

AMENDMENT TO THE PROVISIONS OF THE PENAL CODE

In The Name of the People,

The Revolution Command Council,

Having reviewed the Constitutional proclamation and the Penal Code and its amending legislations, and on the basis of the submission of the Minister of Justice and the agreement of the Council of Ministers,

Promulgates the following Law;

ARTICLE ONE

Amends the provisions of Part 8 of Section II of the penal Code as follows:

Part 8 – Crimes against the Public Economy, Industry & Freedom of Work.

Chapter 1 – Crimes against Public Economy.

ARTICLE 358

(Price fixing) – Any person who disseminates or broadcasts fictitious information likely to cause a disturbance in local markets, or who resorts to other methods that could cause the price of goods, real estate, stocks, publicly traded shares to collapse with a view to upset the transaction of commercial business in the local market is punishable by a maximum of six years imprisonment.

The sentence shall be doubled if the crime is committed by a national, on behalf of foreign interests, and if this leads to a devaluation of the national currency, in the price of public bonds, if it leads to a rise in the price of public consumables, or the price of a widely used produce.

ARTICLE 359

(Violation of the freedom to work) – Any person who resorts to force, violence, intimidation, threats or illegal means to force others to refrain from work or to force an employer to hire or *not hire* a person, is punishable by, a minimum of one year's imprisonment and a fine of not less than 100 Dinars, or one of them. The same penalty shall apply if the purpose is to prevent a person from joining a trade union.

The provisions of this article shall also apply if force, violence, intimidation or illegal means are used against the person's spouse or children.

The following acts are specifically illegal;

1. To Prevent such a person from working by concealing his tools, clothing or any other item used by him or by any other means.
2. To follow a person to and from work.
3. To take a threatening position near that person's home or at any other place he inhabits or works at.

ARTICLE 360

(Delaying Agricultural or Industrial Production) – Any person who purposely seeks to obstruct the normal pace of work, to obstruct it and in so doing if such a person enters or occupies a privately owned agricultural or industrial undertaking, or who conducts himself for the same purpose by using the tools, equipment, machinery or means of transport dedicated for agricultural use or industrial production, is punishable by three to five years in prison.

The prison term shall be of no more than seven years if such action causes damage to the agricultural establishments or industrial undertakings or those set out in the previous paragraph.

Any person inciting to those acts or organising them shall have his sentence doubled.

ARTICLE 361

(Destruction of Raw Materials & primary Products) – Any person causing serious damage to national production or a flagrant shortage in basic commodities or those widely consumed by destroying raw materials or agricultural or industrial products is punishable by imprisonment and a fine of 1000 to 2000 Dinars.

The prison term shall be of six years minimum and the fine of 2000 to 5000 Dinars if the act is a particularly nefarious one.

ARTICLE 362

(Spreading Animal or Plant Diseases) – Any person who causes the spread of a dangerous animal or plant disease that is harmful to the national economy or to livestock is punishable by a prison term of not less than 5 years.

If the disease propagation is caused by error, the punishment shall be imprisonment or a fine of between 100 & 500 Dinars.

CHAPTER II – Crimes against Industry and Trade.

ARTICLE 393

(Harming the Freedom of Industry or Commerce)

Any person resorting to violence against objects or who fraudulently obstructs the activities of commerce or industry or harms them punishable by one year's imprisonment as a minimum and a fine of 1000 Dinars maximum, or one of them.

ARTICLE 364

(Commercial Fraud)-Any merchant, shopkeeper who provides a buyer with an object that is the property of another or that is of a forged origin, source, description or quantity contrary to that which is publicised or agreed to, is

punishable by imprisonment for a minimum of six months and a fine of not less than 100 dinars or one of these penalties.

If the object is of value, the sentence shall be at least one year's imprisonment and a fine of between 200 and 2000 Dinars.

ARTICLE 365

(Fraud Committed Against National Industries)

Any person offering for sale or who seeks to commercialise industrial products on national or foreign markets bearing names, marks or counterfeited distinctive markings, thus harming the national economy, is punishable by imprisonment for a maximum of five years, and a fine of one hundred dinars minimum and one thousand dinars maximum.

ARTICLE 366

(Sale of Misrepresented Goods) – Any person offering for sale, or who seeks by any other means to put into circulation the intellectual output or industrial product, national or foreign, bearing a name, mark or counterfeit distinctive marking which could mislead the buyer as to its origin, source or quality, is punishable by a minimum prison sentence of three months and a fine maximum of 500 Dinars or one of the penalties.

ARTICLE 367

(Publication of Sentence)

Sentences for crimes set out in articles 358, 364, 365 & 366 shall be made public.

ARTICLE TWO

The Justice Minister shall implement this Law and enforce it as of the date of publication in the Official Gazette.

RCC

Maj. Abdel Sallam Ahmed Jalloud

Prime Minister

Muhammed Aly Aljeddy

Justice Minister

3 Rabei El Awal, 1394

27/3/1974.