (1) Any person who, in a time of war, commits any fraudulent acts in the delivery of requisites to serve the fleet or the army, shall be punished with an imprisonment of not more than twelve years.
- (2) With the same punishment shall be punished any person who, being in charge of the supervision of the delivery of goods, intentionally permits the fraudulent act.

Article 128

- (1) With a sentence on account of one of the crimes described in articles 104 and 105, a deprivation of the rights stated in article 35 sub paragraphs 1-5 can also be pronounced.
- (2) With a sentence on account of one of the crimes described in articles 106-108, 110-125, a deprivation of the rights stated in article 35 sub paragraphs 1-3 can also be pronounced.
- (3) With a sentence on account of the crime described in article 127, the guilty person can be deprived from practicing the profession in which he has committed the crime, and of the rights stated in article 35 sub paragraphs 1-4, and a publication of the judicial verdict can also be ordered.

Article 129

The punishments imposed on the deeds as described in articles 124-127 shall be applicable if one of those deeds has been committed against or in relation to the allies of the state in a common war.

Book: II. CRIMES

Chapter: II. CRIMES AGAINST THE DIGNITY OF THE PRESIDENT AND VICE PRESIDENT

Article: 130-139

Article 130

Revoked by Law No. 1 Year 1946.

Article 131

Every actual assault against the person who is the President or the Vice President, that is not covered by a heavier penalty provision, shall be punished with an imprisonment of not more than eight years.

Article 132

Revoked by Law No. 1 Year 1946.

Article 133

Revoked by Law No. 1 Year 1946.

Article 134

Intentional insult against the President or Vice President, shall be punished with an imprisonment of not more than six years, or with a fine-payment of not more than four thousand five hundred rupiah.

Article 135

Revoked by Law No. 1 year 1946.

Article 136

Revoked by Law No. 1 year 1946.

Article 136 bis

Under intentional insult in article 134 shall also be understood the deed that is described in article 315, when this is committed in the absence of the insulted person, either in public through acts of outrage, or not in public but in the presence of more than four persons, or otherwise in the presence of a third person, who, even though being there at his own will, feels offended, by acts of outrage, also verbally or in writing.

Article 137

- (1) Any person who distributes, openly exhibits or puts up a writing or depiction which contains an insult to the President or Vice President, with the intent to make the insulting contents widely known or increase the publicity thereof, shall be punished with an imprisonment of not more than one year and four months, or with a fine-payment of not more than four thousand five hundred rupiah.
- (2) In the event that the guilty person commits the crime in his profession and that, during the commission of the crime two years have not yet elapsed, since that an earlier conviction for a similar crime has become irrevocable, he can then be deprived from practicing that profession.

Article 138

Revoked by Law No. 1 Year 1946.

Article 139

- (1) Revoked by law No. 1 Year 1946.
- (2) With a sentence on account of one of the crimes described in article 131, a deprivation of the rights mentioned in article 35 sub paragraphs 1-4, can also be pronounced.
- (3) With a sentence on account of one of the crimes described in article 134, a deprivation of the rights mentioned in article 35 sub paragraphs 1-3, can also be pronounced.

Book: II. CRIMES

Chapter: III. CRIMES AGAINST FRIENDLY STATES AND AGAINST HEADS AND REPRESENTATIVES OF FRIENDLY STATES

Article: 139a-145

Article 139a

Any attempt undertaken with the intent to wholly or partially take away the territory of a friendly state or of a colony or other region of a friendly state from the rule of the there established government, shall be punished with an imprisonment of not more than five years.

Article 139b

Any attempt undertaken with the intent to destroy or to illegally alter the established form of government of a friendly state or of a colony or other region of a friendly state, shall be punished with an imprisonment of not more than four years.

Article 139c

The conspiracy to one of the crimes described in articles 139a and 139b shall be punished with an imprisonment of not more than one year and six months.

Article 140

- (1) Any attempt on the life or the freedom of a ruling sovereign, or another head of a friendly state, shall be punished with an imprisonment of not more than fifteen years.
- (2) In the event that the attempt on life results in death or is undertaken with premeditation, a life imprisonment or a temporary imprisonment of not more than twenty years shall then be imposed.
- (3) In the event that the premeditated attempt on life results in death, the punishment of death penalty or life imprisonment, or a temporary imprisonment of not more than twenty years shall then be imposed.

Article 141

Each real assault against the personality of a ruling sovereign, or other head of a friendly state, which is not classified under a more severe penalty provision, shall be punished with an imprisonment of not more than seven years.

Article 142

An intentional insult that is made against a ruling sovereign, or other head of a friendly state, shall be punished with an imprisonment of not more than five years or with fine-payment of not more than four thousand five hundred rupiah.

Article 142a

Any person who disgraces the national flag of a friendly state, is threatened with an imprisonment of not more than four years or a fine-payment of not more than forty-five thousand rupiah.

Article 143

An intentional insult against a representative of a foreign power to the Indonesian Government that is made in his capacity as such, shall be punished with an imprisonment of not more than five years or a fine-payment of not more than four thousand five hundred rupiah.

Article 144

- (1) Any person who distributes, openly exhibits, or puts up a writing or depiction which contains an insult against a ruling sovereign, or other head of a friendly state, or against a representative of a foreign power to the Indonesian Government in his capacity as such, with the intent to make the insulting contents widely known, or to increase the publicity thereof, shall be punished with an imprisonment of not more than nine months or a fine-payment of not more than four thousand five hundred rupiah.
- (2) In the event that the guilty person commits the crime in his profession and that, at the time of commission of the crime, two years have not yet elapsed since that an earlier conviction for a similar crime has become irrevocable, he may then be deprived from practicing that profession.

Article 145

- (1) With a sentence on account of the crime described in article 140, a deprivation of the rights stated in article 35 sub paragraphs 1-5 can also be pronounced.
- (2) With a sentence on account of the crime described in article 141, a deprivation of the rights stated in article 35 sub paragraphs 1-4, can also be pronounced.
- (3) With a sentence on account of one of the crimes described in articles 139a, 139b, 139c, 142 and 143, a deprivation of the rights stated in article 35 sub paragraphs 1-3, can also be pronounced.

Book: II. CRIMES

Chapter: IV. CRIMES RELATING TO THE EXECUTION OF STATE DUTIES AND STATE RIGHTS

Article: 146-153

Article 146

Any person who, with violence or a threat of violence disperses a meeting of a by the government or on behalf of the government instituted legislative, governing, or peoples representative body, or who forces these bodies to adopt or not to adopt a decision, or removes the chairman or a member from such a meeting, shall be punished with an imprisonment of not more than nine years.

Article 147

Any person who, with violence or a threat of violence intentionally prevents the chairman or a member of a by the government or on behalf of the government instituted legislative, governing, or peoples representative body from attending a meeting of these bodies or from freely and unhinderedly fulfilling his duty therein, shall be punished with an imprisonment or not more than two years and eight months.

Article 148

Any person who, on the occasion of an election that is held under a general regulation, with violence or a threat of violence, intentionally prevents someone from exercising his voting-right freely and unhinderedly, shall be punished with an imprisonment of not more than one year and four months.

Article 149

- (1) Any person who, on the occasion of an election that is held under a general regulation, through a gift or a promise, bribes someone either not to exercise his voting-right, or to exercise it in a specific manner, shall be punished with an imprisonment of not more than nine months or a fine-payment of not more than four thousand five hundred rupiah.
- (2) A similar punishment shall be imposed on the elector who through a gift or a promise allows himself to be bribed to do one thing or another.

Article 150

Any person who, on the occasion of an election that is held under a general regulation, commits a fraudulent act through which the vote of an elector becomes null and void or an other than the person meant by the elector is appointed, shall be punished with an imprisonment of not more than nine months.

Article 151

Any person who, by intentionally taking on an identity of an other person, takes part in an election that is held under a general regulation, shall be punished with an imprisonment of not more than one year and four months.

Article 152

Any person who, on the occasion of an election that is held under a general regulation, intentionally causes the voting that should have taken place to fail, or commits any fraudulent act whereby the voting shall have a different result than through the legally submitted voting-forms or than through the legally voiced votes that should have been obtained, shall be punished with an imprisonment of not more than two years.

Article 153

- (1) With a sentence on account of the crime described in article 146, a deprivation of the rights stated in article 35 sub paragraphs 1-5 can also be pronounced.
- (2) With a sentence on account of the crime described in articles 147-152, a deprivation of the rights stated in article 35 sub paragraphs 3 can also be pronounced.

Book: II. CRIMES

Chapter: V. CRIMES AGAINST PUBLIC ORDER

Article: 153-181

Articles 153 bis

Revoked by Law No. 1 year 1946.

Articles 153 ter

Revoked by Law No. 1 year 1946.

Article 154

Any person who publicly gives expression to feelings of hostility, hatred or contempt against the Government of Indonesia, shall be punished with an imprisonment of not more than seven years, or a fine-payment of not more than four thousand five hundred rupiahs.

Article 154a

Any person who disgraces the National Flag of the Republic of Indonesia, and the coat of arms of the Republic of Indonesia, shall be punished with an imprisonment of not more than four years or a fine-payment of not more than forty-five thousand rupiah.

Article 155

- (1) Any person who distributes, openly exhibits or puts up a writing or depiction in which feelings of hostility, hatred or contempt against the Government of Indonesia are expressed, with the intent to make the contents widely known or to increase the publicity thereof, shall be sentenced with an imprisonment of not more than four years and six months or a fine-payment of not more than four thousand five hundred rupiah.
- (2) In the event that the guilty person commits the crime in his profession and that, at the time of commission of the crime five years have not yet elapsed since that an earlier conviction for a similar crime has become irrevocable, he can then be deprived from practicing that profession.

Article 156

Any person who publicly gives expression to feelings of hostility, hatred or contempt, against one or more groups of the population of Indonesia, shall be punished with an imprisonment of not more than four years or a fine-payment of not more four thousand five hundred rupiah.

By 'group' in this and in the following article shall be understood each part of the population of Indonesia that distinguishes itself by race, ethnic group, religion, origin, descent, nationality, or legal status from one or more other parts of that population,

Article 156a (Penpres 1/1965)

With an imprisonment of not more than five years shall be punished any person who in public gives expression to feelings or commits an act,

- a. which principally has the characteristics of hostility, abuse or disgrace towards a religion that is followed in Indonesia;
- b. with the intention so that people shall not follow any religion whatsoever, that is based on belief in the One and Almighty God.

Article 157

- (1) Any person who distributes, openly exhibits, or puts up a writing or depiction expressing feelings of hostility, hatred or contempt against or among groups of the population of Indonesia, with the intent to make the contents widely known or to increase the publicity thereof, shall be punished with an imprisonment of not more than two years and six months or a fine-payment of not more than four thousand five hundred rupiah.
- (2) In the event that the guilty person commits the crime in his profession and that, at the time of commission of the crime five years have not yet elapsed, since that an earlier conviction for a similar crime has become irrevocable, he can then be deprived from practicing that profession.

Article 158

Any person who causes that the election of a member of an in a foreign country established political body is held in Indonesia, or who prepares and also promotes such an election to be held either in Indonesia or in a foreign country, shall be punished with an imprisonment of not more than two years or a fine-payment of not more than seven thousand five hundred rupiah.

Article 159

Any person who participates in an election, that is either held in Indonesia or in a foreign country as mentioned in article 158, shall be punished with an imprisonment of not more than six months or a fine-payment of not more than one thousand five hundred rupiah.

Article 160

Any person who verbally or in writing publicly instigates the commission of a punishable act, a violent conduct against public authorities, or any other disobedience, either to a statutory regulation or an official order that is based on a statutory regulation, shall be punished with an imprisonment of not more than six years or a fine-payment of not more than four thousand five hundred rupiah.

Article 161

- (1) Any person who distributes, openly exhibits or puts up a writing, in which the commission of any punishable act, violent conduct against public authorities, or any other disobedience described in the foregoing article is being instigated, with the intent to make the instigating contents widely known, or to increase the publicity thereof, shall be punished with an imprisonment of not more than four years or a fine-payment of not more than four thousand five hundred rupiah.
- (2) In the event that the guilty person commits the crime in his profession and that, at the time of commission of the crime five years have not yet elapsed since that an earlier conviction for a similar crime has become irrevocable, he can then be deprived from practicing that profession.

Article 161 bis

Revoked by Law no. 1 year 1946 No. 1, article VIII, point 34.

Article 162

Any person who, in public, verbally or in writing, offers to provide information, an opportunity, or means for the commission of any punishable act, shall be punished with an imprisonment of not more than nine months or a fine-payment of not more than four thousand five hundred rupiah.

Article 163

- (1) Any person who distributes, openly exhibits or puts up a writing, offering to provide information, an opportunity, or means to commit any punishable deed, with the intent to make that offer widely known or to increase the publicity thereof, shall be punished with an imprisonment of not more than four months and two weeks or a fine-payment of not more than four thousand five hundred rupiah.
- (2) In the event that the guilty person commits the crime in his profession and that, at the time of commission of the crime five years have not yet elapsed since that an earlier conviction for a similar crime has become irrevocable, he can then be deprived of practicing that profession.

Article 163 bis

- (1) Any person who, by one of the means mentioned in article 55 under sub paragraph 2, tries to induce someone else to commit a crime, shall, in the event that this is not followed by a commission of the crime or a punishable attempt thereto, shall be punished with an imprisonment of not more than six years or a fine-payment of not more than four thousand five hundred rupiah; however with the understanding, that an imposition of a more severe punishment shall never be pronounced other than on account of an attempt to the crime, or, if such an attempt is not punishable, on account of the crime itself.
- (2) This stipulation shall not be applicable to him, if a crime or a punishable attempt thereto has not followed because of circumstances, depending on his will.

Article 164

Any person who, being aware of any conspiracy to one of the crimes described in articles 104, 106, 107, 108, 113, 115, 124, 187 or 187 bis, at a point of time when the commission of the crime could still have been prevented, intentionally omits to timely give sufficient information thereof either to the officers of justice or police, or to the threatened person, shall, in the event that the crime has followed, be punished with an imprisonment of not more than one year and four months or a fine-payment of not more than four thousand five hundred rupiah.

Article 165

- (1) Any person who, bearing knowledge of an intention to commit one of the crimes described in articles 101, 106, 107, 108, 110-113, 115-129 and 131, to desertion in a time of war, to military treason, to murder, kidnapping or rape, to commit one of the crimes as described in Chapter VII of this Code of Law, for as far as a danger of life is thereby caused, to commit one of the crimes described in articles 224-248, 250, or to commit one of the crimes described in articles 264 and 275 for as much as it concerns credit devices intended for circulation, at a point of time when the commission of these crimes could still have been prevented, intentionally omits to timely give sufficient notice thereof either to the officers of justice or police, or to the threatened person, shall, in the event that the crime has followed, be punished with an imprisonment of not more than nine months or a fine-payment of not more than four thousand five hundred rupiah
- (2) The same punishment shall be applicable to any person who, bearing knowledge of any duly committed crime as stated in the preceding paragraph, through which a danger of life has been caused, intentionally omits to give a similar notice thereof at a point of time when the consequences could still have been averted.

Article 166

The stipulations of articles 164 and 165 shall not be applicable to any person who, by giving such notice would have caused a danger of a criminal prosecution for himself, for one of his blood relatives or relatives by marriage in the direct line, or in the second or third degree of the side-line, his spouse or ex-spouse, or someone else in whose prosecution he could, due to his function or profession, excuse himself from giving evidence.

Article 167

- (1) Any person who illegally breaks in into the house or the enclosed room or compound that is being used by someone else, or who, illegally being there, does not immediately leave at the demand of, or because of the rightful occupier, shall be punished with an imprisonment of not more than nine months or a fine-payment of not more than four thousand five hundred rupiah
- (2) Any person who has provided himself an entrance by means of breaking or climbing in, false keys, a false order or a false costume, or who, without foreknowledge of the rightful occupier and other than because of having entered by mistake, and is being encountered there at night, shall be considered as having broken his way in.

- (3) If he utters threats or makes use of means that are suitable to strike fear into a person, he shall then be punished with an imprisonment of not more than one year and four months.
- (4) The punishments that are stipulated in the first and third paragraphs may be increased with one third, if two or more persons have unitedly committed the crime.

Article 168

- (1) Any person who illegally breaks in into a room that is intended for public service, or who, illegally being there does not immediately leave at the demand of the authorized official, shall be punished with an imprisonment of not more than four months and two weeks or a fine-payment of not more than four thousand five hundred rupiah.
- (2) Any person who has provided himself an entrance means of breaking or climbing in, false keys, a false order or a false costume, or who, without foreknowledge of the authorized official, and other than because of having entered mistake, and is being encountered there at night, shall be considered as having broken his way in.
- (3) If he utters threats or makes use of means that are suitable to strike fear into a person, he shall then be punished with an imprisonment of not more than one year and four months.
- (4) The punishments that are stipulated in the first and third paragraphs may be increased with one third, if two or more persons have unitedly committed the crime.

Article 169

- (1) Participation in an association with the intent to commit crimes, or in other by a general ordinance prohibited association shall be punished with an imprisonment of not more than six years.
- (2) Participation in an association, which has the intent to commit misdemeanors, shall be punished with an imprisonment of not more than nine months or a fine-payment of not more than four thousand five hundred rupiah.
- (3) With regard to the founders or directors, the punishments may be increased with one third.

Article 170

- (1) Persons who with combined forces openly commit violence against persons or goods, shall be punished with an imprisonment of not more than five years and six months.
- (2) Any guilty person shall be punished with:
 - 1. an imprisonment of not more than seven years, if he intentionally destroys property, or if the violence committed by him has caused a physical injury;

2. an imprisonment of not more than nine years, if the violence has caused a serious physical injury;
3. an imprisonment of not more than twelve years, if the violence has caused death.

(3) Article 89 remains beyond application.

Article 171

Revoked by Law No. 1 Year 1946.

Article 172

Any person who intentionally disturbs the peace through false alarm cries or signals, shall be punished with an imprisonment of not more than three weeks or a fine-payment of not more than nine hundred rupiah.

Article 173

Any person who, through violence or a threat of violence, prevents an allowed public meeting, shall be punished with an imprisonment of not more than one year.

Article 174

Any person who intentionally, through the causing of disorder or the making of a roaring noise, disturbs a lawful public meeting, shall be punished with an imprisonment of not more than three weeks or a fine-payment of not more than nine hundred rupiah.

Article 175

Any person who, through violence or a threat of violence, prevents either an allowed public religious meeting, or an allowed religious ceremony or funeral ceremony, shall be punished with an imprisonment of not more than one year and four months.

Article 176

Any person who intentionally, through the causing of disorder or the making of a roaring noise, disturbs either an allowed public religious meeting, or an allowed religious ceremony or funeral ceremony, shall be punished with an imprisonment of not more than one month and two weeks or a fine-payment of not more than one thousand eight hundred rupiah.

Article 177

With an imprisonment of not more than four months and two weeks or a fine-payment of not more than one thousand eight hundred rupiah shall be punished:

1. any person who ridicules a minister of religion in the allowed observation of his service;
2. any person who taunts at objects that are dedicated to a worship, where and when the practice of such a worship is allowed.

Article 178

Any person who intentionally prevents or obstructs the allowed entrance into a cemetery or the allowed transportation of a dead body to a cemetery, shall be punished with an imprisonment of not more than one month and two weeks or a fine-payment of not more than one thousand eight hundred rupiah.

Article 179

Any person who intentionally profanes a grave or intentionally and unlawfully, destroys or damages any monument that has been set up at a cemetery, shall be punished with an imprisonment of not more than one year and four months.

Article 180

Any person who intentionally and unlawfully, digs up or takes away a corpse, or moves or transports a dug up or taken away corpse, shall be punished with an imprisonment of not more than one year and four months or a fine-payment of not more than four thousand five hundred rupiah.

Article 181

Any person who buries, hides, carries away or disposes a dead body, with the intent to conceal the death or the birth, shall be punished with an imprisonment of not more than nine months or a fine-payment of not more four thousand five hundred rupiah.

Book: II. CRIMES

Chapter: VI. DUELING

Article: 182-186

Article 182

With an imprisonment of not more than nine months shall be punished:

1. any person who challenges someone else to a duel, or incites him to the acceptance of a challenge, if there upon a duel follows;
2. any person who intentionally conveys a challenge to a duel, if there upon a duel follows.

Article 183

With an imprisonment of not more than six months or a fine-payment of not more than four thousand five hundred rupiah shall be punished any person who reproaches someone else or abandons him to mockery in public or in the presence of third parties, for not having challenged to a duel, or for having refused such a challenge.

Article 184

- (1) A duel shall with regard to any person who has not physically injured his adversary, be punished with an imprisonment of not more than nine months.
- (2) Any person who inflicts a physical injury to his adversary shall be punished with an imprisonment of not more than one year and four months.
- (3) Any person who inflicts a grievous physical injury to his adversary shall be punished with an imprisonment of not more than four years.
- (4) Any person who takes his adversary's life shall be punished with an imprisonment of not more than seven years, or, in the event that the duel has been concluded for life or death, with an imprisonment of not more than twelve years.
- (5) An attempt to a duel is not punishable.

Article 185

To any person who takes his adversary's life or inflicts a physical injury to him in a duel, the provisions on murder, homicide or maltreatment shall be applicable:

1. if the conditions have not been arranged in advance;
2. if the duel does not take place in the presence of seconds for both sides;

3. if the perpetrator, intentionally and to the detriment of the adversary, makes himself guilty of committing any deceitful act or deviates from the agreed conditions.

Article 186

- (1) Seconds and physicians who attend a duel are not punishable.
- (2) The seconds shall be punished with:
1. an imprisonment of not more than three years, in the event that the conditions have not been arranged in advance, or if they incite both parties to continue the duel;
 2. an imprisonment of not more than four years, in the event that they intentionally and to the detriment of one or both parties, have made themselves guilty of any deceitful act or permitted the commission any deceitful act by one of the parties, or permitted that the conditions are being deviated from.
- (3) The provisions concerning murder, homicide, or maltreatment shall be applicable to the second at a duel in which one of the parties has lost his life, or has been physically injured, in the event that he intentionally and to the detriment of that party, has made himself guilty of any deceitful act or has permitted any deceitful act, or has permitted that to the detriment of the defeated or injured person the conditions have been deviated from.

Book: II. CRIMES

Chapter: VII. CRIMES WHEREBY THE GENERAL SECURITY OF PERSONS OR GOODS SHALL BE ENDANGERED

Article: 187-206

Article 187

Any person who intentionally sets a fire, causes the happening of an explosion or causes a flood, shall be punished with:

1. an imprisonment of not more than twelve years, if there from a common danger for goods can be feared;
2. an imprisonment of not more than fifteen years, if there from danger of life for someone else can be feared;
3. a life imprisonment or temporary imprisonment of not more than twenty years, if there from a danger of life for someone else can be feared, and the deed has resulted in someone's death.

Article 187 bis

- (1) Any person who produces, accepts, tries to procure, has on hand, conceals, transports or imports into Indonesia materials, objects or tools of which he knows or reasonably must surmise that they are intended or shall be intended to at an opportune time bring about an explosion, whereby a danger to life or a common danger to goods can be feared, shall be punished with an imprisonment of not more than eight years or a detainment of not more than one year.
- (2) The defectiveness of the materials, objects or tools referred to in the foregoing paragraph, to bring about an explosion as described there, shall not abolish the punish ability.

Article 187 ter

Any conspiracy to one of the crimes described in articles 187 and 187 bis, shall be punished with an imprisonment of not more than five years.

Article 188

Any person through whose fault a fire, explosion or flood has occurred, shall be punished with an imprisonment of not more than five years or a detainment of not more than one year or a fine payment of not more than four thousand five hundred rupiah, if there from a common danger for goods can be feared, or if there from a danger to someone else's life can be feared, or if there from the deed results in the death of someone.

Article 189

Any person who intentionally at the time or in anticipation of a fire, unlawfully hides or renders useless fire-extinguishers or fire-fighting appliances, or in any way prevents or obstructs the extinction of fire, shall be punished with an imprisonment of not more than seven years.

Article 190

Any person who intentionally at the time or in anticipation of a flood, unlawfully hides or renders useless dike materials or tools, foils any attempt to repair dikes or other water works, or obstructs the means being employed to prevent or stop the flood, shall be punished with an imprisonment of not more than seven years.

Article 191

Any person who intentionally destroys, renders useless, or damages any work serving as a weir or drainage, shall, if there from a danger of a flood can be feared, be punished with an imprisonment of not more than seven years.

Article 191 bis

Any person who intentionally destroys, damages or renders useless any electricity work, causes a disturbance in the running or operation of such a work, or foils or hampers a taken safety- or restoration-measure with regard to such work, shall be punished with:

1. an imprisonment of not more than nine months or a fine-payment of not more than four thousand five hundred rupiah, if thereby a hindrance or obstruction is caused in the delivery of electric power for general use;
2. an imprisonment of not more than seven years, if there from a common danger for goods can be feared;
3. an imprisonment of not more than nine years, if there from a danger to someone else's life can be feared;
4. an imprisonment of not more than fifteen years, if there from a danger to someone else's life can be feared and the deed results in the death of someone.

Article 191 ter

Any person through whose fault an electrical work is destroyed, damaged or rendered useless, so that a disturbance in the running or operation of such work is caused, or so that a taken safety- or restore-measure in regard of such a work is foiled or hampered, shall be punished with:

1. an imprisonment of not more than four months and two weeks or detainment of not more than three months, or a fine-payment of not more than four thousand five hundred rupiah, if thereby hindrance or obstruction in the delivery of electric power for general use, or a common danger to property is caused;

2. an imprisonment of not more than nine months or a detainment of not more than six months, or a fine-payment of not more than four thousand five hundred rupiah, if thereby a danger to life for someone else is caused;
3. an imprisonment of not more than one year and four months or detainment of not more than one year, if the deed results in the death of someone.

Article 192

Any person who intentionally destroys, renders useless or damages any work to serve public traffic, blocks any public land- or water-way, or frustrates a taken safety measure with regard to such a work or such a way, shall be punished with:

1. an imprisonment of not more than nine years, if there from a danger to the safety of traffic can be feared;
2. an imprisonment of not more than fifteen years, if there from a danger to the safety of traffic can be feared and the deed results in the death of someone.

Article 193

Any person through whose fault a work serve public traffic is destroyed, rendered useless, or damaged, a public land- or water-way is blocked, or a safety measure taken with regard to such work, or to such road is foiled, shall be punished with:

1. an imprisonment of not more than four months and two weeks or a detainment of not more than three months, or a fine-payment of not more than four thousand five hundred rupiah, if thereby the traffic becomes unsafe;
2. an imprisonment of not more than one year and four months or to a detainment of not more than one year, if the deed results in the death of someone.

Article 194

- (1) Any person who intentionally endangers the public traffic through steam power or other mechanical operating power over a rail- or tramway, shall be punished with an imprisonment of not more than fifteen years.
- (2) If the deed results in someone's death, the guilty person shall then be punished with a life imprisonment or a temporary imprisonment of not more than twenty years.

Article 195

- (1) Any person through whose fault the public traffic is endangered through steam power or other mechanical operating power over a rail- or tramway, shall be punished with an imprisonment of not more than nine months or detainment of not more than six months, or a fine-payment of not more than four thousand five hundred rupiah;
- (2) If the deed results in someone's death, the guilty person shall then be punished with an imprisonment of not more than one year and four months or a detainment of not more than one year.

Article 196

Any person who intentionally destroys, damages, takes off or moves away an installed signal for the safety of navigation, foils its operation or installs a wrong signal shall be punished with:

1. an imprisonment of not more than twelve years, if there from a danger for the safety of navigation can be feared;
2. an imprisonment of not more than fifteen years, if there from a danger for the safety of navigation can be feared and the deed results in the sinking or stranding of a vessel;
3. a life imprisonment or a temporary imprisonment of not more than twenty years, if there from a danger for the safety of navigation can be feared and the deed results in the death of someone.

Article 197

Any person through whose fault an installed signal for the safety of navigation is destroyed, damaged, taken off or moved away, or its operation is foiled, or a wrong signal is installed, shall be punished with:

1. an imprisonment of not more than four months and two weeks or a detainment of not more than three months, or a fine-payment of not more than four thousand five hundred rupiah, if thereby the navigation becomes unsafe;
2. an imprisonment of not more than nine months or a detainment of not more than six months, or a fine-payment of not more than four thousand five hundred rupiah, if the deed results in the sinking or stranding of a vessel;
3. an imprisonment or not more than one year and four months or a detainment of not more than one year, if the deed results in the death of someone.

Article 198

Any person who intentionally and unlawfully causes any vessel to sink or to strand, destroys, renders useless, or damages a vessel, shall be punished with:

1. an imprisonment of not more than fifteen years, if there from danger to life for someone else can be feared;
2. a life imprisonment, or a temporary imprisonment of not more than twenty years, if there from a danger to life for someone else can be feared, and the deed results in the death of someone.

Article 199

Any person through whose fault a vessel sinks or strands, is destroyed, rendered useless or damaged, shall be punished with:

1. an imprisonment of not more than nine months or a detainment of not more than six months, or a fine-payment of not more than four thousand five hundred rupiah, if thereby a danger to life for someone else is caused;
2. an imprisonment of not more than one year and four months or a detainment of not more than one year, if the deed results in the death of someone.

Article 200

Any person who intentionally destroys or damages any building or structure, shall be punished with:

1. an imprisonment of not more than twelve years, if there from a common danger to goods can be feared;
2. an imprisonment of not more than fifteen years, if there from a danger to life for someone else can be feared;
3. a life imprisonment or a temporary imprisonment of not more than twenty years, if there from a danger to life for someone else can be feared, and the deed results in someone's death.

Article 201

Any person through whose fault any building or structure is destroyed or damaged shall be punished with:

1. an imprisonment of not more than four months and two weeks or a detainment of not more than three months, or a fine-payment of not more than four thousand five hundred rupiah, if there from a common danger to goods can be feared;
2. an imprisonment of not more than nine months or a detainment of not more than six months, or a fine-payment of not more than four thousand five hundred rupiah, if there from a danger to life for someone else can be feared;
3. an imprisonment of one year and four months or a detainment of not more than one year, if the deed results in someone's death.

Article 202

- (1) Any person who puts any substance into a well, pump, spring or into a for general benefit or for common use or together with others intended drinking water establishment, knowing that thereby the water shall become harmful to life or health, shall be punished with an imprisonment of not more than fifteen years.
- (2) If the deed results in someone's death, the guilty person shall then be punished with a life imprisonment or a temporary imprisonment of not more than twenty years.

Article 203

- (1) Any person through whose fault any substance is put in a well, pump, spring or in a for general benefit or common use or together with others intended drinking water establishment, whereby the water becomes harmful to life or to health, shall be punished with an imprisonment of not more than nine months or a detainment of not more than six months, or a fine-payment of not more than four thousand five hundred rupiah.
- (2) If the deed results in someone's death, the guilty person shall then be punished with an imprisonment of not more than one year and four months or a detainment of not more than one year.

Article 204

- (1) Any person who sells wares, offers for sale, delivers or distributes these, knowing that they are harmful to life or to health and conceals this harmful nature, shall be punished with an imprisonment of not more than fifteen years.
- (2) If the deed results in someone's death, the guilty person shall then be punished with a life imprisonment or a temporary imprisonment of not more than twenty years.

Article 205

- (1) Any person through whose fault wares, harmful to life or to health, are sold, delivered or distributed, without that the buyer or acquirer is acquainted with this harmful nature, shall be punished with an imprisonment of not more than nine months or detainment or not more than six months, or a fine-payment of not more than four thousand five hundred rupiah.
- (2) If the deed results in someone's death, the guilty person shall then be punished with an imprisonment of not more than one year and four months or detainment of not more than one year.
- (3) The goods can be forfeited.

Article 206

- (1) With a conviction on account of a crime described in this chapter, the guilty person can then be deprived from practicing the profession in which he has committed the crime.
- (2) With a conviction on account of one of the crimes described in articles 204 and 205, the judge can order a promulgation of his verdict.

Book: II. CRIMES

Chapter: VIII. CRIMES AGAINST PUBLIC AUTHORITY

Article: 207-241

Article 207

Any person who intentionally in public, verbally or in writing, insults an in Indonesia installed authority or a public body that has been established there, shall be punished with an imprisonment of not more than one year and six months or a fine-payment of not more than five thousand five hundred rupiah.

Article 208

- (1) Any person who distributes, openly exhibits or puts up a writing or depiction which contains an insult to an in Indonesia installed authority or a there established public body, with the intent to make the insulting contents widely known or to increase the publicity thereof, shall be punished with an imprisonment of not more than four months or a fine-payment of not more than four thousand five hundred rupiah.
- (2) In the event that the guilty person commits the crime in his profession and that, at the time of commission of the crime, two years have not yet elapsed since that an earlier conviction for a similar crime has become irrevocable, he can then be deprived from practicing that profession.

Article 209

Revoked by Law No. 20 Year 2001.

Article 210

Revoked by Law No. 20 Year 2001.

Article 211

Any person who, through violence or a threat with violence forces a functionary to take an official action or to omit a lawful official action, shall be punished with an imprisonment of not more than four years.

Article 212

Any person who, through violence or a threat with violence, resists a functionary active in the lawful performance of his official duties, or persons who are thereby assisting him by virtue of statutory obligations or upon his request, shall, when proven guilty of rebelliousness, be punished with an imprisonment of not more than one year and four months or a fine-payment of not more than four thousand five hundred rupiah.

Article 213

Coercion and rebelliousness as described in articles 211 and 212 shall be punished with:

1. an imprisonment of not more than five years, if the crime or the accompanying acts of violence shall cause any physical injury;
2. an imprisonment of not more than eight years and six months, if these shall cause a serious physical injury;
3. an imprisonment of not more than twelve years. if these shall cause a death.

Article 214

- (1) Coercion and rebelliousness as described in articles 211 and 212, committed by two or more persons with combined forces, shall be punished with an imprisonment of not more seven years.
- (2) The guilty person shall be punished with:
 1. an imprisonment of not more than eight years and six months, if the committed crime or the thereby accompanying acts of violence committed by him shall cause any physical injury;
 2. an imprisonment of not more than twelve years, if these shall cause a serious physical injury;
 3. an imprisonment of not more than fifteen years, if these shall a death.

Article 215

Equated with functionaries in relation to articles 211-214 are:

1. persons who, on the basis of a legal regulation, are continuously or temporarily in charge of any public service;
2. principals together with sworn-in functionaries and employees of railway services and of tram services for public traffic, whereby transportation takes place by steam power or by other mechanical power.

Article 216

- (1) Any person who intentionally does not comply with a command or a demand that has been issued on the basis of a legal regulation by a functionary in charge of exercising any supervision, or by a functionary in charge of or declared competent for the tracing or investigation of punishable deeds, as well as any person who intentionally prevents, obstructs or foils any action that is taken by one of these functionaries for an execution of any legal regulation, shall be punished with an imprisonment of not more than four months and two weeks or a fine-payment of not more than nine thousand rupiah.
- (2) Equated with the functionary referred to in the first part of the foregoing paragraph is any person who, on the basis of a legal regulation, is continuously or temporarily in charge of any public service.

- (3) In the event that at the time of commission of the crime two years have not yet elapsed, since that an earlier conviction of the guilty person for a similar crime has become irrevocable, the sentences can then be increased with one third.

Article 217

Any person who causes a commotion at a trial, or at a place where a functionary is in public working in the legitimate performance of his duties, and who does not leave after having been ordered off by, or on behalf of, the competent authority, shall be punished with an imprisonment of not more than three weeks or a fine-payment of not more than one-hundred and one thousand eight hundred rupiah.

Article 218

Any person who intentionally, at the occasion of a riot, does not immediately leave after having for the third time been ordered off by or on behalf of the competent authority, shall, being guilty of taking part in a riotous mob, be punished with an imprisonment of not more than four months and two weeks or a fine-payment of not more than nine thousand rupiahs.

Article 219

Any person who unlawfully tears off, obliterates or damages any announcement that has been put up in public on behalf of the competent authority or by virtue of a statutory provision, with the intent to prevent or obstruct a cognizance thereof, shall be punished with an imprisonment of not more than one month or a fine-payment of not more than four thousand five hundred rupiah.

Article 220

Any person who gives notice or lodges a complaint that a punishable deed has been committed with the knowledge that it has not been committed, shall be punished with an imprisonment of not more than one year and four months.

Article 221

- (1) With an imprisonment or not more than nine months or a fine-payment of not more than four thousand five hundred rupiah shall be punished:
1. any person who intentionally hides someone who is guilty of or being pursued in relation to any crime, or is being of assistance to him in escaping from being trailed or apprehended by the officers of justice or police, or by other persons who, on the basis of a legal regulation, are continuously or temporarily assigned to police service;
 2. any person who, after that a crime has been committed, with the intent to conceal this or to prevent or obstruct the trailing or pursuit thereof, destroys, removes, hides objects on which or with which the crime has been committed or other traces of the crime, or withdraws these from an investigation either by the officers of justice or police, or by other persons who, on the basis of a legal regulation, are continuously or temporarily, assigned to police service.

- (2) These regulations shall not be applicable to any person who carries out the acts that are stated therein in order to avoid or avert a danger of prosecution from one of his blood relatives or relatives by marriage in the direct line, or in the second or third degree of the side-line, or from his spouse or ex-spouse.

Article 222

Any person who intentionally prevents, obstructs or foils a coroner's inquest into a person's death, shall be punished with an imprisonment of not more than nine months or a fine-payment of not more than four thousand five hundred rupiah.

Article 223

Any person who intentionally frees someone who, by public authority or by virtue of a judicial verdict or decision, has been deprived of his freedom, or is being of assistance to him in his escape, shall be punished with an imprisonment of not more than two years and eight months.

Article 224

Any person who, having been legally summoned as a witness, as an expert or as an interpreter, intentionally does not meet any legal obligation that he has to fulfill as such, shall be punished:

1. in criminal cases, with an imprisonment of not more than nine months;
2. in other cases, with an imprisonment of not more than six months.

Article 225

Any person who intentionally disobeys a lawful command to produce a document which is alleged to be false or forged, or which must serve as a comparison with another allegedly false or forged document, or of which the authenticity is denied or not recognized, shall be punished:

1. in criminal cases, with an imprisonment of not more than nine months;
2. in other cases, with an imprisonment of not more than six months.

Article 226

Any person who, being declared to be in a state of bankruptcy or obvious insolvency or as the spouse of a bankrupt, with whom he is married in any community of goods, or as a director or commissioner of a partnership, company, association or foundation that has been declared bankrupt, after having been legally summoned to give information, either intentionally stays away without valid reasons, or refuses to give the required information, or intentionally gives wrong information, shall be punished with an imprisonment of not more than one year and four months.

Article 227

Any person who exercises a right, knowing that he has by judicial verdict been deprived thereof, shall be punished with an imprisonment of not more than nine months or a fine-payment of not more than nine thousand rupiah.

Article 228

Any person who intentionally wears distinguishing insignia or performs an act fitting for a function that he does not hold, or from which he has been suspended, shall be punished with an imprisonment of not more than two years or a fine-payment of not more than four thousand five hundred rupiah.

Article 229

Any person who intentionally holds a ceremony which is related to a rank or title that does not belong to him, shall be punished with an imprisonment of not more than four months and two weeks or a fine-payment of not more than four thousand five hundred rupiahs.

Article 230

Revoked by Law no. 1 year 1946.

Article 231

- (1) Any person who intentionally withdraws anything from an under a legal regulation confiscation or a judicial sequestration thereof, or hides it, with the knowledge that it has been withdrawn there from, shall be punished with an imprisonment of not more than four years.
- (2) With the same punishment shall be punished any person who intentionally destroys, damages or renders useless anything that has under a legal regulation been confiscated.
- (3) The custodian who intentionally commits or allows one of these deeds, or who supports the perpetrator as an accomplice, shall be punished with an imprisonment of not more than five years.
- (4) In the event that one of these deeds has been committed because of a negligence of the custodian, he shall then be punishment with a detainment of not more than one month detention or a fine-payment of not more than one thousand eight hundred rupiah.

Article 232

- (1) Any person who intentionally breaks, removes or damages seals with which objects have by or on behalf of the competent public authority been sealed, or in any other way foils the effected closing off by such a seal, shall be punished with an imprisonment of not more than two years and eight months.
- (2) The custodian who intentionally commits or allows the deed, or who supports the perpetrator as an accomplice, shall be punished with an imprisonment of not more than four years.

- (3) In the event that the deed has been committed because of a negligence of the custodian, he shall then be punished with a detainment of not more than one month or a fine-payment of not more than one thousand eight hundred rupiah.

Article 233

Any person who intentionally destroys, damages, renders useless, or removes matters that are intended to serve as convincing proof or evidence to the competent authorities, deeds, official documents or records which are constantly or temporarily in custody with the public authorities, or which either have been handed to an official or to someone else acting in the interest of the public service, shall be punished with an imprisonment of not more than four years.

Article 234

Any person who intentionally withdraws letters or other documents that have been delivered to a post- or telegraph-office or deposited in a mailbox or otherwise entrusted to a courier from being dispatched to their destination, opens, or damages these, shall be punished with an imprisonment of not more than one year and four months.

Article 235

If the perpetrator of one of the crimes described in articles 231-234 gains himself an access to the place of the crime, or brings the goods within his reach by means of breaking in, trespassing or climbing in, with false keys, a false order or a false costume, the punishment can then be increased with an imprisonment of not more than one year and four months.

Article 236

Any person who, in a time of peace, intentionally provokes the desertion of a soldier who is in the service of the state, by one of the means mentioned in article 55 nr. 2, or facilitates such in any manner that is mentioned in article 56, shall be punished with an imprisonment of not more than nine months.

Article 237

Any person who, in a time of peace, intentionally provokes a rebellion or mutiny of soldiers who are in service of the state, by one of the means mentioned in article 55 nr 2, or facilitates such in any manner mentioned in article 56, shall be punished with an imprisonment of not more than seven years.

Article 238

Any person who, without consent of the President, recruits someone for foreign military service, shall be punished with an imprisonment of not more than one year and four months or a fine-payment of not more than four thousand five hundred rupiah.

Article 239

Any person who recruits an Indonesian subject to carry out work, or to give visible performances on the people's life, one or the other outside Indonesia, shall be punished with an imprisonment of not more than six months or a fine-payment of not more than four thousand five hundred rupiahs.

Article 240

- (1) With an imprisonment of not more than two years and eight months shall be punished:
1. any person who intentionally renders himself or lets himself be rendered unsuitable for the fulfillment of the obligations arising from article 30 of the Constitution of the Republic of Indonesia;
 2. any person who intentionally renders someone else at his own request unsuitable for the fulfillment of these obligations.
- (2) In the event that in the latter case the deed shall cause a death, a punishment of an imprisonment of not more than seven years shall then be imposed.

Article 241

With an imprisonment of not more than three months or a fine-payment of not more than four thousand five hundred rupiah shall be punished:

1. revoked by Emergency Law No. 8 year 1955, pursuant to State Gazette 1955 No. 28;
2. any person who, in cases where a waybill is required for the transportation of cattle, intentionally makes use of a waybill for the transportation thereof that has been issued for another animal, as if it were issued for the animal which he is transporting.

Book: II. CRIMES

Chapter: IX. PERJURY AND FALSENESS IN TESTIMONIES

Article: 242-243

Article 242

- (1) Any person who, in the cases wherein a statutory provision demands a testimony under oath or connects such to legal consequences, verbally or in writing, personally or through a thereto specially appointed proxy, intentionally makes a false testimony under oath, shall be punished with an imprisonment of not more than seven years.
- (2) If the false testimony under oath is made in a criminal case to the detriment of to the accused or suspected person, the guilty party shall then be punished with an imprisonment of not more than nine years.
- (3) The oath is regarded as equal to the promise or affirmation, that is required by virtue of general regulations or is made in lieu of the oath.
- (4) A deprivation of the rights stated in article 35 sub paragraphs 1-4 can be pronounced.

Article 243

Revoked as announced in State Gazette No. 240 year 1931.

Book: II. CRIMES

Chapter: X. CRIMES AGAINST STATE SECURITY

Article: 244-252

Article 244

Any person who counterfeits or falsifies coin-species or mintage- or banknotes, with the intent to issue or cause to issue these coin-species, or mintage-, or banknotes as if they were genuine and un-forged, shall be punished with an imprisonment of not more than fifteen years.

Article 245

Any person who intentionally issues coin-species or mintage- or banknotes that he has counterfeited or falsified himself, as being genuine un-forged coin-species or mintage- or banknotes, or of which the falseness or forgery was known to him when he received these, or has had these in stock or imported these into Indonesia, with the intent to issue or cause to issue these as being genuine and un-forged, shall be punished with an imprisonment of not more than fifteen years.

Article 246

Any person who reduces the value of coin-species, with the intent to thus issue or to cause to issue these in a reduced value, shall, because of being guilty of coinage violation, be punished with an imprisonment of not more than twelve years.

Article 247

Any person who intentionally issues coin-species that he has himself reduced in value as not having been mutated, or of which the mutation was known to him when he received these, or has had these coins in stock or imported these into Indonesia, shall be punished with an imprisonment of not more than twelve years.

Article 248

Revoked as announced in State Gazette No. 593 Year 1938.

Article 249

Any person who intentionally issues false, debased or mutated coin-species, or false or forged mintage- or banknotes, shall, except for what is stipulated in articles 245 and 247, be punished with an imprisonment of not more than four months and two weeks or a fine-payment of not more than four thousand five hundred rupiahs.

Article 250

Any person who produces or keeps a stock of materials or instruments, of which he knows that they are intended to make counterfeits, to falsify or decrease the value of coin-species or to make counterfeits or falsify mintage- or banknotes, shall be punished with an imprisonment of not more than six years or a fine-payment of not more than four thousand five hundred rupiahs.

Article 250 bis

With a conviction on account of one of the crimes described in this chapter:

- the false, falsified or mutated coins,
- the false or falsified mintage- or banknotes,
- the materials or instruments, from their nature intended to make counterfeits, falsify or reduce the value of coin-species, or to make counterfeits or falsify mintage- or banknotes, as far as the crime has therewith been committed, or have been the object of the crime, shall be forfeited, also when they do not belong to the convicted person.

Article 251

Any person who intentionally, without a written permission from the head of the provincial government, keeps a stock of or imports into Indonesia, silver slices or plates, whether or not provided with a stamp, and suitable after having been stamped, stamped over or processed in any other way, to be taken for coins, and which obviously are not intended to serve as jewelry or as commemorative medals, shall be punished with an imprisonment of not more than one year or a fine-payment of not more than one hundred fifty thousand rupiahs).

Article 252

With a conviction on account of one of the crimes described in articles 244-247, a deprivation of the rights as stated in article 35 sub paragraphs 1-4 can be pronounced.

Book: II. CRIMES

Chapter: XI. FALSENESS IN STAMPS AND MARKS

Article: 253-262

Article 253

With an imprisonment of not more than seven years shall be punished:

1. any person who forges or falsifies (postage- or duty-) stamps issued by the Indonesian government, or if for the validity of these stamps a signature is required, forges or falsifies this signature, with the intent to use or cause others to use such stamps as if they were genuine and un-forged or as being valid;
2. any person who, with a similar intent, produces such stamps by illegally making use of genuine printing stamps.

Article 254

With an imprisonment of not more than six years shall be punished:

1. any person who on gold or silver works affixes false government emblems or by law required maker's marks or falsifies genuine ones, with the intent to use or cause others to use these works as if the thereon affixed emblems or marks were genuine and un-forged;
2. any person who, with a similar intent, affixes emblems or marks on the works referred to by illegally making use of genuine printing stamps;
3. any person who inserts, adds or transfers genuine government emblems or by law required maker's marks in, to, or onto other gold or silver works than those to which they were originally affixed, with the intent to use or cause others to use those works as if the referred to emblems or marks were originally affixed thereto.

Article 255

With an imprisonment of not more than four years shall be punished:

1. any person who places false Indonesian gauge marks or falsifies genuine ones on objects of which the gauge is obligatory or which at the request of parties concerned are admitted to the gauge or re-gauge, with the intent to use or cause others to use these objects as if the marks affixed thereon were genuine and un-forged;
2. any person who with a similar intent places marks on the objects referred to by illegally making use of genuine printing stamps;

3. any person who inserts, adds or transfers genuine Indonesian gauge marks in, to or onto objects other than those to which they were originally affixed, with the intent to use or cause others to use these objects as if the referred to marks were originally placed thereon.

Article 256

With an imprisonment of not more than three years shall be punished:

1. any person who falsely places other marks than those referred to in articles 254 and 255, which by virtue of a statutory provision must or can be placed on goods or their packaging, or falsifies genuine ones, with the intent to use or cause others to use those goods as if the marks placed thereon were genuine and un-forged;
2. any person who, with a similar intent, places marks on the referred to goods or their packaging by illegally making use of genuine printing stamps;
3. any person who uses genuine marks for goods or their packaging for which those marks are not intended, with the intent to use or cause others to use those goods as if the referred to marks were intended therefor.

Article 257

Any person who intentionally uses, sells, offers for sale, delivers, keeps a stock for sale or imports into Indonesia false, falsified or illegally produced stamps, signs or marks, or the objects to which they have illegally been attached, as if those stamps, signs or marks were genuine and un-forged, and have not been illegally produced or illegally attached to the objects, shall be punished with the same punishments as stipulated in articles 253-256, in accordance with the therein made distinctions.

Article 258

- (1) Any person who falsifies measures, weights or weighing tools after that they have been provided with a gauge mark, with the intent to use or cause others to use them as genuine and un-forged, shall be punished with an imprisonment of not more than three years.
- (2) With the same punishment shall be punished any person who intentionally makes use of falsified measures, weights or weighing tools as if they were genuine and un-forged.

Article 259

- (1) Any person who takes off the reject-mark that has been placed on a gauged object, with the intent to use or cause others to use the object as if it had not been rejected, shall be punished with an imprisonment of not more than one year and four months.
- (2) With the same punishment shall be punished any person who intentionally uses, sells, offers for sale, delivers, or has on hand for sale, an object from which the reject-mark has been taken off as if it had not been rejected.

Article 260

- (1) With an imprisonment of not more than four years or a fine-payment of not more than four thousand five hundred rupiahs shall be punished:
1. any person who removes from stamps issued in the name of the Indonesian Government, which have duly been made use of, the mark that is intended to make them unsuitable for further use, with the intent to use or cause others to use such stamps as if they had not yet been used;
 2. any person who with a similar intent removes from duty-stamps issued in the name of the Indonesian Government, which have duly been made use of, the signature, the hallmark or the indication of the point of time of its use, which according to any law regulation has been placed on or over such stamps;
- (2) With the same punishments shall be punished any person who intentionally uses, sells, offers for sale, delivers, keeps in stock for sale, or imports into Indonesia any stamps from which such a mark, such a signature, such a hallmark or such a time indication has been removed, as if they had not yet been used.

Article 260 bis

The stipulations of articles 253, 256, 257 and 260 shall in accordance with the therein made distinctions also be applicable in the event that the therein described incidences are committed with respect to stamps or marks in use at the postal service of Indonesia, or of a foreign state.

If one of the offenses is however committed with respect to stamps or marks in use at the postal service of a foreign state, the maximum of the main penalty for the offense shall then be reduced with one third.

Article 261

- (1) Any person who keeps materials or instruments on hand of which he knows that they are intended to commit any crime as described in article 253 or in article 260 *bis* in its relevancy to article 253, shall be punished with an imprisonment of not more than nine months or a fine-payment of not more than four thousand five hundred rupiahs.
- (2) The materials and instruments shall be forfeited.

Article 262

With a conviction on account of one of the crimes described in article 253-260 *bis*, a deprivation of the rights mentioned in article 35 sub paragraphs 1-4 can be pronounced.

Book: II. CRIMES

Chapter: XII. FORGERY IN WRITINGS

Article: 263-276

Article 263

- (1) Any person who falsely draws up or falsifies a writing which can give rise to any right, any agreement or any release from indebtedness, or which is intended to serve as evidence of any deed, with the intent to use or cause others to use it as being genuine and un-forged, shall, in the event that such use can cause any injury, as being guilty of forgery in writing, be punished with an imprisonment of not more than six years.
- (2) With the same punishment shall be punished any person who intentionally makes use of the false or falsified writing as if it were genuine and un-forged, in the event that such use can give rise to any injury.

Article 264

- (1) Any person guilty of forgery of writing shall be punished with an imprisonment of not more than eight years, in the event that such has been committed:
 1. in authentic written deeds;
 2. in debentures or certificates of indebtedness of any state or a part thereof or of any public institution;
 3. in shares or debentures or certificates of a share or indebtedness of any association, foundation, partnership or company;
 4. in counterfoils, dividend- or interest- evidences belonging to one of the documents described under the both foregoing numbers, or in the evidences issued in substitution of these documents;
 5. in for circulation intended credit- or commercial-paper.
- (2) With the same punishment shall be punished any person who intentionally makes use of any false or falsified writing mentioned in the first paragraph as if it were genuine and un-forged, in the event that such use can give rise to any injury.

Article 265

Revoked as announced in State Gazette 1926 No. 359 relevant to 429.

Article 266

- (1) Any person who causes a false statement to be taken up into an authentic written deed concerning a fact, of which the truth must be proven by that deed, with the intent to use or to cause others to use the deed as if his statement were in accordance with the truth, shall, in the event that such use can give rise to any injury, be punished with an imprisonment of not more than seven years.
- (2) With the same punishment shall be punished any person who intentionally makes use of the deed, as if the contents thereof were in accordance with the truth, in the event that such use can give rise to any injury.

Article 267

- (1) Any physician who intentionally issues a false written statement concerning the existence or non-existence or having existed illnesses, weaknesses or infirmities, shall be punished with an imprisonment of not more than four years.
- (2) In the event that the statement is issued with the intent to cause a person to be taken up or retained in a lunatic asylum, an imprisonment of not more than eight years and six months shall then be imposed.
- (3) With the same punishments shall be punished any person who intentionally makes use of the false statement, as if the contents thereof were in accordance with the truth.

Article 268

- (1) Any person who falsely makes up or forges a written medical statement concerning the existence or non-existence or having existed illnesses, weaknesses or infirmities, with the intent to deceive the public authorities or insurers, shall be punished with an imprisonment of not more than four years.
- (2) With the same punishment shall be punished any person who, with a similar intent, makes use of the false or forged statement as if it were genuine and un-forged.

Article 269

- (1) Any person who falsely makes up or forges a testimonial of good behavior, proficiency, poverty, infirmities or other circumstances, with the intent to use or cause others to use it to obtain an employment or to arouse benevolence and assistance, shall be punished with an imprisonment of not more than one year and four months.
- (2) With the same punishment shall be punished any person who intentionally makes use of any in the first paragraph mentioned false or forged testimonial as if it were genuine and un-forged.

Article 270

- (1) Any person who falsely makes up or forges a travel permit or any document which substitutes a travel permit, a security card, a travel order or any document issued in accordance with the legal regulations concerning the admission and residence of foreigners in Indonesia, or who causes such a document to be issued under a false name or first name or with an indication of a false characteristic, with the intent to use or cause others to use it as if it were genuine and un-forged or as if the contents were in accordance with the truth, shall be punished with an imprisonment of not more than two years and eight months.
- (2) With the same punishment shall be punished any person who intentionally makes use of any in the first paragraph mentioned false or forged document as if it were genuine and un-forged or as if the contents were in accordance with the truth.

Article 271

- (1) Any person who falsely makes up or forges a waybill for buffaloes and cattle, or who causes such a document to be issued under a false name or first name, or with an indication of a false characteristic, with the intent to use or cause others to use it as if it were genuine and un-forged or as if the contents were in accordance with the truth, shall be punished with an imprisonment of not more than two years and eight months.
- (2) With the same punishment shall be punished any person who intentionally makes use of any in the first paragraph mentioned false or forged document as if it were genuine and un-forged or as if the contents were in accordance with the truth.

Articles 272

Revoked as announced in State Gazette 1926 No. 359 relevant to 429.

Articles 273

Revoked as announced in State Gazette 1926 No. 359 relevant to 429.

Article 274

- (1) Any person who falsely makes up or forges a written statement from an Indonesian official, who exercises legal authority, concerning the ownership of or concerning any other right to any property with the intent to facilitate the alienation or mortgaging thereof, or to deceive officers of justice or police regarding the origin thereof, shall be punished with an imprisonment of not more than two years.
- (2) With the same punishment shall be punished any person who, with a similar intent, makes use of the false or forged statement as if it were genuine and un-forged.

Article 275

- (1) Any person who keeps materials or objects on hand of which he knows that they are intended for the commitment of any crime as described in article 264 numbers 2-5, shall be punished with an imprisonment of not more than nine months or a fine-payment of not more than four thousand five hundred rupiahs.

- (2) The materials and objects shall be forfeited.

Article 276

With a conviction because of one of the crimes described in articles 263-268, a deprivation of the rights as mentioned in article 35 sub paragraphs 1-4 can be pronounced.

Book: II. CRIMES

Chapter: XIII. CRIMES AGAINST THE CIVIL STATUS OF PERSONS

Article: 277-280

Article 277

- (1) Any person who through any act intentionally causes another person's descent to be doubtful, shall, being considered as guilty of obscuration of a status, be punished with an imprisonment of not more than six years.
- (2) Deprivation of the rights mentioned in article 35 sub paragraphs 1-4 can be pronounced.

Article 278

Any person who acknowledges a child, of whom he knows that he is not its father, as being his child in compliance with the regulations of the Civil Code, shall, being considered as guilty of a false acknowledgment, be punished with an imprisonment of not more than three years.

Article 279

- (1) With an imprisonment of not more than five years shall be punished:
 1. any person who enters into a marriage, with the knowledge that his existing marriage or marriages form a legal impediment against it;
 2. any person who enters into a marriage, with the knowledge that the existing marriage or marriages of the counterpart form a legal impediment against it.
- (2) In the event that the person who makes himself guilty of the deed as described under sub paragraph 1, has concealed from his counterpart that his existing marriage or marriages form a legal impediment against it, he shall then punished with an imprisonment of not more than seven years.
- (3) A deprivation of the rights mentioned in article 35 sub paragraph 1-5 can also be pronounced.

Article 280

Any person who enters into a marriage, intentionally concealing from the counterpart that a legal impediment exists against it, shall, in the event that on the ground of that impediment the nullification of that marriage is pronounced, be punished with an imprisonment of not more than five years.

Book: II. CRIMES
Chapter: XIV. CRIMES AGAINST MORALITY
Article: 281-303

Article 281

With an imprisonment of not more than two years and eight months or a fine-payment of not more than four thousand five hundred rupiahs shall be punished:

1. any person who with intentionally publicly desecrates morality;
2. any person who intentionally desecrates morality, notwithstanding that someone else is present because of him.

Article 282

- (1) Any person who either distributes, openly exhibits or puts up any writing of which he knows the contents or any depiction or object known to him that is obscene to morality, or produces, imports, transits, exports or keeps a stock to distribute, openly exhibit or put such up, or openly or through a distribution of any writing un-askedly offers or indicates where such are obtainable, shall be punished with an imprisonment of not more than one year and four months or a fine-payment of not more than four thousand five hundred rupiahs.
- (2) Any person who distributes, openly exhibits or puts up any writing, any depiction or any object that is obscene to morality, or produces, imports, transits, exports or keeps a stock of such either to be distributed, openly exhibited or to be put up, or openly or through a distribution of any writing un-askedly offers or indicates where such are obtainable, shall, in the event that he has a serious reason to surmise that the writing, depiction or object is obscene to morality, shall be punished with an imprisonment of not more than nine months or a fine-payment of not more than four thousand five hundred rupiahs.
- (3) In the event that the perpetrator makes a profession or a habit of the commission of the crime as described in the first paragraph, an imprisonment of not more than two years and eight months or a fine-payment of not more than seventy five thousand rupiahs can then be imposed.

Article 283

- (1) With an imprisonment of not more than nine months or a fine-payment of not more than nine thousand rupiahs shall be punished any person who offers, permanently or temporarily surrenders, hands to or shows to a minor of whom he knows or reasonably must surmise that that minor has not yet reached the age of seventeen years, either any writing, any depiction, or any object, obscene to morality, or any means to prevent or to abort pregnancy, if the contents of the writing or if the depiction, the object or the means are known to him.

- (2) With the same punishment shall be punished any person who, in the presence of a minor as referred to in the foregoing paragraph, audibly reads out the contents of a writing that is obscene to morality, if this is known to him.
- (3) With an imprisonment of not more than four months or a detainment of not more than three months or a fine-payment of not more than nine thousand rupiahs shall be punished any person who offers, permanently or temporarily surrenders, hands to, or shows to a minor as referred to in the first paragraph, either any writing, any depiction or any object obscene to morality, or any means to prevent or to abort pregnancy, or otherwise audibly reads out the contents of any writing obscene to morality, in the presence of a minor as referred to in the first paragraph, if he has serious reasons to surmise that the writing, the depiction or the object is obscene to morality, or that the means is one to prevent or to abort pregnancy.

Article 283 bis

In the event that the perpetrator commits one of the crimes described in articles 282 and 283 in his profession and that during commission of the crime two years have not yet elapsed since an earlier conviction on account of one of the crimes has become irrevocable, he can then be deprived from practicing that profession.

Article 284

- (1) With an imprisonment of not more than nine months shall be punished:
 - 1. a. any married man who, with the knowledge that article 27 of the Civil Code is applicable to him, commits adultery;
 - b. any married woman who commits adultery;
 - 2. a. any man who is a party to the act, with the knowledge that the associate therein is married;
 - b. any unmarried woman who is an accomplice in the deed, with the knowledge that the associate therein is married and that article 27 of the Civil Code is applicable to him.
- (2) No prosecution shall be instituted other than upon a complaint from the insulted spouse, and if article 27 of the Civil Code is applicable to the married couple, this is within three months time followed by a petition for divorce or separation from table and bed on the grounds of the same deed.
- (3) With regard to this complaint articles 72, 73 and 75 shall not be applicable.
- (4) The complaint can be withdrawn as long as the investigation for a trial by court has not been commenced.
- (5) In the event that article 27 of the Civil Code is applicable to the married couple, the complaint shall not be complied with as long as the marriage has not been dissolved by a divorce or that the verdict, whereby a separation from table and bed has been pronounced, has become irrevocable.

Article 285

Any man who through violence or a threat with violence, forces a woman to out of marriage have physical intercourse with him, shall, because of being guilty of rape, be punished with an imprisonment of not more than twelve years.

Article 286

Any man who out of marriage has physical intercourse with a woman of whom he knows that she is in a state of unconsciousness or helplessness, shall be punished with an imprisonment of not more than nine years.

Article 287

- (1) Any man who out of marriage has physical intercourse with a woman of whom he knows or reasonably must surmise that she has not yet reached the age of fifteen years or, if it is not apparent from her age, that she is not yet marriageable, shall be punished with an imprisonment of not more than nine years.
- (2) Prosecution shall not be instituted other than upon a complaint, unless that the woman has not yet reached the age of twelve years or if one of the cases of articles 291 and 294 is involved.

Article 288

- (1) Any man who in marriage has physical intercourse with a woman of whom he knows or reasonably must surmise that she is not yet marriageable, shall, if the deed results in a physical injury, be punished with an imprisonment of not more than four years.
- (2) If the deed results in serious physical injury, an imprisonment of not more than eight years shall then be imposed.
- (3) If the deed results in death, an imprisonment of not more than twelve years shall then be imposed.

Article 289

Any person who through violence or a threat with violence, forces someone to commit or tolerate obscene acts, shall, being considered as guilty of actual assault of morality, be punished with an imprisonment of not more than nine years.

Article 290

With an imprisonment of not more than seven years shall be punished:

1. any person who commits obscene acts with someone of whom he knows that he is in a state of unconsciousness or helplessness;
2. any person who commits obscene acts with someone of whom he knows or reasonably must surmise that he has not yet reached the age of fifteen years or, if it is not apparent from his age, that he is not yet marriageable;

3. any person who seduces someone of whom he knows or reasonably must surmise that he has not yet reached the age of fifteen years or, if it is not apparent from his age, that he is not yet marriageable, to commit or tolerate obscene acts or, outside marriage, to have physical intercourse with a third person.

Article 291

- (1) If one of the crimes described in articles 286, 287, 289 and 290 results in a serious physical injury, an imprisonment of not more than twelve years shall be then imposed.
- (2) If one of the crimes described in articles 285, 286, 287, 289 and 290 results in death, an imprisonment of not more than fifteen years shall then be imposed.

Article 292

Any adult who commits immorality with a minor of the same sex, whose minority is known to him or reasonably must surmise, shall be punished with an imprisonment of not more than five years.

Article 293

- (1) Any person who, through gifts or promises of money or goods, abuse of dominance originating from actual relationships or deceit, intentionally induces a minor of irreproachable conduct, whose minority is known to him or reasonably must surmise, to commit immoral acts with him or to tolerate such acts with him, shall be punished with an imprisonment of not more than five years.
- (2) Prosecution shall not be instituted other than upon complaint of the person against whom the crime has been committed.
- (3) The terms referred to in article 74 shall for this complaint respectively be for the time periods of nine and twelve years.

Article 294

- (1) Any person who commits immorality with his under age child, stepchild or foster-child, his pupil, a minor who is entrusted to his care, education, or vigilance, or his under age servant or subordinate, shall be punished with an imprisonment of not more than seven years.
- (2) With the same punishment shall be punished:
 1. any functionary who commits immorality with a person who is officially subordinate to him, or has been entrusted or recommended to his vigilance;
 2. any manager, physician, teacher, official, superintendent or attendant at a prison, state labor institution, reformatory institution, orphanage, hospital, lunatic asylum or charity institution, who commits immorality with a person admitted therein.

Article 295

- (1) Punishable:
1. with an imprisonment of not more than five years, is any person who intentionally causes or facilitates the commission of immorality by his under age child, stepchild or foster-child, his pupil, a minor who is entrusted to his care, education or vigilance or his under age servant or subordinate with a third person;
 2. with an imprisonment of not more than four years, is any person who, except for cases enumerated under sub paragraph 1, intentionally causes or facilitates the he commission of immorality by a minor, whose minority is known to him reasonably must surmise, with a third person.
- (2) In the event that the guilty person makes a profession or a habit of the commission of the crime, the punishments can then be increased with one third.

Article 296

Any person who makes a profession or a habit of intentionally causing or facilitating immorality by others with a third person, shall be punished with an imprisonment of not more than one year and four months or a fine-payment of not more than fifteen thousand rupiahs.

Article 297

Trading in women and minors of the male sex shall be punished with an imprisonment of not more than of six years.

Article 298

- (1) With a conviction because of one of the crimes described in articles 281, 284-290 and 292-297, a deprivation of the rights mentioned in article 35 sub paragraph 1-5 can also be pronounced.
- (2) In the event that the person who is guilty of committing one of the crimes described in articles 292-297, commits the crime within his profession, he can then be deprived from practicing that profession.

Article 299

- (1) Any person who intentionally gives treatment to a woman or causes her to undergo some treatment, by giving her to understand or raising the expectation that thereby pregnancy can be aborted, shall be punished with an imprisonment of not more than four years or a fine-payment of not more than fourty five thousand rupiahs.
- (2) In the event that the guilty person has acted in pursuit of gain, makes a profession or a habit of the commission of the crime, or is a physician, midwife or pharmacist, the punishment can than be increased with one third.
- (3) In the event that the perpetrator commits the crime within his profession, he can then be deprived from practicing that profession.

Article 300

- (1) With an imprisonment of not more than one year or a fine-payment of not more than four thousand five hundred rupiahs shall be punished:
1. any person who intentionally sells or administers intoxicating drinks to a person who is in an obvious state of drunkenness;
 2. any person who intentionally makes a child drunk who is under the age of sixteen years;
 3. any person who through violence or a threat with violence intentionally forces someone to consume intoxicating drinks.
- (2) In the event that the deed causes a serious physical injury, the guilty person shall then be punished with an imprisonment of not more than seven years.
- (3) In the event that the deed causes death, he shall then be punished with an imprisonment of not more than nine years.
- (4) In the event that the guilty person commits the crime within his profession, he can then be deprived from practicing that profession.

Article 301

Any person who surrenders or leaves a child under the age of twelve years, who is under his legal authority, to another someone else, knowing that it shall be used for or with the conduction of mendicancy, of dangerous feats or of dangerous or health undermine work, shall be punished with an imprisonment of not more than four years.

Article 302

- (1) With an imprisonment of not more than three months or a fine-payment of not more than four thousand five hundred rupiahs, because of being guilty of light maltreatment of animals, shall be punished:
1. any person who without reasonable purpose or by going beyond permissible limits to achieve such a purpose, intentionally causes pain or injury to an animal or does what is injurious to the health of an animal;
 2. any person who without reasonable purpose or by going beyond permissible limits to achieve such a purpose, intentionally withholds the necessary sustenance from an animal, that fully or partially belongs to him and is under his supervision, or from an animal for the sustenance of which he is obliged.
- (2) In the event that the deed results in an illness of longer than one week, mutilation, serious injury of another nature, or also death of the animal, the guilty person shall then because of maltreatment of animals be punished with an imprisonment of not more than nine months imprisonment or a fine-payment of not more than four thousand five hundred rupiahs.

- (3) The animal may, if it belongs to the guilty person, be forfeited.
- (4) Attempts to this crime is not punishable.

Article 303

- (1) With an imprisonment of not more than ten years and eight months or a fine-payment of not more than twenty-five million rupiahs shall be punished any person who, without being authorized thereto:
 - 1. makes a business of intentionally offering or providing an opportunity for a gambling game, or intentionally participates in an undertaking thereto;
 - 2. intentionally offers or provides an opportunity for a gambling game to the public, or intentionally participates in an undertaking thereto, irrespective whether making use of that opportunity has already or not been made dependent upon any condition or of an observance in any form;
 - 3. participates in a gambling game as a business.
- (2) In the event that the guilty person commits the crime within his profession, he can then be deprived from practicing that profession.
- (3) Under a gambling games is understood every game whereby in general the opportunity to win depends on chance, also when that chance increases with the more training or with the greater dexterity of the player. There under are understood all chance agreements on the outcome of competitions or further games, which are not concluded between the ones who are participating therein, as well as all bets.

Book: II. CRIMES

Chapter: XV. ABANDONMENT OF ONES IN NEED OF HELP

Article: 304-309

Article 304

Any person who intentionally brings or leaves someone in a helpless state, for whose sustenance, nursing or care he is obligated under the law that is applicable to him or under an agreement, shall be punished with an imprisonment of not more than two years and eight months or a fine-payment of not more than four thousand five hundred rupiahs.

Article 305

Any person who leaves a child under the age of seven years somewhere as a foundling or, with the intent to get rid of it, abandons the child, shall be punished with an imprisonment of not more than five years and six months.

Article 306

- (1) If one of the deeds as described in articles 304 and 305 results in serious a physical injury, the guilty person shall then be punished with an imprisonment of not more than seven years and six months.
- (2) If one of these deeds results in death, he shall then be punished with an imprisonment of not more than nine years.

Article 307

In the event that the person who is guilty of the crime as described in article 305 is the father or the mother, the punishments as stipulated with respect to them in articles 305 and 306, can then be increased with one third.

Article 308

If the mother, being driven by fear for discovery of having given birth to a child, leaves the child somewhere as a foundling shortly after its birth or, with the intent to get rid of it, abandons the child, the maximum punishments as mentioned in articles 305 and 306, shall then be decreased to one half thereof.

Article 309

With a conviction on account of one of the crimes as described in articles 304-308, a deprivation of the rights as mentioned in article 35 sub paragraph 4 can also be pronounced.

Book: II. CRIMES

Chapter: XVI. DEFAMATION

Article: 310-322

Article 310

- (1) Any person who intentionally defames someone's honor or good name, through an accusation of having committed a certain deed, with the obvious purpose to make such publicly known, shall, being considered as guilty of defamation, be punished with an imprisonment of not more than nine months or a fine-payment of not more than c rupiahs.
- (2) In the event that such occurs through the medium of writings or depictions, distributed, openly exhibited or put up, the perpetrator shall then, being considered as guilty of libel, be punished with an imprisonment of not more than one year and four months, or a fine-payment of not more than four thousand five hundred rupiahs.
- (3) Neither defamation nor libel exists, as far as the perpetrator has obviously acted in the general interest or for a necessary defense.

Article 311

- (1) Any person who commits the crime of defamation or libel in a case where the evidence of the truth of the imputed deed is permitted, shall, if he fails to produce such proof and the imputation has occurred against his better knowledge, being considered as guilty of slander, be punished with an imprisonment of not more than four years.
- (2) A deprivation of rights as mentioned in article 35 sub paragraph 1-3 may be pronounced.

Article 312

Evidence of the truth concerning the charged deed shall only be admitted in following cases:

1. when the judge deems the investigation of the truth necessary for a judgment of the allegation of the accused that he has acted in the general interest or for a necessary defense;
2. when an official is charged with the commission of a deed in the execution of his service.

Article 313

The evidence as referred to in article 312 shall not be admitted, if the charged deed can only be prosecuted upon a complaint and no complaint has been made.

Article 314

- (1) In the event that the defamed person has by judicial verdict been irrevocably declared guilty of the charged deed, a conviction because of slander shall then be out of the question.
- (2) In the event that the defamed person has by judicial verdict been irrevocably acquitted from the charged fact, that verdict shall then be considered as a complete evidence of the untruth of the deed.
- (3) In the event that against the defamed person a punitive prosecution because of the deed with which he is charged has already commenced, the prosecution because of slander shall then be suspended until such time when the charged fact has been adjudged with an irrevocable verdict.

Article 315

Every intentional defamation which does not bear the character of indignity or libel, brought upon a someone either verbally or in writing in public, or verbally or through actualities in his presence, or through a dispatched or presented writing, shall, as a plain defamation, be punished with an imprisonment of not more than four months and two weeks or a fine-payment of not more than four thousand five hundred rupiahs.

Article 316

The punishments that are stipulated in the foregoing articles of this chapter can be increased with one third, in the event that the defamation is brought upon an official during or relevant to the legal execution of his service.

Article 317

- (1) Any person who intentionally submits a false charge or report in writing against a certain person or causes a registration thereof with the authorities, whereby the honor or good name of that person is being blamed, shall, being considered as guilty of a slanderous charge, be punished with an imprisonment of not more than four years.
- (2) A deprivation of the rights as stated in article 35 sub paragraph 1-3 can also be pronounced.

Article 318

- (1) Any person who intentionally through any act falsely brings someone else under suspicion of having committed any punishable deed, shall, being considered as guilty of slanderous insinuation be punished with an imprisonment of not more than four years.
- (2) A deprivation of the rights as stated in article 35 sub paragraph 1-3 can also be pronounced.

Article 319

Defamation, punishable on the basis of this chapter, shall only be prosecuted upon complaint of the person against whom the crime has been committed, except in the case of article 316.

Article 320

- (1) Any person who commits a deed relevant to a deceased person that, if the person were still alive, would have been characterized as libel or indignity, shall be punished with an imprisonment of not more than four months and two weeks or a fine-payment of not more than four thousand five hundred rupiahs.
- (2) This crime shall not be prosecuted except a complaint either from one of the blood relatives or relatives by marriage of the deceased in the direct line or a side-line to the second degree, or from his spouse.
- (3) In the event that according to matriarchal customs the paternal authority is exercised by another than the father, the crime can then also be prosecuted upon a complaint from this person.

Article 321

- (1) Any person who distributes, openly exhibits or puts up a writing or depiction of defamatory or for a deceased humiliating contents, with the intent to make the defamatory or humiliating contents publicly known, or to increase the publicity thereof, shall be punished with an imprisonment of not more than one month and two weeks or a fine-payment of not more than four thousand five hundred rupiahs.
- (2) In the event that the guilty person commits the crime in his profession and that, during the commission of the crime, two years have not yet elapsed, since that an earlier conviction of the guilty person on account of a similar crime has become irrevocable, he can then be deprived from practicing that profession.
- (3) This crime shall not be prosecuted except upon a complaint from the persons as indicated in article 319 and the second and third paragraphs of article 329.

Book: II. CRIMES

Chapter: XVII. INFRINGEMENT OF SECRETS

Article: 322-323

Article 322

- (1) Any person who intentionally divulges any secret, which he by reason of either his present or earlier function or profession, is obliged to keep, shall be punished with an imprisonment of not more than nine months or a fine-payment of not more than nine thousand rupiahs.
- (2) In the event that the crime is committed against a certain person, it can then only be prosecuted upon complaint from this person.

Article 323

- (1) Any person who intentionally divulges particulars concerning an enterprise of trade, industry or agriculture where he is or has been employed, with the secrecy of which he is entrusted, shall be punished with an imprisonment of not more than nine months or a fine-payment of not more than nine thousand rupiahs.
- (2) No prosecution shall be instituted except upon a complaint from the management of that enterprise.

Book: II. CRIMES

Chapter: XVIII. CRIMES AGAINST PERSONAL FREEDOM

Article: 324-337

Article 324

Any person who for own or an alien account deals in slave trafficking, commits a deed of slave trafficking or intentionally in one way or another participates as a medium or directly therein, shall be punished with an imprisonment of not more than twelve years.

Article 325

- (1) Any person who as a skipper takes service or is servicing on a vessel, with the knowledge that it is intended to deal in slave trafficking, or using it for that purpose, shall be punished with an imprisonment of not more than twelve years.
- (2) In the event that the transportation brings on the death of one or more slaves, the skipper shall then be punished with an imprisonment of not more than fifteen years.

Article 326

Any person who takes service as a shipmate on a vessel, with the knowledge that it is intended or being used for slave trafficking, or voluntarily remains in service after having learned that it is intended or to be used for slave trafficking, shall be punished with an imprisonment of not more than nine years.

Article 327

Any person who for own or an alien account either as a medium or directly co-operates in the hiring out, chartering or insuring of a vessel, with the knowledge that it is intended to deal in slave trafficking, shall be punished with an imprisonment of not more than eight years.

Article 328

Any person who abducts someone from the place of his residence or his temporary stay, with the intent to illegally bring him under his or someone else's power or to place him in a helpless position, shall, being considered as guilty of kidnapping, be punished with an imprisonment of not more than twelve years.

Article 329

Any person who intentionally illegally carries someone who has committed himself to do any work in a certain area to another area, shall be punished with an imprisonment of not more than seven years.

Article 330

- (1) Any person who intentionally withdraws a minor from the authority that has legally been placed over him or from the supervision of the person who competently exercises this over him, shall be punished with an imprisonment of not more than seven years.
- (2) An imprisonment of not more than nine years shall be imposed, in the event that guile, force or threat with force have been applied, or in the event that the minor is under the age of twelve years.

Article 331

Any person who intentionally hides or abstracts a minor, who has been withdrawn or has withdrawn himself from the authority that has legally been placed over him or from the supervision of the person who competently exercises this over him, from being traced by officers of justice or the police, shall be punished with an imprisonment of not more than four years or, in the event that the minor is under the age of twelve years, with an imprisonment of not more than seven years.

Article 332

- (1) As guilty of abduction shall be punished:
 1. with an imprisonment of not more than seven years, any person who carries off an under age woman, without the will of her parents or guardians, but with her consent, with the intent to ensure himself of her possession within or outside marriage;
 2. with an imprisonment of not more than nine years, any person who carries off a woman through guile, force, or a threat with force, with the intent to ensure himself of her possession within or outside marriage.
- (2) No prosecution shall be instituted except upon a complaint.
- (3) The complaint must be filed:
 - a. in the event that at the time of the abduction the woman is under age, , either by herself or by a person whose consent she needs to enter into a marriage;
 - b. in the event that at the time of the abduction she is of age, either by herself, or by her husband.
- (4) In the event that the abductor has entered into marriage with the abducted woman and that this marriage is governed by regulations of the Civil Code, no judgment shall then take place except after that the annulment of the marriage has been pronounced.

Article 333

- (1) Any person who intentionally illegally deprives or keeps someone deprived from freedom, shall be punished with an imprisonment of not more than eight years.

- (2) In the event that the deed results in serious physical injury, the guilty person shall then be punished with an imprisonment of not more than nine years.
- (3) In the event that the deed results in death, he shall then be punished with an imprisonment of not more than twelve years.
- (4) The punishments stipulated in this article shall also be applicable to any person who intentionally provides a place for the illegal deprivation of freedom.

Article 334

- (1) Any person through whose fault needs to be blamed that someone is illegally being deprived or kept deprived from freedom shall be punished with a detainment of not more than three months or a fine-payment of not more than four thousand five hundred rupiahs.
- (2) In the event that the deed results in serious physical injury, the guilty person shall then be punished with a detainment of not more than nine months.
- (3) In the event that the deed results in death, he shall then be punished with a detainment of not more than one year.

Article 335

- (1) With an imprisonment of not more than one year or a fine-payment of not more than three hundred (rupiahs) shall be punished:
 - 1. any person who unlawfully coerces another person through force, through any other act of violence, or also through an unpleasant treatment or through a threat with force, with any other acts of violence, or also with an unpleasant treatment, directed either towards that other person or towards third parties, to do, not to do or to tolerate something;
 - 2. any person who coerces another person through a threat with defamation or libel to do, not to do or to tolerate something.
- (2) In the case as described under sub paragraph 2, the crime shall not be prosecuted except upon a complaint from the person against whom it has been committed.
- (3) Any person who commits a crime as described in the first paragraph under sub paragraph 1., with the intent to disturb the public order or to cause a disorder in the economic life of the community, or also to promote or to impede any political strive, shall be punished with an imprisonment of not more than six years.

Article 336

- (1) Threat with open violence and united forces against persons or property, accompanied by any crime whereby the general security of persons or property is being endangered, with rape, with actual assault of chastity, with any crime directed towards life, with heavy torture or with arson, shall be punished with an imprisonment of not more than two years.

- (2) In the event that this threat takes place in writing and under a certain condition, this shall then be punished with an imprisonment of not more than five years.

Article 337

With a conviction on account of one of the crimes as described in articles 324-333 and in the second paragraph of article 336, a deprivation of the rights mentioned in article 35 sub paragraphs 1-4 can also be pronounced.

Book: II. CRIMES

Chapter: XIX. CRIMES AGAINST LIFE

Article: 338-350

Article 338

Any person who intentionally takes the life of another person, shall, being considered as guilty of homicide, be punished with an imprisonment of not more than fifteen years.

Article 339

Homicide followed, accompanied, or preceded by a punishable deed and committed with the intent to prepare or facilitate the commission of that deed, or, when being caught in the act, to secure either an impunity for oneself or other accomplices in the deed, or the possession of what has been unlawfully acquired, shall be punished with a life imprisonment, or a temporary imprisonment of not more than twenty years.

Article 340

Any person who intentionally and premeditatedly takes the life of another person, shall, being considered as guilty of murder, be punished with the death penalty or a life imprisonment, or a temporary imprisonment of not more than twenty years.

Article 341

The mother who, being driven by fear for the discovery of her childbirth, intentionally takes the life of her child at or soon after its birth, shall, being considered as guilty of infanticide, be punished with an imprisonment of not more than seven years.

Article 342

The mother who, in order to carry out a decision that has been taken because of being driven by fear for the discovery of her forthcoming childbirth, intentionally takes the life of her child at or soon after its birth, shall, being considered as guilty of infanticide, be punished with an imprisonment of not more than nine years.

Article 343

The crimes described in articles 341 and 342 shall, with respect to others who participate therein, be considered as homicide or murder.

Article 344

Any person who takes someone else's life at his own explicit and earnest desire, shall be punished with an imprisonment of not more than twelve years.

Article 345

Any person who intentionally instigates someone else to commit suicide, is thereby being of assistance to him or provides him with the means thereto, shall, in the event that the suicide ensues, be punished with an imprisonment of not more than four years.

Article 346

Any woman who intentionally causes or lets someone else to cause the premature expulsion or the death of her fetus, shall be punished with an imprisonment of not more than four years.

Article 347

- (1) Any person who intentionally causes the premature expulsion or the death of the fetus of a woman without her consent, shall be punished with an imprisonment of not more than twelve years.
- (2) In the event that the deed results in the death of the woman, he shall then be punished with an imprisonment of not more than fifteen years.

Article 348

- (1) Any person who intentionally causes the premature expulsion or the death of the fetus of a woman with her consent, shall be punished with an imprisonment of not more than five years and six months.
- (2) In the event that the deed results in the death of the woman, he shall then be punished with an imprisonment of not more than seven years.

Article 349

In the event that a physician, midwife or pharmacist is an accomplice to the crime in article 346, or is guilty of or an accomplice to one of the crimes as described in articles 347 and 348, the punishments that are stipulated in those articles can then be increased with one third, and he can also be deprived from practicing the profession in which he has committed the crime.

Article 350

With a conviction because of manslaughter, because of murder or because of one of the crimes as described in articles 344, 347 and 348, a deprivation of the rights as stated in article 35 sub paragraph 1-5 can also be pronounced.

Book: II. CRIMES

Chapter: XX. MALTREATMENT

Article: 351-358

Article 351

- (1) Maltreatment shall be punished with an imprisonment of not more than two years and eight months or a fine-payment of not more than four thousand five hundred rupiahs.
- (2) In the event that the deed causes serious physical injury, the guilty person shall then be punished with an imprisonment of not more than five years.
- (3) In the event that the deed causes death, he shall then be punished with an imprisonment of not more than seven years.
- (4) Maltreatment is considered as equal to intentional injury to the health.
- (5) An attempt towards this crime is not punishable.

Article 352

- (1) Except for the cases of articles 353 and 356, maltreatment which causes no illness or obstacle in the performance of official or professional activities, shall, being considered as light maltreatment, be punished with an imprisonment of not more than three months or a fine-payment of not more than four thousand five hundred rupiahs. This punishment can be increased with one third with regard to the guilty person, who commits the crime against someone who is in his employment or otherwise subordinate to him.
- (2) An attempt towards this crime is not punishable.

Article 353

- (1) Maltreatment that is committed with premeditation shall be punished with an imprisonment of not more than four years.
- (2) In the event that the deed causes serious physical injury, the guilty person shall then be punished with an imprisonment of not more than seven years.
- (3) In the event that the deed causes death, he shall then be punished with an imprisonment of not more than nine years.

Article 354

- (1) Any person who intentionally causes serious physical injury to someone else, shall, being considered as guilty of serious maltreatment, be punished with an imprisonment of not more than eight years.

- (2) In the event that the deed causes death, the guilty person shall then be punished with an imprisonment of not more than ten years.

Article 355

- (1) Serious maltreatment that is committed with premeditation shall be punished with an imprisonment of not more than twelve years.
- (2) In the event that the deed results in death, the guilty person shall then be punished with an imprisonment of not more than fifteen years.

Article 356

The punishments stipulated in articles 351, 353, 354 and 355 can be increased with one third:

1. with regard to the guilty person who commits the crime against his mother, his legitimate father, his spouse or his child;
2. in the event that the crime is committed against an official at the time or in connection with the legal execution of his service;
3. in the event that the crime is committed by administering substances that are injurious to life or to the health.

Article 357

With a conviction because of one of the crimes as described in articles 353 and 355, a deprivation of the rights as stated in article 35 sub paragraphs 1-4 can also be pronounced.

Article 358

Persons who are intentionally participating in an attack or fighting in which distinguished persons are involved, shall, except for each individual's responsibility for the particular deeds committed by him, be punished with:

1. an imprisonment of not more than two years and eight months, in the event that the attack or fighting has only caused a serious physical injury;
2. an imprisonment of not more than four years, in the event that the attack or fighting has caused someone's death.

Book: II. CRIMES

Chapter: XXI. CAUSING DEATH OR PHYSICAL INJURY THROUGH ONE'S FAULT

Article: 104-129

Article 359

Any person to whose fault the death of someone is to be blamed, shall be punished with an imprisonment of not more than five years or a detainment of not more than one year.

Article 360

Any person to whose fault is to be blamed that someone suffers a serious physical injury,, or such a physical injury that becomes the cause of a temporary illness or a hindrance in the execution of his official or professional activities, shall be punished with an imprisonment of not more than nine months or a detainment of not more than six months or a fine-payment of not more than four thousand five hundred rupiahs.

Article 361

In the event that the crimes described in this chapter are committed in the execution of any official duty or profession, the punishment can then be increased with one third, a deprivation from practicing the profession in which the crime has been committed can be pronounced, and the judge can order the publication of his verdict.

Book: II. CRIMES

Chapter: XXII. THEFT

Article: 362-367

Article 362

Any person who takes away any good that entirely or partially belongs to someone else, with the intent to unlawfully appropriate it, shall, being considered as guilty of theft, be punished with an imprisonment of not more than five years or a fine-payment of not more than nine hundred rupiahs.

Article 363

(1) With an imprisonment of not more than seven years shall be punished:

1. theft of cattle;
2. theft at an occurrence of fire, explosion, flood, earth- or sea-quake, volcanic eruption, shipwreck, stranding, railway accident, revolt, mutiny or distress caused by war;
3. theft at night in a house or in an enclosed compound where a house is located, by someone who is there without the knowledge or against the will of the rightful person;
4. theft that is jointly committed by two or more persons;
5. theft whereby the guilty person has forced himself an entrance into the place of the crime or has brought the to be taken away good under his reach by means of breaking in, trespassing or climbing in, with the use of false keys, of a false order or of a false costume.

(2) In the event that the theft described under sub paragraph 3 is accompanied by one of the circumstances stated under sub paragraph 4 and 5, an imprisonment of not more than nine years shall then be imposed.

Article 364

The deeds as described in articles 362 and 363 sub paragraph 4, as well as those as described in article 363 sub paragraph 5, provided that these have not been committed in a house or in an enclosed compound where a house is located, shall, in the event that the value of what has been stolen does not amount to more than two hundred fifty rupiahs, being considered as a light theft, be punished with an imprisonment of not more than three months or a fine-payment of not more than nine hundred rupiahs.

Article 365

- (1) With an imprisonment of not more than nine years shall be punished theft that is preceded, accompanied or followed by violence or a threat with violence against persons, committed with the intent to prepare or facilitate that theft, or when caught in the act, either to enable oneself or other accomplices to the crime to escape, or to secure the possession of what has been stolen.
- (2) An imprisonment of not more than twelve years shall be imposed:
 1. in the event that the deed is committed either at night in a house or in an enclosed compound where a house is located; or on the public road; or in a moving railway-train or a tram;
 2. in the event that the deed is committed jointly by two or more persons;
 3. in the event that the guilty person has provided himself an entrance into the place of the crime by way of breaking in or climbing in, with the use of false keys, a false order, or a false costume;
 4. in the event that the deed results in serious physical injury.
- (3) An imprisonment of not more than fifteen years shall be imposed, in the event that the deed results in the death of someone.
- (4) The death penalty or life imprisonment or a temporary imprisonment of not more than twenty years shall be imposed, if the deed results in serious physical injury or death, jointly committed by two or more persons and is moreover accompanied by one of the circumstances as stated under sub paragraphs 1 and 3.

Article 366

With a conviction on account of one of the deeds as described in articles 362, 363 and 365, a deprivation of the rights stated in article 35 sub paragraphs 1-4 can also be pronounced.

Article 367

- (1) In the event that the perpetrator or accomplice to one of the crimes as described in this chapter is the spouse who has not been separated from table and bed or from goods of the person against whom the crime has been committed, a criminal prosecution against the perpetrator or the accomplice shall then be out of the question.
- (2) In the event that he is the spouse who has been separated from table and bed or from goods, or a blood- or cognate relative, either in the direct line or in the second degree of the side-line, the prosecution shall, as far as it concerns him, only take place upon a complaint that is directed against him from the person against whom the crime has been committed.
- (3) In the event that on the strength of matriarchal customs the paternal authority is exercised by another than the father, the stipulation of the foregoing paragraph shall then also be applicable to him.

Book: II. CRIMES
Chapter: XXIII. EXTORTION AND BLACKMAIL
Article: 368-371

Article 368

- (1) Any person who, with the intent to unlawfully benefit himself or someone else, through violence or a threat with violence compels someone either to the handing over of any good that entirely or partially belongs to this person or to a third party, or to the incurrence of a debt or the annulment of a collectable debt, shall, as being considered guilty of extortion, be punished with an imprisonment of not more than nine years.
- (2) The stipulations of the second, third and fourth paragraphs of article 365 shall be applicable to this crime.

Article 369

- (1) Any person who, with the intent to unlawfully benefit himself or someone else, through a threat with defamation, libel or disclosure of a secret, forces someone either to hand over any good which entirely or partially belongs to this person or to a third party, or to the incurrence of a debt or the annulment of a collectable debt, shall, as being considered guilty of black-mail, be punished with an imprisonment of not more than four years.
- (2) This crime shall not be prosecuted except upon a complaint from the person against whom it has been committed.

Article 370

The stipulation of article 367 shall be applicable to the crimes as described in this chapter.

Article 371

With a conviction on account of one of the crimes described in this chapter, a deprivation of the rights as stated in article 35 sub paragraphs 1-4 can also be pronounced.

Book: II. CRIMES

Chapter: XXIV. EMBEZZLEMENT

Article: 372-377

Article 372

Any person who intentionally unlawfully arrogates any good that entirely or partially belongs to someone else and that he has in his possession other than through a crime, shall, as being considered guilty of embezzlement, be punished with an imprisonment of not more than four years or a fine-payment of not more than nine hundred rupiahs.

Article 373

The in article 372 described deed shall, in the event that what has been embezzled property does not consist of cattle, and the value thereof does not amount to more than two-hundred and fifty rupiahs, being considered as a light embezzlement, be punished with an imprisonment of not more than three months or a fine-payment of not more than nine-hundred rupiahs.

Article 374

Embezzlement that is committed by any person who has the good in his possession on account of his personal service or of his profession, or against a financial remuneration, shall be punished with an imprisonment of not more than five years.

Article 375

Embezzlement that is committed by any person to whom the good has been given in custody out of necessity or by guardians, curators, administrators, executors of last wills and testaments, managers of charity institutions or of foundations, with regard to any good that they as such have in their possession, shall be punished with an imprisonment of not more than six years.

Article 376

The stipulation of article 367 shall be applicable to the crimes that are described in this chapter.

Article 377

- (1) With a conviction on account of one of the crimes as described in articles 372, 374 and 375, the judge may order a publication of his verdict and pronounce a deprivation of the rights stated in article 35 sub paragraphs 1-4.
- (2) In the event that the guilty person commits the crime in his profession, he can then also be deprived from practicing that profession.

Book: II. CRIMES

Chapter: XXV. DECEIT

Article: 378-395

Article 378

Any person who, with the intent to unlawfully benefit himself or someone else, either through the adoption of a false name or a false quality, or through deceptive trickery, or through a combination of fictions, induces someone to the handing over of any good or to the incurrance of a debt or to the annulment of a collectable debt, shall, as being considered guilty of swindle, be punished with an imprisonment of not more than four years.

Article 379

The deed as described in article 378 shall, in the event that the good does not consist of cattle, and the value of the good, or the debt or the collectable debt does not amount to more than two hundred and fifty rupiahs, as a light swindle, be punished with an imprisonment of not more than three months or a fine-payment of not more than nine hundred rupiahs.

Article 379a

Any person who makes a profession or a custom of the purchasing of goods with the intent to without a full payment secure the disposal over such goods for himself or for someone else, shall be punished with an imprisonment of not more than four years.

Article 380

- (1) With an imprisonment of not more than two years and eight months or a fine-payment of not more than seventy five rupiahs shall be punished:
1. any person who on or in a work of literature, science, art or industry falsely places any name or any mark, or falsifies the genuine name or the genuine mark, with the intent to thereby make it acceptable that that work is from the hand of the person whose name or mark he has placed thereon or therein;
 2. any person who intentionally sells, offers for sale, delivers, has in stock for sale or imports into Indonesia a work of literature, science, art or industry whereon or wherein any name or any mark has been falsely placed, or the genuine name or the genuine mark has been falsified, as if that work were from the hand of the person whose name or mark has been falsely placed thereon or therein.
- (2) The work can, in the event that it belongs to the convicted person, be forfeited.

Article 381

Any person who through deceptive trickery misleads the insurer with regard to circumstances related to insurance, so that the insurer concludes an agreement which he would not or not under the same conditions have concluded, if he had known the true state of affairs, shall be punished with an imprisonment of not more than one year and four months.

Article 382

Any person who, with the intent to unlawfully benefit himself or someone else, to the detriment of the insurer or of the legal holder of a bottomry-bond, sets fire or causes an explosion in any property that has been insured against fire-risk, or causes to sink or strand, destroys, renders useless or damages a vessel that has been insured or of which the cargo or the earnable freightage has been insured, or for which bottomry money has been lent, shall be punished with an imprisonment of not more than five years.

Article 382 bis

Any person who, in order to establish, to retain, or to expand the trade- or business-market for himself or someone else, commits a deceptive act to mislead the public or a certain person, shall, in the event that this can cause any loss for his or the other person's competitors, as being considered guilty of unfair competition, be punished with an imprisonment of not more than one year and four months or a fine-payment of not more than thirteen thousand five hundred rupiah.

Article 383

With an imprisonment of not more than one year and four months shall be punished the seller who deceives the buyer:

1. by intentionally delivering something else to him (the buyer) instead of a certain indicated object that he has bought;
2. regarding the nature, the quality or the quantity of what is delivered, through the application of deceptive trickery.

Article 383 bis

The holder of a bill of lading, who intentionally has different copies thereof under a onerous title available for the benefit of different recipients, shall be punished with an imprisonment of not more than two years and eight months.

Article 384

The deeds described in article 383 shall, in the event that the value of the enjoyed gain does not amount to more than two-hundred and fifty rupiahs, be punished with an imprisonment of not more than three months or a fine-payment of not more than nine-hundred rupiahs.

Article 385

With an imprisonment of not more than four years shall be punished:

1. any person who, with the intent to unlawfully benefit himself or someone else, sells, exchanges or encumbers with a hypothecation (credit-bond) any Indonesian right on the use of government territory or on privately owned estates or on any building, work, planting or sowing on land upon which Indonesian rights on its use are being exercised, with the knowledge that someone else holds or shares the right thereto;
2. any person who, with a similar intent, sells, exchanges or encumbers with a hypothecation (credit-bond) any Indonesian right on the use of government territory or privately owned estates that are already encumbered with a hypothecation (credit-bond) or any therewith encumbered building, work, planting or sowing on land upon which Indonesian rights on its use are being exercised, without informing the counterpart of the existence of that previous hypothecation;
3. any person who, with a similar intent, encumbers any Indonesian right on the use of government territory or privately owned estates with a hypothecation (credit-bond), thereby concealing from the counterpart that the land upon which that right is being exercised has been already pledged;
4. any person who, with a similar intent, pledges or leases a piece of land upon which any Indonesian right on its use is being exercised, with the knowledge that someone else holds or shares the right thereto;
5. any person who, with a similar intent, sells or exchanges an already pledged piece of land upon which any Indonesian right on its use is being exercised without informing the counterpart of that pledge;
6. any person who, with a similar intent, hires out a piece of land upon which any Indonesian right on its use is being exercised, for a time duration of which he knows that it has already been hired out to another party.

Article 386

- (1) Any person who sells, offers for sale or delivers foodstuffs or beverages or medicines, knowing that they have been adulterated and concealing that adulteration, shall be punished with an imprisonment of not more than four years.
- (2) Foodstuffs or beverages or medicines are adulterated when through an additional mixing of foreign ingredients their value or usefulness has been decreased.

Article 387

Revoked by Law No. 20 Year 2001.

Article 388

Revoked by Law No. 20 Year 2001.

Article 389

Any person who, with the intent to unlawfully benefit himself or someone else, destroys, moves, removes or renders useless what serves to mark off the boundaries of premises, shall be punished with an imprisonment of not more than two years and eight months.

Article 390

Any person who, with the intent to unlawfully benefit himself or someone else, through the spreading around of deceitful information, causes the price of merchandise, funds or securities to rise or drop, shall be punished with an imprisonment of not more than two years and eight months.

Article 391

Any person who, having charged himself with or giving his cooperation to the placing of debentures of any state or a part thereof, or of any public institution, or of shares in or debentures of any association, foundation or partnership, tries to persuade the public to a subscription or participation, by intentionally concealing or mutilating the true or holding out false facts or circumstances, shall be punished with an imprisonment of not more than four years.

Article 392

Any merchant, any manager or commissioner of a limited liability company, Indonesian joint-stock company or cooperative association who intentionally publishes an untrue state of affairs or balance-sheet, shall be punished with an imprisonment of not more than one year and four months.

Article 393

- (1) Any person who imports commodities into Indonesia without clear destination to re-export, sell, offer for sale, deliver, distribute or keep these in store for sale or distribution, of which he knows or reasonably must suspect that the commodities themselves or their packaging have been falsely provided with the name, the firm or the mark, to which someone else has a right, or as an indication of origin, with the name of a certain place, with an addition of a fictive name or firm, or even also when such are imitated with a slight deviation, shall be punished with an imprisonment of not more than four months and two weeks or a fine-payment of not more than nine thousand rupiahs.
- (2) In the event that at the time of commission of the crime five years have not yet elapsed since that an earlier conviction of the guilty person on account of a similar crime has become irrevocable, an imprisonment of not more than nine months can then be imposed.

Article 393 bis

- (1) A lawyer who intentionally includes or causes to be included in an application for divorce or separation, or in an application for bankruptcy declaration, information regarding the residence of the defendant or debtor, whereas he/she knows or should know that such information is contradictory to the actual fact, be punished with an imprisonment of not more than one year.

- (2) The spouse filing application for divorce or creditor filing application for bankruptcy declaration who intentionally provides false information to the lawyer as intended in paragraph (1) shall be subject to the same criminal sanction.

Article 394

The stipulation of article 367 shall be applicable to the crimes that are described in this chapter, with an exception of the crime as described in article 393 *bis*, in the event that it has been committed by the claiming spouse in relation to a request for divorce or for separation from table and bed.

Article 395

- (1) With a conviction because of one of the crimes as described in this chapter, the judge can also order a publication of his verdict and the guilty person can be deprived from practicing the profession in which he has committed the crime.
- (2) With a conviction because of one of the crimes as described in articles 78, 382, 385, 387, 388 and 393 *bis*, a deprivation of the rights stated in article 35 sub-paragraphs 1-4, can also be pronounced.

Book: II. CRIMES

Chapter: XXVI. CAUSING LOSS TO CREDITORS OR ENTITLED PERSONS

Article: 396-405

Article 396

Any merchant who is declared as being in a state of bankruptcy or who has been admitted to a judicial cession of estate, shall, being considered as guilty of a plain fraudulent bankruptcy, be punished with an imprisonment of not more than one year and four months:

1. in the event that his spending have been extravagant;
2. in the event that he, with the intent to delay his bankruptcy, knowing that it thereby could not have been avoided, has on onerous conditions been cashing in money;
3. in the event that he does not produce the books and evidencing documents in which he has kept his records in compliance with article 6 of the Code of Commerce, and the registers which he has kept in compliance with that article, in an unspoiled state.

Article 397

Any merchant who is declared as being in a state of bankruptcy or who has been admitted to a judicial cession of estate, shall, being considered as guilty of fraudulent bankruptcy, be punished with an imprisonment of not more than seven years, in the event that he for a deceitful curtailing of his creditors' rights:

1. either has invented or invents liabilities, or has not accounted or does not account for assets, or has withdrawn or withdraws any good from the estate;
2. has transferred any good to someone else either for nothing, or evidently under its value;
3. on the occasion of his bankruptcy or at a moment when he knew that the bankruptcy could not be avoided, has advantaged or advantages one of his creditors in some way;
4. has not fulfilled or does not fulfill the obligations which rest upon him with regard to the keeping of records, in compliance with article 6, first paragraph of the Code of Commerce, and the keeping and producing of books, evidencing documents and registers as referred to in the third paragraph of that article.

Article 398

Any director or commissioner of a limited liability company, an Indonesian company on shares or cooperative association which has been declared as being in a state of bankruptcy or also of which the judicial settlement has been ordered, shall be punished with an imprisonment of not more than one year and four months:

1. in the event that he has co-operated or given his permission to acts that are in contradiction with the articles of association, to which the losses suffered by the limited liability company, the Indonesian company on shares, or cooperative association are entirely or for a major part to be blamed;
2. in the event that he, with the intent to delay the bankruptcy or also the judicial settlement of the limited liability company, the Indonesian company on shares, or the cooperative association, knowing that the bankruptcy or also the judicial settlement could thereby not be avoided, has co-operated or given his permission to the cashing in of money on onerous conditions;
3. in the event that he is to blame that the obligation as described in article 6, first paragraph of the Code of Commerce or also in article 27, first paragraph of the ordinance on the Indonesian company on shares have not been fulfilled or that the books and evidencing documents, which in compliance with those articles records have been made, and the registers which according to those articles have been kept, are not being produced in an unspoiled state.

Article 399

Any director or commissioner of a limited liability company, an Indonesian company on shares or cooperative association which has been declared as being in a state of bankruptcy, or also of which the judicial settlement has been ordered, shall be punished with an imprisonment of not more than seven years, in the event that he, for a deceitful curtailing of the rights of the creditors of the limited liability company, the Indonesian company on shares or the cooperative association;

1. either has invented or invents liabilities, or has not accounted or does not account for the assets, or has withdrawn or withdraws any good from the estate;
2. has transferred any good to someone else either for nothing or evidently under its value;
3. on the occasion of the bankruptcy or also of the judicial settlement or at a moment when he knew that the bankruptcy or also the judicial settlement could not be avoided, has e advantaged or advantages one of the creditors in some way;
4. has not fulfilled or does not fulfill the obligations which rest upon him with regard to the keeping of records in compliance with article 6, first paragraph of the Code of Commerce, or also in compliance with article 27, first paragraph of the ordinance on the Indonesian company on shares, and the keeping and producing of books, evidencing documents and registers referred to in those articles.

Article 400

With an imprisonment of not more than five years and six months imprisonment shall be punished any person who, for a deceitful curtailing of the rights of creditors:

1. in a case of judicial cession of estate, bankruptcy or judicial settlement, or in anticipation of one or the other, in the event that the judicial cession of estate, bankruptcy or judicial settlement has followed, withdraws any good from the estate, or accepts payment, either from a non-claimable debt, or from a claimable debt, in the latter case knowing that the bankruptcy or the judicial settlement of the debtor had already been applied for or was the result of a consultation with the debtor;
2. with a verification of the claims for payment, in a case of judicial cession of estate, bankruptcy or judicial settlement, feigns a non-existing claim for payment, or affirms an existing claim that has been marked up to a higher amount as being valid.

Article 401

- (1) Any creditor who becomes a party to an offered judicial arrangement as a result of an agreement either with the debtor or with a third person, whereby he has stipulated special benefits, shall, in case of an acceptance of the arrangement, be punished with an imprisonment of not more than one year and four months.
- (2) The same punishment shall in the same case be imposed on the debtor or, in the event that the debtor is a limited liability company, an Indonesian company on shares, an association or a foundation, on the director or commissioner, who concludes such an agreement.

Article 402

Any person who has been declared as being in an obvious state of insolvency or, without being a merchant, declared as being in a state of bankruptcy, or who has been admitted to a judicial cession of estate, shall be punished with an imprisonment of not more than five years and six months, in the event that he, for a deceitful curtailing his creditors' rights, either has invented or invents liabilities, or has not accounted or does not account for assets, or has withdrawn or withdraws any good from the estate, or has transferred any good to someone else for nothing or evidently under its value, or on the occasion of his obvious insolvency, cession of estate or bankruptcy, or at a moment when he knew that one or another could not have been avoided, has advantaged or advantages one of his creditors in some way.

Article 403

Any director or commissioner of a limited liability company, Indonesian company on shares or cooperative association who, apart from the case in article 398, has rendered his assistance or given his consent to acts that are in contradiction with the articles of association, as a result of which the company or association has become incapable of meeting its liabilities or must be dissolved, shall be punished with a fine-payment of not more than one hundred fifty thousand rupiahs.

Article 404

- (1) With an imprisonment of not more than two years shall be punished:

1. any person who intentionally withdraws his own property or, for the benefit of the owner, a property that does not belong to him from someone else who holds a right of lien, retention, usufruct or use thereto;
 2. any person who intentionally entirely or partially withdraws his own property or, for the benefit of the owner, a property that does not belong to him from a thereon made hypothecate commitment to the detriment of the hypothecating creditor;
 3. any person who intentionally entirely or partially withdraws a property whereon a harvest commitment has been made by him, or, for the benefit of the commitment giver, a property whereon a harvest commitment has been made by someone else, from that made commitment to the detriment of the commitment-holder;
 4. any person who intentionally entirely or partially withdraws his own property or, for the benefit of the owner, a property that does not belong to him from a thereon made credit commitment to the detriment of the commitment-holder.
- (2) The stipulation of article 367 shall be applicable to these crimes.

Article 405

- (1) With a conviction because of one of the crimes described in articles 397, 399, 400 and 402, the guilty person can be deprived of the rights that are stated in article 35 sub paragraphs 1-4.
- (2) With a conviction because of one of the crimes described in articles 396-402, a publication of the judicial verdict can also be ordered.

Book: II. CRIMES

Chapter: XXVII. DESTRUCTION OR DAMAGE OF GOODS

Article: 406-412

Article 406

- (1) Any person who intentionally and unlawfully, destroys, damages, renders useless or loses any good that entirely or partially belongs to someone else, shall be punished with an imprisonment of not more than two years and eight months or a fine-payment of not more than four thousand five hundred rupiahs.
- (2) An equal punishment shall be imposed on any person who intentionally and unlawfully kills, damages, renders useless or loses an animal that entirely or partially belongs to someone else.

Article 407

- (1) The deeds as described in article 406 shall, in the event that the value of the caused loss does not amount to more than two hundred fifty rupiahs, be punished with an imprisonment of not more than three months or a fine-payment of not more than nine hundred rupiahs.
- (2) In the event that the deeds as described in article 406, second paragraph, have been committed through an application of harmful to life or to health substances, or in the event that the animal belongs to persons as referred to in article 101, the stipulation of the foregoing paragraph shall then not be applicable.

Article 408

Any person who intentionally and unlawfully, destroys, damages or renders useless railway-, tramway-, telegraph-, telephone-, electricity-constructions, constructions serving as a weir, water distribution or water drainage, gas- or water-pipings or sewers, as far as these constructions, pipings or sewers are being used for public benefit, shall be punished with an imprisonment of not more than four years.

Article 409

Any person to whose fault is to be blamed that any construction referred to in the foregoing article is destroyed, damaged or rendered useless, shall be punished with a detainment of not more than one month or a fine-payment of not more than one thousand five hundred rupiahs.

Article 410

Any person who intentionally and unlawfully destroys or renders useless any building or vessel that entirely or partially belongs to someone else, shall be punished with an imprisonment of not more than five years.

Article 411

The stipulation of article 367 shall be applicable to the crimes as described in this chapter.

Article 412

In the event that aside from the case of article 407, first paragraph, one of the crimes as described in this chapter is jointly committed by two or more persons, the punishment can then be increased with one third.

Book: II. CRIMES

Chapter: XXVIII. CRIMES COMMITTED BY OFFICIALS MISFEASANCE

Article: 413-437

Article 413

Any commander of the armed forces who, upon the legal demand of the competent civil authorities, refuses or intentionally omits to employ the power that is under his command, shall be punished with an imprisonment of not more than four years.

Article 414

- (1) Any official who intentionally calls in the aid of the armed forces against the execution of law regulations, of lawful orders of the public authority, or of judicial verdicts or warrants, shall be punished with an imprisonment of not more than seven years.
- (2) In the event that the execution is thereby being prevented, the guilty person shall then be punished with an imprisonment of not more than nine years.

Article 415

Revoked by Law No. 20 Year 2001.

Article 416

Revoked by Law No. 20 Year 2001.

Article 417

Revoked by Law No. 20 Year 2001.

Article 418

Revoked by Law No. 20 Year 2001.

Article 419

Revoked by Law No. 20 Year 2001.

Article 420

Revoked by Law No. 20 Year 2001.

Article 421

Any official who through an abuse of power forces someone to do, not to do or to tolerate something, shall be punished with an imprisonment of not more than two years and eight months.

Article 422

Any official who in a penal case makes use of means of coercion to either wring a confession or elicit a statement, shall be punished with an imprisonment of not more than four years.

Article 423

Revoked by Law No. 20 Year 2001.

Article 424

Any official who, with the intent to unlawfully benefit himself or someone else, through an abuse of authority, disposes over pieces of land belonging to the state's territory upon which Indonesian rights of use are exercised, shall be punished with an imprisonment of not more than six years.

Article 425

Revoked by Law No. 20 Year 2001.

Article 426

- (1) Any official who, being in charge of the custody of someone who by public authority or by virtue of a judicial verdict or decision has been deprived of his freedom, intentionally lets him escape or releases him, or assists him with his release or self-release, shall be punished with an imprisonment of not more than four years.
- (2) In the event that the escape, release or self-release is to be blamed to his fault, he shall then be punished with a detainment of not more than two months or a fine-payment of not more than four thousand five hundred rupiahs.

Article 427

- (1) With an imprisonment of not more than four years imprisonment shall be punished:
 1. any official, charged with the tracing of punishable deeds, who intentionally does not meet the requirement to give evidence of an unlawful deprivation of freedom or intentionally does not without any delay give notice thereof to the higher authority;
 2. any official who, after in the performance of his service having gained knowledge that someone has unlawfully been deprived of his liberty, intentionally omits to without delay give notice thereof to an official who has been charged with the tracing of punishable deeds.

- (2) Any official to whose fault any omission as described in this article is to be blamed, shall be punished with an detainment of not more than three months or a fine-payment of not more than four thousand five hundred rupiahs.

Article 428

With an imprisonment of not more than one year and four months shall be punished any head of an institution, intended for an incarceration of convicted persons, temporary detained persons or persons imprisoned for debt, or of a state reformatory, or a lunatic asylum, who refuses to meet a legal request to show someone who has been admitted into the institution, or to give an insight of the register of entrances or of the deed whereby under a general regulation an entrance is requested.

Article 429

- (1) Any official who, with a transgression of his authority or without observance of the by a general regulation determined formalities, notwithstanding enters into the house or into the enclosed room or compound that is being used by someone else or, being there unlawfully, does not immediately leave upon the request of or because of the rightful occupant, shall be punished with an imprisonment of not more than one year and four months or a fine-payment of not more than four thousand five hundred rupiahs.
- (2) The same punishment shall be imposed upon any official who, on the occasion of a house-search, with a transgression of his authority, or without observance of the by a general regulation determined formalities, investigates or confiscates writings, books or other papers.

Article 430

- (1) Any official who, with a transgression of his authority, causes a handing over to him or confiscates a letter, postcard, document or parcel, that has been entrusted to any public institution for transport, or a telegraphic message that is in the hands of an official of the telegraphic services or of other persons in charge of the service of a for general benefit used telegraphic organization, shall be punished with an imprisonment of not more than two years and eight months.
- (2) The same punishment shall be imposed on any official who, with a transgression of his authority, causes himself to be informed by an official of the telephone service or by other persons in charge of the service of a for general benefit used telephonic organization, concerning any communication which has taken place through that institution.

Article 431

Any official of any public transport institution who intentionally and unlawfully opens a letter, sealed document, or parcel, that has been entrusted to such an institution, inspects it or reveals the contents to someone else, shall be punished with an imprisonment of not more than two years.

Article 432

- (1) Any official of any public transport institution who intentionally delivers a letter, postcard, document or parcel that has been entrusted to such an institution to someone other than the rightful person, destroys, loses, appropriates such, or changes the contents thereof or appropriates any article that is enclosed therein, shall be punished with an imprisonment of not more than five years.
- (2) In the event that such a document or article has a money-value, the appropriation thereof shall then be punished with an imprisonment of not more than seven years.

Article 433

Any official of the telegraph or telephone services or any other person who has been assigned with the supervision over or with the service of a for general benefit used telegraph- or telephone-organization, shall be punished with:

1. an imprisonment of not more than two years, in the event that he intentionally and unlawfully makes known the contents of a message that has been entrusted to the telegraph or telephone service or to such an organization to someone else, or intentionally and unlawfully opens a telegram or telephone message, peruses it or makes the contents to someone else;
2. an imprisonment of not more than five years, in the event that he intentionally delivers a message that has been entrusted to the telegraph or telephone service or to such an organization, or a telegram or telephone message to someone other than the rightful person, destroys, loses or appropriates that message, or revises the contents thereof.

Article 434

Any official of a public transport institution, of the telegraph or telephone service, or any other person as referred to in article 433, who intentionally allows someone else to commit one of the deeds mentioned in articles 431-433, or assists this other person therewith as an accomplice, shall be punished with the punishments and according to the distinctions as determined in those provisions.

Article 435

Any official who intentionally participates, directly or indirectly, in working contracts, supplies or leases, over which he at the time of the act was entirely or partially assigned with the management or supervision thereof, shall be punished with an imprisonment of not more than nine months or a fine-payment of not more than eighteen thousand rupiahs.

Article 436

- (1) Any person who, under the valid law for parties is authorized to solemnize marriages, solemnizes someone's marriage, with the knowledge that this person's existing marriage or existing marriages form a legal impediment against it, shall be punished with an imprisonment of not more than seven years.

- (2) Any person who, under the valid law for parties is authorized to solemnize marriages, solemnizes someone's marriage, with the knowledge that there exists any other legal impediment against it, shall be punished with an imprisonment of not more than two years and eight months or a fine-payment of not more than four thousand five hundred rupiahs.

Article 437

With a conviction on account of one of the crimes as described in articles 415, 419, 420, 423, 424, 425, 432, last paragraph, and 436, first paragraph, a deprivation of the rights as stated in article 35 sub paragraphs 3 and 4 can also be pronounced.

Book: II. CRIMES

Chapter: XXIX. SHIPPING CRIMES

Article: 438-477

Article 438

- (1) Being considered as guilty of piracy shall be punished:
1. with an imprisonment of not more than fifteen years, any person who takes service or is in service as skipper on a vessel, with the knowledge that it is intended or to be used to in open sea commit deeds of violence against other vessels or against persons or goods that are thereon, without having been authorized thereto by a belligerent state or belonging to the navy of a recognized state;
 2. with an imprisonment of not more than twelve years, any person who, being acquainted with this intended purpose or this use, takes service as a sailor on such a vessel or voluntarily remains in service after having been acquainted therewith, or otherwise belongs to the crew of such a vessel.
- (2) The absence of an authorization is considered as equal to the transgression of the authorization and also as having been provided with authorizations that have been issued by states waging war against each other.
- (3) Article 89 shall not be applicable.

Article 439

- (1) Being considered as guilty of coast-piracy shall be punished with an imprisonment of not more than fifteen years, any person who with aid of a vessel within the Indonesian sea-territory commits deeds of violence against another vessel or against persons or goods thereon.
- (2) With "Indonesian sea-territory" is understood the sea-territory as described in article 1 of the "Territorial Sea and Maritime Circles Ordinance 1939".

Article 440

Being considered as guilty of beach-piracy shall be punished with an imprisonment of not more than fifteen years, any person who on shore, on or in the vicinity of the beach or of the river-mouths, after having for that purpose gone there entirely or partially by sea, commits deeds of violence against persons or goods that are there.

Article 441

Being considered as guilty of river-piracy shall be punished with an imprisonment of not more than fifteen years, any person who on a river with the aid of a vessel, after for that purpose having come on a vessel from elsewhere, commits deeds of violence against another vessel or against persons who or goods that are thereon.

Article 442

With an imprisonment of not more than fifteen years shall be punished, any person who takes service or is in service as a commander or a captain on a vessel, with the knowledge that it is intended to be used or otherwise being used for the commission of one of the deeds as stated in articles 439-441.

Article 443

With an imprisonment of not more than ten years shall be punished, any person who takes service or is in service as a crew-member on a vessel, with the knowledge that it is intended to be used or otherwise being used for the commission of one of the deeds as stated in articles 439-441, or otherwise voluntarily remains in service on such vessel after having been acquainted with the above mentioned intended purpose of the vessel.

Article 444

In the event that the deeds of violence as described in articles 438-441 shall cause the death of one of the persons on board the attacked vessel or of one of the attacked persons, the skipper, commander or captain and those who have participated in the deeds of violence, shall then be punished with the death penalty, lifelong imprisonment or a temporary imprisonment of not more than twenty years.

Article 445

Any person who for his own or a foreign account equips a vessel with the intended purpose as described in article 438 or with the intent to commit one of the deeds as described in articles 439-441, shall be punished with an imprisonment of not more than fifteen years.

Article 446

Any person who for his own or a foreign account, as a medium or directly co-operates in the hiring out, freighting or insuring of a vessel, with the knowledge that its intended purpose is as described in article 438, or that it is intended to be used for the commission of one of the deeds as described in articles 439-441, shall be punished with an imprisonment of not more than twelve years.

Article 447

Any person who intentionally surrenders an Indonesian vessel into the control sea-pirates, coast-pirates, beach-pirates or river-pirates, shall be punished:

1. in the event that he is the skipper, with an imprisonment of not more than fifteen years;
2. in all other cases, with an imprisonment of not more than twelve years.

Article 448

Any voyager on an Indonesian ship, who unlawfully takes possession of the ship, shall be punished with an imprisonment of not more than seven years.

Article 449

Any skipper of an Indonesian ship who withdraws the ship from the owner or the ship owners' company and uses it for his own benefit, shall be punished with an imprisonment of not more than eight years.

Article 450

With an imprisonment of not more than five years shall be punished any Indonesian subject who without permission of the Indonesian Government accepts a letter of marque and reprisal (privateering license), or takes service or is in service as a skipper on a vessel, with the knowledge that it is intended for privateering without permission of the Indonesian Government.

Article 451

Any Indonesian subject who takes service as a crew-member on a vessel, with the knowledge that it is intended or being used for privateering without permission of the Indonesian Government, or voluntarily remains in service after having been informed of that intended purpose or such use, shall be punished with an imprisonment of not more than four years.

Article 451 bis

Any skipper of an Indonesian vessel, who causes a log report to be made up of which he knows that the content is contradictory to the truth, shall be punished with an imprisonment of not more than five years.

The crew-members who co-operate in the making up of a log report of which they know that the content is contradictory to the truth, shall be punished with an imprisonment of not more than two years and eight months.

Article 451 ter

Any person who, in order to comply with the stipulation of the third paragraph of article 12 of the regulation on the registration of ships, produces a written statement of which he knows that the content is in contradictory to the truth, shall be punished with an imprisonment of not more than five years.

Article 452

- (1) Any person who in the official report of a log report causes a false statement concerning a deed to be inserted, of which the truth must be evidenced by the document, with the intent to use that document or cause others to use it as if his statement were in accordance with the truth, shall, in the event that from such use any injury may arise, be punished with an imprisonment of not more than eight years.

- (2) With the same punishment shall be punished any person who intentionally makes use of the document as if the content were in accordance with the truth, in the event that from such use any injury may arise.

Article 453

With an imprisonment of not more than two years and eight months shall be punished, any skipper of an Indonesian ship who, after commencement of the enlistment or of the recruitment of crew-members and before a termination of his contract intentionally and unlawfully withdraws himself from commanding the ship.

Article 454

Being considered as guilty of desertion, shall be punished with an imprisonment of not more than one year and four months, any crew member who, in contradiction with his commitment arising from working agreement withdraws himself from the service on board of an Indonesian ship, in the event that through the circumstances, in which he acted, danger for the ship, the voyagers or the cargo was feared.

Article 455

Being considered as guilty of an ordinary desertion, shall be punished with an imprisonment of not more than four months and two weeks, any shipmate who, intentionally and unlawfully does not go through or no longer goes through with a voyage on an Indonesian ship for which he has committed himself.

Article 456

Revoked by S. 1934-214 jo. 1938-2.

Article 457

The in articles 454 and 455 determined punishments can be doubled, in the event that two or more persons jointly or as a result of a conspiracy commit the crime.

Article 458

- (1) Any ship-owner, book-keeper or skipper of an Indonesian ship, who engages a crew-member, with the knowledge that one month has not yet elapsed since that this person has withdrawn himself from his engagement for an Indonesian ship in the manner as described in either article 454 or 455, shall be punished with an imprisonment of not more than four months and two weeks or a fine-payment of not more than four thousand five hundred rupiahs.
- (2) The deed is not punishable in the event that the engagement has taken place outside Indonesia with permission of the Indonesian Consul, or, in case of his absence, at the request of the local authorities.

Article 459

- (1) Any voyager of an Indonesian ship who on board actually assaults the skipper, or the crew-member who on board or in service actually assaults a superior in rank, resists him with violence or a threat of violence or intentionally deprives him from his freedom to act, shall, being considered as guilty of insubordination, be punished with an imprisonment of not more than two years and eight months.
- (2) The guilty person shall be punished:
 1. with an imprisonment of not more than four years, in the event that the crime or the therewith accompanying acts of violence shall cause any physical injury;
 2. with an imprisonment of not more than eight years and six months, in the event that they shall cause a serious physical injury;
 3. with an imprisonment of not more than twelve years, in the event that they shall cause someone's death.

Article 460

- (1) Insubordination committed by two or more united persons shall, being considered as mutiny, be punished with an imprisonment of not more than seven years.
- (2) The guilty person shall be punished:
 1. with an imprisonment of not more than eight years and six months, in the event that the by him committed crime or the therewith by him committed acts of violence shall cause any physical injury;
 2. with an imprisonment of not more than twelve years, in the event that shall cause a serious physical injury;
 3. with an imprisonment of not more than fifteen years, in the event that they shall cause someone's death.

Article 461

Any person who on board an Indonesian ship instigates a mutiny on that ship, shall be punished with an imprisonment of not more than six years.

Article 462

Refusal to obey orders jointly committed or as result of a conspiracy by two or more crew-members of an Indonesian ship, shall be punished with an imprisonment of not more than two years and eight months.

Article 463

With an imprisonment of not more than nine months shall be punished, any crew member of an Indonesian ship who, after having disciplinarily been punished on account of a refusal to obey orders, persists in his refusal to obey orders.

Article 464

- (1) With an imprisonment of not more than nine months imprisonment or a fine-payment of not more than four thousand five hundred rupiahs shall be punished any voyager on an Indonesian ship:
1. who, intentionally does not adhere to any order of the skipper that has been given in the interest of the security or for a maintenance of order and discipline on board;
 2. who, knowing that the skipper has been deprived of his freedom to act, does not do what he can to help him.
 3. who, bearing knowledge of a planned commission of insubordination, intentionally refrains from timely notifying the skipper thereof.
- (2) The stipulation stated under no. 3 shall not be applicable in the event that the insubordination has not followed.

Article 465

The punishments determined in articles 448, 451, 454 and 455 and 459-464 can be increased with one third, in the event that the person guilty of one of the crimes as described in those articles is a ship's officer.

Article 466

Any skipper of an Indonesian ship who, with the intent to unlawfully benefit himself or someone else or to cover up such a benefit, either sells the ship, or borrows money on the ship, the ship's appurtenances or the ship's provisions, or sells or pledges goods of the cargo or of the ship's provisions, or enters invented losses or expenditures into account, or does not see to it that on board the required journals are kept in accordance with the legal regulations, or upon leaving the ship does not take care of the preservation of the ship's papers, shall be punished with an imprisonment of not more than seven years.

Article 467

Any skipper of an Indonesian ship who, with the intent to unlawfully benefit himself or someone else or to cover up such a benefit, changes the ship's course, shall be punished with an imprisonment of not more than four years.

Article 468

Any skipper of an Indonesian ship who not out of necessity or in contradiction with the for him applicable law, leaves the ship during the voyage and also orders or permits his ship's crew to do so, shall be punished with an imprisonment of not more than five years and six months.

Article 469

- (1) Any skipper of an Indonesian ship who, not out of necessity and without prior knowledge of the owner or shipping company, commits or permits acts, with the knowledge that these can subject the vessel or the cargo to seizure, detention or discontinuance, shall be punished with an imprisonment of not more than one year and four months or a fine-payment of not more than nine thousand rupiahs.
- (2) Any voyager who, not out of necessity and without prior knowledge of the skipper, with an equal knowledge commits equal acts, shall be punished with an imprisonment of not more than one year or a fine-payment of not more than nine thousand rupiahs.

Article 470

Any skipper of an Indonesian ship who intentionally not out of necessity does not provide a voyager with what he is obliged to provide him, shall be punished with an imprisonment of not more than two years and eight months or a fine-payment of not more than four thousand five hundred rupiah.

Article 471

Any skipper of an Indonesian ship who intentionally not out of necessity or in contradiction with the law that is applicable to him, throws out goods, shall be punished with an imprisonment of not more than two years and eight months or a fine-payment of not more than four thousand five hundred rupiah.

Article 472

Any person who intentionally and unlawfully, destroys, damages or renders useless cargo, ship-provisions, or ship-requisites that are on board of a vessel, shall be punished with an imprisonment of not more than two years and eight months or a fine-payment of not more than four thousand five hundred rupiah.

Article 472 bis

Any person who travels along as stowaway on board of a vessel, shall be punished with an imprisonment of not more than three months.

Article 473

Any skipper who carries the Indonesian flag with the knowledge that he is not entitled thereto, shall be punished with an imprisonment of not more than one year and four months or a fine-payment of not more than four thousand five hundred rupiah.

Article 474

Any skipper who intentionally through carrying any distinguishing mark on his vessel gives the appearance as if it were an Indonesian warship, a vessel of the government's navy, or a pilot-vessel that is in service in Indonesian waters or sea outlets, shall be punished with an imprisonment of not more than four months and two weeks or a fine-payment of not more than four thousand five hundred rupiah.

Article 475

Any person who not out of necessity acts as a skipper, steersman or engineer on board of an Indonesian ship, with the knowledge that he has been dismissed by the competent authorities from his qualification to sail on an Indonesian ship in such a capacity, shall be punished with an imprisonment of not more than nine months or a fine-payment of not more than nine thousand rupiah.

Article 476

Any skipper of an Indonesian ship who without valid reasons refuses to meet a legal demand to take aboard an accused or convicted person along with the documents relating to his case, shall be punished with an imprisonment of not more than four months and two weeks or a fine-payment of not more than four thousand five hundred rupiahs.

Article 477

- (1) Any skipper of an Indonesian ship who intentionally allows an accused or convicted person, whom he has taken aboard at a legal demand, to escape releases him, or assists him in his release or self-release, shall be punished with an imprisonment of not more than four years.
- (2) In the event that the escape, release or self-release is due to his fault, he shall then be punished with a detainment of not more than two months or a fine-payment of not more than four thousand five hundred rupiahs.

Article 478

Any skipper of an Indonesian vessel who intentionally does not meet the obligation that in accordance with the first paragraph of article 358a of the Commercial Code rests upon him, to provide assistance, if his ship has been involved in a collision, shall be punished with an imprisonment of not more than four years.

Article 479

With a conviction on account of one of the crimes as described in articles 438-449, 466 and 467, a deprivation of the rights as stated in article 35 numbers 1-4 can also be pronounced.

Book: II. CRIMES

Chapter: XXIX A. CRIMES AGAINST AVIATION AND AVIATION
FACILITIES/INFRASTRUCTURES

Article: 479a-479r

Article 479a

- (1) Any person who intentionally and illegally destroys, renders useless or damages a building for the safety of air traffic, or sabotages an effort to safeguard the building, shall be punished with subject to an imprisonment of not more than six years.
- (2) Such person shall be subject to an imprisonment of not more than nine years, if the deed puts the safety of air traffic at risk.
- (3) Such person shall be subject to an imprisonment of not more than fifteen years if the deed has caused someone's death.

Article 479b

- (1) Any person whose fault causes destruction, uselessness, or damage of a building for the safety of air traffic, or sabotage of an effort to safeguard the building, shall be punished with an imprisonment of not more than three years.
- (2) Such person shall be subject to an imprisonment of not more than five years, if the deed puts the safety of air traffic at risk.
- (3) Such person shall be subject to an imprisonment of not more than seven years if the deed has caused someone's death.

Article 479c

- (1) Any person who intentionally and illegally destroys, damages, takes away or removes a sign or an instrument for the safety of aviation, or sabotage the function of such sign or instrument, or places a wrong sign or instrument, shall be punished with an imprisonment of not more than six years.
- (2) Such person shall be subject to an imprisonment of not more than nine years, if the deed puts the safety of aviation at risk.
- (3) Such person shall be subject to an imprisonment of not more than twelve years, if the deed puts safety of aviation at risk and causes accident to the aircraft.
- (4) Such person shall be subject to an imprisonment of not more than fifteen years, if the deed puts safety of aviation at risk and someone's death.

Article 479d

Any person whose fault causes destruction, damage, removal, displacement of a sign or an instrument for the safety of aviation, or causes malfunctions, or causes the wrong aviation sign or instrument to be installed, shall be punished:

- a. an imprisonment of not more than five years, if the deed causes unsafe aviation;
- b. an imprisonment of not more than five years, if the deed results in accident of aircraft;
- c. an imprisonment of not more than seven years, if the deed results in someone's death.

Article 479e

Any person who intentionally and illegally destroys or renders aircraft useless which entirely or partially belongs to someone else, shall be punished with an imprisonment of not more than nine years.

Article 479f

Any person who intentionally and illegally, puts an aircraft into disaster, destroys, renders it useless or damages it shall be punished:

- a. an imprisonment of not more than fifteen years if the deed results in danger to the someone's life;
- b. life imprisonment, or temporary imprisonment of not more than twenty years if the deed results in someone's else death.

Article 479g

Any person whose fault brings aircraft into accident, or destruction, or causes an aircraft to be useless, or damaged, shall be subject to:

- a. an imprisonment of not more than five years, if the deed brings danger to someone's life;
- b. imprisonment of not more than seven years, if the deed brings someone else into death.

Article 479h

- (1) Any person who illegally with the purpose of benefiting himself or other people, at the expense of an insurer, causes fire or explosion, accident, disaster, destruction, or damage, to an aircraft, or renders an aircraft to be useless, for which the aircraft, or its cargo, or the fee due for the transport of the cargo, has been insured against the abovementioned accidents, or for which the insurance proceeds have been paid, shall be punished with an imprisonment of not more than nine years;
- (2) If the aircraft mentioned in paragraph (1) of this article is an aircraft in flight, he shall be punished with an imprisonment of not more than fifteen years;

- (3) Any person who illegally with the purpose of benefiting himself or other people, at the expense of an insurer, causes disaster to passengers of an aircraft, who have been insured against accidents, shall be subject to:
- a. imprisonment of not more than ten years, if the deed results in physical injury;
 - b. imprisonment of not more than fifteen years, if the deed results in someone else death.

Article 479i

Any person who on board of an aircraft, illegally seizes or maintains the seizure, or exercises control of the aircraft while in flight, shall be punished with an imprisonment of not more than twelve years.

Article 479j

Any person who on board of an aircraft with violence or threat of violence or any other form of intimidation, seizes or maintains the seizure, or exercises control of the aircraft while in flight, shall be punished with an imprisonment of not more than fifteen years.

Article 479k

- (1) Such person shall be subject to life imprisonment, or temporary imprisonment of not more than twenty years shall be punished, if the deed mentioned in article 479i and article 479j:
- a. is jointly committed by two or more persons;
 - b. is a follow-up of a conspiracy;
 - c. is premeditated;
 - d. causes damage to the aircraft, thus endangering the flight;
 - e. causes serious physical injury to any person;
 - f. is committed with the intent to deprive a person of his liberty, or to maintain deprivation of the liberty of a person.
- (2) If the deed results in someone's death or the destruction of the aircraft, such person shall be subject to capital punishment, or life imprisonment, or imprisonment of not more than twenty years.

Article 479l

Any person who intentionally and illegally performs deeds of violence against someone on board of an aircraft, if the deed can endanger the safety of that aircraft, shall be punished with imprisonment of not more than fifteen years.

Article 479m

Any person who intentionally and illegally, damages an aircraft in service, or causes damage to such an aircraft which renders it incapable of flight, or endangers the safety of the flight, shall be punished with imprisonment of not more than fifteen years.

Article 479n

Any person who intentionally and illegally, places or causes to be placed on an aircraft in service, by any means whatsoever, a device or substance which can destroy the aircraft, or to cause damage to it which renders it incapable of flight, or causes damage which can endanger the safety of the flight, shall be punished with imprisonment of not more than fifteen years.

Article 479o

- (1) Such person shall be subject to life imprisonment or temporary imprisonment of not more than twenty years shall be punished, if the deed mentioned in articles 479l, 479m, and 479n:
 - a. is committed jointly by two or more persons;
 - b. is a follow-up of a conspiracy;
 - c. is premeditated;
 - d. causes serious physical injury to someone.
- (2) If the deed results in someone's death or aircraft destruction, such person shall be punished by capital punishment, or life imprisonment, or temporary imprisonment of not more than twenty years.

Article 479p

Any person who provides testimonies which he knows to be false, and thereby endangering the safety of an aircraft in flight, shall be punished with an imprisonment of not more than fifteen years.

Article 479q

Any person who on board of an aircraft performs a deed which may jeopardize the safety of the aircraft in flight, shall be punished with imprisonment of not more than five years.

Article 479r

Any person who on board of an aircraft, performs a deed which may jeopardize flight orderliness and regulations shall be punished with imprisonment of not more than one year.

Book: II. CRIMES
Chapter: XXX. FENCE
Article: 480-485

Article 480

With an imprisonment of not more than four years or a fine-payment of not more than nine hundred rupiahs shall be punished:

1. when considered guilty of fencing, any person who buys, hires, receives in exchange, receives in pledge, accepts as a gift, or in pursuit of gain sells, hires out, gives in exchange, gives in pledge, transports, stores or conceals any object of which he knows or reasonably must surmise that it has been obtained through crime.
2. any person who reaps a benefit from the proceeds of any object of which he knows or reasonably must surmise that it has been obtained through crime.

Article 481

- (1) Any person who makes a practice of intentionally buying, receiving in exchange, receiving in pledge, storing or concealing of objects that have been obtained through crime, shall be punished with an imprisonment of not more than seven years.
- (2) The guilty person can be deprived of the in article 35 sub paragraphs 1-4 stated rights and from practicing the profession in which he has committed the crime.

Article 482

The deeds as described in article 480 shall, in the event that the crime, through which the object has been obtained, is one of the crimes as described in articles 364, 373 and 379, being considered as light fence, be punished with an imprisonment of not more than three months or a fine-payment of not more than nine hundred rupiah.

Article 483

Any person who publishes any writing or any depiction of a punishable nature, shall be punished with an imprisonment of not more than one year and four months or a detainment of not more than one year or a fine-payment of not more than four thousand five hundred rupiah:

1. the perpetrator is neither known, nor has been made known upon the first warning after a commitment for trial.

2. the publisher knew or must have anticipated that the perpetrator upon the time of the publication would not have been penalty prosecutable or was domiciled outside Indonesia.

Article 484

Any person who prints any writing or depiction of a punishable nature shall be punished with an imprisonment of not more than one year and four months or a detainment of not more than one year or a fine-payment of not more than four thousand five hundred rupiahs, in the event that:

1. the person upon whose order the article has been printed is neither known, nor has been made known upon the first warning after a commitment for trial.
2. the printer knew or must have anticipated, that the person upon whose order the article has been printed, at the time of the publication would not have been criminally prosecutable or was domiciled outside Indonesia.

Article 485

In the event that the nature of the writing or the depiction shall give rise to an offense that is only prosecutable upon a complaint, the publisher or the printer can then in the cases of both foregoing articles only be prosecuted upon a complaint from the person against whom that offense has been committed.

Book: II. CRIMES

Chapter: XXXI. STIPULATIONS CONCERNING A REPETITION OF MISDEMEANORS
WITH A SIMILARITY TO VARIOUS CHAPTERS

Article: 486-488

Article 486

The in articles 127, 204, first paragraph, 244-248, 253-260*bis*, 263, 264, 266-268, 274, 362, 366, 365, first, second and third paragraphs, 368, first paragraph and the second paragraph as far as therein is referred to the second and third paragraphs of article 365, 369, 372, 374, 375, 378, 381-383, 397, 399, 400, 402, 415, 417, 425, 432, last paragraph, 452, 466, 480 and 481 determined imprisonment, as well as the temporary imprisonment that shall be imposed in accordance with articles 204, second paragraph, 365, fourth paragraph and 368, second paragraph as far as therein is referred to the fourth paragraph of article 365, can be increased with one third, in the event that at the time of commitment of the misdemeanor five years have not yet elapsed, since that the guilty person has entirely or partly served an imposed imprisonment either on account of one of the misdemeanors as described in those articles, or on account of one of the misdemeanors referred to in one of articles 140-143, 145 and 149 of the Military Penal Code, or since that he has fully been remitted from such a punishment; or in the event that at the time of commitment of the misdemeanor the right for an execution of that punishment has not yet been nullified by lapse of time.

Article 487

The in articles 130, first paragraph, 131-133, 140, first paragraph, 141, 170, 213, 214, 338, 341, 342, 344, 347, 348, 351, 353-355, 438-443, 459 and 460 determined imprisonment, as well as the temporary imprisonment that shall imposed in accordance with articles 104, 105 and 130, second and third paragraphs, 140, second and third paragraphs, 339, 340 and 444, can be increased with one third, in the event that at the time of commitment of the misdemeanor five years have not yet elapsed, since that the guilty person has entirely or partly served the imprisonment that has been imposed upon him either on account of one of the misdemeanors as described in one of those articles, or on account of one of the misdemeanors in one of the articles 106, second and third paragraphs, 107, second and third paragraphs, 108, second paragraph, 109, as far as the committed misdemeanor or the thereby committed deed has caused any physical injury or someone's death, 131, second and third paragraphs, 137 and 138 of the Military Penal Code, or since that he has fully been remitted from such a punishment; or in the event that at the time of commitment of the misdemeanor the right for an execution of that punishment has not yet been nullified by lapse of time.

Article 488

The crime in articles 134-138, 142-144, 207, 208, 310-321 and 484 determined punishments can be increased with one third, in the event that at the time of commitment of the misdemeanor five years have not yet elapsed, since that the guilty person has entirely or partly served a pronounced imprisonment on account of one of the crimes as described in those articles, or since that he has fully been remitted from such a punishment; or in the event that at the time of commitment of the misdemeanor the right for an execution of that punishment has not yet been nullified by lapse of time.

Book: III. Third. MISDEMEANORS

Chapter: I. MISDEMEANORS RELATING TO THE GENERAL SECURITY OF PERSONS AND GOODS AND THE PUBLIC HEALTH

Article: 489-502

Article 489

- (1) Wantonness against persons or goods, by which danger, injury or inconvenience can be caused, shall be punished with a fine-payment of not more than two hundred twenty five rupiahs.
- (2) In the event that during the commission of the misdemeanor one year has not yet elapsed, since that an earlier conviction of the guilty person for a similar misdemeanor has become irrevocable, instead of the fine-payment, a detainment of not more than three days may then be imposed.

Article 490

With a detainment of not more than six days or a fine-payment of not more than three hundred seventy five rupiahs shall be punished:

1. any person who sets on an animal against a human being or against an animal that is being ridden, put before a carriage or drawn vehicle or carrying a load;
2. any person who does not restrain an animal that is under his care, when it assaults a human being or an animal being that is being ridden, put before a carriage or drawn vehicle or carrying a load;
3. any person who does not adequately take care in keeping a dangerous animal that is under his protection harmless;
4. any person who keeps dangerous wild animals without notifying the head of police or a by him designated official thereof, or who does not observe the directions that have been given concerning the matter by the head of police or the designated official.

Article 491

With a fine-payment of not more than seven hundred fifty rupiahs shall be punished:

1. any person who leaves a dangerous to himself or to others lunatic, whom he is obliged to look after, to wander around unguardedly;
2. any person who leaves a child, whom he is obliged to look after, unguarded so that thereby danger arises for the child itself or for others.

Article 492

- (1) Any person who, while in a state of drunkenness, either openly obstructs the traffic or disturbs the public order, or threatens someone's safety, or commits an act whereby, for a prevention of danger to life or health of third parties, special caution or precaution are required, shall be punished with a detainment of not more than six days or a fine-payment of not more than three hundred seventy five rupiahs.
- (2) In the event that when committing the misdemeanor one year has not yet elapsed, since that an earlier conviction of the guilty person for a similar misdemeanor or one as described in article 536 has become irrevocable, he shall then be punished with a detainment of not more than two weeks.

Article 493

Any person who on the public road unlawfully obstructs someone else to move freely, or with one or more others keeps on obtruding himself upon this person against his explicitly declared will, or keeps following him in an annoying manner, shall be punished with a detainment of not more than one month or a fine-payment of not more than one thousand five hundred rupiahs.

Article 494

With a fine-payment of not more than three hundred seventy five rupiahs shall be punished:

1. any person who does not take care that a by him or upon his order on a public road made digging-up or -out or a by him or upon his order on the public road placed object is properly illuminated and provided with the customary signs;
2. any person who with a repair work on or to the public road does not take the necessary measures to warn passers-by against a possible danger;
3. any person who places something on or at, or throws or pours something out of a building, in such a manner that by or as a result thereof someone who is making use of a public road can be injured;
4. any person who leaves a riding-, draught- or pack-animal, or some cattle that he is transporting, to stand on the public road without having taken the necessary precautionary measures against a causing of damage;
5. any person who on the public road leaves cattle to walk around without having taken the necessary precautionary measures against a causing of damage;
6. any person who, without permission of the competent authority, blocks a public land- or water-way or obstructs the traffic thereon, or who causes such blocking or obstruction by an ineffective use of vehicles or vessels.

Article 495

- (1) Any person who, without permission of the head of police or of the by him thereto designated official, places bamboo mantraps (borang), traps, catch-nooses or other objects serving to catch or kill wild animals in an area that is being entered into by people, whereby danger can be caused to human beings, shall be punished with a fine-payment of not more than three hundred seventy five rupiahs.
- (2) In the event that during the commission of the misdemeanor one year has not yet elapsed, since that an earlier conviction of the guilty person for a similar misdemeanor has become irrevocable, instead of the fine-payment, a detainment of not more than six days may be imposed.

Article 496

Any person who, without permission of the head of police or of the by him thereto designated official, sets fire to personally owned immovables, shall be punished with a fine-payment of not more than seven hundred fifty rupiahs.

Article 497

With a fine-payment of not more than three hundred seventy five rupiahs shall be punished:

1. any person who either lights a fire or unnecessarily shoots off a fire-arm on or at a public road or at a short distance from buildings or goods, so that thereby a danger of fire can arise;
2. any person who lets a balloon rise to which burning materials are attached.

Articles 498 and 499

Articles 498 and 499 are already been revoked by S. 1932-143 jo. S. 1933-9.

Article 500

Any person who without permission of the head of police or of the by him thereto designated official, produces gunpowder, percussion-caps or cartridges for fire-arms, shall be punished by a detainment of not more than ten days or a fine-payment of not more than seven hundred fifty rupiahs.

Article 501

- (1) With a fine-payment of not more than three hundred seventy five rupiahs shall be punished:
 1. any person who sells, offers for sale, delivers, distributes or has in stock for sale or for distribution adulterated or decayed food or beverages, also milk originating from sick animals or which may be harmful to one's health;
 2. any person who, without permission of the head of police or of the by him thereto designated official, sells, offers for sale, delivers, distributes or has in stock for sale or for distribution meat of cattle that have been slaughtered because of a disease or have died in a natural manner.

- (2) In the event that during the commission of the misdemeanor two years have not yet elapsed, since that an earlier conviction of the guilty person for a similar misdemeanor has become irrevocable, the fine-payment may then be substituted with a detainment of not more than of six days.

Article 502

- (1) Any person who, without permission of the thereto competent authority, goes hunting or carries a shut gun into State forests where such without a license is forbidden, shall be punished with a detainment of not more than one month or a fine-payment of not more than three thousand rupiahs.
- (2) The caught or shot game and the tools or arms with which the misdemeanor has been committed, can be forfeited.

Book: III. Third. MISDEMEANORS

Chapter: II. MISDEMEANORS RELATING TO PUBLIC ORDER.

Article: 503-520

Article 503

With a detainment of not more than three days or a fine-payment of not more than two hundred twenty five rupiahs shall be punished:

1. any person who causes clamor or nuisance by noise whereby the quietness of the night can be disturbed;
2. any person who causes clamor in the vicinity of buildings intended for a permitted religious service or for the administration of justice, during the time that a service is carried out or a session is held.

Article 504

- (1) Any person who begs in public shall, when guilty of mendicancy, be punished with a detainment of not more than six weeks.
- (2) Mendicancy committed by three or more persons over the age of sixteen years, shall be punished with a detainment of not more than three months.

Article 505

- (1) Any person who roams about without means of subsistence shall, when guilty of vagrancy, be punished with a detainment of not more than three months.
- (2) Vagrancy committed by three or more persons over the age of sixteen years shall be punished with a detainment of not more than six months.

Article 506

Any person who as souteneur (pimp) takes advantage of the prostitution of a woman shall be punished with a detainment of not more than one year.

Article 507

With a fine-payment of not more than two thousand two hundred and fifty rupiahs shall be punished:

1. any person who, without being entitled thereto, bears an Indonesian title of nobility, distinctive emblem or mark of honor;
2. any person who, without assent of the President, where such is required, accepts a foreign insignia, title, rank or dignity;

3. any person who, when by the competent authority he is asked for his name, gives a false name.

Article 508

Any person who, without being entitled thereto, makes use, even though also with a slight deviation, of a name or of a distinguishing token, of which the use by virtue of a statutory provision has explicitly been awarded to an association or to the personnel of an association or to the personnel of the medical service of the army, shall be punished with a detainment of not more than one month or a fine-payment of not more than four thousand five hundred rupiahs.

Article 508 bis

Any person who, without being entitled thereto, publicly wears a garment, which shows such a resemblance to the official garb, that has been determined for officials or functionaries in service of the State, of a province, of a by law instituted or recognized independent community, so that he can logically be taken for such an official or functionary, shall be punished with a detainment of not more than one month or a fine-payment of not more than four thousand five hundred rupiahs.

Article 509

Any person who, without being entitled thereto, against a security, or else in the form of a buy and sale agreement with a re-purchase right, or in the form of a commission-contract, lends out money or goods of which the amount or value is not more than one hundred rupiahs, shall be punished with a detainment of not more than three months or a fine-payment of not more than fifteen thousand rupiahs.

Article 510

- (1) With a fine-payment of not more than three hundred seventy five rupiahs shall be punished any person who, without the permission of the head of police or of the by him thereto designated official:
 1. stages a public festivity or entertainment;
 2. holds a procession on the public road.
- (2) In the event that the procession is held in order to in an awe-inspiring manner make known certain desires, the guilty person shall then be punished with a detainment of not more than two weeks or a fine-payment of not more than two thousand two hundred fifty rupiahs.

Article 511

Any person who on occasions of festivities, processions and the like does not observe the orders and directions given by the police, for a prevention of accidents and for an avoidance of traffic jams along the public road, shall be punished with a fine-payment of not more than three hundred seventy five rupiahs.

Article 512

- (1) Any person, not being permitted to practice a profession for which by a general regulation a permission is required, who not out of necessity practices that profession, shall be punished with a fine-payment of not more than four thousand five hundred rupiahs.
- (2) Any person, being permitted to practice a profession for which by a general regulation a permission is required, who, in practicing that profession, not out of necessity exceeds the limits of his authority, shall be punished with a fine-payment of not more than seven hundred fifty rupiahs.
- (3) If during the commission of the misdemeanor two years have not yet elapsed, since that an earlier conviction of the guilty person for a similar misdemeanor has become irrevocable, can, instead of the fine-payment, in a case as mentioned in the paragraph (1) a detainment of not more than two months, in a case as mentioned in the paragraph (2) a detainment of not more than one month, be imposed.

Article 512a

Any person who, as a means of subsistence, either specialized or as a side-line, without being in possession of a license and not out of necessity practices the profession of a physician or dentist, shall be punished with a detainment of not more than two months or a fine-payment of not more than one hundred fifty thousand rupiahs.

Article 513

Any person who, against a non-approval of the rightful owner, makes use or allows the making use of an other person's goods that are in his keeping on account of his personal employment or of his profession, shall be punished with a detainment of not more than six days or a fine-payment of not more than three hundred seventy five rupiahs.

Article 514

The day-laborer, porter, messenger-boy, dock-hand or coolie who in the execution of his activities makes himself guilty of negligence or failure in returning tools received for use or in the delivery of accepted goods for transportation, shall be punished with a detainment of not more than six days or a fine-payment of not more than three hundred seventy five rupiahs.

Article 515

With a detainment of not more than six days or a fine-payment of not more than seven hundred fifty rupiahs shall be punished:

1. any person who, in permanently leaving from a district, village or rural area where he is living, neglects to give prior notice of his move to the competent authority, with a mention of the place where he shall take up his residence;
2. any person who, after settling down in a district, village or rural area, neglects to within fourteen days give notice thereof to the competent authority, stating his name, first name and profession, as well as the place of origin.

The provision in the paragraph (1) shall not apply to movings and subsequent settlements within the same place or municipality.

Article 516

- (1) Any person who has made it his profession to provide overnight lodging to people and does not keep a continuous register, or neglects to record or cause a recording to be made of the names, profession or occupation, place of residence, day of arrival and of departure of the persons who have spent a night in his house, or who fails to produce such a register upon demand to the head of police or to the thereto by him designated official, shall be punished with a fine-payment of not more than three hundred seventy five rupiahs.
- (2) In the event that at the time of commission of the misdemeanor two years have not yet elapsed, since that an earlier conviction of the offender for a similar misdemeanor has become irrevocable, instead of the fine-payment, a detainment of not more than six days may then be imposed.

Article 517

- (1) With a detainment of not more than one month or a fine-payment of not more than two thousand two hundred and fifty rupiahs shall be punished:
 1. any person who buys, exchanges, accepts as a gift, in pledge, for use or in custody, goods that go with the costume, equipment or armament from a soldier under the rank of officer, or who sells, exchanges, renders as a gift, a security, for use or in custody, such goods for a soldier under the rank of officer, that are handed over without the consent or on behalf of the officer in command;
 2. any person who, making a habit of buying such goods, does not observe the under a general ordinance issued law regulations general concerning the keeping of a record thereof.
- (2) In the event that at the time of commission of the misdemeanor two years have not yet elapsed, since that an earlier conviction of the offender for one of these misdemeanors has become irrevocable, the punishments may then be doubled.

Article 518

Any person who, without being entitled thereto, supplies or receives any goods to/from a convicted person who is serving a sentence, shall be punished with a detainment of not more than six days or a fine-payment of not more than three hundred seventy five rupiahs.

Article 519

- (1) Any person who produces, sells or has a ready stock for sale or for distribution, or imports into Indonesia printed matter, pieces of metal or other objects in a shape that makes them resemble currency- or bank-notes, coin species, works provided with golden or silver State emblems or post stamps, shall be punished with a fine-payment of not more than four thousand five hundred rupiahs.
- (2) The objects with which the misdemeanor is committed can be forfeited.

Article 519 bis

With a detainment of not more than three months or a fine-payment of not more than fifteen thousand rupiahs shall be punished:

1. any person who either openly announces, or informs someone else of the contents of messages received through an instrument for radio reception that is under his control or being used by him, and which logically should be surmised as not being meant for him or for the public, when he logically should surmise that an open announcement of the contents shall follow and such announcement does follow;
2. any person who openly announces news broadcasts received through an instrument for radio reception, when he is not authorized to do so, or when the person from whom the news is received is not authorized to broadcast it.

Article 520

With a detainment of not more than three months shall be punished:

1. any person who, after having obtained a suspension of debt payments, highhandedly carries out acts for which under a general ordinance the cooperation of the receivers is required;
2. the manager or commissioner of a partnership, company, association or foundation which has obtained a suspension of debt payments, who highhandedly carries out acts, for which under a general ordinance the cooperation of the receivers is required.

Book: III. Third. MISDEMEANORS

Chapter: III. MISDEMEANORS RELATING TO THE PUBLIC AUTHORITY

Article: 521-528

Article 521

Any person who violates any stipulation of a promulgated by the competent authority determined regulation on the use and the distribution of water from water- or irrigation-works for public use, shall be punished with a detainment of not more than twelve days or a fine-payment of not more than nine hundred (rupiahs).

Article 522

Any person who legally summoned as a witness, as an expert, or as an interpreter, unlawfully stays away, shall be punished with a fine-payment of not more than nine hundred (rupiahs).

Article 523

- (1) Any person who, without valid reasons, fails to provide legally demanded labor, municipal- or services on state-owned plantations shall be punished with a detainment of not more than three days or a fine-payment of not more than one hundred fifty rupiahs.
- (2) In the event that at the time of commission of the misdemeanor six months have not yet elapsed, since that an earlier conviction of the guilty person for a similar misdemeanor has become irrevocable, a detainment of not more than three months may then be imposed.

Article 524

With a fine-payment of not more than nine hundred rupiahs shall be punished:

1. any person who, in cases concerning minors or of persons who shall be or are placed under guardianship, or persons who shall be or are taken up in a lunatic asylum, as a blood relative, relative by marriage, spouse, guardian or co-guardian, curator or co-curator, when summoned to be heard before the judge or, upon his order before a thereto designated official, without valid reason to be excused, neither appears in person nor, where this is permitted, through the mediator of a proxy;
2. any person who, in cases concerning minors or of persons who shall be or are placed under guardianship, when summoned to be heard before the orphans' court or, at its invitation, before the thereto designated official, without valid reason to be excused neither appears in person nor, where this is permitted, through the mediator of a proxy;

3. any person who, in cases concerning minors, when summoned to be heard before the child welfare board or, at its invitation, before the thereto designated official, without valid reason to be excused neither appears in person nor, where this is permitted, through the mediator of a proxy.

Article 525

- (1) Any person who, with an existing danger to the general security of persons or of goods or with the discovery of a crime in the very act, refuses to render his assistance that the public authority demands from him and which he is able to render without immediately exposing himself to danger, shall be punished with a fine-payment of not more than three hundred seventy five rupiahs.
- (2) This provision shall, in the event of a demanded assistance with the discovery of a crime in the very act, not apply to the person who refuses to render such assistance in order to elude or avert the danger of being pursued by one of his blood relatives or relatives by marriage in the straight line or in the second and third degree of the side-line or by his spouse or ex-spouse.

Article 526

Any person who unlawfully tears off, obliterates or damages an announcement that has been put up in public on behalf of the competent authority or under a legal regulation, shall be punished with a fine-payment of not more than two hundred twenty five rupiahs.

Article 527

Article 527 is already been revoked by Emergency Law Number 8 Year 1955 (State Gazette 1955-28).

Article 528

- (1) With a detainment of not more than two months or a fine-payment of not more than four thousand five hundred rupiahs shall be punished any person who, without permission of the competent authority:
 1. makes a copy or abstract of official records of the state or its organs, of which the public authority has ordered their secrecy;
 2. divulges such records as referred to under 1st-ly in their entirety or partially;
 3. divulges data contained in such records as referred to under 1st-ly, whilst it is plausible that he logically could have surmised the secret nature of that data.
- (2) The occurrence is not punishable in the event that the order for secrecy has obviously been given for reasons other than for service or public interest.

Book: III. Third. MISDEMEANORS

Chapter: IV. MISDEMEANORS RELATING TO THE CIVIL STATUS

Article: 529-530

Article 529

Any person who does not fulfill a statutory obligation of giving notice to the registrar or mediator of the civil registration office to register a birth or death, shall be punished with a fine-payment of not more than one thousand five hundred rupiahs.

Article 530

- (1) Any clergyman who holds a religious ceremony relating to a marriage, that can only be solemnized before the functionary of the civil registration service, before the parties thereto have given him the evidence that their marriage has duly been solemnized in front of such a functionary, shall be punished with a fine-payment of not more than four thousand five hundred rupiahs.
- (2) In the event that during the commission of the misdemeanor two years have not yet elapsed, since that an earlier conviction of the guilty person for a similar misdemeanor has become irrevocable, instead of the fine-payment, a detainment of not more than two months may then be imposed.

Book: III. Third. MISDEMEANORS

Chapter: V. MISDEMEANORS RELATING TO THOSE WHO NEED HELP

Article: 531

Article 531

Any person who, as a witness of an immediate life-endangering situation that he falls another, omits to render or provide help which he can render or provide to him, without within reason fearing of endangering himself or someone else, shall, if the death of the person in need of help follows, be punished with a detainment of not more than three months or a fine-payment of not more than four thousand five hundred rupiahs.

Book: III. Third. MISDEMEANORS

Chapter: VI. MISDEMEANORS RELATING TO MORALS

Article: 532-547

Article 532

With a detainment of not more than three days or a fine-payment of not more than two hundred twenty five rupiahs shall be punished:

1. any person who in public sings songs that are shocking to honorable standards;
2. any person who in public gives speeches that are shocking to honorable standards;
3. any person who at a place visible from the public road puts up words or drawings that are shocking to honorable standards.

Article 533

With a detainment of not more than two months or a fine-payment of not more than three thousand rupiahs shall be punished:

1. any person who on or at places intended for public traffic, openly exposes or puts up either any writing, of which the given readable title, cover or contents is fitting to arouse the sensuality of young people, or any image or object that is fitting to arouse the sensuality of young people;
2. any person who on or at places intended for public traffic, openly causes people to hear the contents of any writing which is fitting to arouse the sensuality of young people;
3. any person who openly or unrequestedly offers any writing, any image or any object which is fitting to arouse the sensuality of young persons, or who openly or through a distribution of any writing unrequestedly indicates where these can be obtained;
4. any person who offers, permanently or temporarily surrenders, hands over or shows such a writing, such an image or such an object to a minor under the age of seventeen years;
5. any person who causes the contents of such a writing to be heard in the presence of a minor under the age of seventeen years.

Article 534

Any person who either openly exhibits any means for a prevention of pregnancy, or openly or unrequestedly offers such means or services, or openly, or through the distribution of any writing, unrequestedly indicates where these can be obtained, shall be punished with a detainment of not more than two months or a fine-payment of not more than three thousand rupiahs.

Article 535

Any person who either openly exhibits any means to interrupt a pregnancy, or openly or unrequestedly offers or indicates where such means or services for an interruption of pregnancy can be obtained, shall be punished with a detainment of not more than three months or a fine-payment of not more than four thousand five hundred rupiahs.

Article 536

- (1) Any person who in an obvious state of drunkenness is on the public road, shall be punished with a fine-payment of not more than two hundred twenty five rupiahs.
- (2) If at the time of commission of the misdemeanor one year has not yet elapsed since that an earlier conviction of the guilty person for a similar misdemeanor, or one as described in article 492, has become irrevocable, instead of the fine-payment, a detainment of not more than three days may then be imposed.
- (3) With a second repetition within one year after that the first conviction for a repetition has become irrevocable, a detainment of not more than two weeks shall then be imposed.
- (4) With a third or following repetitions, each committed within one year after that the last conviction for the second or following repetition has become irrevocable, a detainment of not more than three months shall then be imposed.

Article 537

Any person who outside the military canteen sells or offers liquor or fermented palm wine to a soldier of the army under the rank of sergeant or to his, wife, child or servant, shall be punished with a detainment of not more than three weeks or a fine-payment of not more than one thousand five hundred rupiahs.

Article 538

The seller of liquor or his replacement who in exercising his profession serves or sells liquor or fermented palm wine to a child under the age of sixteen, shall be punished with a detainment of not more than three weeks or a fine-payment of not more than four thousand five hundred rupiahs.

Article 539

Any person who on the occasion of publicly held festivities or folk games or the publicly holding of processions, offers liquor or fermented palm wine free of charge or otherwise puts such up as a prize, shall be punished with a detainment of not more than twelve days or a fine-payment of not more than three hundred seventy five rupiahs.

Article 540

- (1) With a detainment of not more than eight days or a fine-payment of not more than two thousand two hundred fifty rupiahs shall be punished:

1. any person who makes animals to do work which obviously exceeds their strength;
 2. any person who unjustifiably makes animals to do work in a painful or tormenting manner;
 3. any person who makes cripple, or in defective, scabby, wounded condition or obviously pregnant or nursing animals to do work, for which owing to their condition they are unfit, or in a painful or tormenting manner;
 4. any person who unjustifiably transports or causes to transport animals in a painful or tormenting manner;
 5. any person who transports or causes to transport animals without providing them or causing to provide them with the necessary sustenance.
- (2) In the event that during the commission of the misdemeanor one year has not yet elapsed since that an earlier conviction of the guilty person for a similar misdemeanor or for one of the misdemeanors described in article 541 or for the crime as described in article 302 has become irrevocable, a detention of not more than fourteen days may then be imposed.

Article 541

- (1) With a fine-payment of not more than two hundred twenty five rupiahs shall be punished:
1. any person who for carrying-, riding- or hauling-services uses horses which have not yet changed their colt-teeth or where the two inner-horse-teeth of the front-(upper)-jaw have not yet come in friction with the inner-horse-teeth of the rear- (under)-jaw;
 2. any person who causes horses, which have not yet changed their colt-teeth or where the two inner-horse-teeth of the front-(upper)-jaw have not yet come in friction with the inner-horse-teeth of the rear-(under)-jaw, to carry a horse-harness or otherwise tie or fasten them to a carriage or to a draft-animal;
 3. any user of a mare who allows a colt who does not yet have all six colt-teeth, to run along with the mother-horse, when she is being used for carrying-, riding- or hauling-services.
- (2) In the event that during the commission of the misdemeanor one year has not elapsed since that an earlier conviction of the guilty person for a similar misdemeanors or one of the misdemeanors described in article 540 or for the crime as described in article 302 has become irrevocable, instead of the fine-payment, a detainment of not more than three days may then be imposed.

Article 542

Amended by Law Number 7 Year 1974 to become Article 303 bis

Article 543

Article 543 is already been revoked by S. 1923-277, 352.

Article 544

- (1) Any person who, without the permission of the head of police or of the thereto by him designated official, on or at the side of a public road or at a place open to the public holds a cock- or cricket fight, shall be punished with a detainment of not more than six days or a fine-payment of not more than three hundred seventy five rupiahs.
- (2) In the event that during the commission of the misdemeanor one year has not yet elapsed since that an earlier conviction of the guilty person for a similar misdemeanor has become irrevocable, the sentences may then be doubled.

Article 545

- (1) Any person who makes a business of fortune telling, soothsaying or explaining dreams, shall he punished with a detainment of not more than six days or a maximum fine-payment of not more than three hundred rupiahs.
- (2) In the event that during the commission of the misdemeanor one year has not yet elapsed since that an earlier conviction of the guilty person for a similar misdemeanor has become irrevocable, the sentences may then be doubled.

Article 546

With a detainment of not more than three months or a fine-payment of not more than four thousand five hundred rupiahs shall be punished:

1. any person who sells, offers for sale, delivers, distributes or has in stock for sale or distribution so-called "jimats" (charms), amulets or other objects, under pretence that these possess supernatural power;
2. any person who teaches occultism or black magic, with the intention to raise belief in the possibility to commit punishable deeds without any danger to the perpetrators.

Article 547

Any witness who at a court session, where he, in cases where by a statutory regulation a statement under oath is required, has to make a statement under oath, is wearing so-called "jimats" (charms) or amulets, shall be punished with a detainment of not more than ten days or a fine-payment of not more than seven hundred fifty rupiahs.

Book: III. Third. MISDEMEANORS

Chapter: VII. MISDEMEANORS RELATING TO LAND, YARDS AND PLANTINGS

Article: 548-551

Article 548

Any person who, without being entitled thereto, leaves his non-flying fowls to stray in yards or on any land which has been sown, dibbled or planted, shall be punished with a fine-payment of not more than two hundred twenty five rupiahs.

Article 549

Any person who, without being entitled thereto, leaves cattle to stray in yards, on any meadow- grass- or hay-land, or on any land which is either sown, dibbled or planted, or tilled to be sown, dibbled or planted, or of which the harvest has not yet been taken away, or otherwise over someone else's land of which the admittance has in a manner that is clear to him been prohibited by the rightful owner, shall be punished with a fine-payment of not more than three hundred seventy five rupiahs.

The cattle with which the misdemeanor has been committed can be forfeited.

In the event that during the commission of the misdemeanor one year has not yet elapsed since that an earlier conviction of the guilty persons for a similar misdemeanor has become irrevocable, instead of the fine-payment, a detainment of not more than fourteen days may then be imposed.

Article 550

Any person who, without being entitled thereto, walks or rides on any that is sown, dibbled or planted, or that has been tilled to be sown, dibbled or planted, shall be punished with a fine-payment of not more than two hundred twenty five rupiahs.

Article 551

Any person who, without being entitled thereto, walks or rides over someone else's land of which the admittance has in a manner that is clear to him been prohibited by the rightful owner, shall be punished with a fine-payment of not more than two hundred twenty five rupiahs.

Book: III. Third. MISDEMEANORS
Chapter: VIII. FUNCTIONAL BREACHES
Article: 552-559

Article 552

Any functionary, authorized to issue copies or abstracts of verdicts, who issues such a copy or abstract before the verdict has been properly signed, shall be punished with a fine-payment of not more than seven hundred fifty rupiahs.

Article 553

Article 553 is already been revoked by S. 1935-576.

Article 554

With a detainment of not more than two months or a fine-payment of not more than four thousand five hundred rupiahs shall be punished any former functionary who without consent of the competent authority keeps official documents of the state or its organs with him.

Article 555

Any head of an institution, intended to lock up convicted persons, temporarily detained persons or persons imprisoned for debt, or from a state reformatory school or lunatic asylum, who takes up or keeps someone in the institution, without having let the order of the competent authority or the judicial verdict to be shown to him, or who omits to enter the required notations in his registers of the admission and of the order or the pronouncement on the ground of which this is taking place, shall be punished with a detainment of not more than one month or a fine-payment of not more than two thousand two hundred and fifty rupiahs.

Article 556

Any functionary of the civil registration service who, prior to the solemnization of a marriage, fails to let the under a general ordinance required evidencing documents or statements to be presented to him, shall he punished with a fine-payment of not more than four thousand five hundred rupiahs.

Article 557

With a fine-payment of not more than one thousand five hundred rupiahs shall be punished:

1. any functionary of the civil registration service who acts contradictorily to any regulation of a general ordinance concerning the registers or the certificates of the civil registration service, the formalities prior to a marriage or the solemnization of a marriage;

2. any other keeper of those registers who acts contradictorily to any regulation of a general ordinance concerning the registers or the certificates of the civil registration service.

Article 557a

Any mediator of the civil registration service who acts contradictorily to any directions of the regulation on maintenance of the registers of the civil registration service for the Chinese, shall be punished with a fine-payment of not more than seven hundred fifty rupiahs.

Article 558

Any functionary of the civil registration service who fails to record a certificate in the registers or writes out a certificate on a loose sheet of paper, shall be punished with a fine-payment of not more than four thousand five hundred rupiahs.

Article 558a

Any mediator of the civil registration service, who, pursuant to the directions given to him for a maintenance of the registers of the civil registration service for the Chinese, fails to draw up a certificate or writes out a certificate on a loose sheet of paper, shall be punished with a fine-payment of not more than two thousand two hundred rupiahs.

Article 559

With a fine-payment of one thousand five hundred rupiahs shall be punished:

1. any functionary of the civil registration service who fails to submit the reports to the competent authority which are required from him under any statutory provision;
2. any official who fails to submit the reports to the functionary of the civil registration service which are required from him under any statutory provision.

Book: III. Third. MISDEMEANORS

Chapter: IX. MISDEMEANORS RELATING TO SHIPPING

Article: 560-569

Article 560

Any skipper of an Indonesian ship who departs before the under statutory provision required muster roll has been drawn up and signed, shall be punished with a fine-payment of not more than one thousand five hundred rupiahs.

Article 561

Any skipper of an Indonesian vessel who does not have all the under statutory provision required shipping documents, books or records on board, shall be punished with a fine-payment of not more than one thousand five hundred rupiahs.

Article 562

(1) With a fine-payment of not more than four thousand five hundred rupiahs shall be punished:

1. any skipper of an Indonesian vessel, who does not take care, that on board of his vessel the under a general ordinance required logbooks are kept in accordance with the statutory law regulations or who does not produce these logbooks when and where such is required by a statutory law regulation;
2. any skipper of an Indonesian vessel, who does not keep the under a general ordinance required punishment-register in accordance with the statutory law regulations or does not produce this when and where such is required under a statutory law regulation;
3. any skipper of an Indonesian vessel, who, in the absence of a punishment-register fails to give the judge an under a statutory law regulation required notification thereof;
4. any ship-owner, bookkeeper or skipper of an Indonesian vessel who refuses to allow parties concerned at their request to have an insight or, against payment of the costs, furnish them a copy of the logbooks that are kept on board the vessel.

(2) In the event that during the commission of the misdemeanor two years have not yet elapsed since that an earlier conviction of the guilty person on for one of these misdemeanors has become irrevocable, instead of the fine-payment, a detainment of not more than two months may then be imposed.

Article 563

Any skipper of an Indonesian vessel who does not fulfill his legal obligation concerning the registration and notification of births or deaths which have occurred during a sea-voyage, shall be punished with a fine-payment of not more than one thousand five hundred rupiahs.

Article 564

Any skipper or member of the crew who does not observe the determined statutory provisions for a prevention of collisions or for being drifted ashore, shall be punished with a fine-payment of not more than four thousand five hundred rupiahs.

Article 565

Any person who without being entitled thereto makes use, even though also with a slight deviation, of a distinguishing mark, of which the use by virtue of a statutory provision has exclusively been adjudged to hospital ships, to the lifeboats of such ships or to small vessels intended for hospital care, shall be punished with a detainment of not more than one month or a fine-payment of not more than four thousand five hundred rupiahs.

Article 566

Any skipper of an Indonesian vessel, who does not fulfill the obligations imposed upon him in the paragraph (2) of article 358a of the Commercial Code, shall be punished with a detainment of not more than three months or a fine-payment of not more than four thousand five hundred rupiahs.

Article 567

Any ship-owner and the captain of an Indonesian ship on board of which crew services are performed by persons who neither have concluded a working agreement as referred to in article 395 of the Commercial Code, nor at own cost conduct a business on board, or by persons who do not appear in the muster roll in cases where one and other is required on the strength of a statutory provision, shall be punished with a fine-payment of nine hundred rupiahs for each person who is thus being employed.

Article 568

Any person who signs a bill of lading, of which the issuance is contradictory to the stipulation in article 517b of the Commercial Code, as well as the person for whom he has done so in accordance with his legal authority, shall, if an issuance thereof thereafter follows, be punished with a fine-payment of not more than seventy five thousand rupiahs.

Article 569

- (1) Any person who signs a travel-ticket, of which the issuance is contradictory to the stipulation in article 533b of the Commercial Code, as well as the person for whom he done so in accordance with his authority, shall, if the issuance thereof thereafter follows, be punished with a fine-payment of not more than seventy five thousand rupiahs.

- (2) With a similar punishment shall be punished any person who in contradiction to the stipulation in article 533b of the Commercial Code, issues an unsigned travel-ticket, as well as the person for whom he has done so in accordance with his authority.