

**Federal Law by Decree No. (31) of 2021**  
**Promulgating the Crimes and Penalties Law**

**We, Khalifa Bin Zayed Al Nahyan,                      President of the United Arab Emirates,**

- Upon reviewing the Constitution,
- Federal Law No. (1) of 1972 concerning the Ministries Competences and the Ministers' Powers, and amendments thereto,
- Federal Law No. (9) of 1976 concerning Juvenile Delinquents and Homeless,
- Federal Law No. (3) of 1987 promulgating the Penal Code, and amendments thereto,
- Federal Law No. (35) of 1992 promulgating the Criminal Procedure Law, and amendments thereto,
- Federal Law No. (43) of 1992 Regulating Penal Institutions,
- Federal Law No. (9) of 2018 concerning Begging,
- Federal Law by Decree No. (1) of 2019 concerning Determining Blood Money (Diya) In Cases Of Manslaughter,
- The proposal of the Minister of Justice, and the approval of the Cabinet,

**Have promulgated the following Law:**

**Article One**

The Law attached hereto shall apply to all crimes and penalties.

**Article Two**

1. Federal Law No. (3) of 1987 Issuing the Penal Code and amendments thereto shall be repealed.
2. Federal Law No. (9) of 2018 concerning Begging shall be repealed.
3. Federal Law by Decree No. (1) of 2019 concerning Determining Blood Money (Diya) In Cases of Manslaughter shall be repealed.
4. Every provision conflicting or contradicting with the provisions of the Law attached hereto shall be repealed.

### **Article Three**

This Law by Decree shall be published in the Official Gazette, and shall enter into force on 02 January 2022 AD

**Khalifa Bin Zayed Al Nahyan**  
**President of the United Arab Emirates**

Issued by Us at the Presidential Palace in Abu Dhabi.

On: 13 Safar 1443 H

Corresponding to: 20 September 2021 AD

**Book One**  
**General Provisions**  
**Section One**  
**Introductory Provisions**  
**Article (1)**  
**Introductory Provisions**

The provisions of the Islamic Sharia shall apply to the crimes punishable by retribution (Qisas) and crimes punishable by blood money (Diya). The other crimes and their prescribed penalties shall be defined in accordance with the provisions of this Law and the other penal codes in force.

**Article (2)**

No person may be convicted for a crime committed by another. And the accused is innocent until proven guilty in accordance with the law.

**Article (3)**

The provisions of Book One of this Law shall apply to the crimes provided for in the other penal laws, unless there is a stipulation therein to the contrary.

**Article (4)**

Unless the context of this Law otherwise requires, the term "Government" shall include the Federal Government and the governments of the Emirates members of the Federation.

**Article (5)**

A public servant as per the provisions of this Law, shall mean any person occupying a federal or local job, whether legislative, executive, administrative or judicial, and whether he is appointed or elected; including:

1. Persons entrusted with the public authority and employees working in ministries and governmental departments.

2. Members of the Armed Forces.
3. Security authorities' employees.
4. Members of judicial authorities and chairmen and members of legislative, consultative and municipal councils.
5. Whoever is delegated by any of the public authorities to perform a specific assignment within the limits of the assigned entrusted thereto.
6. Chairmen and members of boards of directors, managers and all other employees working in public entities and corporations, and companies partially or wholly owned by the federal government or the local governments.
7. Chairmen and members of boards of directors, managers and all other employees working in associations and public benefit institutions.
8. Employees in entities whose funds are public funds in this Law or in any other law.

Whoever is not included in the categories stated in the preceding Clauses and performs work connected to public service in accordance with a contract with an entity whose funds are public funds, or an assignment issued thereto by a public servant having the power to give such an assignment by virtue of prescribed laws or systems, concerning the work contracted on or assigned thereto, shall be considered to be entrusted with a public service under the provisions of this Law.

The job, work or service may be permanent or temporary, with or without pay, voluntarily or compulsory.

The termination of the job, work or service shall not prevent the application of the provisions of this Law whenever the crime has been committed during the existence of the capacity.

## **Article (6)**

1. A foreigner public servant in accordance with this Law shall be: any person who occupies a legislative, executive, administrative or judicial position in another country, whether permanent or temporary, and whether he is appointed or elected, with or without pay, and any person entrusted with a public service.
2. An employee of an international organization in accordance with this Law shall be: any

person who occupies a position in an international organization or is authorized by such organization to act on its behalf.

### **Article (7)**

Public funds in accordance with this Law shall be:

1. Funds owned, in part or in whole, by a federal or local authority, a federal or local public entity and corporation, a company partially or wholly owned by the federal government or the local government, or an association or public benefit institution.
2. Any funds that are subject to the management or supervision of one of the entities provided for in Paragraph (1) of this Article or if such an entity has the right to utilize them and benefit therefrom.
3. Funds owned by any other entity that this Law stipulates that its funds are considered public funds.

### **Article (8)**

No punitive measure shall be imposed except in the cases and under the conditions stipulated by the Law. Provisions relative to penalties shall, unless otherwise provided, apply to punitive measures.

### **Article (9)**

The provisions of this Law that apply to the crimes against the President of the State shall apply to crimes committed against the Vice President of the State and the members of the Federal Supreme Council and their Crown Princes and Deputies.

### **Article (10)**

Under this Law, the following shall be considered means of publicity:

1. Any speech or shout uttered publicly or conveyed through any means in a public gathering or place or a in place open for the public.
2. Any acts, gestures, or movements performed in a public gathering or place or a in place open for the public, or conveyed to the persons who are in such places through any

other means, or witnessed by those who are not party thereto.

3. Writings, drawings, and pictures or symbols, or audio, visual or reading materials, or films or other means of expression means, if displayed in a public gathering or place or a in place open for the public, or distributed or circulated without discrimination by any means, or sold or offered for sale to people in any place.

### **Article (11)**

Periods and dates provided for in this Law shall be computed in accordance with the Gregorian calendar, unless the Law stipulates otherwise.

### **Article (12)**

The provisions of this Law shall in no case prejudice any rights of refund or indemnity, or expenses or any other rights which may be pertaining to the adversaries or other parties.

## **Section Two**

### **Scope of Application of the Law**

#### **Chapter One**

### **Temporal Application of the Law**

### **Article (13)**

A crime shall be punished according to the law in force at the time at which it is committed. In order to determine the law in force, the time at which the criminal acts are performed shall be taken into consideration, regardless of the time at which the results thereof are realized.

### **Article (14)**

If, after the crime is committed and before a final judgment is issued thereon, a law that is more favourable to the accused is promulgated, such law shall alone be applicable.

And if, after the judgment has become final, a law is promulgated deeming the act or omission, for which the accused has been convicted, as not punishable, the judgment shall

be stayed and its penal effects shall cease, unless the new law stipulates otherwise.  
But if the new law only extenuates the penalty, the court which has issued the final judgment shall, upon the request of the Public Prosecution or the convict, amend the penalty imposed according to the provisions of the new law.

### **Article (15)**

Notwithstanding the preceding Article, if a law is promulgated, deeming an act or an omission as a crime, or increasing the penalty that has previously prescribed therefor, and if said law is temporary and limited to a specific period of time, or if some exceptional and unexpected circumstances have caused such law to be promulgated, in such a case, the expiry of the period set for its application or the forfeiture of the exceptional and unexpected circumstances shall neither prevent from filing criminal cases for any crime committed within said expired period, nor preclude the execution of the penalty which may have been imposed in accordance with said law.

### **Article (16)**

The new Law shall apply to all continuous or successive crimes committed before its entry into force and to habitual crimes which have been committed repeatedly after the new Law has entered into force.

And if the new Law amends the provisions relating to recidivism or plurality of crimes or penalties, it shall apply to any crime which causes the accused to be subject to the provisions of plurality or which considers him a recidivist; even if the other crimes were committed before the said new law has entered into force.

## **Chapter Two**

### **Spatial Application of the Law and Its Application to Persons**

### **Article (17)**

The provisions of this Law shall apply to any one who commits a crime on the territory of the State. The State's territory includes its lands and any place under its sovereignty,

including the territorial waters and the airspace above them.

A crime shall be deemed as committed on the State's territory if one of the acts constituting it has been committed thereon or if its results have been, or have been intended to be, produced thereon.

### **Article (18)**

The provisions of this Law shall apply to such crimes committed onboard warships and military aircraft flying the flag of the State, wherever they are.

This provision shall also apply to non-military ships and aircraft owned by the State or managed for non-commercial purposes, as well as commercial ships and aircraft flying the flag of the State.

### **Article (19)**

Without prejudice to the agreements and conventions to which the State is a party, the provisions of this Law shall not apply to crimes committed onboard foreign ships in a port of the State or in its territorial waters, except in any of the following events:

1. If the effects of the crime extend to the State.
2. If the crime by its nature prejudices the security of the State or disturbs peace in the State or contravenes public morals or good order in its seaports or territorial sea.
3. If the captain of the ship or the consul of the State flying its flag requests assistance from the local authorities.
4. If the perpetrator or the victim is a citizen of the State.
5. If the ship carries materials or things prohibited to be circulated, acquired or traded internationally.

In respect of the crimes committed onboard foreign aircraft in the air territory of the State, the provisions of this Law shall not apply unless the aircraft lands in any of its airports after committing the crime or if the crime by its nature disturbs peace in the State or prejudices its public order or if the crime constitutes violation of the regulations and provisions organizing navigation in the State or the pilot requests assistance from the local authorities or if the perpetrator or the victim is a citizen of the State.



## **Article (20)**

This Law shall apply to any person who performs, outside the State, an act which causes him to be considered a perpetrator or an accomplice of a crime which is wholly or partially committed in the State.

## **Article (21)**

This Law shall apply to any individual who performs, outside the State, an act which causes him to be considered a perpetrator or an accomplice of one of the following crimes:

1. Crimes against the external or internal security of the State, its constitutional regime or its bonds issued under legal license, or in connection with its stamps, or crimes of falsification or counterfeiting of its official documents or seals.
2. Crimes of falsification, counterfeiting or forgery of the State's money, or circulation or possession thereof with the intention of circulating them, whether such acts are committed inside or outside the State.
3. Crimes of falsification, counterfeiting or forgery of coined or paper money which is legally circulated in the State, or crimes of circulating such coined or paper money in the State or the possession thereof with the intention circulating them.
4. Crimes of premeditated murder against a citizen of the State.

## **Article (22)**

This Law shall apply to any person who is present in the State upon committing abroad, as a perpetrator or an accomplice, a crime of sabotage or impairment of international means of communications, crimes of trading in drugs, women, children or slaves or the crimes of international piracy and terrorism or money laundering.

## **Article (23)**

Any citizen who performs outside the State, an act that is considered a crime according to the provisions of this Law, as a perpetrator or an accomplice, shall be punished in accordance with its provisions if he returns to the State and such act is punishable under the law of the country where it is committed.

This provision shall apply to any individual who acquires the nationality of the State after having performed said act. For the purpose of applying this Article, any person without nationality shall be treated as a citizen if he has a permanent residence in the State.

### **Article (24)**

Only the Public Prosecutor may file a criminal action against a person who has committed a crime abroad. Said action may not be filed against the person who is proven to have been finally acquitted by foreign Courts, or have been convicted and have served fulfilled the penalty, or if the criminal action or the penalty imposed has been legally forfeited, or if the competent authorities of such country has docketed the investigations.

The law of the country where the judgment has been issued shall be the competent law to decide whether such judgment has become final or not, whether the action or the penalty has been forfeited or not and whether the investigation has been docketed or not. If the penalty imposed has not been completely served, its period must be completed. However, if the judgment of acquittal concerns a crime provided for in Articles (21) and (22), due to the fact that such crime is not punishable under the law of that country, a criminal action may in this case be filed against him before the State's Courts.

The competent federal court located in the Federal Capital shall have jurisdiction to consider the criminal action.

### **Article (25)**

When executing the penalty against the convict, the period which he has served in custody, in preventive detention, electronic probation, or in execution of the penalty abroad for the crime for which he has been convicted shall be taken into account.

### **Article (26)**

The provisions of this Law shall not apply in the territory of the United Arab Emirates to persons enjoying immunity in accordance with the international agreements or international or domestic laws.

**Section Three**  
**Crimes**  
**Chapter One**  
**Types of Crimes**  
**Article (27)**

1. Crimes are of three types:
  - a. Felonies.
  - b. Misdemeanour.
  - c. Infractions.
2. The type of a crime shall be determined by the type of penalty prescribed therefor in the Law. If the crime is punishable by a fine or Diya in addition to any other penalty, its type shall be determined according to the other penalty.

**Article (28)**

The type of crime shall not change if the court has replaced the penalty prescribed therefor with another penalty that is milder, whether due to legal excuses or due to discretionary extenuating circumstances, unless the law stipulates otherwise.

**Article (29)**

A felony is a crime punishable by any of the following penalties:

1. Any of the Qisas penalties.
2. Death penalty.
3. Life imprisonment.
4. Temporary imprisonment.

**Article (30)**

A misdemeanour is a crime that is punishable by one or more of the following penalties:

1. Imprisonment.
2. A fine of more than (10,000) ten thousand AED.

### 3. Diya.

The amount of Diya for manslaughter of a male or female shall be determined at (200,000) two hundred thousand AED.

By a decision of the Cabinet, upon a proposal by the Minister of Justice, the amount of Diya stipulated in the previous paragraph may be modified by an increase or decrease.

## **Article (31)**

An infraction is any act or omission punishable under the laws or regulations, by one or both of the two following penalties:

1. Custody for not less than twenty-four hours and not more than (10) ten days. Such custody shall be performed by confining the convict in one of the places designated for that purpose.
2. A fine not exceeding (10,000) ten thousand AED.

## **Chapter Two**

### **Basic Elements of the Crime**

#### **Part One**

#### **Material Element**

#### **1. Consummated Crime**

### **Article (32)**

The material element of a crime consists of a criminal activity involving a commission or omission of an act whenever such commission or omission is criminal according to the law.

### **Article (33)**

No person shall be held responsible for a crime that is not the result of his criminal activity, but he shall be held responsible for the crime even if his criminal activity contributed in its occurrence with another preceding, contemporary, or subsequent, whenever such cause is expected or probable according to the normal course of events.

However, if said cause is sufficient in itself to produce the effects of the crime, said person

shall in this case be held responsible only for his own act.

### **Article (34)**

Instantaneous crimes are those punishable acts which, by nature, occur and end once they are committed.

The series of consecutive acts shall be considered an instantaneous crime when they are committed in execution of a single criminal scheme aiming at one right without being separated by a period of time severing their connection.

However, where the act is a continuous process, requiring the renewed intervention of the perpetrator for a period of time, it is, in this case, a continuous crime. The continuity of the crime's effects after committing it shall not be taken into consideration in order to decide that the crime is continuous, if such effects continue without the intervention of the perpetrator.

## **2. Attempt**

### **Article (35)**

An attempt means an effort or endeavour to commit a crime, which has been prevented or has not produced the effect intended due to reasons beyond the perpetrator's will.

Committing an act which is deemed, by itself, as a constituent part of the material element of the crime, or which entails immediately and directly such element, shall be considered an attempt.

But neither mere intention of committing a crime nor the preparatory acts thereto shall be considered as an attempt, unless the law stipulates otherwise.

### **Article (36)**

An attempt to commit a felony shall be punishable by the following penalties, unless the law stipulates otherwise:

1. Life imprisonment, if the penalty prescribed for the crime is death.
2. Temporary imprisonment, if the penalty prescribed for the crime is life imprisonment.
3. Imprisonment for a period not exceeding half of the maximum period prescribed for the

crime, or detention if the penalty for the crime is temporary imprisonment.

### **Article (37)**

The law shall determine which the misdemeanours in which attempt is punishable, as well as the penalty for such attempt.

### **Article (38)**

The provisions regarding ancillary penalties and criminal measures to be prescribed for consummated crimes shall apply to the attempt.

## **Part Two**

### **Moral Element**

### **Article (39)**

The moral element of the crime consists of the intention or the error.

The intention exists when the will of the perpetrator is to commit or omit an act whenever such commission or omission is deemed a crime by law, with the aim to produce a direct result or any other result deemed a crime by law and which the perpetrator had expected to occur.

There is error when the criminal result is achieved because of the perpetrator's mistake, whether such said mistake is negligence, lack of vigilance, lack of precaution, recklessness, imprudence or noncompliance with the laws, regulations, rules or orders.

### **Article (40)**

Where an act is committed because of a mistake of facts, the liability of the perpetrator shall be restricted to the facts which he believed they existed, if such facts are to negate or reduce his liability, provided that his belief was based on reasonable causes and on a real effort of search and investigation.

But if the mistake which caused the perpetrator to believe he is not liable is due to his negligence or lack of precaution, he shall be held responsible for a non-premeditated crime,

if the law punishes the act as being such.

### **Article (41)**

The motive of committing the crime shall not be taken into consideration, unless the law stipulates otherwise.

### **Article (42)**

Where the perpetrator ignores the existence of an aggravating circumstance altering the characterization of the crime, he shall not be held responsible, but he shall benefit from the excuse even if he has ignored its existence.

### **Article (43)**

Ignorance of the provisions of this Law is not an excuse.

### **Article (44)**

The perpetrator of a crime shall be liable for it whether he has committed it deliberately or by mistake, except in the cases where the law expressly stipulates premeditation.

## **Chapter Three**

### **Criminal Complicity**

#### **Article (45)**

Any individual who has committed a crime alone or who has acted as direct accomplice therein shall be considered a perpetrator thereof. The accomplice shall be deemed a direct one in the following cases:

1. If he commits the crime in association with others.
2. If he participates in committing the crime, which consists of a series of acts, and he deliberately commits one of the acts of which the crime is constituted.
3. If he makes use of another person, in any way whatever, for the perpetration of the act constituting the crime, and if the latter is not criminally liable for any reason whatever.

### **Article (46)**

A person is considered an accomplice by causation of the crime if he:

1. Instigates the commission of the crime, and it has been committed as a result of such instigation.
2. Agrees with another person to commit the crime, and it has been committed as a result of such agreement.
3. Gives the perpetrator a weapon, tools or any other thing which the latter has knowingly used in committing the crime; or he who has deliberately aided the perpetrator in any other way in the preparation, facilitation or completion of the crime.

The accomplice shall in these cases be liable, whether he is in direct contact with the perpetrator or through an intermediary.

### **Article (47)**

Any accomplice by causation who has been found at the scene of the crime with the intention of committing it shall be considered as a direct accomplice if another person does not commit it.

### **Article (48)**

Any person who participates in a crime, as a direct accomplice or as an accomplice by causation, shall be punished by its penalty, unless the law stipulates otherwise.

### **Article (49)**

Where one of the accomplices is not subject to the penalty due to any of the causes of justification or due to his lack of criminal intent or due to any other circumstances particularly attached to his person, the other accomplices shall not benefit therefrom.

### **Article (50)**

In the presence of material circumstances which are adherent to the crime or constituent of one of its acts, that would aggravate or extenuates the penalty, the effects thereof shall apply



to each person who has participated, directly or by causation, in committing the crime, whether he has known or not known of the existence of said circumstances.

In the presence of personal aggravating circumstances which have facilitated the commission of the crime, they shall only apply to the other participants if they have had knowledge thereof. As to other circumstances, they shall only affect the person to whom they are attached, whether they are aggravating or extenuating circumstances.

### **Article (51)**

In the presence of personal excuses exempting from or extenuating the penalty in respect of one of the accomplices in the crime, whether direct or by causation, they shall only affect the person to whom they are attached.

However, the material excuses exempting from or extenuating the penalty shall be fully effective towards each person who has participated in the commission of the crime directly or by causation.

### **Article (52)**

The accomplice in the crime, directly or by causation, shall be punished by the penalty prescribed for the crime which has actually been committed, even if such crime is different from the one he has intended to commit, whenever the crime committed is a probable result of the complicity which has taken place.

### **Article (53)**

If the characterization of the crime or the penalty changes to the perpetrator's intention or his knowledge of its circumstances, the accomplices, directly or by causation, shall be punished, each according to his intention or knowledge.

## **Chapter Four**

### **Causes of Justification and Exceeding its Limits**

#### **Part One**

#### **Causes of Justification**

##### **1. Use of Right**

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

There shall be no crime, if the act takes place in good faith, in the use of a right established by virtue of Islamic Sharia or the law, or within the limits of such a right.

The following are considered cases for the use of a right:

1. Medical surgery and medical treatment in accordance with traditional medicinal standards recognized in licensed medical professions, whenever they are done with the express or implied consent of the patient or his legal representative, or whenever medical intervention is essential in emergency cases requiring the same.
2. Acts of violence which occur during sports within the limits prescribed for such sports, subject, however, to the rules of due care and caution.
3. Acts of violence committed against a person caught red-handed in a crime with the intention of arresting him, subject, however, to the extent necessary for such a purpose.
4. Acts of defamation by litigating parties, during oral or written pleadings and defence before investigation and judicial authorities, within the limits required for such defence, provided that such a party is bona fide, believing in the truth of the matters attributed to his adversary, and provided that his belief is based on reasonable grounds.

##### **2. Providing Assistance or Relief**

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

There shall be no crime in any act performed in good faith but causing damage to another person upon providing assistance or relief thereto in cases which require urgent interference in order to save his life, avoid any damage to his body or limit such damage.

### **3. Performance of Duty**

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

There shall be no crime if the act is committed in the performance of a duty imposed by the law, if the person who commits such act is legally authorized thereto.

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

There is no crime if the act is committed by a public servant or by a person who is entrusted with a public service in one of the two following cases:

1. If he commits the act in execution of an order given thereto by his superior who is legally authorized to give him such an order, and which he is bound to obey.
2. If he commits, in good faith, an act in execution of what is imposed by the law.

### **4. Right of Legitimate Defence**

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

There is no crime if the act is committed in the use of the right of legitimate defence.

Such legitimate right exists when the following conditions are fulfilled:

1. If the defender faces an immediate danger of a forcible crime to be committed against his person or property or against another person or such other person's property; or if the defender believes in the existence of such danger, provided that his belief is based on reasonable grounds.
2. If the defender cannot resort to the public authorities to repel the danger in due course.
3. If the defender has no other means to repel such danger.
4. If the defence is necessary in order to repel the attack and is proportionate thereto.

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

The right of legitimate defence does not justify premeditated murder, unless it is committed for the purpose of repelling one of the following cases:

1. An act which is feared to cause death or serious injuries, provided that such fear is based on reasonable grounds.

2. Forced sexual intercourse with a female or disgracing any other person.
3. Kidnapping a human being.
4. Felonies of arson, destruction or theft.
5. Entering at night an inhabited house or any of its annexes.

### **Article (60)**

The right of legitimate defence does not justify the resistance to any of the members of the public authority, if this latter is performing an act in execution of the duties of his job and within its limits, unless it is feared that such act may cause death or serious injuries and unless such fear is based on reasonable grounds.

## **Part Two**

### **Exceeding the Limits of Justification**

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

Exceeding the limits of justification in good faith is considered an extenuating excuse, and the judge may pardon the doer if he deems it appropriate.

## **Section Four**

### **Criminal Liability and its Impediments**

#### **Chapter One**

#### **Liability of Natural Persons**

##### **Part One**

#### **Want of Perception or Will**

#### **Article (62)**

Anyone who, at the time of committing the crime, loses perception or will for causes of insanity, mental deficiency or unconsciousness due to drugs or narcotic or intoxicating substances of any kind, which have been given to him by force or which he has taken without being aware thereof, or for any other cause which, according to the science, causes

the want of perception or will, shall not be criminally liable.

However, if the insanity, mental deficiency, drugs, narcotic or intoxicating substances, or any other substances only cause a diminution or weakness of perception or will at the time of committing the crime, this shall merely be considered as an extenuating excuse.

### **Article (63)**

If the want of perception or will is due to drugs, or narcotic or intoxicating substances taken voluntarily and knowingly by the perpetrator, he shall be punished for the crime committed, as if it were committed free of narcotization, or intoxication, even if such crime requires a particular criminal intention.

If the perpetrator has intentionally taken the drugs or intoxicating or narcotic substances for the purpose of committing the crime, this shall be deemed as an aggravating circumstance with regard to the penalty.

## **Part Two**

### **Want of Discernment and Minority**

#### **Article (64)**

No criminal action may be filed against any person who has not completed eleven years of age at the time of committing the crime. Want of discernment and minority shall be subject to the provisions stipulated in the legislation concerning delinquent juveniles, or who are prone to be delinquent.

## **Part Three**

### **Necessity and Constraint**

#### **Article (65)**

No criminal liability shall be held against anyone who is forced to commit a crime in order to protect his person or property or the person or property of others from a serious and imminent danger, of which occurrence is beyond his own will.

No criminal liability shall also be held against anyone who has been physically or morally

constrained to commit a crime.

In the two cases stipulated in the two preceding paragraphs, the perpetrator must not have the ability to prevent the danger by any other means, and the crime must be proportionate to the danger and to the extent necessary to repel it.

## **Chapter Two**

### **Liability of Legal Persons**

#### **Article (66)**

Legal persons, with the exception of the government agencies and their official departments and public entities and corporations, shall be criminally liable for crimes committed by their representatives, directors or agents acting in favour of or on behalf of them.

No penalty shall be imposed on them other than a fine, confiscation and the criminal measures stipulated by law; however, if the law prescribes for the crime a principal penalty other than a fine, the penalty shall be limited to the fine, not exceeding five million (5,000,000) AED, unless the law stipulates otherwise. This, however, shall not prevent punishing the perpetrator personally with the penalties prescribed for the crime by law.

## **Section Five**

### **Penalties**

#### **Chapter One**

#### **Principal Penalties**

#### **Article (67)**

- a. Principal penalties are as follows:
1. Qisas and Diya penalties.
  2. Death penalty.
  3. Life imprisonment.
  4. Temporary imprisonment.
  5. Incarceration.
  6. Detention.

7. Fine.

- b. If the conditions set forth in the Sharia for the application of the Qisas and Diya penalties, courts shall order the penalties stipulated in this Law or in the other penal codes, as the case may be.

### **Article (68)**

The death penalty issued by a Federal Court shall only be executed after being ratified by the President of the State.

### **Article (69)**

Imprisonment is to detain the convict in one of the penal establishments or institutions legally designated for this purpose, for life in case of life imprisonment, or for the period specified by the judgment in case of temporary imprisonment.

The period of temporary imprisonment may not be less than (3) three years or more than fifteen (15) years, unless the law stipulates otherwise.

### **Article (70)**

Incarceration is to detain the convict in one of the penal establishments or institutions legally designated for this purpose, for the period specified by the judgment.

The period of incarceration may not be less than one month or more than (3) three years, unless the law stipulates otherwise.

### **Article (71)**

Whoever is sentenced to a penalty restricting his liberty, shall be bound to perform the labour assigned thereto in the penal establishments or institutions with due regard to his own circumstances and to the purpose of correcting and rehabilitating him, and in consideration of a convenient remuneration. Periodical reports shall be prepared in order to observe his conduct and behaviour, all in accordance with the law governing penal establishments or institutions.

### **Article (72)**

The fine penalty: It is to obligate the convict to pay the treasury the adjudged amount. The fine may not be less than one thousand (1,000) AED and not be more than ten (10,000,000) million AED in felonies, and five (5,000,000) million AED in misdemeanours, unless the law stipulates otherwise.

### **Article (73)**

If several persons accused of one crime are sentenced by one single judgment to a fine, whether as principal perpetrators or accomplices, the court shall impose the fine upon each of them severally, save the cases of proportional fines, where all of the accused shall be jointly liable to the payment of the fine, unless the law stipulates otherwise.

## **Chapter Two**

### **Ancillary Penalties**

#### **Part One**

### **Accessory Penalties**

### **Article (74)**

Accessory Penalties are as follows:

1. Deprivation of some rights and privileges.
2. Police Probation.
3. Dismissal from public service.

Such penalties shall be imposed on the convict by force of the law without the need to mention them in the judgment, and in accordance with what is provided for in this Part.

### **Article (75)**

Any death sentence shall entail by force of the law, since the day on which it is issued and until its execution, the deprivation of the convict of all the rights and privileges stated in the following Article, and the nullification of all disposition and administration acts performed by him, with the exception of testaments.



The competent court shall appoint a curator who shall administer the funds of the convict, and follow in his appointment and determining his powers the provisions in force with respect to curatorship of interdicted persons. The Public Prosecution shall notify the competent entities of the procedures for appointing the curator and the limits of his powers.

### **Article (76)**

Sentence to life or temporary imprisonment shall entail by force of the law, since the day on which it is issued, the deprivation of the convict of all the following rights and privileges:

1. The right to be an elector or a member in the legislative or consultative councils.
2. The right to be a member of the municipal councils, boards of directors of public entities or organizations and establishments, or associations or institutions of public benefit, or to be a member or manager of a joint stock company.
3. The right to be a guardian, curator or proxy.
4. The right to wear national or foreign badges of honour.
5. The right to carry arms.

The period of deprivation may not exceed (3) three years as of the date on which the execution of the punishment is completed or forfeited.

### **Article (77)**

Whoever is sentenced to life or temporary imprisonment may not, during the period of imprisonment, dispose of his funds except after approval of the competent court in which jurisdiction the place of his residence is located. Any disposition made by the convict in violation of the provisions of this Article shall be null and void.

### **Article (78)**

The convict shall, during the period of his imprisonment, select a curator to administer his funds, after approval of the competent court in which jurisdiction the place of his residence is located. If within one month as of the day on which the execution of the penalty begins, no selection is affected, said court shall appoint a curator upon the request of the Public Prosecution or any concerned party. The Public Prosecution shall notify the competent

entities of the procedures for appointing the curator and the limits of his powers.

The court may obligate the curator whom it appoints to offer a guaranty, and he shall in all cases report to the court with respect to all matters regarding his curatorship. Upon expiry of the penalty period or upon release of the convict, his funds shall be reinstituted thereto and the curator shall submit to him a final statement of account regarding his administration.

### **Article (79)**

If the person who is sentenced to life or temporary imprisonment is a public servant or a person who is entrusted with a public service, he shall be dismissed from such office as a result.

### **Article (80)**

Whoever is sentenced to temporary or life imprisonment for a crime affecting the external or internal security of the State, for crimes against the security of the State, for a crime of counterfeit, falsification or forgery of money or forgery of stamps, governmental securities or official instruments, or for a crime of bribery, embezzlement, or misappropriation or damage to public funds, theft or premeditated murder or arson, shall, by the force of law, be placed under police probation after serving the sentence according to the rules set down by the Minister of Interior, for a period equivalent to the term of the penalty, provided that it shall not exceed (5) five years.

Nevertheless, the court may reduce the period of probation, exempt the convict therefrom, or reduce its restrictions.

A convict who violates the conditions of probation shall be punished by imprisonment for a period not exceeding one year and/or a fine not exceeding fifty (50,000) thousand AED.

## **Part Two**

### **Complementary Penalties**

### **Article (81)**

The court may, upon issuing an imprisonment judgment for a felony, decide that the convict

be deprived of one right or privilege or more, among those stipulated in Article (76) of this Law, for a period not less than one year and not exceeding (3) three years, and starting as of the day on which the execution of the penalty is completed or forfeited for any other reason.

### **Article (82)**

When sentencing a public servant to imprisonment with respect to any crime in which the perpetrator must be a public servant, the court may as well decide that he be dismissed from service for a period not less than one year and not exceeding (3) three years as of the date on which the execution of the penalty is completed or forfeited.

### **Article (83)**

1. Confiscation is to adjudicate to transfer the ownership of private funds to the State without consideration or compensation.
2. In cases other than where the law requires a judgment of confiscation, the court may, upon issuing a judgment of conviction, adjudicate to confiscate seized objects and funds that have been used or would have been used in the crime, or that have been the subject of the crime or gained therefrom, without prejudice to the rights of bona fide third parties.
3. If the aforesaid objects are among those of which manufacture, use, possession, sale or offer for sale is deemed a crime per se, the court shall adjudicate to confiscate the same in all cases, even if such objects are not owned by the accused. If any of these objects or funds, cannot be seized, or if the court is unable to adjudicate the seizure of the same for being related to bona fide third parties' rights, it shall impose a fine equivalent to their value at the time at which the crime has been committed.
4. The fact that the perpetrator is unknown, his criminal liability is negated, or the penal action is forfeited in a crime does not preclude the court from adjudicating, sua sponte or at the request of the Public Prosecution, as the case may be, to confiscate the seized objects if it is proven that they are related to the crime.
5. The court may, where necessary, seek the assistance of an expert to assess the value of the objects or funds stipulated in Clause (2) of this Article.

## **Chapter Three**

### **Stay of Execution of Penalty**

#### **Article (84)**

The court may, when issuing a judgment on a crime of non-proportional fine or incarceration for a period not exceeding one year, order the stay of execution if it deems in the ethics, past history or age of the convict, or the circumstances in which the crime has been committed, what leads to the belief that he will not commit a new crime.

The Court may make the stay of execution inclusive of any subsidiary penalty except confiscation.

In the misdemeanours stipulated in Articles (379), (380), (382), (390), (425), (426), (427), (447), (453) and (454) of this Law, and in theft, fraud, breach of trust, and concealment of objects obtained therefrom, if the victim is a spouse, ascendant or descendant of the perpetrator, the Public Prosecution shall stay the execution of the freedom-restricting penalty imposed whenever the victim waives or reconciles with the convict.

#### **Article (85)**

Stay of execution of penalty shall be for a period of (3) three years as of the day on which the judgment has become final.

#### **Article (86)**

Stay of the execution may be cancelled in any of the following cases:

1. If the convict has committed, during the period stipulated in the preceding Article, a premeditated crime in which he is sentenced to a freedom-restricting penalty for more than two months, whether conviction is issued during that period or after expiry and provided that criminal action has been filed.
2. If it becomes evident during the period stipulated in the preceding Article that the convict has been rendered, before the order of stay of execution, a judgment stipulated in the preceding paragraph and the court was unaware thereof when it ordered the stay of execution.

The cancellation judgment shall be issued by the court that ordered the stay of execution upon the request of the Public Prosecution after ordering the convict to attend.

If the penalty based on which the cancellation judgment is issued has been adjudged after the order of stay of execution, the cancellation judgment may also be issued by the court that adjudged such penalty, sua sponte or at the request of the Public Prosecution, all without prejudice to stages of litigation.

Issuing cancellation judgment shall entail the execution of the penalty of which execution had been stayed.

### **Article (87)**

If the period stated in Article (86) above expires without the occurrence of any cause of cancellation of the stay of execution, the judgment shall be considered as if it never existed.

## **Chapter Four**

### **Plurality of Crimes and Penalties**

#### **Article (88)**

If a single act constitutes several crimes, the crime of which penalty is the severest shall be taken into consideration and such penalty shall be adjudged exclusively.

#### **Article (89)**

If several crimes, which are inseparably connected with each other, are committed for the same purpose, they shall all be considered a single crime, and the penalty prescribed for the severest crime shall be imposed.

#### **Article (90)**

Imposing the penalty prescribed for the severest crime as stipulated in the two preceding Articles shall not prevent the imposing of the ancillary penalties prescribed by in respect with the other crimes.

### **Article (91)**

If the perpetrator in the case stipulated in Article (89) of this Law, has been convicted for the crime with the mildest penalty, he shall be prosecuted thereafter for the crime with the severest penalty. In such a case, the court shall order the execution of the penalty imposed by the last judgment after deducting therefrom what has been effectively executed according to the previous judgment.

### **Article (92)**

If a person commits several crimes before he has been sentenced for any of them, and if the conditions stipulated in Articles (88) and (89) are not applicable to these crimes, the penalty prescribed for each of them shall be imposed on him, and all penalties imposed shall be successively executed against him, provided that the total periods of imprisonment only or the total periods of imprisonment and incarceration combined shall not exceed twenty (20) years, and provided that the periods of incarceration shall not exceed (10) ten years in all cases.

If the penalties are of different types, the penalty of imprisonment shall be executed, followed by the penalty of incarceration.

### **Article (93)**

The death penalty shall override all other penalties, except for the penalties of proportional fine and confiscation. The penalty of imprisonment shall, to the extent of its period, override the penalty of incarceration imposed for a crime committed before said penalty of imprisonment is imposed.

### **Article (94)**

The following penalties and measures shall apply, regardless of their number:

1. Penalty of fine.
2. Ancillary penalties, provided the total periods of police probation do not exceed (5) five years.
3. Criminal Measures.

**Section Six**  
**Legal Excuses and Discretionary Extenuating and Aggravating**  
**Circumstances**  
**Chapter One**  
**Legal Excuses And Discretionary Extenuating Circumstances**  
**Article (95)**

Excuses may either exempt from the penalty or extenuate it.

No crime is excusable except in those cases specified in the Law.

**Article (96)**

An exempting excuse shall prevent the imposing of all penalties or measures except confiscation.

**Article (97)**

Extenuating excuses include the young age of the perpetrator, committing of the crime for non-malicious motives or due to the fact that the victim has unjustly and dangerously provoked him.

**Article (98)**

If there is an extenuating excuse for a crime punishable by death, it shall be reduced to life or temporary imprisonment or to incarceration for not less than one year; and if it is punishable by life imprisonment, it shall be reduced to temporary imprisonment or incarceration for not less than (6) six months; and if it is punishable by temporary imprisonment, it shall be reduced to incarceration for not less than (3) three months, unless the law stipulates otherwise.

**Article (99)**

If the court finds in a felony that the circumstances of the crime or the perpetrator call for clemency, it may extenuate the penalty prescribed for the felony as follows:

1. If the penalty prescribed for the felony is death, it may be reduced to life or temporary imprisonment.
2. If the penalty prescribed for the felony is life imprisonment, it may be reduced to temporary imprisonment or incarceration for a period not less than (6) six months.
3. If the penalty prescribed for the felony is temporary imprisonment, it may be reduced to incarceration for a period not less than (3) three months.

### **Article (100)**

If in the case of misdemeanour, there is an extenuating excuse, the extenuation shall be as follows:

1. If there is a specific minimum for the penalty, the court shall not abide thereby in assessing the penalty.
2. If the penalty is incarceration and a fine, the court shall impose only one of the two penalties.
3. If the penalty is incarceration without any specific minimum period, the court may impose a fine instead.

### **Article (101)**

If the court finds in a misdemeanour that the circumstances of the crime or the perpetrator call for clemency, it may reduce the penalty prescribed as stated the preceding Article.

### **Article (102)**

If, in the case of a misdemeanour, there is an extenuating circumstance and an extenuating excuse at the same time, the court may grant the accused judicial pardon.



## **Chapter Two**

### **Aggravating Circumstances**

#### **Article (103)**

Taking into account the cases in which the law stipulates specific reasons for aggravation, the following shall be deemed as aggravating circumstances:

1. Committing the crime for a vile motive.
2. Committing the crime using the weak state of mind of the victim or his incapacity to resist, or being under circumstances which would not allow others to defend him.
3. Committing the crime using savage means or by mutilation of the victim.
4. Committing the crime by a public servant through exploiting the authority of his position or capacity, unless the law stipulates a specific penalty with respect of such capacity.

#### **Article (104)**

If there is an aggravating circumstance in the crime, the court may impose the penalty as follows:

1. If the penalty originally prescribed for the crime is a fine, its maximum limit may be doubled, or incarceration shall be adjudged.
2. If the penalty originally prescribed for the crime is incarceration, its maximum limit may be doubled.
3. If the penalty originally prescribed for the crime is temporary imprisonment of which maximum limit is less than (15) fifteen years, the penalty may reach such limit.
4. If the penalty originally prescribed for the crime is temporary imprisonment that reached its maximum limit, it may be replaced by life imprisonment.

#### **Article (105)**

If a crime, not punishable by a fine, is committed with the motive of making profit, the perpetrator may be punished, in addition to the penalty originally prescribed for the crime, by imposing a fine not exceeding the amount of profit realized, unless the law stipulates otherwise.

### **Article (106)**

If there are both aggravating circumstances and extenuating excuses or circumstances in one crime, the court shall apply first the aggravating circumstances, then the extenuating excuses and finally the extenuating circumstances.

However, if the aggravating circumstances and the excuses produce different effects, the court may let the stronger of both prevail.

## **Chapter Three**

### **Recidivism**

### **Article (107)**

Any of the following shall be deemed as recidivist:

1. Any person adjudged by a final judgment in a felony and commits a crime thereafter.
2. Any person adjudged by a final judgment of imprisonment for (6) six months or more and then commits a misdemeanour within (3) three years before the expiry date of such penalty.

Recidivism is only consummated in crimes united in of premeditation and mistake.

In such events, the court may not deem recidivism as aggravating circumstance.

### **Article (108)**

If the recidivist had previously been sentenced to two freedom-restricting penalties, both for at least one year, or to three freedom-restricting penalties, among which one for at least one year, for having committed or attempted a crime of theft, fraud, breach of trust, forgery, or concealment of objects resulting from such crimes; and then he commits any of the aforementioned misdemeanours or an attempt thereof which is liable to punishable, after he had been sentenced to the last of these penalties; the court may sentence him to temporary imprisonment for a period not exceeding (5) five years, instead of applying the provisions of the preceding Article.

### **Article (109)**

The court may impose, in accordance with the provisions of the preceding Article, on whomever commits a misdemeanour from amongst those stated therein after he had been previously convicted for one of the crimes stated in Articles (355), (464), (466) and (468) of this Law, s two freedom-restricting penalties, both of them for at least one year, or three freedom-restricting penalties, one of which for at least one year.

## **Section Seven**

### **Criminal Measures**

#### **Chapter One**

#### **Types of Criminal Measures**

### **Article (110)**

Criminal measures are either restrictive of freedom, depriving of rights, or material.

## **Part One**

### **Freedom-Restricting Measures**

### **Article (111)**

Freedom-restricting measures are:

1. Prohibiting visits to certain public places.
2. Prohibiting residing in a certain place.
3. Probation.
4. Community service.
5. Deportation from the State.

### **Article (112)**

The court may prohibit the convict for a period not less than one year and not exceeding (5) five years from visiting the public places it specifies, if the crime has been committed under the influence of an intoxicating or narcotic substance, as well as in other cases stipulated by the Law.

### **Article (113)**

The prohibition to reside in a specific place is to deprive the convict, after his release and for a period of at least one year and at most (5) five years, of residing in said place or of visiting the places determined by the judgment.

### **Article (114)**

If a person is sentenced to death or life imprisonment and special pardon is issued forfeiting all or part of the penalty or replacing it by a milder penalty, the Public Prosecution must refer the matter to the court who had issued the judgment in order to decide to forbid him from residing for a period of (5) five years in the place or places determined thereby, unless the pardon decision stipulates otherwise.

Furthermore, the court may, when imposing the penalty of temporary imprisonment, rule to prohibit the convict from residing in one or several specific places for a period which is equivalent to that of the imposed penalty, provided it does not exceed (5) five years. But if the judgment on the felony is issued for incarceration, the court may rule the prohibition of residence for a period not exceeding (2) two years.

### **Article (115)**

The court which has issued the judgment may, upon the request of the Public Prosecution or the convict, reduce the period adjudged according to the preceding Articles, exempt the convict from the remaining period or change the places in which the measure is to be enforced.

### **Article (116)**

Probation means obligating a convict to comply with all or some of the following restrictions, according to what is determined by the judgment:

1. Not to change his place of residence, without the approval of the competent administrative authority, and if he has no place of residence, said authority shall specify a place for him.

2. To present himself before the competent administrative authority at such periodic terms as determined by said authority.
3. Not to visit the places specified by the judgment.
4. Not to leave his place of residence at night, except by permission of the competent administrative authority.

In all cases, the rules that are prescribed by a resolution of the Minister of Interior in this concern shall be applied.

### **Article (117)**

If a person is sentenced to death or life imprisonment and special pardon is issued forfeiting all or part of the penalty or replacing it by a milder penalty, he shall by force of the law and for a period of (5) five years be subject to the probation restrictions stipulated in Clauses (1, 2 and 4) of the preceding Article, unless the pardon decision stipulates otherwise.

### **Article (118)**

If a person is sentenced to life or temporary imprisonment for a crime against the external or internal security of the State, he shall be put under probation for a period not exceeding (5) five years. When imposing, in a felony, a penalty restricting freedom for a period exceeding one year, the court may adjudge probation for a period not exceeding (5) five years and not exceeding the period of the penalty.

### **Article (119)**

The period of probation shall start as of the date specified by the judgment for its execution, and in case of impossibility to enforce it, the date specified for its expiry shall not be extended.

### **Article (120)**

The Public Prosecution shall supervise the execution of probation by virtue of periodical reports to be submitted thereto every (3) three months at least, by the competent administrative authority with respect to the conduct of the convict. The court who has

issued the judgment may, at the request of the convict or the Public Prosecution, amend the restrictions of such probation or exempt from the convict from all or part of them after hearing the opinion of the Public Prosecution.

### **Article (121)**

Community service is to obligate the convict to perform community service work, as specified by a Cabinet resolution, in any of the institutions or establishments which are designated by a resolution issued by the Minister of Justice in coordination with the competent entities, or by a decision issued by the head of the local judicial authority.

Community service shall not be adjudged, except in penalties for misdemeanours and in lieu of the penalty of incarceration that does not exceed six months or the penalty of fine, provided that the period of community service shall not exceed (3) three months.

### **Article (122)**

The community service shall be performed in the entity or entities that the Public Prosecutor or his deputy chooses as per the resolution referred to in Article (121) of this Law, in coordination with said entity or entities and under the supervision of the Public Prosecution.

### **Article (123)**

The entity in which the community service is performed shall submit a detailed report to the Public Prosecution on the convict's performance, discipline and behaviour and the extent to which he is committed to perform the service assigned thereto.

### **Article (124)**

If the convict fails to meet the requirements of the performance of the community service, the court may, at the request of the Public Prosecution, apply the penalty of incarceration for a period identical to the community service period or order the completion of the remaining period. The Public Prosecution may postpone the performance of the community service if necessary, provided that the measures ensuring such performance shall be taken.

### **Article (125)**

The community service shall be subject to the provisions of the Federal Criminal Procedure Law.

### **Article (126)**

If a foreigner is sentenced to a freedom-restricting penalty in a felony, he shall be deported from the State.

If a foreigner is sentenced to a freedom-restricting penalty in a misdemeanour, the court may order to deport him from the State or order deportation instead of the freedom-restricting penalty, unless the law stipulates otherwise.

Notwithstanding the provision of the preceding paragraph and any other provision in any other law, a foreigner may not be sentenced to deportation if he, at the time of committing the crime, is a spouse or a first-degree relative of a citizen, unless the sentence is issued on a crime against the security of the State.

## **Part Two**

### **Measures Depriving of Rights and Material Measures**

#### **Article (127)**

Measures depriving rights and material measures are:

1. Forfeiture of tutorship, guardianship, curatorship or proxy relating to the absentee.
2. Prohibition to carry out a specific job.
3. Withdrawal of driving license.
4. Closure of premises.

#### **Article (128)**

Forfeiture of tutorship, guardianship, curatorship or proxy relating to an absentee, is to deprive the convict of exercising such power, whether it concerns the person or the funds.

Forfeiture shall be for the period determined by the court.

And the court may restrict forfeiture to only some of the powers resulting from tutorship,

guardianship, curatorship or proxy relating to the absentee.

### **Article (129)**

If the tutor, guardian, curator or proxy of an absent is convicted for a crime which he has committed in violation of the duties of his authority, the court may order the forfeiture of his tutorship, guardianship, curatorship or proxy relating to the absentee.

The forfeiture shall be mandatory if he commits a crime disqualifying him of being a tutor, guardian, curator or proxy of the absentee.

### **Article (130)**

Prohibition to carry out a job is the deprivation of the right to practise a profession, a craft or an industrial or commercial activity of which practice requires a licence from the public service authority.

### **Article (131)**

If a person breaches the duties of his profession, craft, industrial or commercial activity and is sentenced for such violation to a penalty restricting his freedom for at least (6) six months, the court may prohibit him from practising his job for a period not exceeding (2) two years. However, if within the (5) five years subsequent to the issuance of a final prohibition judgment, he commits the same crime again, the court must order the prohibition for a period not less than one year and not exceeding (5) five years.

The prohibition period shall start as of the day on which the execution of penalty is completed or forfeited for any reason.

Such a measure may suffice in lieu of the penalty originally prescribed for the crime.

### **Article (132)**

Withdrawal of the driving licence shall result in suspending all effects of the licence previously granted to the convict during the period fixed by the court which shall not be less than (3) three months or more than (2) two years.

Such a measure may also be ordered when imposing a freedom-restricting penalty for a crime committed through mechanical transport means, in violation of the obligations



imposed by the law.

### **Article (133)**

With the exception of the special cases in which the law stipulates closure, the court may, upon prohibiting a person from practising his work according to the provisions of Article (131) of this Law, order that the closure of the premises in which he practises said work for a period not less than one month and not exceeding one year.

Closure shall entail the prohibition to carry out the same work or trade or industry in the same premises, whether by the convict or through one of the members of his family or any other person to whom the convict had leased or assigned the premises after he committed the crime. But the prohibition shall not affect the owner of the premises or any other person having an in-kind right thereto and having no connection with the crime.

## **Chapter Two**

### **General Provisions**

#### **Article (134)**

1. The measures stipulated in this Chapter may not be imposed on any person unless the commission of a crime thereby prescribed by law is established, and the person's condition necessitates the application of such measures in order to safeguard public safety.
2. An offender shall be deemed dangerous to society if it is established, based on their circumstances, past record, conduct, or the circumstances and motives of the committed crime, that there is a substantial risk that they will commit another crime.
3. Without prejudice to the provisions of Article (235) of this Law, the court that rendered the judgment may, upon the request of the Public Prosecution, subject a person sentenced to a custodial penalty for a felony to medical, psychological, and social examinations conducted by the penal institution with the assistance of the competent authorities, during an assessment period commencing six (6) months prior to the expiry of the term of the penalty.
4. The criminal dangerousness of the convicted person shall be determined pursuant to a

comprehensive assessment of their condition, including their past record, conduct, the circumstances of the crime, and the medical, psychological, and social examination reports conducted during the assessment period.

5. In addition to the measures stipulated in this Chapter, the court that rendered the judgment may, upon the request of the Public Prosecution, order that the convicted person be subjected to one or more of the following measures, where it is established that their dangerousness persists and their condition so requires, in order to safeguard public safety, for such period as determined by the court:
  - a. Placement of the convicted person in a rehabilitation center.
  - b. Placement of the convicted person in a therapeutic shelter.
  - c. Subjecting the convicted person to supervision or electronic monitoring.

The Public Prosecution shall supervise the implementation of the measures and shall submit periodic reports to the court that ordered the measure regarding the conduct of the person subject thereto, provided that no reporting period shall exceed three (3) months.

### **Article (135)**

Subject to the provisions of Article (124) of this Law, any violation of the provisions of the sentence of a criminal measure shall be punished by incarceration for a period not exceeding one year or by a fine not exceeding (5,000) five thousand AED.

The court may, in lieu of imposing the penalty prescribed in the preceding paragraph, extend the period of the measure for a period not exceeding half of the sentenced period and shall not, in any case, exceed (3) three years, or replace it by any of the other measures stipulated in the preceding Chapter.

### **Article (136)**

Measures stipulated in this section may not be subject to stay of execution.

### **Article (137)**

Except for the measure of deportation, the court may, upon the request of the concerned party or the Public Prosecution, order the termination of a measure which it had previously

ordered from amongst those stipulated in the preceding Articles, or the amendment of its scope or may cancel said order at any time upon the request of the Public Prosecution. If the request mentioned in the preceding paragraph is rejected, it may only be renewed after at least (3) three months as of the date of rejection.

**Section Eight**  
**Social Defence**  
**Chapter One**  
**Cases of Social Defence**

**Part One**  
**Mental or Psychological Diseases**  
**Article (138)**

If the act constituting a crime is committed by a person in a state of insanity or mental deficiency or psychological disease that made him completely incapable to control his actions, the court shall order to place him in a therapeutical shelter, according to the cases determined by a decision issued by the Minister of Justice after consultation with the Minister of Health and Prevention.

The same measure shall be applied to the person who is afflicted by any of said states after issuing the judgment.

**Part Two**  
**Habitual Delinquency**  
**Article (139)**

When there is recidivism, according to either of Articles (108) or (109), the court may, in lieu of imposing the penalty prescribed therefor, decide to deem the recidivist as a habitual criminal, and order, in such a case, to place him in one of the Labour Establishments to be specified by a resolution issued by the Minister of Justice after coordination with the competent entities.

If a recidivist commits a felony after he had been previously sentenced to one of the two

penalties stipulated in Articles (108) and (109), the court may, in lieu of imposing the penalties prescribed therefor, decide to deem the recidivist as a habitual criminal, and order, in such a case, to place him in one of the Labour Establishments.

### **Part Three**

#### **Social Danger**

#### **Article (140)**

A person shall constitute a social danger if he suffers insanity, mental deficiency or psychological disease which makes him incapable to control his actions, in such a way that endangers his own safety or the safety of other, , in which case he shall be placed in a special therapeutical shelter by virtue of an order to be issued by the competent court upon the request of the Public Prosecution.

### **Chapter Two**

#### **Measures of Social Defence**

#### **Article (141)**

Measures of social defence are:

1. Placement in a therapeutical shelter.
2. Placement in any of the Labour Establishments.
3. Probation.
4. Obligation to reside in home of origin.

#### **Article (142)**

The person sentenced to placement in a therapeutical shelter shall be sent to a health institution designated for that purpose, where he shall receive the due care required by his condition.

Health institutions shall be determined by a resolution issued by the Minister of Health and Prevention by mutual agreement with the Minister of Justice.

If judgment of placement in a therapeutical shelter is issued, the medical reports regarding

the condition of the convict must be periodically submitted to the competent court at least every (6) six months, and the court may, after consultation with the Public Prosecution, order the release of the convict if his condition so permits.

### **Article (143)**

In the case where the law requires the placement of the convict in any of the Labour Establishments, the court shall rule the same with no need to specify the period of placement in its judgment.

The administrators of such labour establishment are required to prepare periodical reports about the condition of the convict and submit them, within periods not exceeding (6) six months each, to the competent Court through the Public Prosecution. The court may, after consultation with the Public Prosecution, order the release of the convict if it finds that his condition has improved.

The period of placement may not, with regard to habitual criminals, exceed (5) five years for misdemeanours and (10) ten years for felonies.

### **Article (144)**

The provisions of Article (116) shall apply to the probation stipulated in this Part, provided that the probation period shall not exceed (3) three years.

### **Article (145)**

Obligation to reside in home of origin is to send the individual back to his home where he was residing before he moved to the place where it was proved that he constitutes social danger, for a period not less than (6) six months and not exceeding (3) three years.

### **Article (146)**

In the event violating the measures provisions stipulated in this Part, the court may order extension of the measure for a period not exceeding half of the period previously adjudged.

### **Article (147)**

Measures of social defence may not be subject to stay of execution.

## **Section Nine**

### **General Pardon, Remission From Penalty and Judicial Pardon**

#### **Article (148)**

General pardon for a certain crime or certain crimes shall be issued by virtue of a law and it entails the forfeiture of the criminal action or the deletion of the conviction judgment issued thereon, and deeming such crimes or crime as non-existent, and the forfeiture of all principal and ancillary penalties as well as the criminal measures, but it shall have no effect on any previously executed penalties and criminal measures.

#### **Article (149)**

If a law is promulgated granting general pardon for part of the penalties imposed, it shall be considered a special pardon and the provisions stipulated for the latter shall apply thereto.

#### **Article (150)**

The special pardon shall be granted by virtue of decree that includes the forfeiture of all, or part of the penalty imposed by a Federal Judicial Authority, or the replacement thereof with a milder penalty prescribed by law.

The special pardon shall not forfeit the ancillary punishments, other criminal consequences or criminal measures unless the decree stipulates otherwise.

The special pardon shall have no effect with regard to the previously executed penalties.

#### **Article (151)**

Forfeiture of the penalty or criminal measure by special pardon shall be considered as if executed.

### **Article (152)**

In addition to the events stipulated by a special provision, the judge may pardon the perpetrator in misdemeanours, in any of the following events:

1. If the perpetrator has not completed (21) twenty-one years of age at the time of committing the crime and has not been convicted in another crime.
2. If the misdemeanour is a crime of libel or battery and the assault is reciprocated, or if the assault is minor and the victim waives his personal right.

In the event of pardon, the judge may give such advice and guidance to the perpetrator as he deems fit, and shall warn him that he shall not benefit from a new pardon in the future.

### **Article (153)**

The pardon, whatever its type, shall be without prejudice to the rights of the litigants or third parties.

## **Book Two**

### **Crimes and their Penalties**

#### **Section One**

#### **Crimes Against the Security and Interests of the State**

##### **Chapter One**

##### **Crimes Against the External Security of the State**

### **Article (154)**

Every citizen who, in any manner, joins the armed forces or security authorities of a country that is hostile to the State or at war therewith, or joins an armed force of a group that is hostile to the State or aims to prejudice the security of the State, shall be punished by death.

### **Article (155)**

Any person who deliberately commits an act that leads to affecting the State's sovereignty, independence, unity or the integrity of its territories shall be punished by death or life imprisonment.

### **Article (156)**

Any person who carries arms against the State or attempts or instigates to do the same shall be punished by death or life imprisonment.

### **Article (157)**

The following shall be punished by death:

1. Anyone who interferes, for the interest of an enemy or a country or group that is hostile or aims to prejudice the security of the State, in a plan to shake the loyalty of the armed forces, or to weaken their morale or resistance.
2. Anyone who, at the time of war, instigates members of the armed forces, the police or security authorities to join the service of any country or group that is hostile or aims to prejudice the security of the State, or facilitates such an action for them.
3. Anyone who, deliberately and in any manner interferes in recruiting members of the armed forces, the police officers, the security authorities, or other men, or gathering funds, supplies, equipment, or arranging any such things for the benefit of a country which is at war with the State or for the benefit of a group that is hostile or aims to prejudice the security of the State.

### **Article (158)**

The death penalty shall be imposed on anyone who facilitates to an enemy, a country or group that is hostile or aims to prejudice the security of the State, the entry to the State's territory, or gives them a part of its lands, cities, or ports, or a fortress, establishment, site, store, factory, ship, airplane, or any means of transport, or arms, ammunitions, explosives, or military supplies or equipment, or any of the things prepared for defence or used in connection therewith.

The penalty shall be life imprisonment if the persons stated in the preceding paragraph are given supplies, foods, or any of the things prepared for defence or used in connection therewith.



### **Article (159)**

The death penalty shall be imposed on anyone who deliberately helps an enemy, a country or group that is hostile or aims to prejudice the security of the State by transmitting information thereto or acting as guide thereof.

Life imprisonment shall be imposed on any person who offers a service to anyone of those stated in the preceding paragraph to obtain a benefit, interest, or a promise thereof for himself or for a person appointed thereby for that purpose, whether directly or indirectly, and whether the benefit or interest is material or non-material.

### **Article (160)**

Life imprisonment shall be imposed on anyone who knowingly helps or aids a prisoner of war, a detained enemy soldier, citizen or agent, or a member of a group that is hostile or aims to prejudice the security of the State, or provides shelter, food, clothes, means of transport or any other form of assistance to anyone of them or hides them after escaping from detention.

The same penalty shall be imposed if the person who assists or aids resists the authorities that attempt to re-arrest anyone of the aforementioned persons. The penalty shall be death if such resistance results in the demise of someone.

### **Article (161)**

Life imprisonment shall be imposed on any public servant, entrusted with guarding a war prisoner or any of the enemy's detained citizens or agents, who deliberately facilitates their escape from detention.

The penalty shall be imprisonment for a period not less than (3) three years and not exceeding (5) five years if the act occurs as a result of negligence in guarding.

### **Article (162)**

The death penalty shall be imposed on anyone who seeks to collaborate with a foreign country or a group that is hostile or aims to prejudice the security of the State or anyone who works for their interest, or communicates with anyone of them to assist in their war

operations or to jeopardize the war operations of the State.

Life imprisonment shall be imposed on anyone who seeks to collaborate with the persons stated in the preceding paragraph, or anyone who works for their benefit, or who communicates with any of them to carry out hostile activities against the State.

### **Article (163)**

Life imprisonment shall be imposed on anyone who, during peace time, commits any of the following acts:

1. Seeking to collaborate with a foreign country, or anyone who works for its benefit or communicating with anyone of them, in order to prejudice the State's military, political or economic position.
2. Deliberate destruction, concealing, embezzlement, or forgery of papers or documents, knowing that they are related to the security of the State or any other national interest.
3. Seeking to recruit or recruiting persons for the benefit of a foreign country or a group that is hostile or aims to prejudice the security of the State, or to any of the persons working for its benefit.

The penalty shall be death if the crime occurs during war time or for the purpose of causing damage to the State's military, political or economic position, or for the purpose of causing damage to its national interest, or if the crime is committed by a public servant or by a person entrusted with a public service

### **Article (164)**

Life imprisonment shall be imposed on any person who has been entrusted with negotiating with a foreign government or an international organization concerning any of the State's affairs, but deliberately conducts such negotiations against the State's interests.

### **Article (165)**

Whoever requests, accepts, or takes for himself or for another person, even through an intermediary, from a foreign country or a group that aims to prejudice the security of the State or from anyone who works for its benefit, a gift, grant or advantage of any kind, or has

been promised any such things with the intention to commit a harmful act against a national interest, shall be punished by life imprisonment.

The same penalty shall be imposed on anyone who gives, promises or offers any of the aforementioned things with the intention to commit a harmful act against a national interest, even if what he gives, promises or offers is not accepted.

The same penalty shall be imposed on anyone who mediates in committing any of the crimes listed in this Article.

If the request, acceptance, promise, offer or mediation is in writing, the crime shall become fully perpetrated upon dispatching the letter or sending it by any other means.

### **Article (166)**

The death or life imprisonment penalty shall be imposed on anyone who delivers or discloses, in any manner or through any means, to a foreign country or a group that is hostile or aims to prejudice the security of the State or to any of the persons working for their benefit, a secret related to the State's defence, or if, by any means, he has obtained any such secrets for the purpose of delivering or disclosing them to a foreign country or a group that is hostile or aims to prejudice the security of the State or to any of the persons working for their benefit, as well as anyone who destroys for their benefit a thing which is considered to be a secret of the State's defence, or if he makes it unfit for use.

### **Article (167)**

Life imprisonment shall be imposed on any public servant or any person entrusted with a public service, who discloses any of the State's defence secrets entrusted thereto.

The penalty shall be death if the crime occurs during war time.

### **Article (168)**

Life imprisonment shall be imposed on:

1. Anyone who, through any unlawful means, seeks to obtain one of the State's defence secrets and does not intend to deliver or disclose it to a foreign country or a group that is hostile or aims to prejudice the security of the State, or to any of the persons working for

their benefit.

2. Anyone who, by any means, discloses one of the State's defence secrets.
3. Anyone who plans or uses any means of communication, information technology or any other means with the intention to obtain, deliver or disclose any of the State's defence secrets.
4. Anyone who possesses or keeps without a licence or permission any written papers, publications, recordings, data or information that contain any of the State's defence secrets, or keeps or possesses them for the purpose of obtaining a private benefit.

The penalty shall be death if the crime occurs during war time.

### **Article (169)**

Life imprisonment shall be imposed on anyone who deliberately destroys, impairs or disrupts down a weapon, ship, airplane, equipment, establishment, means of transport, public utility, ammunition, supplies, medicines, or other things which are prepared for the State's defence or used in connection therewith.

The same penalty shall be imposed upon anyone who deliberately mis-manufactures or mis-repairs any of the things stated in the preceding paragraph, as well as anyone who deliberately acts in a manner that makes them unfit for their intended use, even temporarily, or results in damage.

The penalty shall be death if the crime occurs during war time.

### **Article (170)**

Whoever, personally or through an intermediary, during war time, whether directly or through another country, exports goods or products or other items from the State to a hostile country, or imports any such materials from such a country, shall be punished by imprisonment for a period not less than (10) ten years and not exceeding (25) twenty-five years and by a fine not exceeding double the value of the things exported or imported, provided that it not be less than (1,000,000) one million AED.

The things subject of the crime shall be confiscated, and if not seized, the perpetrator shall be ordered to pay an additional fine equivalent to the value of such things.

### **Article (171)**

A penalty of imprisonment for a period not less than (10) ten years and not exceeding (25) twenty-five years and a fine equivalent to double the value of the act subject of the crime and not less than (1,000,000) one million AED shall be imposed on anyone who, during war time, either by himself or through mediation, directly or indirectly engages in any of the commercial activities which are not mentioned in Article (170) of this Chapter with the citizens of a hostile country. The things subject of the crime shall be confiscated, and if not seized, the perpetrator shall be ordered to pay an additional fine equivalent to the value of such things.

### **Article (172)**

A penalty of imprisonment for a period not less than (10) ten years and not exceeding (25) twenty-five years shall be imposed on anyone who deliberately, during war time, fails to perform all or some of the obligations imposed thereon by a contract for undertaking a job, transport, supply, obligations or public works or any other contracts which he has concluded with the government, for the requirements of the armed forces, or for protection of civilians, or for supplying them or if he commits an act of fraud in the performance thereof.

If the crime is committed with the intention of jeopardizing the defence of the State or the operations of the armed forces, the penalty shall be death or life imprisonment.

The provision of the preceding two paragraphs shall apply to subcontractors, agents and brokers if the failure to perform the obligation or the commission of fraud in performance thereof is due to their acts.

In all cases, the perpetrator shall be punished by a fine equivalent to the value of damages caused to the funds or interests of the State, provided that it is not less than double the value of the profit achieved from such default or fraud.

### **Article (173)**

If one of the acts stipulated in Articles (169) and (172) of this Chapter is caused by negligence or dereliction, the penalty shall be imprisonment for a period not less than (3) three years and not exceeding (5) five years and a fine not less than (100,000) one hundred

thousand AED and not exceeding the value of damages caused to the funds or interests of the State as a result of such negligence or dereliction.

### **Article (174)**

A penalty of life imprisonment shall be imposed on anyone who deliberately commits any act against a foreign country which harms political relations or exposes the State's civilians, employees, funds or interests to the danger of vengeance acts.

If such an act leads to the occurrence of what is stated in this Article, the penalty shall be death.

If the act stipulated in the first paragraph of this Article occurred by writing, speech, drawing, declaration, or any information technology or media means, the penalty shall be imprisonment for a period not less than (5) five years and a fine not less than (100,000) one hundred thousand AED.

### **Article (175)**

The death penalty shall be imposed on whoever, during war time, deliberately announces false or tendentious news, statements or rumours, or deliberately circulates inflammatory propaganda causing damage to the military preparations of the State's defence or to the military operations of the armed forces, or inciting panic among people, or weakening the morale of the State.

### **Article (176)**

A penalty of imprisonment for a period not less than (6) six months and not exceeding (5) five years and/or a fine not less than (100,000) one hundred thousand AED shall be imposed on:

1. Anyone who flies over areas of the State's territories in violation of the prohibition issued by the competent authorities. Flying with an unmanned aircraft shall be deemed flying.
2. Anyone who photographs or makes drawings or maps or coordinates of sites or places contrary to the prohibition issued by the competent authorities.
3. Anyone who enters without permission from the competent authorities into a fortress, a

defence establishment, camp, an oil installation, a place where armed forces have camped or settled, a military or commercial vessel, aircraft, military vehicle, or military place, or a place or factory in which any activity is being carried out for the benefit of the State's defence, if such a place is out of bounds to the public.

4. Anyone who is found in any place in which residence or presence is prohibited by the military authorities.

If the crime is committed during war time, or by using any means of deception, fraud, disguise or concealment of identity, nationality, profession or capacity, the penalty shall be temporary imprisonment for a period not exceeding (5) five years, and in cases where these two circumstances coexist, the penalty shall be temporary imprisonment.

Attempt to commit the misdemeanours stipulated in this Article shall be punished by incarceration or a fine.

### **Article (177)**

A penalty of life imprisonment shall be imposed on whoever publishes, announces, or delivers to a foreign country or any group seeking to prejudice the security of the State or to anyone working for their benefit, in any way or manner and by any means, news, information, items, correspondence, documents, maps, drawings, pictures, coordinates or other things related to government departments or any of the authorities stated in Article (5) of this Law, provided that publication or announcement of such things is prohibited by the competent authority.

### **Article (178)**

A penalty of temporary imprisonment shall be imposed on whoever collects, without authorization from the competent authority, information, data, objects, documents, designs, statistics, or others for the purpose of delivering them to a foreign country, group, organization, entity or other, whatever its name or form, or to anyone working for their benefit.

## **Article (179)**

The following shall be deemed secrets of the State's defence:

1. Military, political, economic, industrial, scientific and security information related to social security or other information known only, due to their nature, to persons ex officio, and which the interest of the State requires that it remain secret to other than those persons.
2. Correspondence, papers, documents, drawings, maps, designs, photos, coordinates and other matters of which disclosure may lead to divulging information referred to in the preceding paragraph, and which the interest of the State requires that they remain secret to persons other than those who are assigned to preserve or use them.
3. News and information related to the Armed Forces, the Ministry of Interior and security agencies and their formations, movements, equipment, logistics, personnel and other things affecting military affairs and war and security plans, unless a written permission is issued by the competent authority to publish or broadcast the same.
4. News and information related to measures and procedures adopted to detect the crimes stipulated in this Chapter and arrest perpetrators, as well as the news and information related to the investigation and trial proceedings if the broadcasting thereof is prohibited by the investigation authority or the competent court.

## **Article (180)**

If the perpetrator commits any of the crimes stipulated in Articles (162, 163/ Paragraph (1)/ Clause (1) and Paragraph (2), 165, 166, 175 and 177) of this Chapter with a foreign group or organization or any other entity irrespective of its name, or with someone who works for its benefit, he shall be punished by the penalty prescribed for such crime.



## **Chapter Two**

### **Crimes Against the Internal Security of the State**

#### **Article (181)**

The death penalty shall be imposed on anyone who tries or attempts by force to overthrow or seize the government system.

#### **Article (182)**

The death penalty shall be imposed on anyone who tries to commit acts of aggression against the safety of the President or against his freedom, or deliberately endangers his life or freedom. The same penalty shall be imposed if such crime is executed or attempted.

#### **Article (183)**

A penalty of imprisonment for a period not less than (15) fifteen years and not exceeding (25) twenty-five years and a fine shall be imposed on anyone who mocks, insults, or damages the reputation or dignity or position of the President.

#### **Article (184)**

A penalty of imprisonment for a period not exceeding (5) five years and a fine not less than (500,000) five hundred thousand AED shall be imposed on whoever mocks at or insults or damages the reputation or dignity or position of the State, any of its authorities or establishments or founding leaders, its flag or national emblem or anthem, or any of its national idols.

#### **Article (185)**

The penalty of life imprisonment shall be imposed on anyone who resorts to violence, threat or any other illicit means, in order to compel the President of the State to exercise or refrain from exercising any of the powers vested therein him by law.

### **Article (186)**

The penalty of life imprisonment shall be imposed on anyone who resorts to violence, threat or any other illicit means, in order to compel the prime minister, his deputy, any of the ministers, the Chairman of the Federal National Council or any of its members or any of the members of the judicial authority to exercise or refrain from exercising any of the powers vested therein by law.

### **Article (187)**

The death penalty shall be imposed on anyone who tries or attempts to commit or commit an act of aggression against the safety or freedom of the president of a foreign country.

Legal action in crimes stipulated in this Article shall only be filed by the Public Prosecutor.

### **Article (188)**

The death penalty or life imprisonment shall be imposed on whoever establishes, founds, organizes, administers, leads or joins any association, entity, organization, formation, group, gang or any branch thereof, whatever is the name or form thereof, aiming at or calling for overthrowing or seizing the regime, disrupting the application of the provisions of the Constitution or the laws, contradicting the basic principles on which the regime is based, preventing any of the State institutions or public authorities from conducting their business, violating the personal freedom of citizens or any other public rights and freedoms granted by the Constitution or the law, or harming the national unity or social peace.

The same penalty shall be imposed on whoever cooperates with any of the associations, corporations, organizations or formations stated in the first paragraph of this Article or participates therein in any manner or provides them with financial or material support knowing their purposes.

### **Article (189)**

A penalty of imprisonment for a period not less than (15) fifteen years and not exceeding (25) twenty-five years shall be imposed on whoever propagates verbally or in writing or in any other means, any of the acts stated in Article (188) of this Chapter.

The same penalty shall be imposed on whoever, personally or through an intermediary, possesses or acquires documents, printed materials, or records comprising propagation or advocacy of any of the things stipulated in the first paragraph, if they are prepared for distribution or for access by third parties, and whoever possesses or acquires any method of printing, recording or publicizing which is used or prepared for use, even temporarily, for printing, recording or broadcasting any of the foregoing.

### **Article (190)**

The death penalty or life imprisonment shall be imposed on whoever establishes, founds, organizes, administers or joins any association, entity, organization, formation, group or gang or any branch thereof, whatever is the name or form thereof, aiming or seeking or working to prejudice the safety or interests of the State.

The same penalty shall be imposed on whoever cooperates, in any manner, with any of the associations, corporations, organizations or formations stated in the first paragraph of this Article or provides them with financial or material support knowing their purposes.

### **Article (191)**

A penalty of imprisonment for a period not less than (5) five years shall be imposed on whoever collects, obtains or receives funds, directly or indirectly, from inside or outside the State, in order to achieve any of the purposes stipulated in Articles (188), (189) and (190) of this Law.

### **Article (192)**

A penalty of imprisonment for a period not less than (5) five years shall be imposed on whoever engages in an activity for the purpose of teaching or providing guidance or training to implement the objectives stipulated in Articles (188), (189), (190) of this Law, whether directly or through an information technology means.

### **Article (193)**

A penalty of temporary imprisonment and a fine not less than (200,000) two hundred thousand AED, shall be imposed on whoever establishes, founds, organizes or manages a worship or religious teaching venue in the State without a licence from the competent authorities.

If any of the acts mentioned in the first paragraph harms the national unity or the social peace or the public interest, this shall be deemed to be an aggravating circumstance.

### **Article (194)**

A penalty of temporary imprisonment and a fine not less than (200,000) two hundred thousand AED shall be imposed on whoever establishes, founds, organizes or runs, without licence, an association entity or organization or a branch thereof, of any kind, in the State, for illicit purposes.

A penalty of temporary imprisonment for a period not less than (5) five years and a fine not less than (300,000) three hundred thousand AED shall be imposed if the licence is issued based on false data.

A penalty of temporary imprisonment and a fine not less than (200,000) two hundred thousand AED shall be imposed on whoever joins an association, entity or organization or a branch thereof from among what is stated in the first paragraph of this Article knowing the illicit purpose thereof or the fact that it is not licensed.

A penalty of imprisonment for a period not exceeding (10) ten years shall be imposed on whoever cooperates with an association entity or organization or branch thereof from among what is stated in the first paragraph of this Article knowing the illicit purpose thereof or the fact that it is not licensed.

### **Article (195)**

In cases stated in Articles (188), (189), (190) and (193) of this Law, the court shall order the dissolution of the associations, entities, organizations or branches or venues mentioned therein, and the closure of their premises.

In all cases, the court shall order the confiscation of cash, effects, papers, tools and other

things which have been used in committing the crime, or which are found in the places designated for the meetings of said associations, entities or organizations, or their branches or venues.

It shall also order the confiscation of all funds which apparently form part of the convicts' property if there is sufficient evidence or presumptions proving that such funds are, in fact, a source designated for spending on said associations, entities, organizations or branches or venues.

### **Article (196)**

A penalty of imprisonment for a period not less than (10) ten years and a fine not exceeding (500,000) five hundred thousand AED shall be imposed on anyone who exploits religion to propagate verbally, by writing or any other means such ideas that may incite commotion or harm the national unity or social peace.

### **Article (197)**

A penalty of life imprisonment shall be imposed on anyone who, for criminal purposes, unlawfully and without any assignment from the Government, assumes the command of a unit or division of the army or police, part of a fleet, a military ship or aircraft, a military or police post, or a harbour or a city.

The same penalty shall be imposed on whoever, in spite of being ordered by the Government, remains in any military or security command whatever, or on any head of any military or security force who maintains such a force in spite of being ordered by the Government to discharge it.

### **Article (198)**

A penalty of life imprisonment shall be imposed on anyone having the right to command members of the armed forces or the ministry of interior or security bodies, who requests or instructs them to disobey the orders of the government, if it is for a criminal purpose.

If the crime results in obstructing the execution of the Government's orders, the penalty shall be death. Subordinate warrant officers or troop commanders, who have obeyed him

knowing his criminal intention, shall be punished by temporary imprisonment for a period not less than (15) fifteen years and not exceeding (25) twenty-five years.

### **Article (199)**

A penalty of life or temporary imprisonment shall be imposed on whoever instigates members of the armed forces or policemen or security bodies to disobey orders or to abandon the performance of their military, security or police duties.

### **Article (200)**

The death penalty or life imprisonment shall be imposed on anyone who forms a gang that attacks a group of residents, or resists with arms the public authority officers, in order to hinder the enforcement of the laws; and on anyone who becomes leader of such a gang or occupies any leading position therein.

As for any person who joins such gang but has neither participated in its formation nor in its leadership, he shall be punished with life or temporary imprisonment.

### **Article (201)**

The death penalty or life imprisonment shall be imposed on anyone who appoints himself leader of an armed gang, occupies a leading position therein, manages its operations or organizes it for the purpose of usurping or plundering lands or funds owned by the State or by a group of people, or for the purpose of resisting the military force ordered to pursue the perpetrators of such crimes. Other members of such a gang shall be punished by life or temporary imprisonment.

### **Article (202)**

A penalty of life or temporary imprisonment shall be imposed on anyone who brings or gives to the gang mentioned in the preceding Article, weapons, ammunition or equipment as an aid for achieving its objective with full knowledge thereof; provides supplies or raise funds thereto, or takes part in criminal communications, in any manner whatsoever, with the leaders or managers of said gang, and also anyone who provides lodging, shelter or

meeting places for them, while he is fully aware of their purpose and identity.

### **Article (203)**

A penalty of life or temporary imprisonment shall be imposed on anyone who tries to occupy by force any of the buildings which are public or designated for governmental departments or any of the authorities stated in Article (5) of this Law.

If the crime is committed by an armed gang, the person who has formed the gang, assumed its leadership or occupied any leading position therein shall be punished by death or life imprisonment.

### **Article (204)**

Incarceration shall be imposed on anyone who deliberately damages public buildings or properties, or properties designated for governmental departments, or any of the authorities stated in Article (5) of this Law.

The penalty shall be imprisonment for a period not exceeding (5) five years if the crime leads to disruption of a public utility or public benefit services, or if it endangers the life, health or safety of the people.

The penalty shall be life imprisonment if the crime occurs at a time of turmoil or commotion, or for the purpose of provoking panic or chaos among people.

In all cases, the perpetrator shall pay the value of the thing damaged thereby.

### **Article (205)**

A penalty of life or temporary imprisonment shall be imposed on anyone who, without authorization, manufactures or imports explosives; and a penalty of temporary imprisonment shall be imposed on anyone who, without authorization, possesses or acquires explosives.

Explosives include any substance included in their composition and which shall be determined by a resolution of the competent minister, as well as any equipment, machines or tools used in their manufacturing or explosion.

### **Article (206)**

The death penalty shall be imposed on anyone who uses explosives in committing any of the crimes stipulated in Articles (203) and (204) of this Law.

### **Article (207)**

A penalty of temporary imprisonment shall be imposed on anyone who deliberately uses or attempts to use explosives in a manner that would endanger people's life.

### **Article (208)**

A penalty of imprisonment for a period of not less than (5) five years shall be imposed on whoever deliberately uses or imports weapons, ammunitions, explosives or military equipment, or attempts to do so in manner that endangers the funds of other people.

If the explosive causes grave damage to such funds, this shall be deemed to be an aggravating circumstance.

### **Article (209)**

A penalty of incarceration and a fine not less than (100,000) one hundred thousand AED and not exceeding (500,000) five hundred thousand AED shall be imposed on whoever instigates others to not comply with the laws or commended a matter which is considered a crime.

### **Article (210)**

A penalty of imprisonment for a period not less than one year and a fine not less than (100,000) one hundred thousand AED shall be imposed on any individual who participates in a gathering of at least five people in a public place with the intention of rioting, preventing or disrupting the implementation of laws and regulations, or in manner that would prejudice the public security, if he remains in the gathering after being ordered by one of the authority's officers men to disperse and leave.

The penalty shall be imprisonment for a period not less than (3) three years and a fine not



exceeding (200,000) two hundred thousand AED, if he wears masks or covers to hide his face with the intention of committing a crime during the gathering.

The penalty shall be imprisonment for a period not less than (5) five years if such gathering results in rioting, disturbing public peace or security, impeding production, disrupting the interests of individuals, harming them, exposing them to danger, preventing them from exercising their rights, obstructing traffic, assaulting lives, or public or private property or endangering them.

The penalty shall be imprisonment for a period not less than (10) ten years if one or more persons within the gathering carry visible or concealed weapons, even if they are authorized to carry such weapons.

### **Article (211)**

A penalty of imprisonment for a period not less than (10) ten years shall be imposed on anyone who offers, gives or obtains cash or any benefit to organize a gathering with the intention of committing any of the acts stipulated in the preceding Article, or mediates in the same.

### **Article (212)**

A penalty of life imprisonment shall be imposed on anyone who calls for, propagates in any other means, leads, a gathering in a public place or involves in managing its movement, with the intention of committing riots, preventing or disrupting the implementation of laws and regulations, or disturbing public security, even if his call is not accepted. The same penalty shall be imposed on anyone who instigates to do the same.

### **Article (213)**

In the cases stipulated in Articles (210) and (211) of this Law, the court shall order to confiscate the weapons, funds and items used in the crime. If it is not possible to seize any of them, the court shall impose a fine equivalent to their value, without prejudice to the rights of bona fide third parties.

### **Article (214)**

The provisions stipulated in Articles (210), (211), (212) and (213) of this Law shall apply to every march or parade which has been organized for the same purpose or has achieved the same result.

### **Article (215)**

A penalty of temporary imprisonment shall be imposed on whoever uses any means of communication or information technology or any other means to publish information or news or incites acts that may endanger the security of the State or harm the public order.

### **Article (216)**

A penalty of temporary imprisonment and a fine not less than (200,000) two hundred thousand AED and not exceeding (500,000) five hundred thousand AED shall be imposed on anyone who instigates the hatred or contempt of a sect of people if such instigation leads to disturbance of public security.

### **Article (217)**

A penalty of imprisonment for a period not less than one year and a fine not less than (100,000) one hundred thousand AED shall be imposed on anyone who broadcasts or publishes false or tendentious news, statements or rumours, or circulates inflammatory propaganda that would:

1. Disturb the public security or cause panic among people.
2. Inflict harm to the public interest.
3. Incite or antagonize the public opinion.

The penalty shall be imprisonment for a period not less than (2) two years and a fine not exceeding (200,000) two hundred thousand AED, if any of the acts mentioned in the first paragraph result in inciting or antagonizing the public opinion against one of the state authorities or institutions.

The same penalty stipulated in the first paragraph of this Article shall be imposed on whoever personally or through an intermediary, possesses or acquires documents, printed

materials, or records, whatever is their kind, comprising any of the things listed in the first paragraph, if they are prepared for distribution or for access by third parties, and whoever possesses or acquires any method of printing, recording or publicizing used or prepared for use, even temporarily, for printing, recording or broadcasting any of the foregoing.

The penalty shall be temporary imprisonment if the perpetrator is a member of the Armed Forces, Ministry of Interior or security bodies, or if the acts mentioned in the preceding two paragraphs take place in worship venues or places pertaining to the Armed Forces, Ministry of Interior or security bodies.

### **Article (218)**

The Court may rule the death penalty for any felony stipulated in this Chapter, if it is committed during war time, for the purpose of assisting the enemy or harming the military operations of the Armed Forces, and if it has effectively fulfilled the intended objective.

### **Article (219)**

A penalty of imprisonment for a period not less than one year and a fine shall be imposed on whoever gives a fatwah that prejudices the public order or endangers a person's life or security, safety or freedom.

The penalty shall be temporary imprisonment if the fatwah results in any kind of harm.

### **Article (220)**

A penalty of life or temporary imprisonment shall be imposed on any citizen who participates, without permission from the competent entities, in an international or local armed conflict.

Temporary imprisonment shall be inflicted on whoever instigates, calls for, propagates or facilitates, without permission from the competent entities, the participation in an international or local armed conflict.

### **Article (221)**

A penalty of incarceration and a fine shall be imposed on any citizen who violates the prohibition issued by the competent entities in the State concerning entering or staying in another country.

### **Article (222)**

A penalty of temporary imprisonment shall be imposed on whoever announces by any means of publicity his hostility towards the State or the regime or his disloyalty to the leaders thereof.

### **Article (223)**

A penalty of temporary imprisonment and a fine of not less than (500,000) five hundred thousand AED and not exceeding (2,000,000) two million AED shall be imposed on whoever violates the instructions issued by the concerned authorities in the State regarding the implementation of United Nations' Security Council resolutions regarding the imposition of international penalties on countries.

## **Chapter Three**

### **Provisions Pertaining to Crimes Against External and Internal Security of the State**

### **Article (224)**

The provisions of this Chapter shall apply to the crimes stipulated in Chapters One and Two of Section One of Book Two of this Law, and the crimes against the State's internal or external security stipulated in other laws.

### **Article (225)**

The provisions of Articles (97), (98) and (99) of this Law may not be applied upon issuing a judgment of conviction in one of the crimes against the State's internal or external security, with the exception of the felonies punishable by death or life imprisonment, where the

death penalty may be reduced to life imprisonment and the life imprisonment may be reduced to temporary imprisonment for a period not less than (10) ten years.

### **Article (226)**

Every judgment of conviction in a crime against the State's internal or external security shall necessitate the deportation of the foreigner convict after the completion of the adjudged penalty.

### **Article (227)**

1. A criminal action in crimes prejudicial to the external or internal security of the State shall not lapse by the passage of time.
2. A penalty imposed for crimes prejudicial to the external or internal security of the State shall not lapse except by full execution, a general amnesty, or a special pardon.
3. Custodial penalties imposed for crimes prejudicial to the external or internal security of the State shall not be subject to early release as provided for in the applicable law governing penal or institutions or in any other legislation.
4. Without prejudice to the provisions of the preceding Clause, the court may, upon the request of the Attorney General, order the suspension of execution of the custodial penalty imposed for a crime prejudicial to the external or internal security of the State, where serious grounds exist to warrant confidence in the rehabilitation of the convicted person, provided that one or more of the measures stipulated in Article (235) of this Law are imposed. The duration of the measure shall not exceed the duration of the penalty imposed or the remaining portion thereof. The court may order the revocation of the suspension order and the return of the convicted person to the penal institution to serve the remaining term, upon the request of the Attorney General, if the convicted person violates any of the conditions imposed by the court or commits a new intentional crime during the period in which the measure is in force.

### **Article (228)**

Notwithstanding the provisions of Article (225), the court shall adjudicate, at the request of the Public Prosecutor or sua sponte, to extenuate the penalty or replace it with a fine not less than (100,000) one hundred thousand AED and not exceeding (10,000,000) ten million AED, or to exempt therefrom, for the perpetrator who provides information to judicial or administrative authorities on any crime against the State's external or internal security, or on crimes considered by other penal codes to be against the security of the State, whenever this leads to discovering such crimes or their perpetrators, or to convicting them there or to arresting one of them.

The Public Prosecutor may solely and exclusively request that the court hearing the case to apply the preceding paragraph to cases other than those stipulated therein if the request is related to State's sovereign interest or any other national interest. If a judgment is issued on the action, the Public Prosecutor may submit the request to the court that issued judgment, before or during the execution thereof.

### **Article (229)**

If a person commits a number of crimes against the State's internal or external security before convicting him in one of them, and none of such crimes meets the conditions stipulated in Articles (88) and (89) of this Law, the penalty prescribed for each of these crimes shall be imposed and all the penalties shall be executed consecutively provided that the total period of the temporary imprisonment alone, or the total period of the temporary imprisonment and the incarceration collectively does not exceed (40) forty years and that the periods of incarceration do not exceed, in all cases, (20) twenty years.

In the event of different penalties, the temporary imprisonment shall be executed first, followed by the incarceration penalty.

### **Article (230)**

Life imprisonment penalty adjudged in one of the crimes against the State's external or internal security shall override the temporary imprisonment and incarceration penalties.

## **Article (231)**

Any of the following shall be punished as an accomplice by causation in crimes against the State's external or internal security:

1. Anyone who knows the intentions of the perpetrator and provides him with assistance, means of subsistence, a place of residence, a shelter, a place for meeting or any other facilities, and anyone who carries the perpetrator's messages or facilitates the search for the subject of the crime or concealing, transporting or communicating it.
2. Anyone who knowingly conceals the things which are used or prepared to be used in committing the crime or which results from the crime.
3. Anyone who destroys, embezzles, conceals or deliberately change a document that can facilitate the discovery of the crime or the evidence thereof or the punishment of its perpetrator.

The court may, in the previous cases, exempt the perpetrator's relatives and in-laws up to the fourth degree, if they are not punishable by another provision of the law.

## **Article (232)**

A penalty of temporary imprisonment for a period not less (10) ten years shall be imposed on whoever participates in a criminal agreement, whether for the purpose of committing one of the crimes against the State's external or internal security or uses them as a means for achieving the intended objective of the criminal agreement.

A penalty of life imprisonment shall be imposed on whoever runs such an agreement.

A penalty of temporary imprisonment shall be imposed on whoever invites another person to join such an agreement and his invitation is rejected.

Nonetheless, if the purpose of the agreement is to commit a certain crime or use it as means to achieve the intended objective, and the penalty for attempting such crime is milder than what is stipulated in the preceding paragraphs, no penalty severer than the one prescribed for such an attempt shall be imposed.

Exemption from the penalties stipulated in the first three paragraphs shall be granted to any perpetrator who takes the initiative to inform the competent authorities of the existence of such an agreement, and any participants therein before any of the stipulated crimes is

committed.

### **Article (233)**

Whoever instigates the commission of one of the crimes against the State's external or internal security shall be punished by the penalty prescribed for the attempt to commit the crime of which the commission he instigates, if such instigation has not produced any effect.

### **Article (234)**

Whoever becomes aware of committing one of the crimes against the State's external or internal security and does not inform the competent authorities, shall be punished by the penalty for the attempt to commit such crime.

Exemption from the penalty may be granted if the person who refrains from informing is the spouse of the perpetrator or one of his relatives or in-laws up to the fourth degree.

### **Article (235)**

In addition to the measures stipulated in this Law, the court may, at the request of the Public Prosecution, order that the convict of one of the felonies stipulated in this Chapter, whose condition necessitates the application of such measure for the protection of the public safety, and for the period specified by the court, shall be subject to one or more of the following measures:

1. Travel ban.
2. Restricting residence at a certain place;
3. Prohibiting visits to certain locations or places.
4. Prohibiting contact with a specific person or persons.
5. Prohibiting the use of certain means of communication or prohibiting the possession or acquisition thereof.
6. Placing the convict under supervision or probation.
7. Placing the convict in one of the rehabilitation centres.
8. Subjecting to counselling programs for those convicted of felonies against the internal security of the State.



The Public Prosecution shall supervise the implementation of the measures and submit reports to the court which ordered the same about the conduct of the person subject to the measure at periodic intervals, none of which exceeds (3) three months.

The court may order to terminate, amend or reduce the duration of a measure, at the request of the Public Prosecution or the person subject to the measure; but if such request is rejected, no new request may be submitted unless after (3) three months as of the date of rejection.

The person subject to the measure shall be punished by imprisonment for a period not exceeding one year if he violates the measure ordered by the court.

### **Article (236)**

The Public Prosecutor may accept conciliation in the crimes stipulated in Articles (174/ third paragraph), (176/ first and third paragraphs), (184), (209), (210/ first paragraph), (217/ first, second and third paragraphs), and (221) of this Law, in return for paying an amount not less than (50,000) fifty thousand AED and not exceeding (500,000) five hundred thousand AED by the accused, before referring the criminal case to the competent court.

Conciliation shall result in the abatement of criminal action; and such conciliation shall have no effect on the rights of those affected by the crime.

## **Chapter Four**

### **Crimes Against the National Economy**

#### **Article (237)**

A penalty of temporary imprisonment shall be imposed on anyone who destroys, through any means, a factory or any of its subsidiary buildings, facilities, or any warehouse for raw materials, products, consumer commodities, or any other immovables or movables destined for the execution of the development plan.

### **Article (238)**

A period of imprisonment for a period not less than one year shall be imposed on anyone who, through any means of publicity, instigates withdrawing money deposited with public banks or funds, or selling or abstaining from purchasing the State securities and other public stocks.

## **Chapter Five**

### **Counterfeiting Money and Government Securities**

#### **Article (239)**

A penalty of life or temporary imprisonment and a fine not less than (200,000) two hundred thousand AED shall be imposed on anyone who counterfeits, falsifies or forges, in any manner whatsoever, whether personally or through intermediary, a currency note or coin legally circulated in the State or in another country or a governmental security.

A coin shall be considered counterfeit if any of its metal has been decreased, or if it is coated with paint making it similar to another more valuable coin.

#### **Article (240)**

The penalty mentioned in the preceding Article shall be imposed on whoever brings in or takes out of the State, personally or through intermediary, a currency or security from amongst those mentioned in the preceding Article, whenever they are counterfeit or forged; and on whoever puts anything of the like into circulation or deals with it or possesses it for the purpose of putting it into circulation or dealing therewith, while he is fully aware of the counterfeiting, falsification or forgery.

#### **Article (241)**

If the crimes stipulated in the two preceding Articles lead to the devaluation of the national currency or the government securities, or to shaking the financial trust in the internal or external markets, the penalty shall be life imprisonment.

### **Article (242)**

A penalty of incarceration for a period not exceeding one year and a fine not exceeding (50,000) fifty thousand AED shall be imposed on whoever knowingly circulates, brings back into circulation, or brings into the country, a currency coin or note which is no longer in circulation.

### **Article (243)**

A penalty of imprisonment for a period not exceeding one year and a fine not exceeding (50,000) fifty thousand AED shall be imposed on whoever, in good faith, accepts a counterfeit or forged currency coin or note or governmental security, then deals therewith after knowing of such counterfeit, forgery or falsification.

A penalty of imprisonment for a period not exceeding one year or a fine not exceeding (5,000) five thousand AED shall be imposed on whoever refuses to accept a valid national currency at its lawfully denominated value.

### **Article (244)**

A penalty of temporary imprisonment shall be imposed on whoever manufactures machines, tools or other things designed for counterfeiting, forging or falsifying any of the things stated in Article (239) of this Law or obtains such things with the intention to use them for such a purpose.

A penalty of incarceration shall be imposed on whoever possesses such machines, tools or things knowing of their purpose.

### **Article (245)**

Exemption from the penalty shall be granted to any perpetrators who takes the initiative to inform the judicial or administrative authorities before the counterfeit, falsified or forged money or security is used and before the crime is revealed. However, if such informing happens after the crime is discovered, the court may exempt him from the penalty if it has contributed to the arrest of the remaining perpetrators.

## **Chapter Six**

### **Forgery**

#### **Part One**

### **Forgery and Counterfeiting of Seals, Marks and Stamps**

#### **Article (246)**

A penalty of temporary imprisonment for a period not less than (5) five years shall be imposed on anyone who counterfeits or forges, personally or through intermediary, the seal of the State, the seal or signature of the President of the State, Rulers of the Emirates, the Crown Princes or their deputies, or seals, postage stamps or financial stamps, or emblems of the government, its directorates, departments, or any of the authorities stated in Article (5) of this Law, or the seal, signature or mark of any of their employees, or the governmental hallmark on gold, silver or other precious or valuable metals.

The same penalty shall be imposed on anyone who uses or brings into the State any of the above things, knowing of its counterfeit or forgery.

#### **Article (247)**

If the seals, postal or financial stamps or marks in respect of which the crimes as stipulated forth in the preceding Article are related to a legal person other than those stated therein, the penalty shall be incarceration.

#### **Article (248)**

A penalty of temporary imprisonment shall be imposed on anyone who unlawfully uses the seal of the State, the seal of the President of the State, or any of the Rulers of the Emirates, their Crown Princes and deputies, or any of the seals, postage stamps or financial stamps, or marks of the government, its directorates, departments, or any of the authorities stated in Article (5) of this Law, or the seal of any of their employees, causing harm to a public or private interest.

### **Article (249)**

A penalty of incarceration for a period not exceeding one year or a fine shall be imposed on whoever counterfeits, imitates, forges, or falsifies metal plates or other marks issued by governmental departments in execution of laws, regulations or systems.

The same penalty shall be imposed on anyone who uses any of such things, knowing of its counterfeit or forgery, and on anyone who uses any such genuine plate or mark but without being entitled to.

### **Article (250)**

A penalty of incarceration for a period not exceeding (6) six months or a fine not exceeding (10,000) ten thousand AED shall be imposed on whoever makes, distributes or offers for sale printed materials or forms, irrespective of the method of making them, resembling in appearance the government marks, postal or financial stamps, those concerning wire or wireless communications or those issued in a member country of the International Post Union - the aforementioned marks and stamps include international postal receipts.

## **Part Two**

### **Forgery of Documents**

#### **Article (251)**

Forgery of a document is a change of its genuineness by any of the means stated hereinafter, resulting in harm, for the purpose of using it as a valid instrument.

The following are considered means of forgery:

1. Making a change in an existing document by way of addition, deletion or alteration, whether in the writing, numbers, marks, or in photographs appearing therein.
2. Putting a forged signature or seal, or altering a genuine signature, seal, or thumb-print.
3. Obtaining, by means of surprise or fraud, a signature, seal or thumb-print of a person without his knowledge the contents of the document or without validly giving consent thereto.
4. Fabricating or counterfeiting a document and attributing it to a third party.

5. Filling a paper signed, sealed or thumb-printed paper in blank without the consent of the person who signed, sealed or thumb-printed it.
6. Impersonating or substituting the identity of a person in a document made to verify such identity.
7. Altering the truth in a document made for verifying such truth.

### **Article (252)**

Forgery of an official document shall be punished with imprisonment for a period not exceeding (10) ten years, and forgery of a non-official document shall be punished with incarceration.

### **Article (253)**

A penalty of imprisonment for a period not exceeding (5) five years shall be imposed on whoever forges a copy of an official document and such copy has been used, or uses a copy of an official document knowing of its forgery. The penalty shall be incarceration if such copy is of an unofficial document.

### **Article (254)**

An official document is that which a public servant or a person entrusted with a public service has the competence to prepare or to interfere in preparing it in any manner or to grant it an official character.

Any other document shall be considered as non-official document.

### **Article (255)**

A penalty of imprisonment for a period not exceeding (5) five years shall be imposed on any physician or midwife who knowingly issues a false certificate or statement concerning a pregnancy, delivery, disease, physical disability, death or any other similar matter having connection with his profession, even if the act was committed due to an urgent request, recommendation or intermediation.

### **Article (256)**

A penalty of incarceration for a period not exceeding (2) two years or a fine not exceeding (10,000) ten thousand AED shall be imposed on anyone who, during the investigation procedures regarding a matter of death, inheritance or bequest prescribed by law, provides before the authority that is competent to issue the notice thereof, with false statements concerning the facts to be established, not knowing the reality of such facts or knowing that they are not correct, whenever the notice is issued on basis of said statements.

### **Article (257)**

A penalty of incarceration for a period not exceeding (2) two years or a fine not exceeding (50,000) fifty thousand AED shall be imposed on anyone who provides incorrect personal information in a judicial or administrative investigation.

The same penalty shall be imposed on whoever provides false personal information to a public servant during and for the purpose of the performance of his job.

### **Article (258)**

Whoever knowingly uses a forged document shall be punished by the penalty prescribed for the crime of forgery, as the case may be.

Whoever unlawfully uses or benefits from a genuine document or the copy thereof in the name of another person shall be punished by the same penalty, as the case may be.

### **Article (259)**

The provisions of this Part shall not apply to the cases of forgery stipulated in any special penal laws.

## **Chapter Seven**

### **Embezzlement and Damage to Public Funds**

#### **Article (260)**

A penalty of temporary imprisonment shall be imposed on any public servant or any person entrusted with a public service who embezzles funds, papers or other things held in his possession ex officio or by reason of his assignment.

The penalty shall be temporary imprisonment for a period not less than (5) five years if the crime is indivisibly connected to or associated with a crime of forgery or use of a forged document or forged copy of an official document.

#### **Article (261)**

A penalty of temporary imprisonment shall be imposed on any public servant or any person entrusted with a public service who takes advantage of his profession and unlawfully embezzles the funds, papers or other things of the State or any of the authorities stated in Article (5), or embezzles private papers or funds in his possession or facilitates the same for other persons.

The penalty shall be temporary imprisonment for a period not less than (5) five years if the crime is indivisibly connected to or associated with a crime of forgery or use of a forged document or forged copy of an official document.

#### **Article (262)**

A penalty of temporary imprisonment shall be imposed on any public servant or any person entrusted with a public service who unlawfully obtains or attempts to obtain for himself or for a third party a profit or an interest from an act related to his job duties.

#### **Article (263)**

A penalty of temporary imprisonment for a period not exceeding (5) five years shall be imposed on any public servant officer or any person entrusted with a public service whose work is related to the collection of taxes, duties, fines or the like, who knowingly requests



the payment of which is not due or what exceeds what is due.

### **Article (264)**

A penalty of temporary imprisonment shall be imposed on any public servant or any person entrusted with a public service who deliberately harms the funds or interests of the entity where he works, or the funds or interests of a third party entrusted to such entity.

### **Article (265)**

A penalty of temporary imprisonment shall be applied on any public servant or any person entrusted with a public service whose work is related to the preparation, administration or execution of contracting, supply or public works pertaining to the State or any of the authorities mentioned in Article (5) above, who benefits directly or through an intermediary from any of said works, or who obtains for himself or for another person, a commission in connection with any matter pertaining to such works.

### **Article (266)**

A penalty of temporary imprisonment for a period not exceeding (5) five years shall be imposed on anyone who deliberately commits fraud in performing all or part of the obligations imposed thereon by a contracting agreement or supply contract or by any other administrative contract concluded between him and the Government or any of the authorities mentioned in Article (5). The penalty shall be temporary imprisonment if the crime has caused serious damage, or if said contract is concluded for the purpose of providing the needs of the defence and security, whenever the perpetrator is aware of such purpose.

### **Article (267)**

In addition to the penalties prescribed for crimes stated in this Chapter, the perpetrator shall be sentenced to refund and a fine equal to the amount of funds subject of or resulting from the crime, provided that it is not less than (50,000) fifty thousand AED.

### **Article (268)**

A penalty of incarceration and/or a fine not more than (50,000) fifty thousand AED shall be imposed on any public servant or any person entrusted with a public service who, due to his fault, causes damage to the funds or interests of his employer or to the funds or interests of a third party assigned to said employer.

### **Article (269)**

The provisions of this Law shall apply to whoever commits one of the crimes stipulated in this Chapter and Chapter One of Section Two of Book Two of this Law outside the State, if the perpetrator or the victim is a citizen or if it is committed by an employee of the public or private sector of the State or if it affects a public property.

### **Article (270)**

The criminal lawsuit shall not expire upon the lapse of term in any of the crimes stipulated in this Chapter, and the punishment imposed shall not be forfeited. Moreover, civil lawsuits either arising or related thereto shall not expire upon the lapse of term.

### **Article (271)**

Attempt to commit crimes stipulated in this Chapter shall be punished by the same penalty prescribed for the consummated crime.

## **Chapter Eight**

### **Strike and Obstruction of Work Progress**

### **Article (272)**

If at least three public servants leave their work or deliberately abstain from performing any of their duties, based on a mutual agreement among them or seeking to achieve an illicit purpose, each of them shall be punished by incarceration for a period not less than (6) six months and not exceeding one year.

The penalty shall be incarceration if such leaving or abstaining endangers peoples' lives, health or security, causes disturbance or commotion among people, causes disruption to

another public interest, or if the perpetrator is an instigator.

In all cases, the court shall order the deportation of the foreigner perpetrator.

### **Article (273)**

A penalty of incarceration shall be imposed on anyone who violates the public servant's right of work, whether done with force, violence and threat or in any unlawful manner.

### **Article (274)**

A penalty of incarceration or a fine shall be imposed on any contractor or individual in charge of the administration of a public utility who stops the work whenever it is without justification and results in the disruption of performance or regularity of the public service.

## **Section Two**

### **Crimes Relating to Public Service**

#### **Chapter One**

#### **Bribery**

### **Article (275)**

A penalty of temporary imprisonment shall be imposed on any public servant, a person entrusted with a public service, a foreign public servant or an employee of an international organization who, directly or indirectly, requests, accepts, takes or promises an unentitled gift, privilege or grant, whether in favour of the employee himself or in favour of another person, entity or establishment, in return for performing or omit an act that falls within his job duties or for violating his job duties, even if he has intended not to perform or omit such act or to violate his job duties, or if such request, acceptance or taking occurs after performing or omitting the act or violating his job duties.

### **Article (276)**

A penalty of temporary imprisonment shall be imposed on any public servant, a person entrusted with a public service, a foreign public servant or an employee of an international

organization who, directly or indirectly, requests, accepts, takes or promises, an unentitled gift, privilege or grant, whether in favour of the employee himself or in favour of another person, entity or establishment, in return for performing or omitting performing an act which is wrongly believed or which he claims to be among his job duties.

### **Article (277)**

In the application of Articles (275) and (280) of this Law, arbitrators, experts and fact-finders are treated as public servants within the limits of the work assigned thereto.

### **Article (278)**

A penalty of temporary imprisonment for a period not exceeding (5) five years shall be imposed on whoever manages an entity or establishment of the Private Sector, or works therefor in any capacity, who, directly or indirectly, requests, accepts, takes or promises, an unentitled gift, privilege or grant, whether in favour of the employee himself or for another person, in return for performing or omitting an act that falls within his job duties or that violates his job duties, even if he has intended not to perform or omit such act, or if such request, acceptance or promise occurs after performing or omitting the act.

### **Article (279)**

A penalty of temporary imprisonment for a period not exceeding (5) five years, shall be imposed on any person who, directly or indirectly, promises, offers or grants a person managing an entity or an establishment in the Private Sector an unentitled gift, privilege or grant, whether in favour of said person himself or in favour of another person, in return for performing or omitting an act that falls within his job duties or that violates of his job duties.

### **Article (280)**

A penalty of temporary imprisonment for a period not exceeding (5) five years, shall be imposed on any person who, directly or indirectly, a public servant, a person entrusted with a public service, a foreign public servant or an employee of an international organisation, an unentitled gift, benefit or grant, whether in favour of the employee himself or for another

person or entity, in return for performing or omitting an act included in his job duties in violation thereof.

### **Article (281)**

A penalty of Imprisonment for a period not less than one year and/or a fine not less than (20,000) twenty thousand AED shall be imposed on whoever requests, for himself or for others, accepts or takes a promise or gift to use real or alleged influence to obtain or to attempt to obtain, from a public department or authority or an entity subject to its supervision, a grant, service, benefit, or any unentitled privilege of any kind.

The penalty shall be imprisonment for a period not exceeding (5) five years if the perpetrator is a public servant, a person entrusted with a public service, a foreign public servant or an employee of an international organisation.

### **Article (282)**

A penalty of temporary imprisonment for a period not exceeding (5) five years shall be imposed on whoever intercedes to influence the briber or the bribed to offer, request, accept, receive or promise a bribe.

### **Article (283)**

The perpetrator in all cases stated in the preceding Articles of this Chapter shall be punished with a fine equivalent to what has been requested or offered or accepted, provided that the fine shall not be less than (5,000) five thousand AED.

A judgment shall also be issued to confiscate the gift accepted by or offered to the public servant or the person entrusted with a public service.

### **Article (284)**

The briber or the intermediary shall be exempted from the penalty if he informs the judicial or administrative authorities of the crime before it is discovered.

### **Article (285)**

The provisions of this Law shall apply to whoever commits one of the crimes stipulated in this Chapter outside the State, if the perpetrator or the victim is a citizen, or if the crime is committed by an employee of the public or private sector of the State or affects public funds.

### **Article (286)**

The criminal lawsuit shall not expire upon the lapse of the term in one of the crimes stipulated in this Chapter and the adjudged penalty shall not be forfeited. The civil lawsuits that arise from or are connected to such lawsuit shall not expire upon the lapse of the term.

### **Article (287)**

Attempt to commit crimes stipulated in this Chapter shall be punished with the same penalty prescribed for the consummated crime.

## **Chapter Two**

### **Jobbery of Abuse of Power**

### **Article (288)**

A penalty of incarceration shall be imposed on any public servant or any person entrusted with a public service who, in cases other than those stipulated in the law, arrests, incarcerates or detains any person.

### **Article (289)**

A penalty of incarceration shall be imposed on any public servant or any person entrusted with a public service if he knowingly searches a person, his residence or his place of work in cases other than those stipulated in the law, or without consideration of the conditions contained therein.

### **Article (290)**

A penalty of temporary imprisonment shall be imposed on any public servant who, personally or through an intermediary, uses torture, force or threat with an accused, witness or expert in order to compel him to confess a crime, to make a statement or to give information relating thereto, or in order to conceal any matter whatsoever.

### **Article (291)**

A penalty of temporary imprisonment for a period not exceeding (5) five years shall be imposed on any public officer who punishes or orders to punish any convict with a penalty that is severer than the one imposed thereon or a penalty which has not been imposed thereon.

### **Article (292)**

A penalty of incarceration for a period not less than one year and not exceeding (5) five years, any public servant whose work is related to managing or guarding a penal establishment or any other establishment or institution designated for the enforcement of the criminal or social defence measures if he accepts, without an order from the competent authority, to place a person in such establishment or institution, or to hold him therein after expiry of the period determined for such order, or who refrains from executing the order of release.

### **Article (293)**

A penalty of imprisonment for a period not less than one year and/or a fine not less (10,000) ten thousand AED shall be imposed any public servant or any person entrusted with a public service who, based on the power of his office, treats any person with cruelty, in such a manner as to dishonour or cause him bodily agony.

### **Article (294)**

A penalty of incarceration shall be imposed on any public servant who, abuses the power of his office, to stop or impede the enforcement of the provisions of laws, regulations, systems,

resolutions or orders issued by the Government, or the execution of any judgment or order issued by a competent judicial authority, or to delay the collection of any funds, taxes or duties prescribed by the Government.

### **Article (295)**

A penalty by incarceration shall be imposed on any employee in post, telegraph or telephone offices, who opens, destroys or conceals a letter or telegram or data deposited or delivered to any of said offices, or who facilitates this matter to others, or he discloses a secret contained in a letter, telegram, or telephone call.

### **Article (296)**

A penalty of temporary imprisonment shall be imposed on any public servant or any person entrusted with a public service, apart from those mentioned in the preceding Article, who gives, damages, conceals, or facilitates for another person the acquisition of, information or data that he knows of or unlawfully extracts by virtue of his office.

## **Chapter Three**

### **Assault on Employees**

### **Article (297)**

A penalty of incarceration for a period not less than (6) six months shall be imposed on anyone who uses force or violence or threat against any public servant or any person entrusted with public a service, with the intention of unlawfully forcing him to perform or omit any of his office duties, and has not achieved his intention; however, if he achieves his intention, the penalty shall be imprisonment for a period not less than one year.

If the crime is premeditated, or committed by more than one person or by a person carrying a visible weapon, or if the crime is accompanied by battery, the penalty shall be imprisonment for a period not less than one year and a fine not less than (100,000) one hundred thousand AED.



### **Article (298)**

1. A penalty of incarceration for a period not less than (6) six months and a fine not exceeding (50,000) fifty thousand AED shall be imposed on anyone who assaults a public servant or a person entrusted with a public service, or if he resists him forcibly or violently, in the course of or because of the performance of his duties or service.
2. The penalty shall be incarceration for a period not less than one year and a fine not less than (50,000) fifty thousand AED, if the assault or resistance involves battery.
3. If any of the crimes stated in the preceding paragraph is premeditated, or committed by more than one person or by a person carrying a visible weapon, or if the assaulted public service is an employee of the security or police authorities, the penalty shall be imprisonment.

## **Chapter Four**

### **Assumption of Offices and Capacities**

#### **Article (299)**

A penalty of incarceration for a period not exceeding (5) five years shall be imposed on anyone who unduly assumes any of the public offices. The same penalty shall be imposed on anyone who interferes with a public office or service, or performs any of its duties or requirements without being competent or entrusted therewith, for the achievement of an unlawful purpose or to obtain for himself or others a privilege of any kind.

The penalty shall be incarceration for a period not less than one year and not exceeding (5) five years if any of the crimes cited in the first paragraph is committed by assuming the capacity of security or police personnel.

#### **Article (300)**

A penalty of incarceration for a period not exceeding one year or a fine not less than (10,000) ten thousand AED shall be imposed on whoever unlawfully publicly wears official uniform or attire exclusively designated by law for a certain category of people, wears the uniform of a rank higher than his, wears a medal, ribbon, badge or sign of an office, or

assumes any of the officially recognized honorary, official, scientific or university titles, or any of the military ranks or public parliamentary capacities. This provision shall also apply if the uniform, medal, or any of the aforementioned things belongs to a foreign country.

### **Article (301)**

The court may, in the cases stipulated in the two preceding Articles, order that the judgment or an excerpt thereof be published by the appropriate manner at the expense of the convict.

## **Section Three**

### **Crimes Against Administration of Justice**

#### **Chapter One**

#### **False Testimony, Perjury and Abstention From Testifying**

### **Article (302)**

Whoever delivers under oath false testimony before a judicial authority or a panel, competent to hear witnesses, or who denies the truth, conceals all or part of what he knows concerning the facts of a lawsuit regarding which he is being interrogated, whether the person delivering the testimony is admitted to testify or whether his testimony is accepted in the proceedings or not, shall be punished with incarceration for a period not less than (3) three months.

If such an act occurs in the course of investigating a felony or the trial thereof, he shall be punished with temporary imprisonment; and if the false testimony results in adjudging the death penalty or life imprisonment, the false witness shall be punished with the same penalty.

### **Article (303)**

The following shall be exempted from the penalty:

1. Any witness who delivers the testimony during a criminal investigation if he retracts his false testimony before the end of the investigation and before he is denounced.
2. Any witness who testifies on any trial if he retracts his false testimony prior to the

issuance of any judgment on merits, even if not final.

### **Article (304)**

The following shall be exempted from the penalty:

1. Any witness who - by saying the truth - would conceivably expose himself to serious prejudice to his liberty or honour, or would expose his spouse, even divorced, or any of his ascendants, descendants, siblings, or in-laws of the same degrees.
2. Any witness who, having announced to the court his name, surname and nickname, was not supposed to be heard as a witness or was supposed to be warned that, if this were his wish, he would have been entitled to abstain from bearing witness.
3. If in the two above cases, the false testimony has exposed another person to any legal prosecution or conviction, the witness shall be punished with incarceration for a period not less than (6) six months.

### **Article (305)**

The penalty shall be reduced to its half, for the person upon whose instigation the false testimony has been delivered, if the witness, by saying the truth, would have inevitably exposed him or any of his relatives to harm as specified in the first paragraph of the preceding Article.

### **Article (306)**

A penalty of imprisonment for a period not less than one year and not exceeding (5) five years shall be imposed on any expert, translator or fact-finder appointed by the judicial authority or administrative authority in a civil or criminal lawsuit, who knowingly confirms a matter contrary to the truth and knowingly interprets the same inaccurately.

The penalty shall be temporary imprisonment be imposed if the assignment entrusted to the aforementioned categories is related to a felony.

The aforementioned categories shall be deprived from re-assuming the same assignments which had been entrusted thereto, and they shall be subject to the provisions of Article (304) of this Law.

### **Article (307)**

A penalty of temporary imprisonment for a period not exceeding (5) five years shall be imposed on any physician or midwife requesting or accepting, for themselves or for other persons, a gift or privilege of any kind or a promise of anything of the like, in return for delivering false testimony concerning pregnancy, giving birth, disease, physical disability or death, or if they give such testimony due to an urgent request, recommendation or intermediation.

In such a case, the provision of the second paragraph of Article (302) of this Law shall apply.

### **Article (308)**

Without prejudice to the provisions of Article (290) of this Law, a penalty of incarceration and a fine shall be imposed on anyone who uses torture, force or threat, or who offers a gift or privilege of any kind or a promise of any such things, in order to coerce another person to suppress any matter, or to make untrue statements or conceal any evidence before any judicial authority.

### **Article (309)**

A penalty of incarceration for a period not exceeding two years and a fine not exceeding (10,000) ten thousand AED shall be imposed on anyone who compels the adversary party in a civil matter to take oath or to whom oath is reverted and commits perjury.

The perpetrator shall be exempted from the penalty if he says the truth after committing perjury and before the issuance of a judgment on the lawsuit in which perjury has been committed.

### **Article (310)**

A penalty of incarceration for a period not exceeding one year and/or a fine not exceeding (5,000) five thousand AED shall be imposed on anyone who is called upon to deliver a testimony before any judicial authority and who abstains from taking the oath or testifying evidence, unless his refusal is justified by an acceptable excuse.

The perpetrator shall be exempted from the penalty if he tracts his abstention before the issuance of any judgment on the lawsuit.

## **Chapter Two**

### **Influencing and Defamation of the Judiciary**

#### **Article (311)**

A penalty of incarceration and/or a fine shall be imposed on anyone who, by any means of publicity, prejudices the dignity of a judge or any member of the Public Prosecution in respect of any lawsuit or in relation thereto.

#### **Article (312)**

A penalty of incarceration or a fine shall be imposed on any individual who publishes, through any means of publicity, any matters with the intention of causing influence on the judges - resolving a lawsuit presented before them - or on the members of Public Prosecution, any other persons who are charged with the investigation or expert work, or on any witnesses who may be called upon to testify in any lawsuit or investigation. The same penalty shall be imposed on anyone who publishes, through any means of publicity, any matters with the intention of hindering a person from declaring any information to the competent authorities, or of influencing the public opinion in favour of or against any of the parties to the lawsuit or investigation.

In the published matters are false, the perpetrator shall be punished with incarceration and a fine.

#### **Article (313)**

A penalty of incarceration for a period not exceeding two years or a fine shall be imposed on anyone who, by any means of publicity, publishes:

1. News in respect of a current investigation into a crime or any of the documents relevant to such investigation, if the investigation authority has prohibited the publication of any such news.

2. News in respect of investigations or proceedings in lawsuits of pedigree, marriage, child custody, divorce, alimony, separation, adultery, libel or disclosure of secrets.
3. Names or pictures of juvenile delinquents.
4. Names or pictures of victims of crimes involving a breach of honour.
5. Names or pictures of convicted persons with a stay of execution.
6. Court deliberations.
7. News in respect of lawsuits which courts have decided to hear in secret sessions or which they have prohibited their publication.

### **Article (314)**

A penalty of incarceration for a period not exceeding one year or a fine not exceeding (10,000) ten thousand AED shall be imposed on anyone who, by any means of publicity, in a dishonest manner and in bad faith, publishes the proceedings of the court hearings.

## **Chapter Three**

### **Obstruction of Judicial Proceedings**

#### **Article (315)**

A penalty of incarceration shall be imposed on anyone who, with the intention to mislead the judiciary, the investigation authority or evidence-gathering, modifies the situations of the persons, places or things, conceals the evidence of the crime, or knowingly provides false information in this respect.

#### **Article (316)**

A penalty of incarceration and a fine shall be imposed on anyone who conceals, destroys, or takes possession of a document, deed or any other thing submitted to any of the investigation authorities, or in a lawsuit before any of the judicial authorities, for the purpose of misleading the judiciary or the investigation authority.

This provision shall apply even if such document, deed or thing is left in possession of the person who submits it, until requested.

### **Article (317)**

A penalty of incarceration for a period not exceeding (6) six months or a fine not exceeding (5,000) five thousand AED shall be imposed on anyone who is legally bound to submit any document or any other object useful to establish an incident presented to the courts, but abstains therefrom in cases other than those permitted by the law.

### **Article (318)**

A penalty of incarceration for a period not exceeding (2) two years and/or a fine not exceeding (100,000) one hundred thousand AED if he commits in bad faith such act that may obstruct the execution procedures against any asset attached judicially, whether by moving, concealing, disposing of, destroying or changing the descriptions of such asset.

The above penalty shall apply, even if the act is committed by the owner or custodian of the asset.

### **Article (319)**

The penalty prescribed in the preceding Article shall be imposed on any public servant or any person entrusted with a public service who deliberately and unlawfully abstains from executing a judgment or order issued by any court after the lapse of (8) eight days as of being officially notified of execution, whenever the execution of such judgment or order is within his competence.

### **Article (320)**

A penalty of temporary imprisonment shall be imposed on anyone who hides the body of a person who died in an accident. A penalty of incarceration shall be imposed on anyone who buries such body prior to authorizing such burial by the competent entities.

A penalty of incarceration for a period not exceeding (3) three months or a fine if he buries the body of a person who dies naturally, without permission by the competent entities.

## **Chapter Four**

### **Abstention From Reporting Crimes**

#### **Article (321)**

A penalty of incarceration or a fine shall be imposed on any public servant in charge of detecting and seizing crimes, who fails or defers to report a crime that comes to his knowledge.

A penalty of incarceration for a period not exceeding one year or a fine shall be imposed on any official who is not in charge of detecting or seizing crimes, and fails or defers to notify the concerned authority of a crime that comes to his knowledge, in the course of or in respect of the performance his job.

No penalties shall be imposed if filing a lawsuit in either of the cases stated in the preceding two paragraphs, is dependent on a complaint.

Exemption from the penalty stipulated in the second paragraph of this Article may be granted if the public servant is a spouse, descendant, ascendant, sibling, or an in-law with the same degree of relationship, of the perpetrator.

#### **Article (322)**

A penalty of incarceration for a period not less than one year and/or a fine not less than (20,000) twenty thousand AED shall be imposed on anyone who, in the course of practising his medical or health profession, examines a deceased person or gives first aid to a seriously injured person, in whom he finds signs showing that the death or injury is the result of a crime or that the circumstances of such death or injury appear doubtful thereto, and has not informed the authorities.

#### **Article (323)**

A penalty of incarceration for a period not exceeding one year or a fine shall be imposed on whoever becomes aware of a crime and abstains from informing the competent authorities. Exemption from such penalty may be granted if the person abstaining is a spouse, descendant, ascendant, sibling, or an in-law with the same degree of relationship, of the



perpetrator.

## **Chapter Five**

### **False Reporting**

#### **Article (324)**

A penalty of incarceration for a period not exceeding (6) six months and/or a fine shall be imposed on whoever reports to judicial or administrative authorities non-existent or false accidents or hazards, or a crime knowing that it has not been committed.

#### **Article (325)**

A penalty of incarceration confinement and/or a fine shall be imposed on whoever, falsely and in bad faith, informs the judicial or administrative authorities that a person has committed an act subject to criminal punishment or administrative sanction, even if it does not result in filing a criminal or disciplinary lawsuit; and also on whoever falsely and contrary to the reality attributes material evidence to a crime committed by a person, or causes legal proceedings to be taken against a person that he knows he is innocent.

The penalty in both cases shall be incarceration and a fine if the crime falsely reported is a felony; and if such false reporting leads to imposing a penalty prescribed for a felony, the false reporter shall be punished with the same penalty imposed.

## **Chapter Six**

### **Breaking of Seals and Tampering with Objects Held in Safe-Keeping**

#### **Article (326)**

A penalty of incarceration for a period not exceeding one year and/or a fine not exceeding (10,000) ten thousand AED shall be imposed on anyone who removes, breaks or destroys any of the seals placed by virtue of an order issued by the judicial authority or the administrative entities on a shop, documents or any other things, or who causes, through any means, said seal to fall short of the purpose intended for which it has been originally placed.

The penalty shall be incarceration if the perpetrator is the custodian.

If the perpetrator uses violence against persons upon committing the crime, this shall be deemed as an aggravating circumstance.

### **Article (327)**

A penalty of incarceration for a period not exceeding (5) five years shall be imposed on anyone who unlawfully removes, destroys or acquires papers, documents or things left under a judicial or administrative judgment or order in such places prepared for safe-keeping thereof, or delivered to a person assigned to preserve them; and the penalty shall be temporary imprisonment if the perpetrator is the custodian or the person in charge of preserving such items.

If the perpetrator uses violence against persons upon committing the crime, this shall be deemed as an aggravating circumstance.

### **Article (328)**

A penalty of incarceration for a period not exceeding (6) six months and/or a fine not exceeding (5,000) five thousand AED shall be imposed on anyone who, while entrusted with the safe-keeping of a seal placed by virtue of a judicial or administrative judgment or order, causes with his negligence any of the crimes stipulated in the two preceding Articles to be committed.

## **Chapter Seven**

### **Escape of the Accused and Convicts**

#### **Article (329)**

A penalty of incarceration for a period not exceeding (2) two years shall be imposed on anyone who escapes while being by force of the law, held under arrest or detention pending investigation.

The penalty shall be incarceration if the crime is committed by two or more persons, or by threat or violence against persons or property.

The penalty shall be temporary imprisonment for a period not exceeding (5) five years if the crime is committed through the use or threat to use weapons.

### **Article (330)**

A penalty of incarceration for a period not exceeding (2) two years shall be imposed on anyone placed under electronic surveillance, by virtue of a decision or judgment, and escapes from the surveillance imposed thereon.

The same penalty stipulated in the preceding paragraph shall be imposed on anyone placed under electronic surveillance, by virtue of a decision or judgment, and disrupts or hinders, by any means the remote surveillance device, which detects his location or his absence from his designated residence as per the decision of the Public Prosecution or the competent court, as the case may be.

If the act stated in the preceding paragraph led to the total or partial damage of the electronic receivers and surveillance devices, the penalty shall be incarceration for a period not less than one year and a fine not less than (20,000) twenty thousand AED and not exceeding (30,000) thirty thousand AED, along with obligating the perpetrator to pay the value of the damaged devices.

### **Article (331)**

A penalty of incarceration for a period not exceeding (2) two years or by a fine not exceeding (20,000) twenty thousand AED shall be imposed on anyone in charge of guarding, watching, transporting or escorting a person under arrest, and who by his negligence causes the escape of such person, if the fugitive is convicted of a penalty prescribed for a felony or an accused in a felony. But in other cases, the penalty shall be incarceration for a period not exceeding (6) six months or a fine not exceeding (5,000) five thousand AED.

### **Article (332)**

Whoever is in charge of guarding, watching, transporting or escorting a person under arrest, and assists him to escape, facilitates his escape, or overlooks it, shall be punished according to the following provisions:

1. If the fugitive is sentenced to death, the penalty shall be temporary imprisonment for a period not less than (5) five years.
2. If the fugitive is sentenced to temporary or life imprisonment or if he is accused of a crime punishable by death, the penalty shall be imprisonment for a period not exceeding (7) seven years.
3. In other cases, the penalty shall be incarceration for a period not less than one year.

### **Article (333)**

Any public servant or any person entrusted with a public service, who is assigned with the arrest of a person and who neglects to execute the order with the intent of helping him to escape from justice, shall be punished with the penalty stipulated in the preceding Article, as per the cases stated therein.

### **Article (334)**

Whoever enables or helps an arrested person to escape or facilitates his escape, in cases other than those mentioned in the preceding Articles, shall be punished according to the following provisions:

1. If the fugitive is sentenced to death, the penalty shall be imprisonment for a period not less than (5) five years.
2. If the fugitive is sentenced to life or temporary imprisonment, or if he is accused of a crime punishable by death, the penalty shall be imprisonment for a period not exceeding (5) five years.
3. In other cases, the penalty shall be incarceration.

If the crime is committed by two or more persons by using threat or violence against persons or things, or by using or threatening to use weapons, this shall be considered an aggravating circumstance; however, the penalty shall in no case exceed the maximum limit prescribed for the crime committed by the fugitive.

### **Article (335)**

A penalty of temporary imprisonment for a period not exceeding (7) seven years shall be imposed on anyone who supplies an arrested person with weapons or tools to use them in escaping.

### **Article (336)**

Anyone who knowingly hides or shelters, personally or through an intermediary, a fugitive under arrest, an accused of a crime or is a person subject of an order of arrest, and anyone who helps him, in any manner whatever, to escape from justice, shall be punished according to the following provisions:

1. If the person who was hidden, sheltered or helped to escape from justice is sentenced to death, the penalty shall be imprisonment for a period not exceeding (7) seven years, and if he is sentenced to life or temporary imprisonment or is accused of a crime punishable by death sentence, the penalty shall be temporary imprisonment for a period not exceeding (5) five years.  
In other cases, the penalty shall be incarceration for a period not exceeding (3) three months.
2. In the crime is committed by two or more persons, with the use of threat or violence against persons or property, or with the use or threat to use weapons, this shall be considered an aggravating circumstance.

### **Article (337)**

Anyone who knows that a crime is committed, and helps its perpetrator escape from justice by concealing any of the crime's evidence, providing false information concerning the crime, while knowing that they are false, or by providing any other kind of assistance, shall be punished according to the following provisions:

1. If the person escaping from justice is accused of a felony punishable by death, the penalty shall be incarceration.
2. In other cases, the penalty shall be either incarceration or a fine.

**Section Four**  
**Crimes Causing Public Danger**

**Chapter One**

**Transgression Against Public Means of Transportation and Utilities**

**Article (338)**

A penalty of life imprisonment shall be imposed on anyone who attacks an aircraft or a ship with the intention of capturing it or seizing all or part of the goods transported thereon, or with the intention of harming one or more persons onboard thereof, or in order to unwarrantably change its direction.

The same penalty shall be imposed if the act is committed by a person who is onboard the aircraft or ship.

If the perpetrator, immediately after the perpetrator captures the aircraft or ship, without causing damage thereto or to the goods transported thereon, or harm to any of the persons on board, returns such aircraft or ship to its lawful pilot or captain or to any individual who has legal title to take possession thereof, the penalty to be imposed shall be temporary imprisonment for a period not exceeding (5) five years.

**Article (339)**

A penalty of temporary imprisonment shall be imposed on anyone who deliberately endangers, in any manner whatsoever, the safety of a ship or aircraft or any other public transport means.

The penalty shall be life imprisonment if said act results in a disaster to any of the above.

**Article (340)**

A penalty of incarceration and a fine shall be imposed on anyone who causes sabotage or damage to a public road, airport, maritime port, land port, vault, or navigable water course.

The penalty shall be life or temporary imprisonment, if the perpetrator uses detonation or explosives to commit the crime.

### **Article (341)**

A penalty of imprisonment for a period not exceeding (7) seven years shall be imposed on any individual deliberately disrupts the function of a public land, sea or air means of transportation.

### **Article (342)**

A penalty of incarceration and/or a fine shall be imposed on anyone who causes by his fault an accident to any of the public land, sea or air means of transportation, that would disrupt its functioning or endangers persons.

The penalty shall be temporary imprisonment if said act results in a disaster.

### **Article (343)**

A penalty of incarceration shall be imposed on anyone who deliberately endangers the safety of any private means of transportation in any manner whatsoever.

The penalty shall be temporary imprisonment if the act deliberately affects the means of transportation of the security or police authorities.

### **Article (344)**

A penalty of incarceration for a period not less than one year and a fine not less than (50,000) fifty thousand AED shall be imposed on anyone who deliberately removes, breaks, destroys or incapacitates any equipment, tools or signs designated for prevention of accidents or surveillance cameras.

The penalty shall be temporary imprisonment if said act results in a disaster

In all cases, the perpetrator shall be ordered by a judgment to pay the value of the damages caused thereby.

### **Article (345)**

If the perpetrator, in order to commit any of the crimes stipulated in this Chapter, takes advantage of a period of commotion or riot, or if he commits it with the use of violence or

threat, this shall be considered an aggravating circumstance.

### **Article (346)**

A penalty of temporary imprisonment and a fine not less than (100,000) one hundred thousand AED shall be imposed on whoever transports or attempts to transport any weapons, ammunition, fireworks, military equipment, or flammable, chemical, biological, radiant or nuclear substances in a land, sea or air means of transportation, or via a letter or parcel, in violation to the relevant laws, regulations or systems.

In all cases, a judgment shall be issued ordering the confiscation of the substances and means of transportation, and the deportation of the foreigner.

### **Article (347)**

A penalty of by temporary imprisonment for a period not exceeding (5) five years if he deliberately disrupts a means of telecommunication or other services allocated for public benefit or cuts or destroys or deliberately prevents the repair of any of its wires or devices.

The penalty shall be temporary imprisonment for a period not less than (5) five years if the crime is committed at times of war, riot or commotion or by the use of firecrackers or explosives.

### **Article (348)**

A penalty of incarceration for a period not exceeding one year or a fine not exceeding (10,000) ten thousand AED shall be imposed on any individual who deliberately causes nuisance to other through using telecommunication devices.

### **Article (349)**

A penalty of life imprisonment shall be imposed on whoever deliberately endangers the life or safety of people, by using substances, germs or other things which cause death or serious damage to public health.



### **Article (350)**

A penalty of incarceration and a fine shall be imposed on anyone who spoils the water of a well, reservoir, any other public water storage tank, or any other similar thing designated for the public use, causing such water to become unfit for use.

### **Article (351)**

A penalty of temporary imprisonment for a period not exceeding (10) ten years shall be imposed on anyone who deliberately breaks, destroys or commits any other similar act impairing the machines, pipes or devices pertaining to the utilities of water, electricity, gas, petroleum or any other public utility, if such act puts said utility out of service.

### **Article (352)**

A penalty of life imprisonment shall be imposed on whoever deliberately demolishes, sabotages, spoils or causes damage to any fixed or mobile private health facilities and units or items or instruments present in such units and facilities, or deliberately impairs any of them or makes them unfit for use.

### **Article (353)**

A penalty of imprisonment for a period not less than one year and a fine not less than (50,000) fifty thousand AED shall be imposed on whoever deliberately disrupts, in any manner, a device, machine, or other things which are designated for first aid, firefighting, rescue of drowned persons or prevention of other accidents.

The penalty shall be temporary imprisonment if the crime results in a disaster.

In all cases, the perpetrator shall be ordered by a judgment to pay the value of the damages caused thereby.

## **Chapter Two**

### **Fire**

#### **Article (354)**

A penalty of temporary imprisonment for a period not less than (7) seven years shall be imposed on anyone who deliberately sets fire to buildings, factories, workshops, warehouses, occupied or unoccupied buildings located in a city or village, or to railway coaches or stations, vehicles carrying one or more persons or attached to a train carrying one or more persons, ships navigating or anchoring in any harbour, aircraft flying or landing in an airport, or to buildings constructed or designated for residence located outside inhabited areas, whether all such things are owned by the perpetrator or not.

If it appears that the fire was set to grant the perpetrator or another person an advantage, this shall be considered an aggravating circumstance.

In all cases, a judgment shall be issued ordering the perpetrator to pay a fine equivalent to the damages caused thereby.

#### **Article (355)**

A penalty of temporary imprisonment shall be imposed on anyone who deliberately sets fire to:

1. Timberlands or forests for wood gathering, or gardens or crops before they are harvested, if they are the property of other persons.
2. Timberlands or forests for wood gathering, or gardens, or crops before they are harvested, if they are his own property and if the fire has extended to other persons property, causing harm thereto.

#### **Article (356)**

A penalty of temporary imprisonment shall be imposed on anyone who deliberately sets fire to buildings that are uninhabited and are not designated for habitation, which are located out of the inhabited areas,, or to crops, piles of hay, harvested yield left where it has been harvested, or to firewood piled, closely packed together or left where it has been gathered,

whether such things are not the property of the perpetrator, or are his own property and the fire has extended to another person's property causing harm thereto.

### **Article (357)**

A penalty of incarceration and a fine not less than (10,000) ten thousand AED shall be imposed on whoever sets fire in cases other than the cases stated in the preceding Articles for the purpose of inflicting material damage to third parties, or gaining illicit advantage for the perpetrator or another person.

### **Article (358)**

If the fire results in the death of a human being, the person who has set it shall be sentenced to death in the cases stipulated in Articles (354) and (355) of this Law, and to life imprisonment in the cases stipulated in Articles (356) and (357).

### **Article (359)**

Using an explosive to damage any of the things stated in the preceding Articles of this Chapter shall be deemed an aggravating circumstance, even if the damage is partial.

### **Article (360)**

Anyone who causes, by his fault, the burning of any object belonging to a third party, shall be punished by incarceration for a period not exceeding one year or a fine not exceeding (10,000) ten thousand AED.

### **Article (361)**

A penalty of incarceration for a period not less than one year or a fine not less than (10,000) ten thousand AED shall be imposed on anyone who is, by force of the law or systems, bound to keep firefighting equipment, and fails to duly install it or to keep it in a continuous operational condition.

A penalty of incarceration for a period not less than one year or a fine not less than (50,000)

fifty thousand AED shall be imposed on whoever removes firefighting equipment or changes its place or makes it unfit for use.

**Section Five**  
**Crimes Against Religions Creeds And Rites**  
**Article (362)**

A penalty of incarceration and/or a fine shall be imposed on anyone who commits any of the following crimes:

1. Offending any of the Islamic sacred beliefs or rites.
2. Insulting any of the recognized divine religions.
3. Approving, instigating or promoting sin or doing any act that would tempt people to commit sin.

If any of such crimes is committed in public, the penalty shall be incarceration for a period not less than one year and/or a fine not less than (100,000) one hundred thousand AED.

**Article (363)**

1. No penalty shall be imposed on drinking, possessing or trading in alcoholic drinks in the cases and at places authorized in accordance with the legislation in force. Each Emirate shall have regulations for the use, circulation and possession of or trading in alcoholic drinks.
2. A penalty of incarceration and/or a fine not less than (500,000) five hundred AED shall be imposed on anyone who possesses, manufactures, brings, promotes, sells alcoholic drinks, or prepares or sets up a place for the consumption of alcoholic drinks, or engages in any activity related to the same without a licence from the competent entities or in violation of the terms of the licence, in other cases or places than those authorized in accordance with the legislation in force.
3. A penalty of incarceration for a period not exceeding than (6) six months and/or a fine not less than (100,000) one hundred AED shall be imposed on anyone who drinks alcoholic drinks in a public place or in places other than those authorized in accordance with the legislation in force, or is found drunk in a public place and causes a riot or

nuisance to others or disturbs public comfort because of his drunkenness.

4. A penalty of incarceration and a fine not exceeding (100,000) one hundred AED shall be imposed on whoever offers or sells alcoholic drinks to any person under (21) years of age, or instigates him to drink them, or buys them for the purpose of offering to such person. Any of such acts shall not be considered a crime if the perpetrator verifies that the age of the person to which the alcoholic drinks is offered or sold is not less than (21) years, based on his passport or any official document.

In all cases, a judgment shall be issued ordering the confiscation of the seized alcoholic drinks and funds obtained therefrom, and the machines, materials, and means used in their production or transportation, and the closure of the shop or place where the crime occurs. The court may order the deportation of the foreigner.

### **Article (364)**

A penalty of incarceration and/or a fine shall be imposed on anyone who offends any of the sacred beliefs or rites dictated in other religions, whenever they are protected under the provisions of Islamic Sharia.

### **Article (365)**

A penalty of incarceration for a period not exceeding one year or a fine not exceeding (10,000) ten thousand AED shall be imposed on anyone who knowingly profanes or desecrates any place designated for the burial of deceased persons or the preservation of mortal remains, or anyone who knowingly profanes or desecrates the corpse or mortal remains of a human dead.

### **Article (366)**

1. A penalty of incarceration and a fine not less than (50,000) fifty thousand AED shall be imposed on whoever commits an act of magic and jugglery, whether it is true or by trickery, paid or free of charge, such acts include:
  - A. Committing acts, uttering words or using methods or means that are not logically accepted to affect a person's body, heart, mind or will, whether directly or indirectly,

truly or illusionary.

- B. Misleading people's vision or controlling their senses or hearts, by any means, to make them see the thing contrary to its reality for the purpose of exploiting them or affecting their beliefs or minds.

2. The court shall order the deportation of the foreigner convict.

In all cases, the court shall order the confiscation of the things seized.

### **Article (367)**

A penalty of incarceration and/or a fine shall be imposed on whoever:

1. Seeks the help of another person in the acts of trickery, magic or jugglery stated in the preceding Article with the intention of affecting a third party's body, heart, mind or will.
2. Brings or imports to the State or acquires or possesses or disposes by any means of disposition of books, spells, materials or tools designated for the acts of trickery, magic or jugglery stated in the preceding Article.
3. Promotes, by any means whatsoever, any of the acts of trickery, magic or jugglery stated in the preceding Article.

### **Article (368)**

Anyone who founds, establishes, organizes or administers an association, entity, organization or any subsidiary thereof, aiming to challenge or raise doubts in the basic principles and instructions of the Islamic Religion, any of its necessarily well-known mandates and precepts, or to preach any religion other than Islam, or to propagate any doctrine or idea which includes, recommends or promotes any of the foregoing, shall be punished by temporary imprisonment for a period not less than (5) five years and not exceeding (10) ten years.

### **Article (369)**

Anyone who, while being fully aware of its objectives, joins, participates in or provide assistance of any kind to an association or any of the other entities stated in the preceding Article, Shall be punished by temporary imprisonment for a period not exceeding (7) seven

years.

### **Article (370)**

Anyone who challenges or raises doubts in the basic principles and instructions of the Islamic Religion, or any of its necessarily well-known mandates and precepts, or who offends it or who preaches another religion or propagates any doctrine or idea which includes, recommends or promotes any of the foregoing shall be punished by temporary imprisonment for a period not exceeding (5) five years.

### **Article (371)**

It is prohibited to any group, entity or organization to hold any conference or meeting, in any place in the State, if they aim from such meeting, directly or indirectly, to challenge or raise doubts in the basic principles and instructions of the Islamic Religion or any of its necessarily well-known mandates and precepts, or to preach any religion other than Islam.

The Public Authority may terminate such conference or meeting with the use of force, if necessary.

Anyone who participates in the preparation of such conference or meeting, or who takes part therein, shall be punished with temporary imprisonment for a period not less than (5) five years and not exceeding (10) ten years.

### **Article (372)**

If any of the crimes stipulated in Articles (369) and (371) of this Law is committed with the use of force or threat, or if the use of force or threat is noticeable in committing them, the perpetrator shall be punished with temporary imprisonment for a period not less than (7) seven years.

### **Article (373)**

Anyone who acquires documents, printed materials or recording materials containing recommendation or promotion of anything from amongst those stipulated in Article (371), and such documents, printed materials or recordings are prepared for distribution or to give other persons access thereto, shall be punished by incarceration for a period not less one

year and/or a fine not less than (5,000) five thousand AED.

The penalty stipulated in the preceding Paragraph shall be imposed on anyone who owns any means of printing, recording or publicity that have been used for printing, recording or broadcasting proclamations, songs or propaganda for a doctrine, association, entity or organization with aiming to any of the objectives stated in Article (371).

### **Article (374)**

A penalty of incarceration for a period not less than one year and/or a fine not less than (5,000) five thousand AED shall be imposed on whoever obtains or receives funds, directly or indirectly, from a person or an entity inside or outside the State if this is for the purpose of performing or promoting any of the acts stipulated in Articles (370) and (371) of this Law.

### **Article (375)**

The penalty for the attempt of the crimes stipulated in this Chapter shall be within the minimum and maximum limits of the penalty prescribed for each of them.

### **Article (376)**

Without prejudice to the penalties stipulated in the preceding Articles, the court shall, in all cases stated in Article (368), dissolve said associations, entities, formations, or subsidiaries and close their premises.

The court may order the closure of the places where the crimes stipulated in Articles (371) and (374) of this Law have been committed. The court shall also, in all cases indicated in the preceding two paragraphs, order the confiscation of funds, effects and other things which may have been used or have been prepared to be used in committing the crime, or may be found in such places where the meetings of such associations, formations, or subsidiaries are held.

The court shall order the deportation of the foreigner after the penalty imposed thereon has been executed.



### **Article (377)**

Exemption from the penalty shall be granted to any perpetrator involved in any of the crimes stipulated in Article (362) and Articles (368) to (375) of this Law if he informs the judicial or administrative authorities of the crime before it is discovered. If such informing is made known after discovering the crime, the court may exempt him from the penalty if it leads to the arrest of the remaining perpetrators.

## **Section Six**

### **Crimes Against the Family**

#### **Article (378)**

A penalty of temporary imprisonment shall be imposed on anyone who isolates a new-born from the person who has legitimate power over him, or who hides such new-born, replaces him with another new-born, or falsely imputes him to other than his parents.

In the event where there is evidence that said new-born is born dead, the penalty shall be incarceration for a period not exceeding (2) two months and/or a fine not exceeding (50,000) fifty thousand AED.

#### **Article (379)**

A penalty of incarceration or a fine shall be imposed on anyone is in charge of a child and refrains from giving him up to the person who is entitled to claim him by virtue of a final decision or judgment issued by the judicial authority.

#### **Article (380)**

A penalty of incarceration or a fine shall be imposed on either of the parents or grandparents who abducts his minor child or his grandchild, personally or through an intermediary, even without deception or coercion, or refuses to return or deliver the minor child, to the person who is entitled to his custody or care in accordance with a final decision or judgment issued by the judicial authority.

### **Article (381)**

The criminal lawsuit in Articles (379) and (380) of this Law shall expire if waiver or conciliation is concluded after the crime takes place and before deciding thereon by a final judgment. If this happens after the judgment becomes final, the execution thereof shall be stayed.

### **Article (382)**

A penalty of incarceration for a period not exceeding one year and/or a fine not exceeding (10,000) ten thousand AED shall be imposed on anyone against whom an enforceable judgment is issued, obligating him to pay alimony to his spouse, any of his relatives or legal dependents, or to pay the fee of custody, breastfeeding or residence but refrains from doing so, although he is capable of paying it, for a period of (3) three months after being warned to pay.

The lawsuit may only be filed based on a complaint from the concerned party.

If convict pays all the sums due from him or provides a guaranty accepted by the concerned party, the penalty shall not be executed.

## **Section Seven**

### **Crimes Against Persons**

#### **Chapter One**

#### **Crimes Against the Life of Human Being and His Physical Integrity**

### **Article (383)**

Without prejudice to the right to the entitle Diya, any person who commits any of the crimes stipulated in this Chapter shall be punished with the penalties stipulated therein, in the cases where the punishment of Qisas is forbidden.

### **Article (384)**

1. Whoever deliberately kills a person shall be punished with life imprisonment.
2. The penalty shall be death if the murder is committed with premeditation or predetermination, accompanied by or associated with another crime, or committed against any of the perpetrator's ascendants or against a public servant or a person entrusted with a public service in the course of, due to or on the occasion of performing his duties or service, or if a poisonous or detonating substance is used in the crime.
3. The penalty shall be temporary imprisonment for a period not less than (7) seven years if the relatives waive their right to Qisas at any stage of the lawsuit or before the execution of the penalty.

### **Article (385)**

Predetermination is the intention determined against any person and the thorough preparation of the means of execution of the act before committing the crime.

Premeditation is to lurking for a person in one or several places, during a certain period of time, long or short, in order to be able to murder said person or to attack him unexpectedly with the use of violence.

### **Article (386)**

A penalty of incarceration for a period not exceeding (6) six months or a fine not exceeding (5,000) five thousand AED shall be imposed on whoever attempts suicide.

The court may order to place the perpetrator in a therapeutical shelter instead of imposing the penalty prescribed for the crime on him, in accordance with the controls stipulated in Article (142) of this Law.

A penalty of incarceration shall be imposed on whoever instigates or assists another person to commit suicide in any manner if he commits or attempts suicide based on the same.

If the person who has committed suicide is under 18 years of age or of diminished capacity or perception, this shall be considered as an aggravating circumstance.

The instigator shall be punished with the penalty prescribed for deliberate murder or attempt thereto, as the case may be, if the person committing or attempting suicide lacks

choice or perception.

### **Article (387)**

A penalty of temporary imprisonment for a period not exceeding (10) ten years shall be imposed on anyone who commits assault on the physical safety of another person, in any manner, without intending to kill him, but the assault leads to his death.

If any of the circumstances stipulated in the second paragraph of Article (384) is fulfilled, this shall be considered an aggravating circumstance.

Committing the act while in a state of drunkenness or narcotization shall also be considered an aggravating circumstance, without prejudice to the provisions of Articles (62) and (63).

### **Article (388)**

A penalty of temporary imprisonment for a period not exceeding (7) seven years shall be imposed on anyone who deliberately causes permanent disability to another.

If any of the circumstances stipulated in the second paragraph of Article (384) of this Law is fulfilled, this shall be considered an aggravating circumstance.

A disability is deemed permanent if the injury has caused the cutting of, severance or amputation of an organ or any part thereof, or total or partial loss of its benefit, or the permanent total or partial loss of the function of any sense.

Any grave mutilation which cannot be removed shall be considered as disability.

### **Article (389)**

A penalty of temporary imprisonment for a period not exceeding (5) five years shall be imposed on anyone who commits assault on the physical integrity of another person, in any manner, leading to unintentional permanent disability. The penalty shall be imprisonment for a period not exceeding (10) ten years if any of the circumstances stipulated in the second paragraph of Article (384) is fulfilled, or if the perpetrator commits the act in a state of drunkenness or narcotization, without prejudice to the provisions of Articles (62 and 63) of this Law.

### **Article (390)**

A penalty of incarceration and a fine shall be imposed on anyone who commits assault on the physical integrity of another person in any manner whatever, which leads to a disease or the inability to carry on his personal activities for more than twenty days.

The penalty shall be incarceration for a period not exceeding one year and a fine not exceeding (10,000) ten thousand AED if the results of the assault are not as grave as is described in the preceding paragraph.

If the assault leads on a pregnant woman to abortion, this shall be considered an aggravating circumstance.

### **Article (391)**

A penalty of incarceration for a period not exceeding one year and/or a fine not exceeding (10,000) ten thousand AED shall be imposed on any pregnant woman who aborts herself deliberately by any means whatsoever.

A penalty of incarceration for a period not less two years or a fine not less than (10,000) ten thousand AED shall be imposed on anyone who deliberately aborts a pregnant woman with her consent by any means whatsoever.

If she is aborted by a physician, surgeon, pharmacist, midwife or other technician, the penalty shall be temporary imprisonment for a period not exceeding (5) five years, without prejudice to any severer penalty stipulated by any other law

A penalty of temporary imprisonment for a period not exceeding (7) seven years shall be imposed on anyone who deliberately aborts a pregnant woman without her consent.

Attempt to commit any of the acts as stipulated in this Article shall be punishable by half the penalties prescribed therein.

### **Article (392)**

If the assault stipulated in Articles (387), (388), (338) and (390) of this Law, and in the fourth paragraph of the preceding Article is committed using a weapon, club or machine or any other tool, by one or more members of a gang composed of at least three persons, who has conspired to assault and cause injury, the penalty shall be incarceration and a fine for each

of them, without prejudice to the severer penalty prescribed for any of them who takes part in the assault, or to any other penalty stipulated by law.

If the crimes stated in the preceding Articles are committed during a war against wounded persons, even if they are enemies, this shall be considered an aggravating circumstance.

### **Article (393)**

A penalty of incarceration and/or a fine shall be imposed on any individual who, by his fault, causes the death of another person.

The penalty shall be incarceration for a period not less than one year and a fine if the crime is committed as a result of the perpetrator's violation of the duties imposed thereon by the principles of his job, profession, or craft, or if he has been, at the time of the accident, in a state of drunkenness or narcotization, or if he refrains from helping the victim or requesting help for the victim although he is capable of doing so.

The penalty shall be incarceration for a period not less than (2) two years and not exceeding (5) five years and a fine if the act has caused the death of more than three persons. If one other circumstance from amongst those stated in the preceding paragraph is fulfilled, the penalty shall be incarceration for a period not less than (3) three years and not exceeding (7) seven years and a fine.

### **Article (394)**

A penalty of incarceration for a period not exceeding one year and/or a fine not exceeding (10,000) ten thousand AED shall be imposed on anyone who, by his fault, causes injury to the physical integrity of another person.

The penalty shall be incarceration for a period not exceeding (2) two years and a fine the crime causes permanent disability, or if the crime is committed as a result of the perpetrator's violation of the duties imposed thereon by the principles of his job, profession, or craft, or if he has been, at the time of the accident, in a state of drunkenness or narcotization, or if he refrains from helping the victim or requesting help for the victim although he is capable of doing so.

The penalty shall be incarceration and a fine if the act results in assaulting the physical

integrity of more than three persons. If other circumstance from amongst those stated in the preceding paragraph is fulfilled, the penalty shall be incarceration for a period not less than (6) six months and not exceeding (5) five years and a fine.

## **Chapter Two**

### **Crimes Against Liberty**

#### **Article (395)**

A penalty of temporary imprisonment shall be imposed on anyone who unlawfully, personally or through an intermediary, and through any means, kidnaps, seizes, detains or deprives another person of his liberty. The penalty shall be life imprisonment in the following cases:

1. If the act is committed with the assumption of public capacity or with the pretension to perform or to be entrusted with a public service, or to associated with a false capacity.
2. If the act is fraudulently committed or with the use of force or threat to kill or seriously harm, or by means of bodily or psychological torture.
3. If the act is committed by two or more persons or by a person carrying weapons.
4. If the period of the kidnapping, seizure, detention or deprivation of liberty exceeds one month.
5. If the victim is a female, juvenile, insane, imbecile or disabled.
6. If the act is committed with the intention to realize profit, to take revenge, to rape the victim or violate his honour, to injure him or to induce him to commit a crime.
7. If the act is committed against a public servant during or due to the performance of his job.

If said act caused the death of the victim, the penalty shall be death. The penalty prescribed for the principal perpetrator on anyone who acts as intermediary in the commission of any of the crimes referred to in this Article as well as anyone who knowingly hides a kidnapped person.

### **Article (396)**

In the event that the perpetrator, of his own volition, surrenders to the judicial or administrative authorities prior to their discovery of the whereabouts of the abducted person and actively assists in guiding them to the said location while providing information regarding the other perpetrator involved in the crime, thereby leading to the successful rescue of the abducted person, the perpetrator shall be granted an exemption from punishment for the offences outlined in the preceding Article.

### **Article (397)**

Whoever facilitates the entry or exit of an individual into or from the country with the deliberate intent to possess or dispose of thereof, as well as whoever possesses, purchases, sells, offers for sale, or in any way engages in the disposition of another person on the premise that of being slaves, shall be subject to the imposition of temporary imprisonment.

### **Article (398)**

Whoever forces a person to work, with or without pay, for a private interest, in cases other than those permitted by law, shall be liable to imprisonment for a duration not exceeding one year, in addition to a fine not surpassing (10,000) ten thousand Dirhams or one of these two penalties.

## **Chapter Three**

### **Exposure to Danger**

#### **Article (399)**

A penalty of incarceration and/or a fine shall be imposed on anyone who deliberately commits an act that would endanger people's life, health, safety or liberty.

The penalty shall be incarceration if any injury whatever has resulted from such act, without prejudice to any severer punishment prescribed by the law.



### **Article (400)**

A penalty of incarceration for a period not exceeding (3) three years shall be imposed on anyone who, personally or through an intermediary, endangers a juvenile who has not completed (15) fifteen years of age or a person incapable of protecting himself due to his health, mental or psychological condition. The penalty shall be incarceration if the crime is committed by way of abandoning the juvenile or disabled in a deserted place, or if it is committed by an ascendant of the victim or by any person whose duty is to protect and take care of the victim. If permanent disability or death of the victim has resulted from the act, without any intention on the part of the perpetrator to cause disability or death, the latter shall be punished with the penalty prescribed for the crime of assault leading to a permanent disability or with the penalty for the assault leading to death, as the case may be. The same penalty shall also be imposed if such endangerment occurs by way of deliberately depriving the juvenile or the disabled of the food or care which his condition necessitates, whenever the perpetrator is bound by the Islamic Sharia to provide it.

### **Article (401)**

A penalty of incarceration or by a fine not exceeding (10,000) ten thousand AED anyone who, either personally or through an intermediary, endangers in a populous area a child who has not completed (7) seven years of age.

## **Chapter Four**

### **Threat**

### **Article (402)**

A penalty of temporary imprisonment for a period not exceeding (7) seven years shall be imposed on anyone who threatens another, in writing or orally, to commit a felony against his person or property, or against the person or property of another person, or who attributes thereto or discloses dishonouring matters, whenever such threats are or are meant to be associated with the request or assignment to commit or omit an act.

### **Article (403)**

A penalty of incarceration shall be imposed on anyone who threatens another to commit a felony against his person or property or against the person or property of another person, or who attributes thereto or discloses dishonouring matters in cases other than those described in the preceding Article.

### **Article (404)**

Anyone who, threatens another, by word or deed, or by any written or oral allusion, either personally or through an intermediary, in cases other than those described in the two preceding two Articles, shall be punished with incarceration for a period not exceeding one year or a fine not exceeding (10,000) ten thousand AED.

### **Article (405)**

Without prejudice to any severe penalty, a penalty of incarceration and/or a fine shall be imposed on whoever is caught in circumstances that pose a threat to public security or the safety of persons or funds while carrying an injuring, cutting, piercing,, crushing, bruising or stinging machine or tool, unless it is due to his professional activity or due to a legitimate reason.

## **Chapter Five**

### **Crimes Against Honor**

#### **Part One**

#### **Rape, Disgracing and Intercourse With Consent**

### **Article (406)**

Whoever forcibly has sexual intercourse with a female shall be punished with life imprisonment.

The penalty shall be death if the victim is not more than (18) eighteen years of age, or her will is not recognized for any reason, or if she has a physical disability, or suffers from a health condition that renders her unable to resist, or if the perpetrator is one of the victim's ascendants or non-marriageable relatives, one of those who raise or care for her or those

who have authority over her, or if the perpetrator is a servant of the victim or any of the aforementioned persons, or if the perpetrators are two or more persons.

### **Article (407)**

A penalty of incarceration and/or a fine not less than (10,000) ten thousand AED shall be imposed on anyone who disgraces any person, whether a male or a female.

The penalty shall be imprisonment for a period not less than (5) five years and not exceeding (20) twenty years, if the act or attempt is accompanied by use of force or threat.

The penalty shall be imprisonment for a period not less than (10) ten years and not exceeding (25) twenty five years, if the victims is not more than (18) eighteen years of age, or his will is not recognized for any reason, or if he has a physical disability, or suffers from a health condition that renders him unable to resist, or if the perpetrator is one of the victim's ascendants or non-marriageable relatives, one of those who raise or care for him or those who have authority over him, or if the perpetrator is the servant of the victim or any of the aforementioned persons, or if the crime occurs in a place of work, study, shelter or care.

### **Article (408)**

If any of the crimes stipulated in Articles (406) and (407) results in the death of the victim, the penalty shall be death.

### **Article (409)**

1. A penalty of imprisonment for a period of not less than six (6) months shall be imposed on any person who:
  - a. Has attained eighteen (18) years of age and engages in sexual intercourse with a female who has attained eighteen (18) years of age with her consent. The same penalty shall be imposed on the female who consented thereto.
  - b. Has attained eighteen (18) years of age and engages in sexual conduct with a person of the same sex who has attained eighteen (18) years of age with mutual consent.
2. Any person who has attained eighteen (18) years of age and has sexual intercourse with

a female, or engages in a sexual conduct with a male or a female who has not attained eighteen (18) years of age with mutual consent, shall be punished by imprisonment for a period of not less than ten (10) years and a fine of not less than one hundred thousand (100,000) dirhams.

3. Consent under Clause (2) of this Article shall only be recognized where the person has attained sixteen (16) years of age.
4. The provisions of the law governing juvenile delinquents and those exposed to delinquency shall apply to:
  - a. Any person who has not attained eighteen (18) years of age and, with his consent, engages in sexual intercourse or sexual conduct.
  - b. Any female who has not attained eighteen (18) years of age and, with her consent, engages in sexual intercourse or sexual conduct.
5. No criminal action shall be instituted in respect of the crimes referred to in Clause (1), paragraphs (a) and (b), of this Article except upon a complaint submitted by the spouse or guardian. The spouse or guardian may waive the complaint, and such waiver shall result in the lapse of the criminal action or the suspension of execution of the penalty, as the case may be.

### **Article (410)**

A penalty of incarceration for a period not less than (2) two years shall be imposed on whoever have sexual intercourse with a female who has completed (18) eighteen years of age and has given birth to an adulterine child. The female shall be punished with the same penalty.

In all cases, no criminal lawsuit may be filed against them if the man marries that woman or one or if both of them acknowledge the paternity of the child, and identification papers and travel documents have been issued for that child in accordance with the laws of the country to which either of them belongs by nationality, subject to the legislation in force in the State. Such marriage or acknowledgment and the issuance of identification papers and travel documents for the child shall result in the expiry of criminal lawsuit or the stay of execution of the penalty, as the case may be.

## **Part Two**

### **Flagrant and Indecent Acts**

#### **Article (411)**

A penalty of incarceration or a fine not less than (1,000) one thousand AED and not exceeding (100,000) one hundred thousand AED shall be imposed on whoever publicly commits an indecent act. In case of recidivism, he shall be punished with imprisonment for a period not exceeding (3) three months and/or a fine not less than (10,000) ten thousand AED and not exceeding (200,000) two hundred thousand AED.

The same penalty shall apply to any person who says or commits anything that is against public morals.

A penalty of incarceration for a period not less than one year shall be imposed on whoever commits an indecent act with a woman or a boy under (18) eighteen years of age even if not in public.

#### **Article (412)**

A penalty of incarceration for a period not exceeding one year and/or by a fine not exceeding (10,000) ten thousand AED shall be imposed on any man who:

1. Approaches a female in a public road or frequently visited place in an indecent manner with words or acts.
2. Disguises himself as a woman to enter a women-only space or a place only accessed by women at the time. If the perpetrator commits a crime in this case, this shall be considered as an aggravating circumstance.

#### **Article (413)**

A penalty of incarceration for a period not less than one year and/or a fine of not less than (10,000) ten thousand AED shall be shall be imposed on anyone person who commits the crime of sexual harassment.

Sexual harassment is any persistent behaviour which disturbs the victim through the repetition of acts, words or gestures that would offend that person's modesty with the

intention of causing that person to submit to the sexual desires of the perpetrator or of a third party.

The penalty shall be incarceration for a period not less than (2) two years and/or a fine not less than (50,000) fifty thousand AED if the perpetrators are multiple, or if the perpetrator carries a weapon, or if the victim is not more than (18) eighteen years of age, or if the perpetrator is one of the victim's ascendants or non-marriageable relatives, or one of those who raise or care for him or those who have authority over him, or if the perpetrator is the servant of the victim or any of the aforementioned persons.

### **Part Three**

#### **Instigation of Debauchery and Prostitution**

##### **Article (414)**

A penalty of imprisonment for a period not exceeding six months and/or a fine not exceeding (100,000) one hundred thousand AED shall be imposed on whoever is found on a public road or frequently visited place instigating the passers-by, by words or gestures, to debauchery.

##### **Article (415)**

A penalty of incarceration for a period not exceeding one month and/or a fine not exceeding (100,000) one hundred thousand AED shall be imposed on whoever publicly makes an appeal, utters a song, shouts out or makes a statement that is immoral, and whoever publicly prompts others by any means whatsoever to debauchery.

##### **Article (416)**

A penalty of incarceration for a period not exceeding one month and/or a fine not exceeding (100,000) one hundred thousand AED shall be imposed on whoever manufactures, imports, exports, acquires, possesses or transports, with the intention of exploitation, distribution or offering to others, writings, drawings, pictures, movies, symbols or other indecent materials. The same penalty shall be imposed on whoever advertises any of the aforementioned

materials.

### **Article (417)**

Any person who incites a male or female, or entices or seduces them by any means, to commit debauchery or prostitution, or who assists in such acts, shall be punished by imprisonment for a period of not less than two (2) years and a fine.

The penalty shall be imprisonment and a fine if the victim has not attained eighteen (18) years of age.

### **Article (418)**

A penalty of temporary imprisonment for a period not exceeding (10) ten years shall be imposed on anyone who, by ways of coercion, trick or threat, instigates any male or female to commit debauchery or prostitution.

The penalty shall be temporary imprisonment for a period not less than (10) ten years if the victim is under (18) eighteen years of age. Furthermore, the aforementioned penalties shall be imposed, as the case may be, on anyone who, by ways of coercion, trick or threat, retains any person against his will, in a place with the intention to compel him to commit one or several acts of debauchery or prostitution.

### **Article (419)**

A penalty of temporary imprisonment and a fine not less than (100,000) one hundred thousand AED shall be imposed on whoever establishes or runs a house for debauchery or prostitution, or who facilitates such practices, or assists by any means in establishing or running such a house.

In all cases, a judgment shall be issued ordering the closure of the place and it shall not be allowed to reopen unless it is designated to deal in lawful business, and after approval of the Public Prosecution.

### **Article (420)**

A penalty of temporary imprisonment for a period not exceeding (5) five years shall be imposed on anyone who, through any means, takes advantage of the prostitution or debauchery of another person.

### **Article (421)**

If the perpetrator, with respect to the crimes stipulated in Articles (417), (418) and 420), the perpetrator is an ascendant or a non-marriageable relative of the victim, any of those who raise or observe him or those who have authority over him, or who works for him or to any of the aforementioned persons, this shall be considered an aggravating circumstance.

### **Article (422)**

Any habitual prostitute or debauchee shall be punished with temporary imprisonment.

### **Article (423)**

If any individual is convicted of any of the crimes stipulated in this Part and sentenced to a freedom-restricting penalty for a period of one year or more, he shall be put under probation for a period equivalent to that of the imposed penalty.

### **Article (424)**

The perpetrator shall, under the provisions stipulated in this Chapter, be assumed to know the victim's age.

## **Chapter Six**

### **Defamatory Crimes**

#### **Libel, Slander and Violation of Secrets**

### **Article (425)**

A penalty of incarceration for a period not exceeding (2) two years or a fine not exceeding (20,000) twenty thousand AED shall be imposed on anyone who, through any means of publicity, attributes to another person an incident that would make him subject to



punishment or expose him to public hatred or contempt.

The penalty shall be incarceration and/or a fine if the act of libel is committed against a public servant or any person entrusted with a public service, during, due to or on the occasion of performing the public service, or if the act of libel violates honour or disgraces the reputation of families, or if it appears to achieve any unlawful purpose.

If libel is expressed by publication in a newspaper or printed material, this shall be considered an aggravating circumstance.

### **Article (426)**

A penalty of incarceration for a period not exceeding one year or a fine not exceeding (20,000) twenty thousand AED shall be imposed on anyone who slanders others through any means of publicity in such a way as to violate his honour or dignity without attributing a particular incident thereto.

The penalty shall be Incarceration for a period not exceeding (2) two years and/or a fine not less than (20,000) twenty thousand AED and not exceeding (50,000) fifty thousand AED if the slander is directed to a public servant or a person entrusted with a public service during, due to or on the occasion of performing the public service, or it prejudices honour or reputation of the families or if it is noted to achieve an illegal purpose,.

If the slander occurs by way of publication in a newspaper or printed material, this shall be considered an aggravating circumstance.

### **Article (427)**

A penalty of punished incarceration for a period not exceeding (6) six months or a fine not exceeding (5,000) five thousand AED shall be imposed if the libel or slander is committed on the telephone or directly against the victim in the presence of others.

The penalty shall a fine not exceeding (5,000) five thousand AED if the libel or slander is committed against the victim in the presence of no one else or in a letter sent thereto by any means whatsoever.

It shall be considered as an aggravating circumstance if libel or slander is committed in the cases stipulated in the preceding two paragraphs against a public servant or a person

entrusted with a public service, during, due to or in the occasion of performing such public service, or if libel is against honour or the reputation of families or appears to achieve any unlawful purpose.

### **Article (428)**

There is no crime if the perpetrator proves the incident which attributed to the victim, whenever such attribution is against a public servant or a person entrusted with a public service and whenever said incident is connected with the job or service.

In such a case, slander may also be proved if it is committed by the perpetrator personally and is connected with the incident of libel.

However, proof may not be provided if more than (5) five years have elapsed since the occurrence of the incident, if the crime has expired for any cause of expiration or if the judgment issued on it has been forfeited.

### **Article (429)**

There is no crime in any libel or slander included in oral or written defence of the litigants, within the limits of the right of defence, before courts or investigating authorities.

### **Article (430)**

There is no crime if an individual informs in good faith the judicial or administrative authorities of an act rendering its perpetrator legally liable.

### **Article (431)**

A penalty of incarceration and a fine shall be imposed on anyone who violates the private or family life of individuals by committing any of the following acts in other than the cases as permitted by law or without the consent of the victim:

1. Eavesdropping, recording or transmitting by any device of any kind whatsoever conversations made in a private place or by way of telephone or any other device.
2. Taking or transmitting by any device of any kind whatsoever a photo of a person in a private place. If such acts as set forth in the preceding two cases during a meeting in front

of those present at the meeting, the consent of such persons shall be presumed.

The same penalty shall apply if a person publishes, by any means of publicity, news, photos or comments related to the private or family life secrets of individuals, even if they are true.

A penalty of incarceration for a period not exceeding (7) years and a fine shall be imposed on any public servant who commits one of the acts stated in this Article exploiting the authority of his job.

In all cases, it shall be ruled to confiscate the devices and other items that may have been used in the crime. It shall also be ruled to erase or destroy the recordings obtained.

### **Article (432)**

A penalty of incarceration for a period not less than one year and/or a fine not less than (20,000) twenty thousand AED shall be imposed on anyone who, by reason of his profession, craft, situation or art is entrusted with a secret and then discloses it in cases other than those permitted by law, or who uses it for his own advantage or another person's advantage, unless the person concerned with the secret has permitted that it be disclosed or used.

The penalty shall be temporary imprisonment for a period not exceeding (5) five years if the perpetrator is a public servant or a person entrusted with a public service and if the secret has been entrusted thereto during, due to or on the occasion of performing his job or service.

### **Article (433)**

A penalty of a fine not less than (3,000) three thousand AED shall be imposed on anyone who opens a letter or telegram, without the consent of the addressee, or who eavesdrops a telephone conversation.

The perpetrator shall be punished with incarceration for a period not less than (3) three months or with a fine not less than (5,000) five thousand AED if he discloses the letter, telegram or telephone conversation to any person other than the addressee without his permission, whenever such disclosure would cause harm to third parties.

### **Article (434)**

A penalty of incarceration shall be imposed on whoever unrightfully copies, distributes to or provides another person with the content of a phone call, or a letter or information or data or any other such things to which he has access by virtue of his profession.

## **Section Eight**

### **Crimes Against Property**

#### **Chapter One**

#### **Theft**

### **Article (435)**

Theft occurs by embezzlement of movable property owned by a person other than the perpetrator and shall be subject to the provisions of the following Articles.

### **Article (436)**

A penalty of life imprisonment anyone who commits theft in which the following circumstances are fulfilled:

1. If the act is committed at night.
2. If the act is committed by two or more persons.
3. If one of the perpetrators is carrying weapons.
4. If the act is committed in an inhabited place, in a place designated for habitation or in any building annexed thereto, if entering such place has to be realized through scaling, breaking in, use of duplicate keys, assumption of a public or false entity, pretension to perform or to be entrusted with a public service, or by using any other unlawful means.
5. If the act is committed with the use of coercion or threat to use weapons.

### **Article (437)**

A penalty of life or temporary imprisonment shall be imposed on anyone who commits theft in a public road or in any of the land, sea or air means of transportation, in any of the following cases:

1. If the act is committed by two or more persons, among whom one is carrying weapons.
2. If the act is committed forcibly by two or more persons.
3. If the act is committed at night by one person carrying weapons.
4. If the act is committed by one person carrying weapons by way of coercion or threat to use weapons.

### **Article (438)**

A penalty of temporary imprisonment shall be imposed on anyone who commits a theft by way of coercion or threat to use weapons, whether his intent is to acquire the stolen property, to convert it to his own use or to carry it away.

### **Article (439)**

A penalty of temporary imprisonment shall be imposed on anyone who commits a theft if the crime is committed at a night by two or more persons among whom one is carrying weapons.

The same penalty shall be imposed for the theft committed at night in an inhabited place by one single person carrying weapons.

### **Article (440)**

A penalty of temporary imprisonment shall be imposed on anyone who commits a crime of theft against the weapons or ammunition of the Armed Forces or the police. The penalty shall be life imprisonment if any of the circumstances stipulated forth in Article (437) of this Law is fulfilled.

The penalty shall be detention for a period not less than one year, but not exceeding (5) five years if the theft is committed against supplies or tools used or prepared for use in telecommunications or other services constructed by the Government or licensed to be constructed for public benefit.

### **Article (441)**

A penalty of incarceration for a period not less than (2) two years and not exceeding (7) seven years shall be imposed if the theft is committed larceny in either of the two following cases:

1. At night.
2. If the perpetrator carries weapons.

The penalty shall be temporary imprisonment for a period not less than (5) five years and not exceeding (7) seven years if the theft is committed by any of the workers at his working place or with the intent to harm his employer.

### **Article (442)**

The penalty shall be incarceration for a period not less than one year if the theft is committed:

1. In any worship venues.
2. In any inhabited place or in any place designated for habitation or any building annexed thereto.
3. In any means of transportation, or in a station, harbour or airport.
4. Through scaling, breaking in, or by using duplicate keys or master keys without the authorization of the owner.
5. By a person who assumes a public or false entity or who pretends to perform or to be entrusted with a public service.
6. By two or more persons.
7. During war against injured persons.
8. Against property belonging to any of the authorities stipulated in Article (5).
9. Against cattle, riding animals or beasts of burden.

### **Article (443)**

A penalty of incarceration for a period not less than (6) six months or a fine shall be imposed on anyone who commits a crime of theft in which none of the circumstances stipulated in the preceding Articles of this Chapter is fulfilled.

#### **Article (444)**

A penalty of incarceration or a fine shall be imposed on anyone who embezzles, in any manner whatever, the telephone service, any telecommunication service or any other governmental service, or who unlawfully exploits, uses, transfers or empties any of such services or any current or the like from amongst the things which are used for the connection or transmission of such services.

#### **Article (445)**

Attempt of the misdemeanour of theft shall be punishable by half the penalty prescribed for the consummated crime.

#### **Article (446)**

When the Court rules incarceration for one year or more for theft or attempt of theft, it may, in case of recidivism, order probation for a period not exceeding (2) two years and not exceeding the period of the adjudged penalty.

#### **Article (447)**

A penalty of incarceration for a period not exceeding one year and/or a fine not exceeding (10,000) ten thousand AED shall be imposed on anyone who uses a car, a motorcycle or any similar vehicle, without the authorization or consent of its owner or the person who is entitled to make use thereof.

#### **Article (448)**

If the perpetrator uses the existence of riot, commotion, fire or any other disaster, as an opportunity in order to commit any of the crimes stipulated in the preceding Articles, this shall be considered an aggravating circumstance.

### **Article (449)**

A penalty of temporary imprisonment shall be imposed on anyone who, by force or through threat, obtains a written instrument, a signature thereon, an amendment thereto, cancellation or destruction thereof.

### **Article (450)**

A penalty of incarceration and a fine shall be imposed on anyone who, through threat, compels another person to hand him over money or things other than those mentioned in the preceding Article.

If the threat is to disclose or attributing disgracing or dishonouring matters to the victim, this shall be considered an aggravating circumstance.

Attempt shall be punishable by half the penalty prescribed for the consummated crime.

## **Chapter Two**

### **Fraud**

### **Article (451)**

A penalty of incarceration or a fine shall be imposed on anyone who, by using fraudulent practice, assuming a false name or capacity, takes possession for himself or for others of any movable property or written instrument, or obtains any signature on such instrument, the cancellation or destruction thereof or an amendment thereto, whenever it is intended to deceive the victim and bring him to hand over such things. the same penalty shall be imposed on anyone who disposes of a building or a movable property while being fully aware that it is not his own or that he has no right to dispose thereof; or who disposes of such things while being fully aware that he has previously disposed thereof or concluded any agreement thereon, whenever such an act causes harm to others.

If the subject of crime is a property or a written instrument pertaining to the State or to any of the authorities stated in Article (5), this shall be considered an aggravating circumstance.

Attempt shall be punishable by incarceration for a period not exceeding (2) two years or a fine not exceeding (20,000) twenty thousand AED. When ruling incarceration for a period of



one year or more against a recidivist, probation for a period not exceeding (2) two years and not exceeding the period of the imposed penalty may be ruled.

### **Article (452)**

A penalty of incarceration or a fine shall be imposed on anyone who takes advantage of the need of a minor or convict of the continuity of the guardianship or tutorship thereover, or who, exploiting his passion or lack of experience, obtains from him a property or a written instrument, any signature thereon, any amendment thereto, any cancellation or destruction thereof, in order to harm his interest or the interest of others. Any insane, imbecile or interdicted person shall be treated as a minor. If the crime is committed by the tutor, guardian, curator of the victim or by any person having authority over him or in charge of taking care of his interests, this shall be considered an aggravating circumstance.

## **Chapter Three**

### **Breach of Trust and Relevant Matters**

#### **Article (453)**

A penalty of incarceration or a fine shall be imposed on anyone who embezzles, uses or dissipates funds, written instruments or any other movables, in such a manner as to cause harm to persons entitled thereto, whenever such funds, instruments or movables have been handed to him by way of trust, lease, mortgage, loan for use or proxy.

In the application of this provision, any partner in a joint property, any agent of necessity with respect to the property of the concerned party and any person to whom an object is handed to be used for a specific matter for the benefit of its owner or of another, shall be treated as a proxy.

#### **Article (454)**

A penalty of incarceration for a period not exceeding (2) two years or a fine not exceeding (20,000) twenty thousand AED shall be imposed on anyone who knowingly takes possession, with intent of appropriation, of any lost property belonging to another or of a

property which he has acquired wrongfully or due to force majeure.

### **Article (455)**

The penalty prescribed in the preceding Article shall be imposed on anyone who embezzles or attempts to embezzle a moveable property which he has previously mortgaged to secure the settlement of a debt due from him or from another.

The same penalty shall be imposed on any owner who is appointed custodian of his own movable property that is subject to judicial or administrative attachment, and who embezzles anything therefrom.

## **Chapter Four**

### **Hiding Crime Proceeds**

#### **Article (456)**

Whoever knowingly possesses or hides any proceeds from a crime without taking part in committing it shall be punished with the penalty prescribed for the crime from which he knows they have resulted.

If the perpetrator does not know that such things are proceeds of a crime, but has obtained them in circumstances which lead him to believe that their sources are illegal, the penalty shall be incarceration for a period not exceeding (6) six months and/or a fine not exceeding (20,000) twenty thousand AED.

The lawsuit shall expire upon the expiry of the principal crime from which such proceeds have resulted by conciliation.

The court shall rule the returning such things if they are public property.

#### **Article (457)**

The perpetrator, under the provisions of the preceding Article, shall be exempted from the penalty if he takes the initiative to inform the judicial or administrative authorities of the crime from which the proceeds have resulted and of the persons who committed such crime before it is discovered.

If he informs the authorities after the crime is discovered, the court may exempt him from the penalty if such informing has resulted in the arrest of perpetrators.

## **Chapter Five**

### **Usury**

#### **Article (458)**

A penalty of incarceration for a period not less than one year and a fine not less than (50,000) fifty thousand AED shall be imposed on any natural person who deals with another natural person by usury interest in any kind of civil or commercial transaction, whether such interest is express or latent.

Latent interest shall include any commission or benefit stipulated by a creditor, if such a commission or benefit has no corresponding real legal benefit or service provided by the creditor as a consideration.

A principal debt and latent interest may be proved by all means available.

If the perpetrator takes advantage of the debtor's need, weakness or passion to commit the crime stipulated in this Article, this shall be considered an aggravating circumstance.

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

A penalty of temporary imprisonment for a period not exceeding (5) five years and a fine not less than (100,000) one hundred thousand AED shall be imposed on any natural person who acquires a habit of usury.

## **Chapter Six**

### **Gambling**

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

Gambling is a game whereby each of the parties thereto agrees - in case of losing - to pay to the winner a certain sum of money or any other thing agreed upon.

### **Article (461)**

Whoever gambles shall be punished with incarceration for a period not exceeding (2) two years or a fine not exceeding (50,000) fifty thousand AED.

The penalty shall be incarceration or a fine if the crime is committed in a public place or a place opened to the public or business premises or a house prepared and equipped for gambling.

### **Article (462)**

A penalty of temporary imprisonment for a period not exceeding (10) ten years and a fine not less than (100,000) one hundred thousand AED shall be imposed on anyone who opens or runs a place for gambling and prepares such a place for admission of people, and anyone who organizes any game of gambling in a public place or a place opened for the public or in any place or house prepared for such purpose.

### **Article (463)**

In all cases, any money or tools which may have been used in gambling shall be seized and confiscated. The court shall also order the closure of the premises or place designated for gambling, and it may not be authorized to reopen unless it is designated for a lawful purpose and after the approval of the Public Prosecution.

## **Chapter Seven**

### **Damage to Property and Crimes Against Animals**

#### **Article (464)**

A penalty of incarceration for a period not exceeding one year and/or a fine not exceeding (10,000) ten thousand AED shall be imposed on anyone who, in any manner whatsoever, demolishes or damages any movable or immovable property belonging to another person, or puts it out of use or out of service.

The penalty shall be incarceration if the crime results in disrupting any public utility or any facility with public benefit or in endangering people's life, safety or health.

The penalty shall be temporary imprisonment for a period not exceeding (5) five years if the crime is committed by a gang of at least three persons.

### **Article (465)**

A penalty of incarceration and/or a fine shall be imposed on:

1. Any person who cuts down, plucks out or destroys a tree, or a graft therein, or peels it in such a manner as to cause its death.
2. Any person who destroys existing crops, any plants or seeded fields or who disseminates any noxious substance or plant therein.
3. Any person who damages or puts out of use in any manner any agricultural machines or tools.

That is if the damaged things mentioned in the preceding Paragraphs belong to another person.

The penalty shall be temporary imprisonment for a period not exceeding (5) five years if the crime is committed by three or more persons or by two persons one of whom is carrying weapons.

### **Article (466)**

A penalty of incarceration and/or fine shall be imposed on:

1. Anyone who deliberately and without justification kills or seriously injures a riding or pulling animal, a beast of burden or cattle.
2. Anyone who destroys or poisons any fish existing in a water source place or basin.
3. Anyone who leaves a stray animal in conditions that poses a danger to people.

### **Article (467)**

Attempt of any misdemeanour stipulated in the two preceding Articles shall be punishable by half the penalty prescribed for the consummated crime.

### **Article (468)**

A penalty of incarceration for a period not exceeding one year or a fine not exceeding (50,000) fifty thousand AED shall be imposed on whoever damages, relocates or removes a perimeter or mark intended for measuring areas, or for land settlement or demarcation of boundaries that divide properties. The penalty shall be incarceration if the crime is committed with the intention of usurping any of the lands referred to.

### **Article (469)**

If any of the crimes stipulated in the preceding Articles of this Chapter is committed at night or with the use of violence against persons, or if the perpetrator carries weapons or takes advantage of the existence of riot, commotion or public disaster to commit the crime, this shall be considered an aggravating circumstance.

### **Article (470)**

When ruling incarceration for a period of one year or more against a recidivist in any of the crimes stipulated in the preceding Articles of this Chapter, the court may rule probation for a period not exceeding (2) two years and not exceeding the period of the imposed penalty.

### **Article (471)**

A penalty of incarceration for a period not exceeding one year or a fine not exceeding (10,000) ten thousand AED shall be imposed on anyone who, deliberately and without justification, kills or poisons any domesticated or tamed animal other than those stated in Article (466).

### **Article (472)**

A fine not exceeding (5,000) five thousand AED shall be imposed on anyone who harasses, tortures or maltreats a domesticated or tamed animal, as well as anyone who abstains from caring for such animal when he is entrusted therewith or is duly bound to take care of it.

### **Article (473)**

A fine not exceeding (3,000) three thousand AED shall be imposed on anyone who, by his fault, causes wounds or injuries to any animal or cattle belonging to another person, and if such fault causes the death of such animal, the penalty shall be a fine not exceeding (10,000) ten thousand AED.

## **Chapter Eight**

### **Trespass on the Property of Others**

#### **Article (474)**

A penalty of incarceration for a period not exceeding one year or a fine not exceeding (10,000) ten thousand AED shall be imposed on anyone who enters an inhabited place, a place designated for habitation or any building annexed thereto, or a place designated to safeguard money or property, against the will of the concerned person, and in cases other than those stipulated in the law, as well as anyone who remains in such place against the will of the person entitled to drive him out, or if he conceals himself out of sight of the person who has such a right. The court shall p order the eviction of the convict from the crime scene.

## **Chapter Nine**

### **Beggary**

#### **Article (475)**

A penalty of incarceration for a period not exceeding (3) three months and a fine not exceeding (5,000) five thousand AED shall be imposed on anyone who commits the crime of beggary with the aim of obtaining a material or in-kind benefit in any form or means.

It shall be considered an aggravating circumstance if the beggary is committed in the following cases:

1. If the beggar is healthy or has an apparent source of livelihood.
2. If the beggar has faked injury or permanent disability, has pretended to perform a service for others, or has used any other means of deception and fraudulent persuasion with the intention of influencing others to gain their sympathy.

### **Article (476)**

A penalty of incarceration for a period not less than (6) six months and a fine not less than (100,000) one hundred thousand AED shall be imposed on anyone who manages the crime of organized beggary that is committed by an organized group of two or more people.

The same penalty shall be imposed on whoever recruits persons to the State to use them in the crime of organized beggary.

### **Article (477)**

A penalty of incarceration for a period not less than (3) three months and/or a fine not less than (5,000) five thousand AED shall be imposed on anyone who participates in the crime of organized beggary. It shall be considered an aggravating circumstance if the perpetrator of the crime of organized beggary is a tutor, guardian or carer of the beggar or has direct authority over him.

### **Article (478)**

When issuing a judgment of conviction, the court may order the confiscation of the seized objects and funds that have been used or would have been used in the crime or have been the subject of the beggary crime or gained therefrom; and if any such objects or funds cannot be seized, the court shall impose a fine equivalent to their value, all without prejudice to the rights of bona fide third parties. The court shall order the deportation of the foreigner.

### **Article (479)**

The Public Prosecution may refer the accused in the crime of beggary to the competent entities instead of filing the criminal lawsuit, in order to provide him with social care or qualify him to work if he is a citizen of the State and it is established that he is compelled, or unable to earn money and has no other source of livelihood. Federal Law by Decree promulgating the Penal Code